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## DÁIL ÉIREANN

*Dé Céadaoin, 10 Samhain 2004.  
Wednesday, 10 November 2004.*

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

*Paidir.  
Prayer.*

### Leaders' Questions.

**Mr. Kenny:** We read in the newspapers this morning of the sad news of apparent confirmation of a young man in a Dublin hospital having contracted variant CJD. Our thoughts and empathy should be with him and his family.

The details of how this incident occurred remain to be fully investigated. It appears, however, from medical reports and medical sources that the young man concerned did not contract variant CJD by way of blood transfusion or operation. I understand that he has not lived abroad. A case like this which, unfortunately, is the first of its kind here, will give rise to concerns among members of the public about public health issues. From that perspective, will the Taoiseach outline what steps the Government is taking and what inquiries it is making about this incident to ensure that public health fears, as a consequence of this most unfortunate case, can be properly allayed?

**The Taoiseach:** I join Deputy Kenny in expressing regret that the diagnosis of a young male patient in a Dublin hospital confirms that he is suffering from variant CJD. Our thoughts and prayers are with the patient, his family and friends who are attempting to cope with this difficult situation. I thank all those who respected the privacy of the patient and his family in recent weeks. I appreciate the effort undertaken by everybody in that respect.

In reply to Deputy Kenny's question, the Tánaiste was made aware of this potential case of variant CJD on 21 October last. While respecting the privacy and confidentiality of the patient, she met with and was briefed by the chief medical officer, Dr. Jim Kiely, and the chairman of the national CJD advisory committee, Professor William Hall, on the potential broader public health implications that may arise from this case, as Deputy Kenny rightly pointed out. She was assured that the measures in place to protect public health, particularly in regard to the protection of blood supply, are in accordance with best international practice. There are no issues in

regard to blood supply arising from this specific case, as the patient has never donated or received blood and the cause of the infection is not linked to an operation.

The CJD advisory board will continue to monitor all developments nationally and internationally and, along with the Department's chief medical officer, to advise the Tánaiste on any relevant developments. It is understood, as Deputy Kenny said, that the person in the suspected case had not lived abroad. The hospital authorities have ruled out that this condition was caused by a blood product. If variant CJD is eventually confirmed in this case, which is now known to be the position, this would be the first indigenous case. The other person who had this condition had lived in England for a long period, as people will recall. It has been formally confirmed that variant CJD is caused by the consumption of beef. This is believed to be the cause of the majority of the just fewer than 150 such cases in the UK and a number of other cases worldwide.

The worrying issue about this case, even though all the protections recommended were taken here with a major effort having been made from 1996-97 onwards, is that the incubation period for variant CJD is not known, but it is believed to extend for many years. It is difficult to find out what is the exact position on that, but people in this area say it is from ten to 15 years, although that is not hardened up by many people in this area, but that is what the Food Safety Authority of Ireland indicates. There is a possibility that the man concerned became infected prior to the introduction of the more rigorous food safety controls, in particular the removal of the risk materials from the food chain, which was introduced in respect of UK imports eight years ago.

From 1996 onwards, and in advance of their adoption elsewhere, rigorous controls have been applied here to protect consumers and to eradicate BSE. These controls are audited by the FSAI and the EU Food and Veterinary Office. Ireland's controls are deemed to be optimal and stable from 1998 under the geographical assessment which was published. There have been many cases in the USA. The Department is continuing to take all the necessary precautions, both agricultural and on the BSE side. In this case, the CJD advisory group and the FSAI have indicated that there should not be a need for public concern about the safety of Irish beef. In particular, the FSAI said that it is confident that, based on the current controls, consumers of Irish beef are not exposed to BSE infective agent. That is its most recent assessment on this issue.

**Mr. Kenny:** I thank the Taoiseach for his reply and indicating that the FSAI and the CJD advisory board will continue to closely monitor this position. It is important the Taoiseach reiterated that with regard to concerns from a public health perspective, the Government is happy there is no real fear here.

[Mr. Kenny.]

I note that the medical reports and medical sources seem to indicate that as the young man did not contract this disease from a blood transfusion or from an operation, it is almost certain he contracted it from eating infected beef. The beef sector is critical to our economy and to the livelihoods of many thousands of people. If this is the case, is it clear from what source that beef may have come? It is critical to maintain the high standards of integrity and credibility in the Irish beef sector by an open and transparent process. I expect the Department of Agriculture and Food, from the beef sector element of this unfortunate circumstance, to see to it that those highest standards apply. When investigations, inquiries and the process of determining how this happened, if that is possible, are complete I hope that information will be made known so that everyone understands the importance of the credibility of the beef sector and of the application of the most rigorous standards here to maintain public confidence in our beef.

**The Taoiseach:** I assure Deputy Kenny of that. With regard to BSE, all of the pressures, controls and programmes will continue. We have had several cases over the years. The number is small compared with other countries and has reduced dramatically. Last year the number of cases was reduced by 46% and this year by 30%. Because of the incubation period of the disease, animals born before 1996-97 are principally affected.

The CJD advisory board will continue and will monitor all developments in the current case. The board will also step up its efforts to monitor developments internationally and, particularly, in the United Kingdom.

We introduced controls prior to all other EU countries. The Department of Agriculture and Food makes sure these procedures are in place and the Food Safety Authority of Ireland is happy with these measures. Nevertheless, one cannot be too careful and I have no doubt the history of this case will be examined carefully because variant CJD is an extremely difficult disease.

**Mr. Rabbitte:** According to this morning's newspapers the Minister for Finance will go into the budget with a surplus of €2 billion. I raise this in the context of the savage 16 cuts in social welfare introduced by the previous Minister for Social and Family Affairs, Ms Coughlan. One of the cuts was meaner, more hurtful and caused more damage and hardship than another. The cuts meant no rent supplement for six months, abolition of the dietary allowance, effective abolition of the back to education allowance and several others.

Has the Taoiseach looked at the submissions from organisations such as the Society of St. Vincent de Paul and Threshold. The Society of St. Vincent de Paul, for example, says in its submission to the Minister for Finance that calls

seeking help from the society have soared by more than 60% in the past year and that more than a quarter of a million households are receiving assistance from the charity. There are 70,000 Irish children in consistent poverty. The society's vice-president says the figure represents 70,000 children without a warm meal every day or a second pair of shoes. This is the situation in one of the wealthiest economies in the western world.

How can the Taoiseach justify cuts to make such small savings as €58 million against the hardship caused? The Minister for Social and Family Affairs made no attempt to defend last year's cuts or to argue for them. She said they were imposed on her by the Department of Finance. Last year's cuts of €58 million were entirely provoked by the Government's profligacy in order to win the general election of the previous year. Whatever justification there was last year, the Minister for Finance now has a surplus of €2 billion and there is no justification this year. Will the Taoiseach tell those organisations which advocate the cause of the poor that, in the circumstances I have described, he will reverse the cuts in full when the budget is announced?

**The Taoiseach:** Some of the issues raised are not factual but I will not spend too much time correcting the Deputy. The dietary allowance was not abolished last year. Rent allowance was not abolished.

**Mr. Rabbitte:** I did not say it was abolished. The Taoiseach should answer my question.

**The Taoiseach:** Changes were introduced, in consultation with the social partners, to work with the Department of the Environment, Heritage and Local Government to provide more permanent solutions to the accommodation needs of people.

**Mary Coughlan:** We agree with the Deputy. His own county councillors were involved in the decision.

**The Taoiseach:** Last year's budget included an increase in social welfare spending of approximately €650 million. There were areas where the Minister for Finance and his Department believed controls were needed. The Government made changes in some of the measures during the year because submissions were made, as they have been this year. The Society of St. Vincent de Paul and other organisations that deal with those who are less well off have made pre-budget submissions and those submissions are being examined in the context of the Book of Estimates. The social welfare package is normally put together in the context of the budget.

The Deputy would like to give the impression that all is bad. We have lifted 200,000 out of poverty. That is because jobs have been created. There have been major increases in direct support for poorer families and communities. We

have reduced poverty to historic levels, measured by all criteria by all of the agencies mentioned by Deputy Rabbitte. We have raised the lowest social welfare rates by 63%, excluding this year. Consistent poverty has been reduced by two thirds, from 15% to 5%, and we have implemented the largest series of social welfare and child benefits ever. Child benefit has more than trebled. Long-term unemployment is now 1.4%.

Nevertheless, I am conscious that there are those who require welfare and to whom it is extremely important. That is why, year in and year out, we try to maximise the proportion we can give to them. That is being examined again this year. I am sure the Minister for Finance will do all he can within the resources, which are better than last year. Last year, €650 million was given to social welfare. There was not a cutback of €58 million. This year we must look at those areas again to see how we can maximise support for people in need. We will continue to support community and voluntary activity, local projects and the other initiatives suggested by many organisations.

**Mr. Connaughton:** The Government has axed CE schemes.

**Mr. Rabbitte:** Nothing I said was inaccurate. I said the rent supplement was abolished for the first six months. A woman, for example, fleeing domestic violence——

**Mr. N. Ahern:** That is inaccurate.

**Mr. Rabbitte:** Can the big brother stay out of this?

**Mr. Stagg:** The Minister of State should build a few houses.

**Mr. Rabbitte:** It would have helped women fleeing from domestic violence who have to go to refuges if Deputy Noel Ahern had managed to produce more than 315 social houses since he became Minister of State. The dietary allowance is being phased out over the years. I said it was effectively abolished.

How is it that savings of €58 million had to be extracted from the poor when tax reliefs were given to the wealthiest in our society? How can the Taoiseach justify that? The Minister at the time did not seek to justify the cuts. The figures from the Society of St. Vincent de Paul are frightening. There are now 200% more people using the society's help line than there were two years ago. The president of the society says the greatest increase in people seeking assistance has been among those working in low paid jobs. Their jobs are so badly paid that they cannot make ends meet and have now become the working poor.

These are the figures and there is no need for them in the relative state of health of the economy. I am asking whether the Taoiseach will reverse these cuts.

**The Taoiseach:** I have to correct Deputy Rabbitte again, although I know that irritates him. As regards the rent allowance issue, it was not the case that people who were living in hostels——

**Mr. Rabbitte:** I never mentioned hostels in my entire contribution.

**The Taoiseach:** The Deputy did.

**Mr. Rabbitte:** I referred to women fleeing domestic violence.

**An Ceann Comhairle:** Please allow the Taoiseach to reply without interruption.

**The Taoiseach:** Yes. They were exempt.

**Mr. D. Ahern:** They were exempt.

**The Taoiseach:** Those categories were exempt. There were six areas of exemption. I am sure the Deputy knows the rules but if he keeps misrepresenting them I will have to keep correcting him. There were six areas of exemption that the former Minister for Social and Family Affairs, Deputy Coughlan, introduced.

**Mr. Stagg:** Kicking and screaming.

**The Taoiseach:** Last year, the Minister, Deputy Coughlan, introduced very good schemes. She made some changes to them——

**Mr. Durkan:** They were cuts.

**The Taoiseach:** ——but they were very good schemes and very good exemptions. The Government is only too well aware of the situation and that is why every year we have been in Government we have given substantial increases, higher than have ever been granted before. I will not go back over the history of the figures but we are continuing to give those increases. We are conscious of the areas of child benefit and long-term assistance. Not too many years ago, I recall having to fight hard to introduce a minimum wage against the wishes of those who are now in Opposition but were then in Government who did not agree with the idea of a minimum wage. We have the highest minimum wage in Europe and the highest level of it untaxed. We will continue to try to improve on that. While there are people in need, the Government is well qualified to assist them and we will continue to do so.

**Mr. D. Ahern:** Look at the track record.

**Mr. Durkan:** Cuts of €58 million.

**Caoimhghín Ó Caoláin:** Last weekend my party was accused by the Minister for Justice, Equality and Law Reform, Deputy McDowell, in his favourite Sunday comic, of having what he described as "crazy tax policies".



**Mr. O'Dea:** Does Sinn Féin have tax policies?

**Mr. Durkan:** They are not demilitarised yet.

**Caoimhghín Ó Caoláin:** Of course, the Deputy writes for the same comic or has done. Perhaps they have demoted him since he has taken on other responsibilities. A few days later we had a revelation of just some of the billions which this Government has given away to the very wealthy in this country through massive tax breaks. Earlier this year, when I put the same question to the former Minister for Finance, Mr. McCreevy, he was unable to give me an answer. He could not tell us the cost of any of the battery of tax reliefs for developers and speculators. We still do not know the cost of many of these scams. Given those facts, I have no doubt that many people will have no difficulty in determining where the "crazy" tag properly belongs.

Does the Taoiseach agree that, to take just one example, it is crazy for this State to reward multi-millionaire developers and speculators for building private medical facilities, while at the same time our public hospital system is in crisis? Is it not crazy that millions of euro in public moneys are being wasted in tax breaks to subsidise private health business for private profit, while patients in public hospitals lie on trolleys for days at a time and there are not enough nurses and the masters of Dublin's maternity hospitals are indicating they cannot cope and will probably have to limit the numbers admitted in future?

In the forthcoming budget, will the Taoiseach and the Minister for Finance reverse this crazy dichotomy between the Taoiseach's penchant to reward the wealthiest in society and penalise the least well off? In the course of preparing the budget, will the Taoiseach ensure that public money is spent instead on addressing the crisis in our A & E units, in employing more nurses and extending the medical card qualification——

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

**Caoimhghín Ó Caoláin:** ——to so many in our society who desperately need it?

**The Taoiseach:** This year, approximately €500 million is being spent on the health capital programme to improve facilities. While, admittedly, there are some difficulties in A&E — I have acknowledged that on several occasions — I do not think we should take from the enormous progress that has been made in so many other areas of health care, whether they concern cardiac, cancer, lung or other respiratory treatment services that have been opened in this calendar year, not to mention other years. Let us not forget the 1.25 million people who are seen in A& E departments annually, in addition to the many inpatients who are well served by our hospital service.

The Government continually keeps tax shelters and allowances under review but it is incorrect to state that the figures released yesterday all relate to the rich. That is always the easy angle to take on these issues. Yesterday, a reply to a parliamentary question stated that major items among the reliefs were costing €8 billion plus. It is easy to say that is €8 billion for the wealthy but one should examine the exemptions from which the total accrues. They include the following exemptions from income tax: child benefit; capital allowances, the bulk of which are normal business capital allowances in lieu of depreciation; employer-employee pension costs relief, which are widely availed of; exemption from capital gains on the sale and purchase of one's principal private residence; special savings incentive accounts, which are availed of by over 1 million taxpayers; mortgage interest relief; and medical card, insurance and health expenses relief. Does the Deputy want me to do away with those exemptions in the budget? If Deputy Ó Caoláin wants to be Minister for Finance he would be better protected than I am so he could announce those changes. However, I will certainly not announce them or stand over them.

There are some exemptions that I would not defend because they were brought in for a limited period and while they help for a while, the situation then moves on. Incentives and reliefs are introduced by various Governments to try to stimulate investment in particular areas and it is good to leave them there for a while and then do away with them. The previous Minister for Finance announced the winding down of a number of these reliefs.

I noticed that media reports referred to 29 examples on the list released by the Minister yesterday, which have now been curtailed. The limiting of reliefs to promote tax equity has not been mentioned. I will not go through the 29 examples but it is only fair when one is putting one side of the story to put the other side also, when one is given the information. We will continue to keep all these reliefs and incentives under regular review, to ensure they are fulfilling their intended purpose.

The most recent projections available to the Revenue Commissioners in respect of the current tax year indicate that the top 1.5% of earners will contribute 26% of all attributable income tax.

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

**The Taoiseach:** I have no difficulty with people talking about the rich but they do pay 26% of the tax bill, so we should at least note that.

**Caoimhghín Ó Caoláin:** The Taoiseach's response does not even amount to a fig-leaf. We have all seen the report in the newspapers this morning of the component parts and, of course, the Taoiseach would select those he knows very well are not the areas I am addressing. The

Taoiseach's reply will fool nobody. He is well aware that I am talking about, for instance, the 242 people who earned between €100,000 and €1 million in 2001 and who paid no income tax at all. In addition to the 29 listed scams to which the Taoiseach referred — some are worthy supports — there are 33 others for which no information could be secured. Neither the Minister for Finance nor the Revenue Commissioners can tell us exactly what they are costing the Exchequer.

It is obscene that families must struggle to face the €40 cost of visiting a doctor for one of their children, while others — the most wealthy, which is the area I am addressing — continue to feather their nests at the expense of each and every taxpayer. That is an obscenity and it is, in the words of the Minister for Justice, Equality and Law Reform, "absolutely crazy".

**An Ceann Comhairle:** The Deputy should conclude.

**Caoimhghín Ó Caoláin:** The Taoiseach has the opportunity to try to address and redress the imbalance in our society. I invite him by his own costings to ensure that in the upcoming budget the medical card qualification is extended to all children under the age of 18 as it would only cost a mere €118 million, which is a pittance in the overall scale of things.

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

**Caoimhghín Ó Caoláin:** However, the difference it would make to the quality of life for children and their struggling parents would be enormous. Will the Taoiseach indicate his intention to introduce such a measure?

**The Taoiseach:** The Deputy has asked three questions. He has now stated that he is talking just of those areas that are targeted at the wealthy, which is fair enough. Some of the reliefs may be too generous and too broad. We have already announced we are closing in on many of those tax shelters and allowances for individuals because it is not right that people should get away with all of their tax. I have no difficulty with that. We have already announced a tightening up of the procedure on capital allowances and in other areas. Much of what was included in the figure goes to middle-class middle-income earners. On the issue of the exemption of child benefit for income tax purposes, it is there for everybody and the tax allowances are there for everybody. We have never moved away from that. Those are benefits for everybody in society. People do not want these to be targeted and want them as they are. It will not change and that creates a difficulty.

I agree with what the Deputy says about the scams. I am all for stopping scams North and South. If we could address the scams we would have more revenue for the less well off in some

of the categories mentioned. Eliminating scams in cigarettes, petrol and alcohol would all help the national Exchequer. I agree we should try to address scams and tax abuse by wealthy people through avoidance. We continue to try to deal with those.

**Mr. D. Ahern:** Will the Deputy also condemn them?

**Caoimhghín Ó Caoláin:** Will the Taoiseach answer the question about the medical cards?

*(Interruptions).*

## Ceisteanna — Questions.

### Strategic Management Initiative.

1. **Mr. Rabbitte** asked the Taoiseach the progress made to date with regard to the implementation of the modernisation action plan submitted by his Department to the Civil Service performance verification group in July 2003; and if he will make a statement on the matter. [21341/04]

2. **Mr. Kenny** asked the Taoiseach if he will report on the implementation of the modernisation action plan submitted by his Department under the benchmarking agreement; and if he will make a statement on the matter. [24034/04]

3. **Mr. Sargent** asked the Taoiseach if he will report on the implementation of the modernisation action plan submitted by his Department to the Civil Service performance verification group in 2003; and if he will make a statement on the matter. [26386/04]

**The Taoiseach:** I propose to take Questions Nos. 1 to 3, inclusive, together.

The modernisation programme in my Department is being implemented in conjunction with a demanding ongoing programme of work, including in recent times, Ireland's successful Presidency of the European Union and the mid-term review of Sustaining Progress. Since the Department's action plan was submitted to the performance verification group in July 2003, good progress has been made across the full range of modernisation themes.

To date, three progress reports, covering each of the commitments in the plan, have been submitted for the consideration of the performance verification group. Following assessment of the first two reports, the group highlighted progress in a number of areas as being of particular merit, including: the Department's programme of internal audit and expenditure reviews, which focus on value and accountability in resource allocation; the development of the e-Cabinet system, representing a new way to conduct Government business; the successful pilot of the customer charter, to further improve customer service; and the implementation of the manage-

[The Taoiseach.]

ment information framework and human resource management system, to improve efficiency and effectiveness in the administration of the Department. The group also acknowledged innovative measures to improve performance through staff training, as well as the positive findings received through external and internal assessments of a number of areas.

The focus of our modernisation programme to date has necessarily been on the efficiency of our systems and the development of our people as the critical success factors for the delivery of improved services. The emphasis over the next reporting period will be on maximising performance and productivity through availing fully of the potential of these enablers. My Department is awaiting the verification group's response to our third progress report. It has also drawn up a programme of actions which build on the extensive work already progressed, to take account of the additional duration and pay increases provided for in the mid-term review of Sustaining Progress. I am satisfied that sufficient progress has been made to date by my Department in its modernisation objectives.

**Mr. Rabbitte:** Does the Taoiseach agree with me that while what he has just read out may be very meaningful, on the other hand it could be complete gobbledygook? An entire industry is now writing English that is completely impenetrable. It may mean something or it may not mean anything. If the man or woman on the street were to phone the Department of the Taoiseach now how would he or she know about these improvements or that they had been made as a result of the implementation of the modernisation plan? I ask the Taoiseach to explain to the House in his customary layman's English — never mind that old consultancy garbage — what it means for the ordinary person.

**Mr. Kenny:** It should be torn up.

**Mr. Rabbitte:** For example, logging on to the website of the Department of the Taoiseach would leave the impression that a great deal remains to be done yet. It is a rather poor website when compared with other Departments. It is lazily tended to, out of date and not very imaginative.

**The Taoiseach:** It is a fair question to ask how the ordinary person in the street would know about the improvements. Under the customer charter the Department has involved the users in many ways to determine what they expect, what they consider the service should be and what improvements they seek. This has been done in recent years. Many initiatives have been introduced: working longer; working through lunchtime; dealing directly with the public; getting back to the public within fixed times; following up both phone calls and, increasingly, e-mails in a shorter

span of time; trying to give more detail and be more helpful to customers; trying to give people more expansive replies to avoid the need for them to come back two or three times, which tended to be the way in the past, based on what the customers said; and using technology to its fullest. Whatever about my Department's website, the website used during the Presidency and up to the end of September, which was the one on which we focused, had approximately 40 million hits. That has been useful.

The Department is now doing more work with less staff. Under the verification process the Department has had to operate with 4% less staff, within which we have lived. This has been important in giving cost savings. We have also introduced much better management arrangements whereby each cost head in the Department is aware of the expenses and salaries to allow them try to cut down their costs and use resources more efficiently. This never existed before. People just worked within a section and were never aware of the expenses or charges on their area. All of these things have been done and make it more meaningful based on what I hear from the staff. They know their costs, what they must live within and the targets they need to achieve. For the ordinary civil servant, particularly those on the lower and middle grades, it is far more interesting to work, as they feel more involved.

I agree with the Deputy and accept that management language always tends to be written a particular way. As I said earlier, the Department in its customer service research has engaged very actively with the people who use the Department to find out whether they are happy, what they expect and what improvements need to be made. Officials from the Department have implemented these rather than staying in their own ivory tower believing they are doing a great job without consulting. That is working very well.

**Mr. Rabbitte:** Are the tours of Government Buildings still being organised and if so how frequently? Do these take place under the aegis of the Department of the Taoiseach?

**The Taoiseach:** Yes. The tours take place certainly on Saturdays and I think on Sundays also. They are still well attended in the summer season, although the numbers fall off at this time of the year.

**Mr. Kenny:** I notice the Taoiseach is lame this morning. I do not know if he got a kick from a horse but he will not lead any of the tours for a couple of weeks.

I visited the neurosurgical ward in Beaumont Hospital and spoke to the young nurse in charge. She explained how the ward can change from tranquillity to emergency footing in an instant.

**An Ceann Comhairle:** The question refers specifically to the Department of the Taoiseach.

**Mr. Rabbitte:** Deputy Kenny is merely illustrating the point.

**Mr. Kenny:** What is the Taoiseach's opinion on acuity recognition? People in his Department do not live with the same pressure and stress as those in that neurosurgical ward. We are discussing a modernisation action plan under the benchmarking agreement and I am asking for his opinion. If the Ceann Comhairle wants to rule me out of order, that is fair enough.

**An Ceann Comhairle:** The three questions relate specifically to the plan as it affects the Taoiseach's Department.

**Mr. Kenny:** The Information Society Commission, under the aegis of the Department of the Taoiseach, produced a report in June 2003 on the national e-payment strategy. E-payment facilitates avoidance of fraud, money laundering and tax evasion and would save up to €400 million a year, with €70 million of that going directly to Government. What progress has been made in achieving this under the modernisation action plan? Does the Chief Whip, who has responsibility for e-Government, think it is feasible? If we are one of the top five countries in the world, there should be real action, with all of these payments being issued electronically. We are one of the last countries to issue so many payments by cheque.

**The Taoiseach:** People work under pressure in every Department. They may not be doing surgical operations, a huge responsibility I do not take from, but many of them work long hours and are flexible. Increasingly, and to their credit, civil servants start earlier, work later and work weekends as required. Great flexibility was demonstrated during the EU Presidency without any argument, with people working a seven day week system because much of work was done at weekends. They do the same during negotiations on Northern Ireland and other issues.

An effort is being made to get the remaining people who are being paid by cheque on to the computer payment system for all of the reasons outlined by Deputy Kenny. The figure stands at 96% and we are targeting the final, reluctant people who like to see the cheque rather than have a payment going directly into the bank account. The same goes for payments, where we are near total coverage. It is faster and safer, as the Deputy pointed out.

The Information Society Commission demonstrates the commitment of Government to be in the forefront of the information society internationally and to improving services through progressing and consolidating technological responses to business needs. Through, for example, e-Cabinet and information society developments, we have developed better policies involving the planning for and integration of new developments. We now work according to the

performance indicators listed by the verification group. The group set them down professionally and the Department officials must live with that.

The e-Government system affects all Departments and is moving forward in phases. The next phase starts this month, where we will try to eliminate the mountains of paper generated by the old systems. Progress is well advanced and we should be close to a conclusion in the next six months. It will make an enormous difference not just to Cabinet meetings but to Departments and how they deal with the information available to them. In June a trial run resulted in 10,000 sheets of paper being saved just by sending a memo electronically. The savings in time and effort, and the superior quality of information, will take some time to feed in. The system is being used in many Departments now and during 2005 it will be well implemented. Staff have agreed to this without the old ritual negotiation of technology payments.

**Mr. Sargent:** Does the Taoiseach agree that the modernisation action plan is not just for his own Department but should set the standard for all Departments, local authorities and the public and private sectors? I was surprised at the lack of awareness at a consultation meeting for local authorities last night on the needs of blind people. The modernisation plan has a target of people with disabilities making up 3% of employees. Is that target being reached? The improvement of accessibility to Government Buildings for those with a disability was another goal. What progress has been made on that front? The Department of Justice, Equality and Law Reform has some work to do in this regard.

**An Ceann Comhairle:** The question refers explicitly to the Department of the Taoiseach.

**Mr. Sargent:** Can the Taoiseach indicate if those objectives have been met in his own Department? Will they have an impact on this Chamber, which is inaccessible to a great extent? When will Government Buildings be totally accessible?

On the development and implementation of a gender equality policy, what progress has been made in the number of principal officer and assistant principal officer posts in his Department that are filled by women? The objective is set at 40% but is there a timescale for achieving that figure?

**The Taoiseach:** The target for employment of people with disabilities is 3% and in my Department, 3.7% of employees have a disability. The lower rooms in Government Buildings are accessible to those with disabilities and there is a lift that can bring people to the higher rooms. Not every part of the building is accessible to people with a disability but the main meeting areas are regularly used to meet delegations from the main disability groups and most of the building is now



[The Taoiseach.] accessible. A few years ago a major effort was made to make the Oireachtas accessible and while it has been cumbersome, the system works well for the disabled.

There has been a major change in the gender balance in the higher grades in the public service in recent years. In most Departments there are not the problems that used to exist at assistant secretary and principal officer level. The numbers may not have fed into Secretary General level but it is only a matter of time. Many of the key people in most of our Departments are females who are doing an excellent job. We have turned that position around and there are female Assistant Secretaries in all Departments. I do not know the percentage but I do not think there is a the same problem as previously. There are always targets to try to ensure firmness in that regard.

There has been a huge amount of change. The Civil Service Regulation (Amendment) Bill will devolve functions in regard to appointments, performance and discipline to a more appropriate level. It will not be at the top. Codes and standards of behaviour have been published. Changes have been made to public service pensions. Last year, for the first time, the Civil Service held open competitions to recruit staff for higher executive officer and assistant principal levels. There has also been an evaluation of the performance management and development system, which has changed the whole mechanism of negotiations between the Civil Service and the unions. There are better regulation, customer service and financial management issues. There is a host of issues which have been brought in and all are working well. As I said to Deputy Rabbitte, they are all working to make life more interesting and maybe demanding for civil servants who are not only part of something that is going on but who, on a weekly basis, are far more involved in putting together annual reports and annual plans. I know from civil servants that this has certainly brought about a far greater interest in their work.

#### **Ireland-America Economic Advisory Board.**

4. **Mr. Kenny** asked the Taoiseach if he will convene a meeting of the Ireland-America Economic Advisory Board during his next visit to the United States; and if he will make a statement on the matter. [21430/04]

5. **Mr. Kenny** asked the Taoiseach the arrangements in place within his Department for maintaining contact with the Ireland-America Economic Advisory Board; and if he will make a statement on the matter. [21431/04]

6. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the work of his Department in conjunction with the Ireland-America Economic Advisory Board; and if he will make a statement on the matter. [24125/04]

7. **Mr. Sargent** asked the Taoiseach the contacts in place between his Department and the Ireland-

America Economic Advisory Board; if he intends to convene a meeting of the board during his next visit to the United States; and if he will make a statement on the matter. [26387/04]

**The Taoiseach:** I propose to take Questions Nos. 4 to 7, inclusive, together.

The practice over the past number of years has been to hold a meeting with the Ireland-America Economic Advisory Board in the course of my St. Patrick's Day visit to the United States. As a result of pressure on my schedule arising from EU Presidency commitments at the time of my visit last March, I was unable to meet with the board as normal. I, therefore, invited the members to visit Ireland, the first time they had done so since 1998.

A delegation made a very successful visit here from 8 to 10 September. Engagements included meetings with Ministers, management representatives from State agencies, such as the IDA, and senior officials from a number of Departments. As for my involvement, I had a meeting with the delegation and hosted a working dinner for the delegation in Farmleigh.

My Department maintains contact with the board primarily through our embassy in Washington, as well as through annual visits and meetings. As the House will be aware, board members give voluntarily of their time and expertise in a number of ways. They play important but discreet roles in promoting Ireland's interests and in assisting the Government and State agencies, such as IDA Ireland. The next board meeting has not yet been scheduled but I hope to hold a meeting in the course of my next visit to the United States.

**Mr. Kenny:** I thank the Taoiseach for his reply. The Ireland-America Economic Advisory Board has a potential that has not been exploited to the full. I noted that after the presidential election in the United States, the Taoiseach indicated that it was preferable that President Bush be returned instead of Democratic candidate John Kerry. The Taoiseach indicated that had Senator Kerry been elected, he would have had to lobby against tax proposals from the Democratic Party.

In the context of what the Ireland-America Economic Advisory Board might be doing, does the Taoiseach consider that the homeland repatriation Act being introduced by President Bush will have a serious impact on American multinationals based in Ireland? He will be aware that the impact of the Act is to allow American multinationals to return assets and income earned abroad to the United States. Some of the very big players in Ireland include Intel, Dell, Microsoft and so on. Does the Taoiseach consider that a serious risk to economic investment in Ireland and, as a consequence, to jobs?

Does the Taoiseach foresee a time when, with over \$1 billion crossing the Atlantic in trade each day, there could be an EU-US free trade area which would have phenomenal potential for investment both ways? For instance, experts

point out that there is now more European investment in Texas than total US investment in Japan and China combined. Some 60% of US overseas investment has gone to EU states and it is expected to reach \$120 billion in 2004. Does the Taoiseach see that type of concept as one we should pursue? In that regard, would he be amenable to use the good offices of the newly appointed EU ambassador to the United States, former Deputy John Bruton, to concentrate on the possibilities that exist in that area?

**The Taoiseach:** The newly appointed ambassador, John Bruton, and the large staff in the EU agency in Washington will give us opportunities. I said that to John Bruton and we will work closely with him through the Irish Embassy and our contacts there. He has a job to do on behalf of the EU, but we have much experience and expertise in many of these areas. All we want is to feed in our views, like every other country, and he must deal with them on an even-handed basis. He will do that very well but we have an opportunity. There are many areas where the EU and the US Congress and Senate can work effectively together. The reason for this post — I was involved in discussions on it in Nice — was that a leader was needed who would have access to the US Congress and Senate and who would be able to speak to people. That is an important aspect. There are many suspicions in the US Congress and Senate about EU trade and WTO issues. Unfortunately, often what the House committee says about EU issues is quite argumentative. I have no doubt John Bruton, having an astute political brain and an understanding of economic trade matters, will be able to assist. That is a good development.

I did not say I would prefer George Bush to win. I did not say who I would prefer to win.

**Mr. Rabbitte:** That is what Albert said too.

**The Taoiseach:** I had no vote in that election. I gave the pluses and the minuses of both individuals and said some very nice things about the Democrats and John Kerry. I said one interesting thing which was not picked up in this country during the campaign and which I will repeat, namely that if that tax regime had happened, there would have been a hit as a result of the repatriation of money. Perhaps through lobbying it might not have happened but the hit would have been very severe for the 1,000 or so companies here. I do not think President Bush's proposal will create too much difficulty. That is the assessment which has been made.

The big issue we must watch is the ability of this and other European countries — proportionately for us it is far higher than anywhere perhaps with the exception of Finland — to be able to continue to get the levels of foreign direct investment from the United States unimpeded. That remains the strong position for next year. We are still in a good position with many companies and

I hope that will continue. We always need a fair wind from whatever administration and an understanding of the significant role of multinationals here and those in other countries, which can look after themselves, to be able to continue to develop employment.

The advisory board is enormously important and its members are strong political supporters of both sides of the divide in the United States. We have good friends on both sides who are prepared to assist us, to talk to companies looking at coming to Ireland and to make the Irish case, to arrange meetings with the IDA and to give us access. They do that very successfully, not to mention their own businesses, people and investments here. We are lucky. We work with approximately 40 people on the economic advisory group. They do not always attend meetings but they are there to assist us when we need them, across a great range of businesses. They are extremely important and many of them have been very helpful in terms of many things in Ireland. In many instances they do not seek credit and in fact frequently get annoyed when they are even mentioned in this regard. I respectfully say that some people have been around a long time and are now moving towards retirement within their respective agencies. We are appreciative of their efforts and work but need to come in contact with the newer Irish-American chief executives. A considerable amount of work has been done towards targeting this group within the last year, not to replace the people with whom we currently deal, but rather to make newer contacts also. It is quite extraordinary that many of the Irish who went to America in the early 1980s are coming to the top 20 years on. Many of these people have no great association with Ireland, other than to come here for a holiday or two. The plan is to get them into the framework for the future, because they will be the key people for the next decade or so. We have been targeting many of those people, not to replace anyone, but to add to the existing group.

**Caoimhghín Ó Caoláin:** Has the Taoiseach noticed any downturn in investment or indeed, interest, in the Irish economy, on the part of American investors or interested potential investors in recent times? I ask the question against the backdrop of comments and remarks by some of his Front Bench Members who have speculated there would be a loss of interest and even a flight of investment from Ireland because of the clear and overwhelming rejection by the Irish people of the US invasion of Iraq. I have not noted any such signs and I wonder whether the Taoiseach has.

As regards the Taoiseach's reply to Deputy Kenny *vis-à-vis* his remarks on the re-election of George Bush, I believe he contextualised his welcome of this outcome on the basis that the policies to have been pursued by Mr. John Kerry would have led to disinvestment in Ireland. Is the Taoiseach aware, and it is my information, that

[Caoimhghín Ó Caoláin.]

there is similar speculation as regards the same proposals being explored and examined by President Bush? Is he aware that what caused him some concern as regards the Kerry campaign might also be reflected in the Bush camp?

I would like to share a light note with the Taoiseach. As he is aware, Ohio is populated in the main by an Irish émigré population from County Mayo. What small contribution this might have had in the overall outcome is that after the all-Ireland result they could not bring themselves to vote for Kerry.

**The Taoiseach:** Ireland has done enormously well under both the Clinton and Bush regimes as regards inward investment, and I believe this will continue. The only thing that could scare that off is the belief that we could increase corporation tax to 40%, and this is raised all the time. They want certainty over the period of investment and any sounds of tax increases scare them. That is the reality, but I do not see anyone seriously adopting such a position. It would be unwise since the reality is that if investment and activity are increased, a higher share of tax will result, in any event, regardless of the 12.5% rate. To raise this to 40% would give out all the wrong signals to multinational companies.

**Caoimhghín Ó Caoláin:** They must have been talking about corporation tax. Nobody is talking about corporation tax. Nobody that I know of—

**Mr. McDowell:** Does the Deputy know who Robbie Smith is? He is the general secretary of the Deputy's party, and he spoke about it last week.

**Caoimhghín Ó Caoláin:** The Taoiseach is mixing up capital gains tax and—

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

**Mr. McDowell:** Robbie Smith must know less than the Deputy about that party's tax policies.

**An Ceann Comhairle:** I ask the Minister for Justice, Equality and Law Reform, Deputy McDowell, to allow the Taoiseach to continue without interruption and not to be provoking Deputy Ó Caoláin.

**The Taoiseach:** On the investment side, it is not the same provision. John Kerry is a fine man, but his side made a particular reference which it continued to repeat and had a position paper as regards targeting repatriated profits in a way that would have done major damage to the Irish economy. There is no argument about this, it is a fact. The Bush proposals, on the other side, we believe would not have necessitated substantial hits for this economy. Obviously, as I said last week, if Mr. Kerry had been elected we would have lob-

bied our friends, Chris Dodd and Eddie Kennedy, Congressman Crowley and all the others who have been very helpful to us, but that proposal as it stood and even as it was raised in the last few days of the campaign, would have been devastating for us. All I can say about President Bush on that particular aspect is that when he was here at the EU Summit, he went out of his way on the networks of American television where that press conference was carried, coast to coast, to state the advantages of investing in this country. That was worth a great deal to the Irish economy in advertising time. He has spoken to Ireland's credit to many of the people close to him and to many of the large American companies based here, as President Clinton did previously.

**Mr. Sargent:** Will the Taoiseach say if the Ireland-America Economic Advisory Board had any part in advising him as regards the effects of President Bush being re-elected, or what the outcome would have been if Mr. Kerry had been successful? Would it not be more beneficial for Ireland to refer to the OECD figures rather than talking about the tentative nature of corporation tax, which has been in place at the current level for quite a while? Is it not more appropriate in terms of foreign direct investment to talk about Ireland being highly profitable for US companies, profits having doubled between 1999 and 2002 while they decreased throughout the rest of Europe? I was told by US companies that Ireland was the most profitable location for foreign direct investment, but I understand that Bermuda might be slightly more profitable. However, would it not be better to repeat that message rather than talk about corporation tax, given that the outcome of any investment decision is based on profit rather than location?

**The Taoiseach:** No member of the economic advisory group has ever mentioned to me, or I am sure to anybody else, a preferred presidential candidate. The group comprises Republicans and Democrats and there were no comments, letters or issues such as this raised. They work together within the economic advisory group and are extremely helpful. They were here in September and made absolutely no comments about the election of a party political nature, apart from expressing general interest in the campaign. The reality is that for a small island on the periphery of Europe Ireland takes the lion share of American investment. It is equivalent to what China enjoys and is tremendously beneficial and important, strategically, for employment, investment and everything else. These investments are made over 20 to 25 year periods. The bio-pharmaceutical plants, for example, talk about where they are now and where they will be in 2025. That is the type of scale they are looking at and they seek certainty and policy consistency as regards the bigger issues.

While the companies are profitable, they are also here because of our tax rate and our edu-



cation system and, in many cases, because Irish people encouraged them. As Deputy Kenny knows, one of the finest Coca Cola plants in the world is in Mayo. To be bluntly honest, it is not there because it is profitable but because the top two people involved are Irish and wanted to do something for Ireland. In many other instances Irish people intervened. We are in a unique position in terms of the past, the present and the future, and should do nothing to jeopardise it.

**Mr. Rabbitte:** When I saw the Taoiseach's statement on the lobbying campaign he had prepared in case Senator Kerry had been elected President of the United States of America, I marvelled. Over the years I have been watching the Taoiseach, I have never seen a contest on the right side of which he has not come out.

**Mr. Durkan:** That is right. He has dexterity.

**Mr. Rabbitte:** I would have thought that as a social democrat like me, the Taoiseach would have supported Senator Kerry while the Minister for Justice, Equality and Law Reform, Deputy McDowell, and nine or ten other Cabinet members would have supported the neo-conservatives.

**Mr. Kenny:** The Minister was on the Ralph Nader side.

**Mr. Rabbitte:** Clearly, I was wrong. As I do not understand from the exchanges to which I have listened, will the Taoiseach explain what was the feared net differential impact on Ireland of the tax policies advocated by Senator Kerry and the measures signed into law by President Bush three days before polling? These measures implemented a special 5.5% corporation tax rate to suck back the profits of leading multinationals from other countries. What is the perceived difference? If there will be a significant impact on Ireland, it is as likely to be major under the Bush measure as signed into law as under the one advocated by Senator Kerry.

**Mr. Kenny:** It is critical that the persons who serve on the Ireland-America Economic Advisory Board, which has the real interests of Ireland at heart, ensure where possible that US companies continue to site their European or world headquarters here. If possible, at his next meeting with the board the Taoiseach should table a motion of continued interest in much closer relationships between our universities and American business. It is through research, innovation and patenting that jobs will be created for future generations of Irish workers. The Taoiseach should make this central to his discussions with the board.

**The Taoiseach:** While Deputy Rabbitte wishes to record that I supported President Bush, I never intended to say, nor should I, who I supported in the campaign. Deputy Rabbitte would not have been too surprised at my views as I watched the

votes being counted. While that is my private view, at the end of the day I would have had to work with whomever was elected. As it happens, I never met John Kerry but I know most of the senior members of the Democratic Party. I remain very close to both Senator Ted Kennedy and President Clinton. I never met George Bush before he became President and have been dealing with him for the past four years.

The difference on the tax position, to which I did not refer during the campaign, is that companies to which I spoke saw President Bush's proposal as an incentive to bring money back to the USA and the Kerry proposal as a penal measure. Companies were not concerned about how the incentive proposal would work but they were very concerned about the penal one, including those whose representatives were Democrats. It is for that reason we would have argued the case. Some of the larger companies which Deputy Rabbitte knows were very concerned as they felt there was a certain philosophy behind the Kerry proposal which might not be that easy to move on. Its effect would almost have been to stop them moving investments out of the United States of America by penalising them for doing so. Rightly or wrongly, that is how companies saw it and were concerned.

We are now spending a large proportion of revenue through Science Foundation Ireland on research and development, linking up our universities and working with our professors. There are major opportunities but it will be a long haul and will take several years to build a catalogue of successful patents. We are actively engaged in the work the Tánaiste started, which will be continued by the Minister, Deputy Martin.

### 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 will call on Deputies in the order in which they submitted their notices to my office.

**Mr. Morgan:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the need to discuss the draft proposal by the Minister for Health and Children to sell land owned by health boards in a bid to temporarily fund the health service and the necessity for adequate funding to be provided by Government to ensure the delivery of a proper health service which meets the needs of the growing population of the State.

**Dr. Cowley:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the reason a 62 year old Mayo man has been waiting since last April to be admitted to University College Hospital, Galway, for treatment of a tumour of the kidney which is thought



[Dr. Cowley.]

to be malignant and was diagnosed by scan at Mayo General Hospital seven months ago.

**Mr. Gormley:** I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the implications for the health service and beef industry of the confirmation of a case of variant CJD in an Irish patient and the need for the Tánaiste to take all necessary steps to ensure there are no further cases of the disease.

**An Ceann Comhairle:** Having considered the matters raised, I do not consider them to be in order under Standing Order 31.

### Order of Business.

**The Taoiseach:** It is proposed to take No. 14, statements on the European Council in Brussels; No. 13, Road Traffic Bill 2004 — Second Stage (resumed); and No. 15, Disability Bill 2004 — Second Stage (resumed). It is proposed, notwithstanding anything in Standing Orders, that the proceedings on No. 14 shall, if not previously concluded, be brought to a conclusion after 80 minutes and the following arrangements shall apply: statements shall, if not previously concluded, be brought to a conclusion after 60 minutes; statements, which shall not exceed 15 minutes in each case, shall be confined to the Taoiseach and the main spokesmen for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order; Members may share time; and immediately following the statements, the Minister for Foreign Affairs shall take questions for a period not exceeding 20 minutes. Private Members' business shall be No. 36, motion re health care in the North Eastern Health Board Region (resumed) to conclude at 8.30 p.m.

**An Ceann Comhairle:** Is the proposal for dealing with No. 14 agreed? Agreed.

**Mr. Kenny:** Will the Taoiseach confirm whether the Attorney General has advised the Government on the refuse collection system?

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

**Mr. Kenny:** For God's sake, this is the third time you have shot me down, a Cheann Comhairle. Let me ask the question as its subject is under the legislation of the Department of the Environment, Heritage and Local Government. Local authorities may now decide for their own reasons to privatise the system while the waiver which used to apply is no longer legal as a result of a European directive.

**An Ceann Comhairle:** On legislation, a question to the appropriate Minister would be more in order.

**Mr. Kenny:** This relates to information given to the Government. All I want to know is whether the Government will make arrangements for social welfare provision instead when the Minister brings in his Estimate next week.

**An Ceann Comhairle:** The matter is not appropriate on the Order of Business.

**Mr. Durkan:** Let Deputy Kenny speak.

**An Ceann Comhairle:** It is not appropriate to the Order of Business. We would be here all day if we allowed every general question to be asked.

**Mr. Durkan:** It is legislation that is needed.

**Mr. Kenny:** You are very touchy today, a Cheann Comhairle.

**An Ceann Comhairle:** No, the Ceann Comhairle is consistent.

**Mr. Kenny:** I am not sure what you ate this morning for your breakfast, but you are very touchy.

**Mr. Rabbitte:** On the legislation promised last night by the Minister for the Environment, Heritage and Local Government, will the Taoiseach indicate the likely timespan of the eight tribunals which continue to sit and do business in the normal way, if he can remember them all?

**An Ceann Comhairle:** That does not arise from the Order of Business.

**The Taoiseach:** I will respond briefly if I may. We have endeavoured over the past three months or so to bring forward a working arrangement with all the tribunals. For a number of the tribunals the conclusion dates are mid-2005 and 2006. To the best of my knowledge the Mahon tribunal will be the last to conclude. If the current arrangements under discussion bring it to fruition, it means the conclusion date will be brought forward from 2015, 2016 or later, to Easter 2007, with the report to be written. It appears as if that is the best we can achieve. If we had continued the other way it would not have ended until 2014 or 2115. I do not want to be flippant but from what I now know, and the amount of cases and modules there could have been, the conclusion date was more likely to be 2030. We can now bring the conclusion date forward to 2007.

**Mr. Sargent:** Is there a revised date for the publication of the strategic national infrastructure Bill which was promised for May 2004 and, most recently, 2005? On the basis that the incineration element is causing some controversy in the Cabinet, is it the case that it should proceed minus the incineration element given that it will now be in the——

**An Ceann Comhairle:** We cannot discuss the contents of the legislation.

**Mr. Sargent:** The Minister for Foreign Affairs would know given that Carranstown—

**The Taoiseach:** The Minister for the Environment, Heritage and Local Government, Deputy Roche, told me during the last few days that he is working on this issue and hopes to bring the discussions to finality in a short time and hopefully he will bring it forward then.

**Mr. Allen:** The Minister for Justice, Equality and Law Reform, Deputy McDowell—

**Mr. Crawford:** I wish to raise two issues. In light of the warning regarding meat problems when will the animal health Bill come before the House because we need to discuss the importation of—

**An Ceann Comhairle:** The animal health Bill.

**Mr. Crawford:** —beef and how it is monitored. In light of the withdrawal of five junior doctors from Monaghan General Hospital as and from 1 July—

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

**Mr. Crawford:** It very much arises. When will the animal health Bill—

**The Taoiseach:** It will be late next year.

**Mr. Crawford:** When will the health Bill come before the House?

**The Taoiseach:** The health Bill is to be published next week and Second Stage is due to start on 23 November 2004.

**Ms Burton:** Will the Taoiseach confirm if the Estimates will be published next Thursday and that the Government will set time aside for a full debate?

**The Taoiseach:** I confirm the Estimates will be published tomorrow week and that the normal arrangements for debating them will be worked out. They are usually debated the following week.

**Ms Burton:** It is a shorter period this year.

**The Taoiseach:** The Deputy asked yesterday about the issue of VAT but I was unable to respond. However, I am in a position to announce that the Government will refund the VAT paid on purchases of the new Live Aid DVD and CDs. The Minister for Foreign Affairs has agreed to make a special contribution, equal to the value of the VAT paid on purchases of the CD and DVD to the Band Aid Trust. I believe all of us in the House would share in the admiration of the work

and contribution of Bob Geldof to the Third World. He has moved beyond words with colleagues in the music world and has made an important and valuable contribution and, most importantly, he has inspired many young people to think deeply and to give generously to the Third World. It is best if a similar amount is paid rather than not charging the VAT. A contribution equal to the amount of VAT will be paid and the trust will provide the sales figures.

**Ms Burton:** I welcome that.

**Caoimhghín Ó Caoláin:** No. 89 on the list of promised legislation is the parental leave (amendment) Bill which is designed to improve leave for working parents and publication is not expected until next year. Will the Taoiseach intervene with the Department of Justice, Equality and Law Reform with a view to expediting this legislation because it will make an important and critical difference to the daily lives of ordinary people?

**The Taoiseach:** The heads of the parental leave (amendment) Bill have been completed and the drafting of the Bill is underway. We hope to have it as early as possible in 2005.

**Mr. Timmins:** When can we expect to see the building control Bill? It is over three years since the first illegal dump site was uncovered in Wicklow and to date not one ounce of illegally dumped material has been removed.

**An Ceann Comhairle:** Just on the Bill, we cannot debate its contents.

**Mr. Timmins:** Will the Taoiseach use his good offices to have the illegally dumped waste removed?

**The Taoiseach:** We can expect to see the building control Bill in the middle of next year.

**Mr. Timmins:** The illegally dumped waste is still there three years later.

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

**Ms O'Sullivan:** I have a letter in regard to a young Irish woman who will have to leave a course of study in a university in England because she cannot get Garda clearance to say she can go out on clinical placement. It relates to the register of persons considered unsafe to work with children Bill. Currently only certain categories are being vetted. Is it possible to fastforward that legislation?

**The Taoiseach:** I do not have a date for the legislation. What has happened in this instance is that a cross-departmental working group reported to the Minister for Justice, Equality and Law Reform on proposals for reform of vetting

[The Taoiseach.]

of employees by the Garda. The Minister is now appointing an implementation group to advise on implementation and the necessity for the legislation. Perhaps the individual case should be discussed with the Department of Justice, Equality and Law Reform because it may be able to help her.

**Mr. Connolly:** With the abolition of the health boards in June 2004 and the subsequent refusal of executives to liaise with Oireachtas members, I refer in particular to the case where I am waiting ten days for a call——

**An Ceann Comhairle:** Has the Deputy got a question on legislation?

**Mr. Connolly:** It is on legislation.

**An Ceann Comhairle:** On what legislation?

**Mr. Connolly:** In relation to legislation where the executive will not respond to an Oireachtas member in relation to case of Benny McCullagh.

**An Ceann Comhairle:** Sorry Deputy, that does not arise. I suggest you submit a question to the Minister for Health and Children.

**Mr. Connolly:** It is the health complaints Bill. I have waited ten days. It is usually——

**An Ceann Comhairle:** The health complaints Bill.

**Mr. Stagg:** On a point of order. Is there some new ruling by the Chair whereby the microphones of Members are turned off before they have finished speaking?

**An Ceann Comhairle:** No, Deputy, the Chair——

**Mr. Stagg:** It is occurring in the House so perhaps you would correct it.

**An Ceann Comhairle:** Sorry, the Chair has made no interventions whatsoever in relation to——

**Mr. Stagg:** The microphones are being turned off. I am not accusing you of turning them off. Your own is turned off.

**The Taoiseach:** The original health complaints Bill as it was listed will be incorporated into the health Bill.

**Mr. Crawford:** It will be buried in the health Bill.

**The Taoiseach:** The Bill will be circulated next week and the Second Stage debate will commence in the House on 23 November.

**Mr. Durkan:** In regard to promised legislation and given the Government's anxiety to communicate good news on a regular basis, what is the current position regarding the radio communications Bill? When will it come before House? Have the heads been agreed and discussed in Cabinet and is progress likely? Also can indications of a similar nature be given in regard to the proposed energy Bill which will have implications for the Electricity Supply Board and for other energy generators? Will the Taoiseach indicate whether the 21 Bills listed by that Department are intended to come before the House before the next general election?

**The Taoiseach:** The radio communications Bill will come before the House in 2005 and the heads of the energy (miscellaneous provisions) Bill are completed and the Bill is due to come before the House in the session after Christmas.

**Mr. Durkan:** Will it happen before the general election?

**Mr. Broughan:** One of the 21 Bills referred to by Deputy Durkan is the maritime safety Bill. The Taoiseach's colleague beside him promised to introduce it on many occasions with provision for an emergency towing vessel which is badly needed around the coast. Will that Bill be brought forward as soon as possible, with funding?

**The Taoiseach:** The Maritime Safety Bill was published during the summer and is on Committee Stage in the Seanad.

**Ms Cooper-Flynn:** Is the Taoiseach prepared to allow Government time to debate No. 47 on Tuesday's Order Paper? It is an important issue concerning the progress of the National Development Plan 2002-2006 and the funding for the Border, midland and west region and the south and east region.

**An Ceann Comhairle:** Was a debate promised?

**The Taoiseach:** I do not believe so but I will ask the Government Whip to examine it.

**Mr. Perry:** When will the harbours bill be introduced to update legislation in this area?

**The Taoiseach:** The heads of the harbours Bill are to be prepared in 2005 and will not be available until about Easter. The Bill will update the Harbours Acts 1946 to 2000.

**Mr. Sherlock:** Will the Taoiseach state whether it is the intention of the Government to introduce the ground rent Bill? As his answer may be negative, will he make a statement this matter?

**The Taoiseach:** I will ask the Minister to respond to the Deputy.

**Mr. Kenny:** Will the Taoiseach state whether the Attorney General has reported to Government on his advice in respect of the Health (Miscellaneous Provisions) Act considering that charges were imposed on over-70s who were given medical cards some years ago? The Taoiseach responded to this before.

When does the Taoiseach expect the commission appointed by Government to consider the funding of local authorities to make its report? Will it deal with the anomaly to which I referred earlier?

**The Taoiseach:** I will have to check the details on the second matter. The Attorney General is working on the other matter and he hopes there will be an outcome this week or, if not, perhaps next week.

### **Brussels European Council: Statements.**

**The Taoiseach:** I attended the European Council in Brussels on 4 and 5 November and was accompanied by the Minister for Foreign Affairs, Deputy Dermot Ahern, and the Minister of State at the Department of Foreign Affairs with responsibility for European affairs, Deputy Treacy. The Presidency's conclusions of the European Council have been laid before the Houses of the Oireachtas.

The European Council was a most useful one. It approved the Hague programme, noted the report of the Wim Kok group and provided the forum for a good exchange of views on the economic and social challenges facing Europe. It also took forward the Communicating Europe initiative launched during the Irish Presidency.

The meeting of the European Council was preceded by an exchange of views with the new President of the European Parliament, Mr. Josep Borrell. This was Mr. Borrell's first meeting with the Council since his election to succeed Pat Cox in July. The discussion with Mr. Borrell took place in the aftermath of the deferral of the vote in the European Parliament on the approval of the new Commission.

During the European Council, on the basis of consultations with key players, Mr. Barroso proposed changes to his team, namely, the nomination of new Commissioners from Latvia and Italy and the exchange of portfolios between the Latvian and the Hungarian Commissioners designate. The Council adopted a new list of Commissioners designate. The presentation of a revised list to the European Parliament puts the approval process back on track. The new proposal from Mr. Barroso deserves the full and early support of the Parliament. The nomination of Deputy McCreevy as Commissioner responsible for the internal market and services is unaffected by the problems that arose in the European Parliament. The Deputy had a very good hearing in the Par-

liament. In the interim, it has been agreed by the Parliament that the new list of Commissioners designate will be voted on at its forthcoming plenary session in November. Given the challenges facing the EU, it is vital that the new Commission be able to start work, in full co-operation with the European Parliament, as soon as possible.

The main item on the European Council's agenda was agreement on a new programme in the area of freedom, security and justice. Five years ago, in Tampere, Finland, the European Council adopted an ambitious programme, the Tampere programme. This five-year programme dealt with asylum and migration policy, justice issues and the fight against all forms of cross-border crime.

In June, the European Council, under the Irish EU Presidency, invited the Council and the Commission to prepare a programme for the coming years to be considered by the European Council before the end of 2004. Last week, the European Council adopted the new programme, the Hague programme, which builds on the excellent progress made under the Tampere programme in setting out an ambitious range of measures to be agreed in the coming years.

The Hague programme envisages around 90 actions. It includes measures on asylum and migration policy, police co-operation and the fight against terrorism, and judicial co-operation in civil and criminal matters. The programme will fully observe human rights and, in particular, the European Convention on Human Rights, the Charter of Fundamental Rights of the European Union and the Geneva Convention on refugees. A strategy on drugs will be added to The Hague programme in December 2004.

The European Council invited the Commission and the Secretary General of the Council to present a strategy on all external aspects of the Union policy on freedom, security and justice by the end of 2005. It also invited the Commission to present an action plan in 2005 to translate the aims and priorities of the Hague programme into concrete actions and a timetable for their adoption and implementation.

The Hague programme deals with issues of direct concern in the daily lives of our citizens. It demonstrates the strong determination of the European Council to facilitate the free movement of our citizens throughout the Community, to fight terrorism and organised crime, to strengthen security and to ensure that criminals cannot evade justice by fleeing from one member state to another.

I commend the Dutch Presidency on its successful handling of this difficult and sensitive issue. I have no doubt that the programme will make a real difference in Europe's constant fight against crime. The key will be to translate the programme into concrete action. We must all work together to protect our citizens from criminals and terrorists who do not respect borders.

The second key item on the Council's agenda was also of direct relevance to our citizens. We



[The Taoiseach.]

discussed progress on the Lisbon Agenda since the spring European Council, and in particular preparations for the mid-term review. The Lisbon Agenda is the framework within which we are working to ensure Europe's future prosperity and to achieve a sustainable and fair quality of life for all.

At last week's European Council, we built on the work done under the Irish Presidency which had focused on putting the Lisbon Agenda at centre stage. Jobs, growth and quality of life are issues that matter to all citizens across the Union. During the Irish Presidency, we reached agreement on a process to prepare the way for a mid-term review of the Lisbon Agenda. We asked the Commission to establish an independent high level group, headed by Mr. Wim Kok, to bring forward a report to assist us in our deliberations.

At the European Council last week, we heard a presentation from Wim Kok on the work of his group, following publication of its report, *Facing the Challenge*, on 3 November. I have arranged for copies of that report to be laid before the Houses of the Oireachtas. The report sets out fairly starkly the difficulties that Europe faces due to economic slowdown, high unemployment, an ageing population and increasing competition from both the US and Asian economies.

While Europe has made significant progress in some areas over the past five years, the report is critical of the lack of implementation in many key areas. It therefore urges accelerated action to deliver the Lisbon goals of growth and employment. Critically, however, Wim Kok's report concludes that the Lisbon target and the level of ambition it set are still appropriate. While there is no single solution, the report stresses that the focus must now be on growth and employment to achieve the Lisbon ambitions across the range of economic, social and environmental objectives. The report calls for determined political action, including the preparation by member states of national action programmes.

The Kok report is a valuable input to the mid-term review process. The European Council noted the report and invited the Commission to bring forward the necessary proposals for the mid-term review by the end of January 2005. We are agreed that this is a critical point in the Lisbon Agenda, and we need a comprehensive and meaningful set of proposals to guide us over the next few years.

Over dinner on 4 November, we had an informal exchange of views on promoting growth and managing change. This allowed the Heads of State or Government to discuss their relative experiences at national level in implementing the Lisbon Agenda. It was particularly useful to have this exchange in the light of EU enlargement which, while very welcome, has made European-wide achievement of the Lisbon goal more challenging.

The European Council received a presentation from Commission President Prodi on enlarge-

ment. The Commission has concluded that Turkey sufficiently fulfils the political criteria for candidate countries and recommends that, providing certain key legislative reforms are implemented in time, accession negotiations should be opened. The final decision on opening negotiations is a matter for the December European Council meeting. The Council also received an update on the current state of play regarding the future accession of Bulgaria and Romania and the opening of accession negotiations with Croatia. All these issues will also be considered in more detail at the December Council.

The European Council also had a discussion on the continuing importance of strengthening awareness among citizens of the work of the Union. I am pleased that the Dutch Presidency has taken forward the Communicating Europe ministerial process launched in our Presidency. The initiative will also be carried forward by future presidencies.

Given the importance of public support if the European Union is to continue to function effectively, it is vital that member states are as effective as possible in informing the public about the EU.

The Council discussed a broad range of international issues, including Iraq, where we agreed a declaration and a package of support measures; Sudan, where we fully support the African union's efforts to establish stability and security; the Middle East peace process; Iran and Ukraine. The Council expressed its solidarity with the Palestinian people at this difficult time when President Arafat is gravely ill. The Council also warmly congratulated President Bush on his re-election and stressed the shared responsibility of the European Union and the US in addressing key global challenges. At Ireland's suggestion, the importance of EU-US co-operation in the Doha round of global trade negotiations was specifically included in the conclusions. I have conveyed my warmest personal congratulations to President Bush. I look forward to working with the President to ensure that our relations with the US continue to expand and flourish.

The European Council met Prime Minister Allawi of the Iraqi interim Government over lunch on Friday to discuss the situation in Iraq and how the EU can best help. The European Council adopted a declaration on Iraq, including a package of EU measures to support the Iraqi Government and Iraqi reconstruction. The Council welcomed the international conference that will be held in Sharm el Sheikh on 23 November, in which the EU will participate, to support the political and reconstruction process in Iraq. The European Council condemned the attacks on Iraqis who are trying to take part in the reconstruction of their country as well as the taking of hostages, of whatever nationality, and the brutal killing of many of them. All of us in this House are gravely concerned about the situation of Margaret Hassan and we are doing everything we can to ensure her safety.

The elections planned in Iraq for January 2005 will obviously be a crucial step, but organising them in the current environment will be a serious challenge. The EU will give every assistance it can to the interim Iraqi Government in holding those elections.

The European Council had a useful discussion on the Middle East peace process. Our discussions focused on recent developments, such as the illness of Palestinian President Arafat and the Israeli Parliament's endorsement of Prime Minister Sharon's proposal for unilateral disengagement from Gaza. The EU agreed a short-term programme of action to support reform in the Palestinian Authority focusing on strengthening the Palestinian Authority's ability to provide security and prevent terrorism, political and institutional reform, the continuation of EU economic aid and support for the electoral process. The Israeli Knesset's decision on withdrawal from Gaza is a positive development. The EU has repeatedly stated that the withdrawal plan can be a positive step if, and only if, it takes place in the context of the quartet roadmap and if it marks a step towards a negotiated two-state solution.

The European Council confirmed that the EU and member states would remain actively engaged with the objective of achieving progress on the Iranian nuclear issue before the International Atomic Energy Agency Board of Governors meeting on 25 November. I welcome the further contacts that have taken place with Iran on this issue since the European Council meeting and the indications that progress has been made in reaching a successful conclusion. The European Council also expressed its deep concern at the political and humanitarian situation in Darfur, Sudan, and called on the Government of Sudan and the rebels to meet the demands of the international community. The Council reaffirmed its support for the African union mission in Darfur and its readiness to provide assistance and expertise to the expansion of the mission.

On the Ukraine, the European Council, while welcoming the high turnout of voters in the recent presidential elections, regretted that the elections did not meet international standards for democratic elections. The European Council called on the Ukrainian authorities to address the deficiencies in the electoral process before the second round of elections.

This European Council, the first under the Dutch Presidency, was a business-like and effective meeting. In focusing on issues of direct concern to our citizens in their daily lives, including jobs, social cohesion and the fight against crime and terrorism, it proved once again the relevance of the European Union. It was a productive and worthwhile meeting for which the Dutch Presidency is to be complimented. At the Council, I held a bilateral meeting with Prime Minister Blair at which we reviewed developments in the peace process in Northern Ireland.

**Mr. Kenny:** I wish to share my time with Deputy Allen.

Last week's meeting of the European Council was important for a number of reasons, principally the approval of President designate Barroso's amended list of proposed Commissioners. At the leaders' meeting of the EPP group, President Barroso outlined his difficulties in that the persons he had to appoint in the first instance were not his own nominees; they were nominated by member states. At that meeting he was waiting for the new nominee from the Italian Government. I am pleased the matter is being resolved and that the hearings relevant to the new person will be held. Let us hope the new Commission can get down to work in December and January. I commend Mr. Barroso's speed in making the necessary change and that he kept it to a minimum in terms of portfolios and personnel. It appears the new Commission has been well received by the leaders of the main groups in the European Parliament. I hope that next week the Parliament's approval will bring this political impasse to an end.

The Heads of Government also received a crucial report from Wim Kok and his expert group on Europe's failure to reach the ambitious target set out in the Lisbon Agenda. Mr. Kok's report has excellent lessons for Ireland because as Europe slips down the competitiveness league, we slip down that league inside Europe. In 2000, Ireland ranked fourth in the world economic forum competitiveness report while this year we are 30th. It is clear that we will have to find the will and the way to fulfil the ambitions outlined in the Lisbon Agenda four years ago. Standing out a mile is the necessity to invest radically and intensively in research and development if we are to turn the EU into the world's most competitive and dynamic knowledge-based economy by 2010. By January we will be half way to that date, with no real achievements in sight.

It is time for each member state to fulfil its part of the bargain to ensure Europe attempts to match the economic strides of the US and Asia. We are lagging behind significantly in many of the demanding targets on the promise of greater co-operation and the new legislation which will modernise our economy and revitalise our society. We are struggling in the area of economic growth, productivity and employment. We are losing competitiveness, productivity has slipped and employment, though increased, cannot reach the 67% target set for next year, never mind the 70% rate set for 2010. It is not just a failure of achievement. To date our efforts have been mediocre and it is time we overcame the obstacles to our progress.

For example, as the Taoiseach is aware, approximately 40% of laws relating to the Lisbon Agenda have yet to be transposed by member states. The Commission has 1,000 cases outstanding against national capitals in an effort to get them to tow the line, a line which they agreed. It appears that Heads of Government do not have

[Mr. Kenny.]

a real interest in the Lisbon Agenda and they become very focused on their own national problems in terms of re-election or whatever. In that sense, the European group has not got to grips with the requirement that if we are to be the most competitive and dynamic knowledge-based economy by 2010, we should collectively get our act together. Unfortunately, that does not appear to be the case.

It is interesting that the group spoke about Iraq. This is the third or fourth day of the push to take the city of Falluja. However, it will not be just the city or its rebels that are taken in this long planned assault, it will also include children, mothers, old people and destitute families. These are the people who will suffer most and lose most in this effort to cleanse the city of insurgents. As for the report that most of Falluja's 30,000 residents have fled, the question must be to where. In a country where for ordinary Iraqis law and order no longer exists, apart from the recently imposed marshal law which met with serious resentment in Samara, their choices, like their immediate future, are clearly limited.

Today, Prime Minister Iyad Allawi, who addressed the EU Council last week, faces two immediate challenges with his interim Government. First, he needs to convince the Iraqi people that his decision to introduce marshal law was taken to guarantee holding elections next January as opposed to obstructing elections in the way some Arab Governments used in the past, or rather abused, similar emergency powers. Second, he needs to signal immediately to the Sunni population his desire to maximise their participation in the upcoming elections, which is a difficult task. It is clear that rebel activity in the Sunni heartland is likely to decrease only when the Sunnis have the confidence that the electoral process will treat them as fairly as the Kurds and the Shias.

It is clear that the European Union has a role to play in rebuilding Iraq, whether setting up a training scheme for Iraqi police, lawyers and election officers or the prospect of a formal EU-Iraqi agreement on trade and other matters. Despite our willingness, however, the impact of all this will depend on better security on the ground, which is not the EU's direct concern. It is our concern to rebuild the fractured relationships between Europe and the US. The influence of the newly appointed EU ambassador, former Deputy John Bruton, will be critical here. We must find a new way to build a fresh relationship, given Secretary of State Colin Powell's assertion yesterday that President Bush will continue to pursue his aggressive strategy, as he put it, and will not trim his sails or pull back. In the context of building trust and working for trust, about which the President also spoke, Europe has a critical role. The President of the European Commission, Mr. Romano Prodi, was right when he said that we should accentuate the positive, not the negative,

and that despite the serious tensions, we should get on with rebuilding good relationships.

The global threat of terrorism is critical for everybody. It makes it impossible for nations to live in isolation. In the past Europe has not just been split, it has been sidelined in what were transforming moments of the world, the two Gulf wars. That is why we need a strong Europe, a strong UN and a strong US.

Specifically, we have a duty not only to ourselves but to the world to create a Europe that speaks with one voice, a Europe that in an international crisis can be counted on to act cohesively and collectively, a Europe that will bring to any future or emerging conflicts a sense of its shared existence and a more enlightened view of the global interest.

That brings me to what the great Arab thinker Mr. Edward Said called the crux of the Middle East crisis, the Palestinian situation, particularly with the current grave state of Yasser Arafat's health and uncertainty as to who his successor may be. During the week the British Prime Minister, Mr. Blair, called the current Palestinian-Israeli impasse the greatest challenge facing the world today. He is right, Europe should be able to play a historic, as distinct from historical, part in all that.

Turkey is a big issue. The EPP leaders at their meeting were happy not to have double standards, that negotiations should start, but that it should not be assumed that they would lead to automatic approval for Turkey to join the European Union.

I am disappointed that the Hague programme contains no reference to a subject I raised here in previous discussions on Europe, namely, the question of paedophilia. This is an international scourge. I would have thought that Ireland could usefully have applied a motion to have research and international investigation in the causes and the sad consequences of this. It is an international problem and it could have been included as part of the Hague programme.

**Mr. Allen:** The recent European Council meeting made recommendations on issues that are of fundamental importance not only to the citizens of the European Union but also to the citizens of the wider world. The European Union has always paid close attention to parts of the world that do not share the same peace and stability that we are lucky enough to enjoy. The recent discussions on the situation in Iraq, Iran, Sudan and the Middle East reaffirm the European Union's key role in the international political and humanitarian concerns of our time.

Regarding the Middle East, the European Union must reassert itself as an equal player in the Middle East peace process. The current situation in the region is particularly volatile and the continued unrest and violence in the Middle East contributes to instability in the wider world. It is in no one's interest to fail to work in every possible way to achieve a settlement. The European



Union is an integral part of the Middle East peace roadmap and should do all that is possible to bring a peaceful resolution to the situation.

The European Council has reiterated a need to strengthen awareness among citizens of the importance of the work of the European Union. This is a resolution in which I wholeheartedly concur. In Ireland we have had a constitutional referendum on successive European treaties. In many respects this has ensured that developments at European level have received a level of media coverage and public engagement which has not always happened in other member states.

We are now facing into a referendum on the new constitutional treaty and this will again focus national attention on Ireland's membership of the European Union. This is to be welcomed. Ireland's membership of the EU is of fundamental importance to us and we should strive to be at the heart of European developments. The National Forum on Europe will have a key role in bringing information on the European Union to all the people. I hope the Government will support the importance of this role in the allocation to be made to the forum in 2005.

The European Council meeting also discussed its strategic goals agreed at Lisbon in March 2000. These goals, referred to as the Lisbon strategy, aim to make the European Union the most dynamic knowledge-based economy in the world. The core of the strategy was to be the creation of employment hand in hand with enduring economic growth and greater social cohesion. The Lisbon strategy should not be simply considered in abstract or economic terms alone. The success or failure of the strategy will have a fundamental effect upon the lives and livelihoods of millions of Europeans. If we meet the targets of the strategy we will be going a long way to significantly improving the situation of the citizens of the European Union. Unfortunately, as Deputy Kenny has said, it seems the Lisbon strategy has run into sand and now needs a considerable boost to kick-start the entire process.

Action is required at both national and European level. At national level the Government should, among other initiatives, actively consider the recent OECD report on third level education policy in Ireland. This report shows that the proportion of spending on education at all levels here is disappointing. Additionally, Ireland lags behind many other countries both in the European Union and further afield in terms of the amount of resources we invest in research and development. Educational achievement and a drive towards fostering a more competitive and knowledge-based economy will go hand in hand.

Achieving the Lisbon strategy goals will require a concerted effort by all European Union member states to drive the agenda forward. The European Council meeting stressed the importance of the mid-term review of the Lisbon strategy at the 2005 spring council as a means of driving the process forward but the Government

must act at national level to begin the process of meeting these targets.

The recent presidential election in the United States has once again focused attention on the rift between the US and the EU on certain key matters. The importance of the transatlantic relationship cannot be underestimated. In purely economic terms total transatlantic trade increased from €422 billion in 2000 to an estimated €475 billion this year. These transatlantic economic ties are the most binding the world has ever seen, with a greater amount of European investment going to the state of Texas than the total amount of EU-US investment in China and Japan combined. Everyone should work to mend the critical disagreements between the European Union and the United States. While the transatlantic relationship has traditionally dealt with disagreements based on trade or agricultural matters, the rifts caused by the international political situation and the situation in Iraq go far deeper. I reiterate at this point the Fine Gael proposal for the establishment of a foundation for transatlantic co-operation to be based in Ireland as a potential way of working to heal this fractured relationship.

**Mr. Rabbitte:** I propose to share my time with Deputy Quinn.

The European Summit on 4 and 5 November was overshadowed by a number of events, not all of them related, but all of potential seriousness. I imagine that by the time the summit was over, European leaders heaved a collective, if short-term, sigh of relief, while at the same time anxiously wondering if the next time they met it would be in an atmosphere of deep crisis or relative progress. Much as one hopes it is not the case, I cannot help feeling that the next few European summits are likely to take place in an even more troubled atmosphere.

It is a cliché to say that the Presidency communiqué released after such summits rarely reflects the reality of the event. The blandness of the communiqué after the most recent Brussels Summit certainly did not reflect the turbulence of events surrounding the summit, nor the calculations that need to be made about how ostensibly extraneous matter can affect European deliberations far into the future.

This summit took place in the shadow of the United States elections. Many of the European leaders, if not all of them, might have secretly wished for a different outcome to those elections. As it was, the democratic choice of the American people appears to have strengthened the mandate of those in the American administration who look forward to what they call the American century, an era when American "military strength and moral clarity" will underpin America's role in the world. European leaders will be only too well aware of the founding principles and objectives of the strategists and planners, now returned to the centre of power, who planned and executed the invasion of Iraq and continue to prosecute that war.



[Mr. Rabbittie.]

Those objectives include increased defence spending, strengthened ties to democratic allies for the purpose of challenging regimes hostile to the interests and values of the United States, promoting the cause of “political and economic freedom” abroad and accepting responsibility for the unique role of the United States in preserving and extending an international order friendly to “our security, our prosperity, and our principles”. These quotes come from the statement of principles for the Project for a New American Century, a body led by men as senior as Vice President Cheney, Secretary of Defence Rumsfeld and others, including Governor Bush of Florida, the man now rumoured to be the most likely candidate to succeed to the Republican candidacy at the next presidential election. Naturally, the Brussels communiqué was silent on these concerns and instead confined itself to warmly congratulating the President on his re-election and looked forward “to working very closely with President Bush and his new Administration to combine efforts, including in multilateral institutions, to promote the rule of law and create a just, democratic and secure world”. It is perhaps as well that the drafters of such communiqués have a keen eye for irony.

The presence in Brussels of Iraq’s acting Prime Minister, Mr. Iyad Allawi, and the necessity to paper over cracks caused by his apparent attack on some EU members, calling them “spectators” during the Iraq war, will have done little to ease the private anxiety that is now so evident. Mr. Allawi clearly paved the way for the attack on Falluja now under way when he told the European Heads of Government that the people of that city had asked to be liberated. One wonders, witnessing the devastation being visited on the people of Falluja, if they had fully realised that liberation was likely to mean thousands of people dying and being rendered homeless, would they have been so enthusiastic in their request to the Prime Minister. It is worth noting that little if any resistance appears to have been offered by the leaders of Europe to this further escalation of the war, even in the context of a lengthy declaration attached to the communiqué. This is despite the fact that on the day Mr. Allawi was telling the Heads of Government that the people of Falluja were asking him for liberation, the Secretary General of the United Nations was issuing a strong warning that the proposed assault could further destabilise an already dangerously fragile situation.

The Taoiseach referred to the dangerously ill condition of President Yasser Arafat, a condition that now appears to be terminal. That is another factor that overshadows any search for peace in the Middle East. The communiqué, in yet another instance of understatement, describes the crisis facing the Palestinian people as their leader lies dying as a “difficult moment”. Difficult it is indeed, difficult to anticipate just what fresh disaster may befall the Middle East if the passing of

one of its key figures is not handled with decency and generosity.

Against this increasingly difficult background, it must have come as some small relief for the leaders of Europe that the mismanaged creation of a new Commission has been, it seems, resolved. For my part, I am tempted to say that at least we avoided the rerun of that well-known horror movie, “Nightmare on Merrion Street”, with our former Minister for Finance, Deputy McCreevy, demanding his job back just in time to produce another few tax breaks for high income earners in his next budget. Let me instead congratulate the former Minister on retaining his portfolio and, in general, echo the words of Mr. Martin Schulz, leader of the European Parliament socialist group, when he congratulated Mr. José Manuel Durão Barroso on his courage in insisting on respect for the concerns of the European Parliament.

I welcome Mr Schulz’s pledge on behalf of the socialist group to do everything possible to ensure that the new parliamentary hearings take place as quickly as possible and that a vote on the new college of Commissioners is settled in the course of this month. I concur with his view that democracy is the winner from the past few weeks of conflict between the Parliament and the Commission. It was important that the President of the Commission, after what appeared to be a shaky and high-handed start, has clearly listened to the European Parliament’s legitimate concerns. Despite what some of our more pious commentators have said on the subject, those concerns were indeed legitimate. There is a final note of irony in the outcome, of course, in that this House is now probably the only Parliament in Europe that reposes confidence in a Minister for equality who believes that inequality is good for us.

I also mention the outcome of the discussions that took place on the margins of the summit between the Taoiseach and Prime Minister Blair about what appears to be an impasse in the peace process rather than the breakthrough hinted at so often. In the immediate aftermath of the summit, the Taoiseach appeared to say that the Government was moving towards a phased restoration of institutions in return for a final declaration from the IRA, presumably accompanied by definitive action on decommissioning. In more recent days, he is quoted in the newspapers as apparently questioning the bona fides of the DUP, and seems to regard the IRA “concessions” as a done deal. What is more, DUP scepticism appears to be regarded as the hoisting of “unrealistic thresholds of visibility”, presumably because that party wants more concrete evidence of decommissioning than the IRA is prepared to give.

It is time this House, at whatever level the Taoiseach considers appropriate, is given a detailed briefing on the exact state of play. While I would warmly welcome a statement from the IRA that the war is over and while everyone should welcome credible and definitive action on

decommissioning, none of us should be prepared to see such acts as “concessions” by the IRA, but rather as the democratic duty it owes to the people of this island. If the bona fides of the DUP are in doubt, they should be fully tested by an open and unconditional statement ending the war and by concrete and credible measures to put weapons of destruction beyond use forever.

If the two Governments have agreed changes to aspects of the Good Friday Agreement, this House should be told now what they are and we should be fully apprised of the legal and constitutional implications of such changes. I want to be as supportive as I can to any measure aimed at producing, finally, a settlement that will bring stable and productive institutions, and good democratic governance, to Northern Ireland. This democratic institution, however is being somewhat taken for granted in the process. I ask the Taoiseach to ensure that a full statement of the situation is made to us as soon as possible.

**Mr. Quinn:** I wish to reinforce some of the points made by my party leader with regard to the hearings process and the way in which the European Parliament was reluctantly forced to threaten to vote down the entire Commission because the constitutional framework prevented it from voting against one person who failed in the hearings process in the first instance. Some people in this country have said that this was an attack on Catholicism, an illiberal intervention by secularists within the European Parliament, but I reject that view. The Charter of Fundamental Rights which is in the draft treaty clearly upholds a set of values which Europeans have been struggling to achieve and evolve over the past 300 or 400 years. The attitude adopted by Mr. Rocco Buttiglione, who would have had the right to initiate legislation and a responsibility within the college of commissioners, was in conflict with that set of values, having regard to the specific responsibility which Mr. Barroso proposed to give him.

The Parliament did a very good job and the democratic credentials of the EU have been strengthened rather than weakened by what has happened. Like Deputy Rabbitte, I hope and fervently believe that the new Commission will be ratified, with the minor changes that have been made, and that it can proceed.

Regarding the Lisbon process, the report by the former Dutch Prime Minister, Mr. Wim Kok, clearly outlines that we are in trouble unless we change the way in which we address this issue. I would like the Minister for Foreign Affairs in his reply to consider addressing some of the questions that I will now put to him. Between the Commission at one level and the national Governments and Parliaments at the other, responsibility for driving the agenda seems to be falling between two stools. Some seven to ten years ago there was a sense that we needed no more regulations or directives from the European Union and that it would be better to have a

system of co-ordination, co-operation and peer group pressure from member states, one to the other, to achieve the clear objectives of the Lisbon Agenda which, contrary to the expectations of the former Minister for Enterprise, Trade and Employment, are about far more than simply competitiveness. It is a balanced package that respects the European social model, the competitive nature of the European economy and sustainable development. Given that they are two legs of the same stool, one depends on the other for coherence to be maintained.

In the time available, and I hope my brevity will not be taken for simplicity, I suggest that there is in the history of the European Union a model that might be usefully reconsidered. I refer to the implementation of the Single European Act when under the Presidency of Jacques Delors, Commissioner Cofield identified 311 specific measures that had to be achieved to be in accordance with achieving the completion of the Internal Market based on the Cecchini report. Notwithstanding the fact that the Lisbon Agenda and process are in the main the responsibility of national governments, unless we have some explicit and much more “in your face” system of peer group pressure, we will not get the progress Wim Kok has said we need. Therefore, I invite the Taoiseach and his colleagues in Cabinet, based on the success of the Irish Presidency, to consider, as we prepare for the mid-term review next spring five years into the Lisbon process, that something stronger must be given to national parliaments to enable them in turn to force national executives to achieve that part of the agenda which is the Lisbon process. It is not sufficient, for example, for the European affairs committee of this House to try to struggle through a less than clear and less than stark set of objectives, on the one hand, and progress reports on the other. It may be uncomfortable for member executive governments to cut a stick by which they can be beaten, but if this is not achieved at national government level, which is the preference given the Lisbon process, then we will have to examine returning to the Commission to give it those powers to drive the agenda, which is not what any national government necessarily wants.

If it is predominantly the responsibility of national parliaments to ensure that national governments achieve the process. National parliaments must be given more clear instrumentation to drive it. If we can do that in conjunction with the European Parliament and, I hope, with President Barroso who has indicated that he will take responsibility for this, then we can begin to regain some of the progress that is clearly needed if we are to achieve the 2010 objective.

**Aengus Ó Snodaigh:** Ba mhaith liom mo chuid ama a roinnt leis na Teachtaí Joe Higgins and Gormley.

**Acting Chairman (Dr. Cowley):** That is agreed.

**Aengus Ó Snodaigh:** I congratulate the Members of the European Parliament who stood up for equality and against bigotry in the EU by voting down and ensuring the resignation of the proposed right-wing nominee, Rocco Buttiglione, as Justice and Home Affairs Commissioner, from the proposed Commission. We now have a new Commission, which I hope will abide by the decisions of the European Parliament and reflect the views of the peoples of the member states of the European Union.

Unlike others in the establishment parties, Sinn Féin did not welcome the recent official signing of the EU constitutional treaty in Rome. We demand that the Government does not repeat its anti-democratic behaviour during the Nice treaty campaign. We call on it to be honest with the people in the first instance about the treaty's provisions and implications. We insist it is crucial that the Government commits at the outset to accepting the verdict of the people, even if they say "No", and to take that position back to Brussels.

I have concerns about next year's Lisbon Agenda, the mid-term review, which was the subject of Wim Kok's interim report at the Council last week. The national action plans on competitiveness must not ignore the social cohesion and sustainability aspects of the Lisbon Agenda in favour of the neo-liberal approach. I reject the assertion of the EU Competitiveness Council that the EU needs to move towards a US social model if it is to close the productivity gap with the US. The Irish model of growth is not the right one for EU partners to follow as it has widened the gap between the rich and the poor here.

During the debate on Sinn Féin's Private Members' motion on universal child care provisions last week, I argued that we needed to learn from the Nordic social model. Comprehensive social provision by Nordic countries has not damaged their competitiveness. They were placed at the top of the global competitiveness ranking last week. That puts that myth to rest.

It is not acceptable that the Government not only agreed to the introduction of biometric passports but has also signed up to the Hague programme without our having an opportunity to debate it. That programme will establish a common EU migration policy by 2010. From next year all decisions in this area will be by qualified majority voting and many of the aspects and proposals in this area within the EU have already been heavily criticised by human rights groups and organisations. Part of those proposals include the prospect of asylum processing camps in north Africa. We are unequivocally opposed to the creation of a fortress Europe. The Government has no mandate on this issue.

I want the Government to pay particular attention to the conclusion of the European Democratic Judges' Association which last month stated that the EU's importation of a security culture from the US in the name of the so-called war

on terror is putting basic rights and democratic freedoms at risk.

On 17 December the Council will decide on the Commission's recommendations to open accession negotiations with Turkey. Sinn Féin supports Turkey's accession in principle. However, its membership must be contingent on it fulfilling the Copenhagen criteria. We are not convinced that enough durable and systemic change has yet taken place to warrant the opening of membership negotiations with Turkey at this time. For example, Turkey must resolve its Cypriot and Kurdish occupations before it becomes a member of the EU. All EU accession negotiations should be subject to suspension in view of human rights violations. We accept this aspect of conditionality as recommended by the Commission. French parliamentarians will debate the issue of Turkey's application in advance of that decision. There should also be a decision and a debate on that matter in this House prior to that decision on 17 December.

**Mr. J. Higgins:** The published conclusions of the EU Presidency following the EU leader's summit of 4 and 5 November leave me seriously wondering if the European Union leadership is in outright denial of the realities of our world or, worse and more likely, deliberately trying to deceive the people of the European Union. The first paragraph of the section on external affairs reads:

The European Council warmly congratulated President George W. Bush on his re-election as President of the United States ... Our close transatlantic partnership, based on shared values, is fundamental for Europe's approach to building international peace, security and prosperity. Our deep political, economic and cultural ties make us each other's natural and indispensable partners.

Can we be clear on this matter? Is the Government saying that it shares with the United States Government a belief that it has the right to launch an imperialist conquest of another country, to ruthlessly use its position as the most wealthy and powerful country on the planet to invade Iraq, corral its oil resources and establish military control over the Middle East? Of all the days to credit the United States with being a partner in building international peace and prosperity, this is not the one when the United States' military, as we speak, is battering the daylight out of the city of Falluja with all its monstrous arsenal of armaments and its victims include hospital workers, medical personnel, women and little children. Is the Government saying it shares the values of an administration that has built a gulag on its own doorstep in Guantanamo whose methods would rival any of the infamous gulags built by the Stalinists in eastern Europe in their heyday? The United States justifies the kidnap of suspects from around the world, interning them and subjecting them to systematic torture without



recourse to human or civil rights. Is the Government saying it shares these values?

The Council declaration on Iraq, a five page document, contains not a single mention of the imperialist occupation of Iraq by states, including member states of the European Union. The Council says it "warmly welcomes the restoration of sovereignty to the Iraqi Government", dignifying as a sovereign Government a clutch of crooked exiles and hand-picked CIA stooges put in place by the occupying powers. Is there any end to how far the Government will debase itself in favour of American foreign policy? No doubt, the Taoiseach will shortly be preparing to go to Washington on St. Patrick's Day, one hand clutching a bowl of shamrock and the other tugging his forelock to Mr. Bush. That is shameful.

The Lisbon strategy, which is the other major issue, is simply the agenda of European big business dictated by the European round table and other lobby groups which have an open door to the European Commission which, in the neo-liberal policies pushed by the European Commission, acts as their agent. It is a race to the bottom for the European working class involving a savage assault on their pension rights in country after country. At a time when the world never had more technology and resources, it is ironic that people's working lives must be lengthened. Let us remember that some of the greatest struggles of the international working class were for shorter working days, weeks and years to give some dignity to the lives of working people. The Lisbon Agenda also has at its centre the privatisation of our public services. It is probably not surprising that the Government cheers on this big business agenda since it implements it itself. It is no wonder the Taoiseach was greeted with derision in the Dáil yesterday when he said he was the friend of those on the margins.

European workers will have their say. German workers are having their say by protesting in their hundreds and thousands against this agenda. We can expect this to increase and intensify.

**Mr. Gormley:** The European Council warmly welcomed the election of President Bush. I do not share that view. The election of President Bush is bad for the United States and for the world community. His first decision on being re-elected was to carry out the attack on Falluja. Before the war, I predicted that the war would destabilise Iraq and that entire region. I said the war was unjustified and would be entirely counter-productive. Every day on the streets of Iraq we see that view vindicated.

Regrettably, this country is implicated because we are assisting the American war effort by allowing Shannon Airport to be used as a military stop-over. Each day, hundreds of American troops pass through Shannon. The Minister for Transport has boasted about the amount of money we are earning but, as far as many Irish people, including me, are concerned, that is blood money. We see the number of people who are

dying on the streets of Baghdad and elsewhere. As many as 100,000 people have died in that war and there is no end in sight. President Bush is looking for an exit strategy. He will be calling on us and on others to assist him in that strategy. We should have said at the European Council that we will not assist this imperialist war, for that is what it is.

There are those who say the election of President Bush has been a good thing. I refer to those, particularly within the European Union, who want to see the emergence of a European super-state. This was recently referred to by Deputy Stanton in a perceptive article. The judgment of these people is extremely flawed. In seeking to build up what they see as a counter weight to the United States they simply emulate the United States. That is wrong. We have seen how super-states come and go. We saw the dissolution of the Soviet Union and the consequences of that. I do not understand those who want to build up what they call Europe's own defence identity. It is a very wrong path to pursue.

This aspiration is plain to see in the new EU constitution. Whereas previously we talked about a common defence policy which might lead to a common defence, we are now told it will definitely lead to a common defence should the council unanimously decide so. This is a step towards that common defence. Similarly, member states must now undertake progressively to improve their military capabilities and a European armaments research and military capabilities agency will be established. This is another step towards the militarisation of Europe. There is also a solidarity clause, which is to prevent a terrorist attack. Where have we heard that before? President Bush would argue that what he is doing in Iraq is preventing a terrorist attack. We are copying the United States in building our own united states of Europe. It is completely ill advised to pursue that path.

The question of Palestine has been raised. President Bush is not seen as an honest broker in this instance. In the same way he is not seen as liberator in Iraq but as an occupier and the United States as an occupying force. Part of the solution to the Middle East problem is to look carefully at the Palestinian problem and towards bringing forward a real solution to it. The Government should pursue this goal instead of kowtowing to the United States.

**Acting Chairman:** The Minister for Foreign Affairs will now take questions. I ask Deputies to be brief and concise.

**Minister for Foreign Affairs (Mr. D. Ahern):** I had intended first to deal with some of the issues raised by Deputies.

**Mr. Quinn:** Can we invite the Minister to do that?



**Mr. D. Ahern:** I am happy to do so. I can then take questions. I cannot say I will cover everything raised but I will deal with a number of issues.

Deputy Kenny referred to paedophilia and the Hague programme. At Ireland's suggestion the programme includes the development of a Europe-wide register of sex offenders. It is hoped this will ensure that criminals accused of serious sexual offences will be placed on national registers and that there will be an EU-wide sex offenders register. This would prevent sex offenders avoiding surveillance by changing their state of residence. This issue needs to be cleared up.

Deputy Quinn and others raised the issue of the Lisbon Agenda. During the Irish Presidency we focused on this issue and as a result, Wim Kok's report was made available. I understand a copy has been placed in the Oireachtas Library. I agree with Deputy Quinn's assertion that we must take a harder look at how we deal with the Lisbon Agenda. It is not just a case of examining what each member state is doing, it is also important to benchmark the EU as a whole in comparison with Asia and the US. In my previous incarnation as Minister for Communications, Marine and Natural Resources, I travelled to Japan and Korea and saw how much further ahead they are than Europe in developing telecommunications and other new technology.

At the European Council meeting we welcomed the new Commission's key role and the commitment of the President-designate, Mr. Barroso, who said that the Lisbon Agenda would be a central priority of his tenure in office. I agree that member states should play a more active role. During our EU Presidency we obtained agreement on the national reform partnerships in the hope that the main actors in each member state would bring a tougher line to bear on governments and would place a higher priority within their own organisations towards achieving a partnership approach to the Lisbon Agenda. Ireland has been successful in building on that partnership approach and we want to see that happening increasingly at EU level.

It must be accepted that the Lisbon Agenda is not a waste of time. Even following enlargement, it provides an important focus for the EU to ensure that in less developed EU countries, particularly the new member states, there is tremendous potential for growth and productivity. Higher growth rates presuppose better social cohesion and investment in human capital, as we have seen in the transformation of our labour market which has improved people's lifestyles. We welcome the national programmes on implementing the Lisbon strategy and the European Parliament must become more focused in that respect.

I do not agree with Deputy Gormley about EU-US relations. We must accept the democratic process in America. This side of the House

accepts the democratic process but the Deputy seems unable to do so.

**Mr. Gormley:** No. I accept the democratic process, although I do not welcome President Bush's re-election. I would have preferred John Kerry to have been elected.

**Mr. D. Ahern:** The Deputy has an opinion on that but obviously the EU must deal with the US as a whole. Despite that there might be differences occasionally on particular issues, by and large we have the same types of goals concerning trade and security, including the worldwide fight against terrorism. The USA has the same views as we do on democracy and human rights issues. It is important to have a strong transatlantic axis, while accepting that occasionally there will be differences, as there have been on issues such as Iraq.

Deputy Gormley raised the issue of Shannon Airport but it must be emphasised that the multinational force in Iraq has the sanction of UN Security Council resolutions 1511 and 1546.

**Mr. Quinn:** Yes, that is right.

**Mr. D. Ahern:** It must be emphasised that the force is there as a result of those resolutions. As regards the operation in Falluja, the view of all member states is that everything must be done to minimise fatalities, particularly of ordinary civilians. We hope the operation will come to an end as soon as possible. Mr. Alawi strongly articulated the view that the only possibility of having elections in Iraq was if the chronic situation in Falluja could be dealt with. The EU's hope that minimum force would be used was articulated strongly by Javier Solana on behalf of the EU after last week's meeting.

**Acting Chairman:** This item must conclude at 1.20 p.m. by an order of the Dáil this morning.

**Mr. Allen:** There is much focus on the Middle East, and in particular Israel and Palestine, because of the Iraq situation. Were there any discussions at the European Council on the so-called security wall that Israel has constructed in some areas? Has the EU had discussions with Israel on the negative impact the wall is having on the people of the area?

I realise it is a sensitive issue but can the Minister provide an update on the situation regarding Margaret Hassan?

The Minister answered the question posed by Deputy Kenny concerning paedophilia but more could be done about that problem. Since it has major international consequences, merely drafting registers of paedophiles is insufficient. Are other steps planned by the European Union in this regard?

Given the varying tax rates that apply in the new EU states, does the Minister believe that Ireland will be able to maintain its 12.5% rate of

corporation tax, which is so vital to our industrial development and investment?

The UK, France and Germany have been working to allay people's fears concerning the development of Iran's nuclear facilities. Were the EU leaders briefed on what discussions have taken place with the Iranian authorities? Threats against Iran will not achieve anything in this regard. Delicate diplomatic moves would be much more effective.

**Acting Chairman:** There are more Deputies offering so the Deputy should conclude.

**Mr. Allen:** I do not like the hints of heavy-handedness coming from some sources that countries should either comply with international rules or else. That approach has not worked in Iraq. I hope that delicate diplomacy will achieve its objective in what is a potentially dangerous situation in Iran. There are many other issues I would like to raise but time is restricted.

**Mr. D. Ahern:** The EU has declared that the Israeli security wall is illegal and I have previously articulated that point in the House. Israel is obviously entitled to defend its citizens as it sees fit but the positioning of the wall, as far as Ireland and the EU are concerned, is not in accordance with international law. The International Court of Justice has also made that clear.

The Deputy asked whether discussions had taken place with Israel concerning the effect of its policies in the region. The EU is dealing with a number of countries on its periphery, including Israel, in conjunction with what is called the European neighbourhood policy. While discussions with all the other countries have gone very well, the discussions with Israel have slowed down. That is the subject of constant discussion at EU meetings on general affairs and external relations issues. It will obviously be included in the discussions at the next meeting in that respect.

The Deputy also asked about the 12.5% rate of corporation tax. As far as the Government is concerned this was one of the successes of our Presidency. We ensured that in the treaty on the constitution, the issue of taxation would only be dealt with on the basis of unanimity. As far as we are concerned, the 12.5% rate is *in situ* and will remain so.

I accept what the Deputy has said about Iran and that dialogue is the better way. At a previous meeting of the General Affairs and External Relations Council the outlook for the discussions looked pretty gloomy. However, in the run-up to the European Council meeting last week and since, however, we have seen strong indications that the tripartite discussions on Iran will bear fruit.

**Aengus Ó Snodaigh:** Will the Government give a clear and unequivocal commitment to accept the verdict of the people in the referendum on

the EU constitution? When is that referendum likely to be held? Other countries have already indicated when they will hold their referendums.

Has the Government made a decision to participate in the EU battle groups yet? If not when will a decision on that matter be made?

I reiterate a question I asked in my earlier contribution. Will the Government allow a debate on the Commission's recommendations on Turkey's membership before a decision on negotiations is made on 17 December? Does the Government agree that a referendum on Turkey's membership is not appropriate?

**Mr. D. Ahern:** The Government has made no decision on the timing of the referendum. As the Deputy will be aware, the decision of each member state must be made before 1 November 2006. Obviously we will need to wait to see how that process rolls out. A number of countries will make decisions fairly promptly and others will do so later on. I do not envisage the Irish people rejecting the constitution. It is a fair and balanced document, as we said in the documents we published in the past week or so. On a number of the key priorities for this country, we are endeavouring to ensure that our interests are looked after, including the issue of taxation. While I know Sinn Féin has declared that it wants to increase corporation tax, we want to retain the ability to keep corporation tax at 12.5% so that thousands of people employed in corporations here will have the benefit of that employment in the years to come.

The Deputy is aware of the position on Turkey's discussions with the EU on possible accession. At the December Council meeting a decision will be made on a start to negotiations and obviously we will need to wait and see what will happen then.

**Acting Chairman:** As only five minutes remain, I ask Deputies to be brief and concise.

**Mr. Quinn:** The formal communiqué refers to communicating Europe. Does the Minister or the Minister of State, Deputy Treacy, have specific plans to elaborate the programme of communicating Europe from now through to the date of the referendum and beyond?

**Mr. D. Ahern:** Yes. We are meeting to discuss the wording of the proposed constitutional amendment. We plan to make available as much information as possible. Obviously the referendum commission will have a huge part to play. We will ensure that the referendum commission will be functioning with plenty of time to fulfil its statutory role in that respect.

**Mr. Quinn:** I compliment the Minister on the explanatory guide to the European constitution issued by the Department of Foreign Affairs.

**Mr. Gormley:** As the Minister is considering the wording of the constitutional amendment, is

[Mr. Gormley.]

it not strange that the Government has not yet considered a possible date, given the importance of the European constitution for the country? I have twice asked the Taoiseach to give the House a possible date for the publication of the legislation. When does the Minister anticipate this legislation will be published? Will we see its publication next year so that the referendum commission can be activated?

**Mr. D. Ahern:** I can go no further than the Taoiseach. No decision has been made on the timing of the referendum. However, we will have plenty of time for all views, both for and against, to be articulated.

**Mr. J. Higgins:** When the English language is used in European Union communiqués do the words have the normal meaning with which we associate them in everyday life? What does “natural and indispensable partners” mean in the context in which it is used? Does it mean the Government considers itself a partner in the illegal and brutal invasion of Iraq, which has seen the slaughter of 100,000 people and its ongoing occupation? What is meant by “shared values”? Does it mean that we share the belief that we can concoct a monstrous lie on the strength of which it is permissible to launch an invasion of another country?

In backing the United States assault on Falluja does the Minister really believe this will mean the end of the insurgency any more than, for example, the operation in Hue in Vietnam in the 1960s finished the insurgency there? Can we not think independently of the propaganda of imperialism? Does the Minister agree that the Israeli Government continues its brutal repressive and murderous assault on the Palestinian people and their territories while standing firmly behind the Israelis is the Bush Administration? What did the Minister say about that matter at the EU summit?

**Mr. D. Ahern:** While I do not know about the Deputy, as far as I am concerned this country has and always has had a good relationship with the US and has shared values with the US over the years. We share the same views on the freedoms it holds very dearly. I listen to the Deputy bleating on every day about workers. At least 100,000 people working in this country get their employment from American-backed companies. I make no apology for my position on this matter.

On Israel, we have clearly articulated our opinion, as has the EU, on the overreaction and excessive use of force by Israeli forces on Palestinian positions. We have equally said that we condemn the suicide bombings of Hamas and others and we will continue to do so. Only when a unilateral ceasefire becomes effective will proper dialogue based on the roadmap and the two-state solution, which we all desire, take place.

**Mr. J. Higgins:** I remind the Minister that sheep bleat and socialists articulate ideas.

**Mr. Allen:** While the Minister may not wish to comment, I asked about Mrs. Margaret Hassan.

**Mr. D. Ahern:** My Department has been in continual communication with our contacts in Iraq and Mrs. Hassan’s husband, as well as her family here and in the UK. I have nothing further to report. Obviously there is sensitivity on these kidnappings including that of Annetta Flanigan. The UN is primarily the body responsible for any discussion taking place in her case.

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

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

**Mr. Kelly:** A survey this year by the National Safety Council among others found that seven out of ten drivers believe it acceptable to drive at ten miles an hour above the speed limit. This is a worrying finding. The survey also reveals that 40% of drivers believe it is acceptable to break the speed limit on local and regional roads, which account for 60% of fatal accidents and the majority of fatal accidents where speed is a factor. A total of 47% more males than females consider it acceptable to break the speed limit on these roads. Reacting to the results of the survey, Mr. Eddie Shaw, chairman of the National Safety Council, stated:

Clearly many of us in this country consider “real speeding” to be driving in excess of the speed limit by more than ten miles per hour. This is a killer attitude as there is no such thing as safe or acceptable speeding.

I fully endorse Mr. Shaw’s comments.

Mr. Shaw also pointed out that doubling a car’s speed from 20 to 40 miles per hour does not just double the destructive capacity of the car, it increases it by a factor of four — if a car hits a person at 40 miles per hour, it hits him four times harder than a car travelling at 20 miles per hour. Travelling at 60 miles per hour, a car impacts nine times harder than at 20 miles per hour. This is the brutal reality we must face. We must all drive more carefully and slowly. We must leave a greater distance between ourselves and the car in front and we must be alert for vulnerable road users such as pedestrians, cyclists, motorcyclists, the very old and the very young.

I welcome the new road safety strategy for 2004-06. This strategy is the blueprint for the next two years for the work of all agencies involved in road safety. The last road safety strategy, which ran from 1998 until 2003, more than met its main objectives of reducing fatal and serious injury accidents by 20%. This new strategy hopes to improve on that, with a 25% reduction in road collision fatalities compared to the average annual number of fatalities between 1998 and



2003 by the end of 2006. The targets in the speed enforcement areas are especially welcome.

I appeal to everyone to be careful and to slow down. Every weekend we hear of the number of accidents and deaths that bring only sorrow, sadness, bereavement and upset to so many families. People in the prime of their lives, with a great future ahead of them, are sadly losing out due to tragic and needless accidents.

A driver should not worry about what everyone else will do because he or she could be the driver who crashes. He should mind himself and his passengers, drive carefully and make sure he is not the driver who crashes. Unfortunately, in numerous cases, the driver who worries about everyone else's driving ends up in a fatal accident.

We must drive carefully and slowly. It is better to arrive late and alive than on time and dead. I fully support this Bill. I welcome the fact that the NRA is working with the Garda Síochána and the Department of Transport to prepare an implementation plan for speed cameras to meet the strategy.

**Mr. Finneran:** I welcome the opportunity to speak on this important legislation, much of which is housekeeping. I have often spoken about the matter of real importance in the Bill, speed. The Bill addresses certain administrative functions for the gardaí regarding traffic offences, the out-sourcing of certain functions and the fixed charge system, and covers the supply of vehicles to minors. This innovative Bill presents an opportunity for us to focus on the tragedy inflicted on so many families as a result of road accidents and it will be speedily passed. The Minister, Deputy Cullen, and the Minister of State, Deputy Fahey, are well aware of the views of Fianna Fáil members on road traffic legislation and the need for change.

Speed is the major cause of death on the roads. In some cases, speed limits are so inappropriate that I wonder why there is no limit other than the national speed limit on our county and regional roads. This legislation allows for the amendment of those speed limits, an important innovation because the system until now did not make sense.

Many of our roads are inferior. In the Border, midlands and western region, there is a shortage of investment in the national primary and secondary road structure. I am disappointed more progress has not been made on some of the major road projects in County Roscommon when there have been so many accidents. Work is needed on the N5 and the bypass for Ballaghaderreen. The N61 should also be upgraded and Athlone and Boyle bypassed, with an interchange for the proposed Athlone to Ballinasloe motorway. Extensive realignment is needed on the road from Athlone to Roscommon, particularly at Knockcroghery. It is difficult to believe the condition of the national secondary routes in County Roscommon. The N60 and N63 are seriously deficient in standard. As we enter the final years

of Objective One status in the BMW region, these roads should be upgraded.

Debate adjourned.

*Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.*

### Ceisteanna — Questions (Resumed).

#### Priority Questions.

#### Social Welfare Benefits.

64. **Mr. Stanton** asked the Minister for Social and Family Affairs the target for processing new claims for the carer's allowance and one-parent family payments; the progress that has been achieved; his plans for improving target levels; and if he will make a statement on the matter. [28451/04]

**Minister for Social and Family Affairs (Mr. Brennan):** My Department is committed to providing a quality service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are issued as quickly as possible having regard to the eligibility conditions which apply. The overriding consideration in processing claims is to ensure that customers receive their correct entitlement and decisions are not taken until all appropriate information is available.

Challenging key performance indicators are set for processing claims. In the case of carer's allowance, the performance target is to award 70% of claims within 13 weeks. For one-parent family, the target is to award 55% of unmarried cases within eight weeks and 65% of separated cases within 13 weeks. The average time currently taken to award carer's allowance is just under ten weeks, 74% of claims were awarded within 13 weeks in October 2004. The average processing times for one-parent family for September were 15 weeks in unmarried cases and 18 weeks in separated cases.

The time taken to process individual carer's or one-parent family payment applications varies with regard to the difficulty or otherwise in establishing the circumstances in each case. The majority of carer's and one-parent family payment applicants are in receipt of another social welfare payment while their claim is being processed. This payment will normally continue until their entitlement to one-parent family or carer's allowance payment is determined. However, every effort is made to process applications as quickly as possible and to minimise the time during which applicants have to rely on these alternative forms of support.

Targets and performance indicators are being reviewed in the context of my Department's mod-



[Mr. Brennan.]

ernisation action plan and, in this context, it is intended to devise a more comprehensive set of performance indicators and improved systems for measuring and reporting on inputs, outputs and outcomes for the future.

In addition, my Department's service delivery modernisation programme is under way. It is designed to use the most up to date technology and business models to improve delivery of services. This programme will facilitate integration of services and greater efficiency. While it will be some time before these benefits are fully achieved, I am concerned to ensure that service levels are maintained and improved in the meantime. To this end, my Department is engaged in an ongoing process to ensure that existing resources are prioritised to the greatest extent possible on front line service delivery.

In this regard, administration of one-parent family payments is being devolved to the Department's network of local offices. This is being done primarily to improve customer service. Claim processing times will be reduced through closer linkage with the local investigative officer network. In addition, lone parents will have more direct local contact with the Department's employment support services. As a result of these initiatives, claims for carer's allowance and for one-parent family payment are now being dealt with more quickly.

**Mr. Stanton:** I welcome the Minister and congratulate him on his appointment. I hope we will see an improvement under his watch. Is he aware, from his own annual report, that the standard clearance time for one-parent family payments in 2001 was 65% in eight weeks? That changed to 50% in eight weeks in 2003. The achievement level in 2001 was 31% and was 21% in 2003. Is he aware that the standard clearance time for the carer's allowance was 80% in eight weeks in 2001 and 70% in nine weeks in 2003? The achievement levels fell rather than rose and went from 26% to 22%. Why is that the case? Why have the targets been changed? Does the Minister realise the stress, worry and problems carer's and one-parent families have in waiting for the claims to be processed? When will this benefit, about which he speaks, be achieved? When will local offices pay one-parent family payments?

**Mr. Brennan:** Processing of one-parent family payment claims in local social welfare offices has successfully got under way in 17 local offices throughout the country. By the beginning of 2005, approximately half of all new claimants for one-parent family payments will have their claims dealt with in their local social welfare offices. Localisation of the service to other local offices is planned to proceed on a phased basis in 2005.

There is an unavoidable time lag involved in conducting the necessary investigations. There is a plethora of schemes and cross-checking, inquiries and investigations are necessary to enable

decisions to be made. There is an onus on applicants to furnish all necessary documentation. The investigative and inquiry stage is time-consuming and every effort is being made in this regard. A number of improvements were recently introduced to directly affect the carer's allowance in terms of time. We have reviewed all the existing procedures. Applicants who are refused on medical eligibility grounds are provided with an interim decision. Applicants who are automatically medically approved can be fast-tracked. Priority is now being given to any claim that is pending for eight weeks or more and additional have staff have been assigned. There is quite a volume of work and every effort is being made to deal with all the applicants as quickly as possible.

**Mr. Stanton:** How many applications for the one-parent family payment and the carer's allowance are pending and for how long are they pending? If the Minister cannot give me that information now, he can give it to me later but I would appreciate an indication now.

**Mr. Brennan:** I will probably have to give the Deputy the number later. We received 6,570 applications for the carer's allowance this year. A total of 6,267 have been determined and another 611 claims were withdrawn, including some claims received towards the end of the year. Some 3,980 people were awarded the carer's allowance in the first instance and there are currently 1,140 new claims on hand. More than 70% of these have been received in the past eight weeks or so. I will get the Deputy the information on the lone-parent allowance.

#### Departmental Estimates.

65. **Mr. Penrose** asked the Minister for Social and Family Affairs when he will complete his review of the 16 social welfare cutbacks announced in November 2003; if the review will be completed ahead of the publication of Estimates and budget 2005; the consultations he has had with charitable and voluntary groups regarding the impact of these cuts; and if he will make a statement on the matter. [28257/04]

**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. I have asked my officials to review all of the measures in question and I expect this work to be completed in the near future. I will bring forward proposals, if appropriate, in the light of the findings of the review.

On 11 October last, I hosted a pre-budget forum to which a wide variety of organisations with interests in social welfare issues had been invited. In all, 27 organisations attended on the day and I extended an invitation to each of them to meet me separately to outline their work and to make their concerns known to me. Since then, I met a number of these organisations. I have list-

ened carefully to any views expressed by them in regard the measures announced last year and, looking ahead, to improvements sought in social welfare provisions generally in the forthcoming budget. I intend to meet the remaining groups over the coming months.

My priority in the forthcoming budget is to make significant progress in delivering on the social welfare commitments in the programme for Government, Sustaining Progress and the national anti-poverty strategy.

Resources will be targeted towards helping those most in need in order, not alone to raise their standard of living, but to ensure that everyone is a valued citizen who can make his or her individual contribution to society, regardless of circumstances. The intention is to make a positive difference in the lives of people around the country who depend on the social welfare system and I will bring various proposals forward in that regard in the near future.

**Mr. Penrose:** I have already congratulated the Minister on his appointment to the new portfolio and wish him the best of luck. However, he has created a fog of confusion, given that he now professes to being a socialist. We were not aware that he was a closet socialist until his statement recently at a meeting of the Fianna Fáil parliamentary party. Accepting the Minister's bona fides and his expression of socialist tendencies, which I had not encountered heretofore, he must have been shocked at the rightwing bent of his Government and his predecessor, who visited these savage cuts upon ordinary working class people and the marginalised. It begs the question as to how it all happened. How could the actions taken by a Government of which the Minister was a member and which shares responsibility for every decision made at the Cabinet table, slip under his socialist nose? The cuts have brought hardship to so many vulnerable people, for the sake of cynical money, €58 million initially and subsequently less than €15 million, the price of a few electronic voting machines.

Let us get down to a few facts. The Minister now accepts it was a major mistake by his Government, and particularly his predecessor, to do what they did in November 2003. It inflicted hardship on people in receipt of rent supplements, on victims of domestic violence who now must declare themselves homeless in order to qualify for rent supplements as well as dietary, crèche and MABS supplements and it emasculated the back to education allowance which is so necessary for many lone parents. We all profess that the best way out of poverty is through education and we emasculate the very scheme that facilitates this.

**Acting Chairman (Deputy Kirk):** The Deputy is taking a circuitous route to the question.

**Mr. Penrose:** I have indicated the questions. Will the Minister say how these cuts could have

escaped the application of the poverty-proofing regime which is supposed to operate under the partnership process and Sustaining Progress? Was everybody asleep or was this applied at all, was it just another fog of confusion or does poverty-proofing mean anything to this Government?

**Mr. Brennan:** The Deputy will have to judge for himself whether I am a socialist or a capitalist. I explained to my parliamentary party that throughout my political life I have always believed in competition and in growing the economy strongly. The purpose of a competitive economy is not just to produce a few millionaires but to assist the boats that get left behind in the rising tide. That did not dawn on me since I took on this portfolio, but has always been my view. However, my previous post was concerned with growing the economy and helping to bring about the necessary level of growth so that we could arrive at a point where our social obligations could be met in a more targeted and focused way.

I have announced a review of these changes that were made, on a case by case basis. I have already spent many hours in discussion with officials on each and every one of them. If the Deputy goes through them in detail, I am sure he will be aware that some are designed to remove abuse. Others will be changed, I believe. If one reviews them with an open mind one will see that some of the changes were designed so that available resources could be concentrated in areas of genuine need and to ensure there was no abuse of the system. I have already indicated that these measures are being reviewed and I will bring forward the relevant proposals in the near future. I will fully explain to the House where we stand, item by item and on a case by case basis.

**Acting Chairman:** I would like to say to Deputy Penrose—

**Mr. Penrose:** I have a minute left.

**Acting Chairman:** Time is running out for him.

**Mr. Penrose:** Time will run out for the Government if it continues to behave like that.

**Acting Chairman:** There is a difficulty with the Priority Questions. If we have long rambling introductions it will restrict the number of questions which may be asked.

**Mr. Penrose:** I will abide by the Acting Chairman's ruling and will ask one brief question, as I am trained to do. The Minister made an extraordinary admission when he said recently, in reply to a parliamentary question, that neither he nor his Department knew how many people had been hurt by the cuts and reforms introduced. This is despite the fact that we have been articulating this for the past 12 months, as have the 30 community and voluntary organisations who represent those people. Is that not an extraordinary

[Mr. Penrose.] admission or is it a sign of a Government out of touch with reality?

**Mr. Brennan:** There are numbers in some cases, but not in others because applications have to be made. While the number of people who apply for a scheme is known this is not necessarily the case as regards those who do not apply. That is why it is not always possible to get accurate numbers. The Deputy will also be aware that in the case of the rent supplement, for example, discussions with the social partners included a review as to whether there was any hardship in that area and produced some samples which are currently being examined. The reason there are not accurate figures in some cases is largely because the Department is not aware of those people who do not apply for a particular scheme.

### Child Support.

66. **Mr. Crowe** asked the Minister for Social and Family Affairs the new measures or sanctions he proposes to introduce in response to the considerable problems highlighted in the recent report compiled by the CDI entitled *How are our Kids*. [28114/04]

**Mr. Brennan:** I welcome the study, to which the Deputy refers, and like many others am concerned at its findings. It demonstrates the urgency of the action required to combat poverty, which impacts on our most vulnerable citizens, especially children. The study is based on a sample of 187 children drawn from 79 households in Tallaght west.

The area differs from the average in this country in the following important respects: the population is much younger than the average, 54% under age 25, compared to the national average of 37%, while the proportion of children leaving education early is significantly higher than the national average; almost 7% of the population lives with a disability of whom 14.6% are under 15 years age, compared to the national average of 5.3%; the proportion unemployed, at 10.6%, is more than twice the national average, while a further 4.6% are unable to work; almost one in three of households is headed by a lone parent, with just under 24% of such households having a child under 15 years, compared to national averages of 12% and 5.3% respectively; Those living in the area are, therefore, at a much higher risk of poverty than the national average. The national anti-poverty strategy, which has been in operation since 1997, is being constantly developed, a process being co-ordinated by the office for social inclusion within my Department. The strategy is designed to meet the type of challenges highlighted by this study, which are cross-cutting in nature and require an integrated approach.

A key objective of the strategy is to move towards eliminating child poverty and to have a situation of greater equality for all in terms of

access to appropriate education, health and housing, thereby seeking to break the cycle of disadvantage and exclusion experienced by certain children in society. A report on the implementation of the strategy for the period 2003 to 2004 is currently being finalised and will be published shortly. This will provide a basis for an evaluation of the progress made so far in combating poverty and social exclusion and what the priorities should be for further action.

The evaluation will take place in consultation with the social partners, the community, voluntary sector and other interested parties with a view to a report being forwarded to the EU in June next year. A key priority will be to further develop a more effective regional and locally based approach to combating poverty, within the context of the RAPID programme. This programme, launched in 2001, is designed to improve the quality and delivery of services and facilities in identified areas of urban disadvantage, which includes parts of west Tallaght. The ongoing review of the NAPS will examine how national policies in areas such as income and employment supports, child care, health, and education can be better integrated with locally based services to more effectively combat concentrations of poverty, especially in areas of deprivation. Above all, the review will seek to identify priorities for immediate action, given the urgency of significantly improving the well being of the children, whose situation is so well documented in the study. The findings of studies such as this are being fully taken into account in this process. I have also asked my officials to discuss the study with the authors and to identify other priorities for action.

**Mr. Crowe:** The Minister has answered one of the questions I intended to ask by saying his officials will meet the authors of the report, which I welcome. I am putting a series of questions on the report to a number of Ministers. According to the report, the people in Tallaght are subject to a disproportionate burden of poverty and inequality. While I have no doubt there are other areas in the State with a similar burden, there is a special case to be made for this particular area. The fact that I represent it is immaterial as I would raise the issue were I the representative of any other area.

According to the report, one in three families is headed by a lone parent, which is four times the national average. While people talk about problem areas, it is Government and society which have created the conditions in which those problems have occurred. It is for us, therefore, to come up with the solutions. The report refers to a solution-based approach to the problems in the area. On foot of the meeting with the report's authors, the Minister or one of his officials should consider specific solutions to try to resolve the problems in the area. In his reply, the Minister accepted there was a problem.



**Acting Chairman:** Deputy Crowe is falling into the trap of making a speech during Question Time.

**Mr. Crowe:** Sorry about that. While the Minister outlined clearly the problems in the area, I am calling for a direct approach to tackling the problem. If there are job losses in a particular area, we normally establish a task force. While I am not necessarily looking for that, I want some form of short and long term response to the problems in this area.

**Mr. Brennan:** I thank the Deputy. I acknowledged in my reply the work of the authors of the report and outlined that a meeting would take place. The Deputy is correct to focus on west Tallaght, the percentage figures for which are unacceptable. We must continue to tackle the problems. While the people of Tallaght receive in the first instance all of the benefit supports people receive nationwide, special, extended supports tailored to meet the needs of the particular area are also required. For example, my Department's area manager in Tallaght is a member of the board of Tallaght area partnership and the west Tallaght RAPID implementation team. The facilitator based in the local Tallaght office is a member of the Tallaght partnership's early school leaver strategy group. Work is also ongoing in Jobstown and with local community organisations such as the Tallaght lone-parent community development project. There is a host of other projects, details of which I can supply to the Deputy, though I am sure he knows them far better than I do through his connections with them.

67. **Mr. Stanton** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent findings by the Combat Poverty Agency that 35% of poor children come from households that are headed by a person who is in employment; his plans to address this situation; and if he will make a statement on the matter. [28452/04]

**Mr. Brennan:** I omitted previously to offer my congratulations to Deputy Stanton on his appointment to his party's Front Bench. I wish him well, though not too well.

The Deputy refers no doubt to the Combat Poverty Agency's recent pre-budget submission to the Government. The submission refers to children in families supported by those in low-paid employment who are deemed to be at risk of poverty as their income falls below the 60% relative-income threshold, which is 60% of median income. Tackling child poverty continues to be one of the Government's key priorities. The problem of child poverty is multifaceted and requires a multifaceted response through agencies such as the revised national anti-poverty strategy, the national children's strategy and, more recently, the national action plan against poverty and social exclusion. Through these strategies, the Government has committed to specific

and measurable targets to achieve greater equality of access to adequate income, appropriate education, health and housing to break the cycle of disadvantage and exclusion experienced by certain children in society.

The Government recognises the importance of supporting and protecting families and children. Our aim is to achieve the national anti-poverty strategy target of reducing the number of children who are consistently poor to below 2% by 2007 or, if possible, to eliminate by then consistent poverty among children. Significant progress has already been made towards achieving this target. The number of children who are consistently poor has more than halved in the four-year period from 1997 to 2001, falling from 15.3% in 1997 to 6.5% in 2001. I emphasise that our aim is to reduce consistent poverty to below 2% rather than eliminate it completely.

A key factor underpinning the reduction in child poverty is the reduction in the numbers of parents who are unemployed. Our aim is to continue to maintain high levels of employment and to remove obstacles to taking up employment especially in the cases of lone parents and parents with large families. This approach is reflected in the investment in child benefit which is an employment-neutral payment offering an effective means of channelling income support to low-income families to tackle child poverty. Payments now amount to €131.60 for the first and second child and €165.30 for third and subsequent children.

The issue of child poverty in the homes of persons working in low-earnings employment is recognised by my Department through the directing of further income support towards such families by way of family-income supplement. This supplement provides cash support through weekly payments to families, including lone-parent families, whose earners work for low pay. Improvements to the scheme such as the assessment of entitlements on the basis of net rather than gross income and the progressive increases in the income limits have made it easier for lower-income households to qualify for the supplement. The number of persons in receipt of family income supplement at the end of October 2004 was 14,303 while the average weekly payment was €74.16. An allocation of €56 million has been made for the scheme in the 2004 Estimates.

The importance of tackling child poverty is reflected in the identification of ending child poverty as one of ten special initiatives to be undertaken under Sustaining Progress. Under this initiative, key policy issues are being addressed including child income support arrangements. The work being undertaken under the special initiative will further enhance our capacity to tackle the issue of child poverty. Further improvements to child income support arrangements will be considered in a budgetary context.

**Mr. Stanton:** Does the Minister accept the findings of the Combat Poverty Agency, which is an



[Mr. Stanton.]

independent statutory agency, that 35% of poor children live in working households? I take it he has seen the report. Does the Minister agree it is time to move away from consistent levels of poverty to talk about relative income poverty, which is the measure used across Europe? Does the Minister agree that family income supplement is completely inadequate and must be increased by at least €35 per week?

**Mr. Brennan:** I have no reason to doubt the Combat Poverty Agency's statistic that 35% of poor children come from households headed by a person who is in employment. The figure according to which I have been operating in the Department is that 66,000 children are on the front line. These are the children on whom I want to focus if possible. The figure is accepted by the Department, all of the agencies involved and in independent assessments. While one gets extra numbers depending on how far out one draws the line, the number of children on the very front line is 66,000. That is completely unacceptable as the mark of a civilised society must be the way it treats those 66,000 kids. I am determined to focus support directly on these children with some urgency.

The Deputy also asked me about family income supplement. As with all such schemes, one would like to do more. The supplement is intended to be an additional payment for those in low-paid employment who have families and in that connection it is of help. The current level of payment of approximately €74 does not seriously tackle the issue and is no more than an incentive. I do not claim more than that for it.

**Mr. Stanton:** What measure has the Minister used to arrive at the figure of 66,000 children?

**Mr. Brennan:** That is the figure supplied to me by the Department of Social and Family Affairs as the number agreed with the agencies, in various studies and in the national anti-poverty strategy. I realise there are different definitions and that we can argue about consistent and relative poverty as well as the poverty of children in households headed by people who have jobs as opposed to those in households headed by persons without them. The initial conclusion I have arrived at is that it is a wide argument. There is no disagreement on the fact that we need to deal with the needs of the 66,000 children and that is where my focus will be.

#### Social Welfare Code.

68. **Mr. Penrose** asked the Minister for Social and Family Affairs if special savings incentive accounts of social welfare recipients will not be included in assessment for social welfare payments when such accounts matures; and if he will make a statement on the matter. [28258/04]

**Mr. Brennan:** I have recently asked my Department to carry out a comprehensive examination of the current 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.

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 the following: stocks and shares of every description, which are assessed according to their current market value, savings certificates-bonds, national instalment savings, which are assessed according to their current market value, and money invested in a bank, building society and so on. Amounts held in SSIA's are treated in the same manner as the other capital I have just outlined, subject to the examination.

It is important to note that in assessing the value of capital, 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 sum. In the case of the old age pension, 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.

The current system continues the policy of ensuring that those with modest amounts of capital receive the greater share of available support, whereas the small proportion of people with large amounts of capital are assumed to be in a position to avail of it to contribute, at least partially, towards meeting their needs.

As already stated, I will consider in the near future the position of moneys held in SSIA accounts. I will bring the outcome of that examination to the Government as soon as possible.

**Mr. Penrose:** I appreciate that the Minister is carrying out a review and acting quickly in this instance. Is he in a position to indicate how many may be affected? I suggest the number of social welfare recipients investing in SSIA's is small. Does the Minister agree that some who were in employment and invested in SSIA's for two or three years and who have since left the labour force or retired would suffer? Does he agree that many social welfare recipients would not have much to invest? Even at a minimum of €63 per week, some were putting it by to help educate grandchildren. Does the Minister agree that if a person in receipt of a non-contributory pension which is means-tested had €15,000 or €16,000 and invested the minimum of €63 per month over the five years, this would put him or her in a position whereby he or she would lose some of the pension? Would it not be a travesty that people who may have put away small amounts for the future would jeopardise their mean-tested welfare payments down the road? Does he agree it is contrary to the spirit of the once-off scheme that

social welfare recipients should have their social welfare payments affected in an adverse manner by a scheme advocated by the Government as a giveaway?

**Mr. Brennan:** I thank the Deputy and his colleague, Deputy Lynch, who raised the matter with me, as a result of which I asked for an examination. I have indicated I am sympathetic to a change. There are a number of issues I have to consider. It would probably be the first time we distinguished between the different forms of capital. One may be saying to a person who has savings certificates, money invested in a building society or in a credit union or ordinary savings in their bank account that their money is not as important as that in an SSIA because the Government promoted it. That message would form one complication. If a decision were taken to exempt SSIA's from the assessment, what does one say to a person who does not like SSIA's and has saved his hard-earned few bob in the credit union? Those are issues I must consider. At the same time it is a once-off scheme promoted by the Government and that too has merit.

It does not affect a large number of social welfare recipients. Perhaps 12,000 to 15,000 would be within the thresholds. We have no way of knowing how many of those would have SSIA's. The Deputy could try calculating how many of the 15,000 within the threshold would have SSIA's. Given that fewer than half of those may have SSIA's, we are talking about a few thousand people. It is probable that it would not be enormously expensive to deal with it, but there is the issue of distinguishing between different types of capital. This disregard is quite high. In the case of an old age pension, for example, a single pensioner with capital of up to €20,000 qualifies for a full pension while a single pensioner with capital of up to €68,000 qualifies for a minimum pension. These amounts are doubled in the case of married pensioners.

There are issues involved. I am sympathetic to this case because the Government promoted SSIA's. When funds are available, the question must be asked whether one targets them towards those who were energetic enough to invest in SSIA's or spreads the available funds on the basis of whether one has capital, be it in a credit union or in an SSIA, and that a pound is a pound wherever one saves it. Those are the issues I must consider before coming to a conclusion.

### Other Questions.

#### Social Welfare Benefits.

69. **Mr. O'Shea** asked the Minister for Social and Family Affairs the number of persons eligible for the family income supplement who are in receipt of the supplement; and if he will make a statement on the matter. [28227/04]

96. **Mr. Gogarty** asked the Minister for Social and Family Affairs the additional measures he intends to put in place to increase the take-up and use of family income supplement. [28171/04]

**Mr. Brennan:** I propose to take Questions Nos. 69 and 96 together.

Family income supplement is designed to provide cash support for employees in low-paid employment with children. This preserves the incentive to remain in employment in circumstances where the employee might only be marginally better off than if he or she were claiming other social welfare payments.

The improvements to the family income supplement scheme, including the assessment of family income supplement on the basis of net rather than gross income and the progressive increases in the income limits, have made it easier for lower income households to qualify under the scheme. For example, the budget for 2004 raised the weekly income limits by €28 at each point, adding an extra €16.80 to the payments of most FIS recipients. The minimum weekly FIS payment was increased by €7, from €13 to €20. The number of persons in receipt of family income supplement at the end of October 2004 was 14,303, with an average weekly payment of €74.16.

My Department undertakes a number of proactive measures to ensure people are aware of possible entitlement to FIS. These include advising all newly awarded one parent family payment recipients, advising all employers annually in PRSI mailshots and examining entitlement in all awarded back to work allowance cases. Information on FIS is also contained in all child benefit books and can be accessed on the Department's website.

In addition, the scheme has been extensively advertised through local and national media outlets, including newspapers and radio, as well as through poster campaigns and targeted mailshots. Every effort will continue to be made to publicise family income supplement and to increase awareness of social welfare entitlements generally.

**Mr. Penrose:** We all agree that FIS is designed to encourage take-up of work by people with families and is calculated against a percentage of the net weekly income. Is it the case that approximately one third of potential beneficiaries who would gain from FIS do not claim? Will the Minister investigate it as it is an issue we raised with his predecessor? At a recent meeting, the Society of St. Vincent de Paul asked if the Minister would consider promoting the scheme through a public awareness campaign adequately funded by his Department. This could well deal with other issues to which the Members on this side of the House referred in previous questions. If we can get the aforementioned aspects working, there might be a significant increase in the take-up of the scheme.

**Mr. Brennan:** Research undertaken by the ESRI in 1997, based on the results of a survey, suggested that fewer than one in three claimed benefits under the scheme. Since those with a higher entitlement are more likely to avail of the scheme, the take-up was estimated to involve between 35% and 38% of potential expenditure. I will consider stepping up the information campaign on the scheme.

**Mr. Boyle:** Given that only one third of those entitled to family income supplement avail of it, will the Minister comment on the Combat Poverty Agency's call for an increase in both the rate and take-up of the supplement? The agency said that 17% of those in relative poverty are working and therefore the number of working poor is increasing at an exponential rate. The low take-up of the family income supplement doubles the effect on those who are not afforded the benefits that they are supposedly entitled to receive from the Department.

**Mr. Brennan:** I am anxious that the take-up increase. I have indicated to Deputy Penrose that I will consider furthering the information and awareness campaign in this area. There is no doubt that poverty as we understand it in this part of the world, which is very often different from poverty in other parts of the world, is not confined to those on benefits. People on very low incomes, particularly those with large families, suffer also — Deputy Boyle used the term “working poor” in this regard.

A number of schemes have been designed to bridge the gap between unemployment and employment and to ensure that one stays in employment. The minimum wage legislation had a great impact in this regard. It ensured that the minimum wage was sufficient to entice one to enter the workforce and remain therein rather than continue to avail of unemployment benefit. Successive Governments have put a lot of time and effort into exploring the relationship between welfare and work. The schemes to allow one enter the workforce and remain therein have resulted in a low level of unemployment nationally. However, I take Deputy Crowe's point that parts of the country have higher levels.

**Mr. Stanton:** How much has the Minister's Department spent on advertising the family income supplement in different media over the past two years? Would he consider using television as a medium for advertising it? Would he consider allowing people on community employment schemes, who are on very low wages, to avail of the supplement, especially those with children?

**Mr. Brennan:** I do not have a figure concerning the amount we spend advertising the family income supplement. We have a number of awareness campaigns. We have not used television as such because we tend to focus on local radio and

newspaper advertising. Some €300,000 to €400,000 has been spent on the advertising of particular schemes on radio and in newspapers. I will try to ascertain for the Deputy how much of this is devoted to the family income supplement, but it might not be possible to get a breakdown because the advertisements are sometimes general in nature and cover a number of schemes. I note the Deputy's view on the matter.

I will examine the implications of the Deputy's second question. As he knows, the scheme is confined to those in employment.

### Social Welfare Code.

70. **Mr. Stagg** asked the Minister for Social and Family Affairs if he has proposals to increase resources available under the back to school clothing and footwear allowance; the number of recipients of the allowance in 2004; and if he will make a statement on the matter. [28200/04]

**Mr. Brennan:** The back to school clothing and footwear allowance scheme assists certain families facing extra costs when children start school each autumn. The scheme operates from the beginning of June to the end of September each year and is administered on behalf of my Department by the health boards. A person may qualify for payment of a back to school clothing and footwear allowance if he or she is in receipt of a social welfare or health board payment, is participating in an approved employment scheme or attending a recognised education or training course and has household income at or below certain specified levels.

Under the scheme, an allowance of €80 is payable in respect of qualified children aged from two to 11 years. An allowance of €150 is payable in respect of qualified children aged from 12 to 22 years. A couple with one child whose weekly income is at or below €348.10 may qualify for the allowance. A lone parent with one child could have income of up to €238.90 per week and qualify for a payment. For couples, the income limit is increased by €19.30 for each additional child and for lone parents it is increased by €21.60 for each additional child. This year so far, a total of 75,640 families have received the back to school clothing and footwear allowance. This has benefited 158,000 children.

According to the consumer price index, the cost of clothing and footwear has fallen by 2.6% in the year to June 2004 although the overall consumer price index rose by 2.3% during the same period. In the 15-year period from 1990 to 2004, the cost of clothing and footwear has fallen by 29.5% overall. In the same period, the payment rates under the scheme have increased by 195% in the case of children aged 12 years or more and by 152% in the case of those aged under 12 years. On this basis, there has been a very significant real increase in the value of the assistance available through the scheme in recent years.

As part of the expenditure review programme in my Department, a working group was estab-



lished to undertake a fundamental examination of all aspects of the scheme, including rates of payment, income limits, the means test, the timing of payments, eligibility criteria and other issues. A report is being finalised and when it is completed I will consider any structural or administrative changes recommended. Any increase in the scheme payment rates would be a matter for consideration in the context of the budget in light of other priorities.

**Mr. Penrose:** Does the Minister not agree that the level of payment is still totally inadequate? On average, it costs €367 to fit out a third year student in secondary school and €272 to fit out a third class pupil in primary school. The costs depend on the age of the children and schools' individual requirements. Many schools have particular specifications pertaining to uniforms, including blazers and overcoats. In this context, does the Minister not agree that the allowances of €80 in respect of qualifying children aged between two and 11 and €150 in respect of children from 12 to 17, who are generally in secondary school, are inadequate? Will he consider revising upwards the income limits for the back to school clothing and footwear allowance to reflect the current income limits that obtain in respect of the family income supplement? For example, the income limit of a family with two children should be increased to €433 from the current limit of €367.40. Will the Minister consider increasing the rates of the back to school clothing and footwear allowance to €180 for primary school children and €250 for secondary school children? This would cost approximately €25 million but would ease a great headache for many working class people and others on the margins for whom the months of August and September are difficult.

**Mr. Brennan:** The allowance was first granted in the early 1990s. It was never intended to meet the full cost of school clothing and footwear but was intended to assist in meeting it. As I stated, while the real value of the allowance has increased somewhat over the years, I am acutely aware that people face many extra costs when sending their children back to school each year. I will certainly consider what the Deputy is saying.

Some 75,000 applications were approved under the scheme and approximately 172,000 children benefited. The allocation for 2004 is €19.48 million and the rates will be considered in the context of the budget.

**Mr. Stanton:** When does the Minister expect the report to be available and when was it commissioned? Will he consider extending the closing date for the scheme because many people who do not know about it will miss the closing date.

**Mr. Brennan:** I am not aware of any significant problem but if the Deputy is aware of a problem, I will ask the Department to examine the closing

date. The expenditure review is under way but it will be a few weeks before it is available.

**Mr. Crowe:** Is this another example of where people do not take advantage of the opportunities available to them? Surely it should be easy for the Department to identify the people who are entitled to the back to school allowance. Are there proposals to investigate the matter?

**Mr. Brennan:** The scheme is administered by the health boards on behalf of the Department, parallel with the supplementary welfare allowance scheme. I do not have statistics on the take-up of the scheme but I will try to get them for the Deputy. The budget allocation this year was €19.4 million, but the amount was a little less in terms of actual payments. This may indicate a difficulty with take-up, which I will examine.

### Employment Support Services.

71. **Mr. Hogan** asked the Minister for Social and Family Affairs the steps his Department has taken to encourage those who have been out of the labour market to avail of appropriate pre-employment training and development and education opportunities; the number of persons who have received such a service for each of the years 2002, 2003 and to date in 2004; and if he will make a statement on the matter. [28161/04]

80. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs the number of persons in active age groups who are dependent on State income supports and who have been referred for training or further education in 2002, 2003 and 2004; and if he will make a statement on the matter. [28130/04]

104. **Mr. Kenny** asked the Minister for Social and Family Affairs the number of persons in active age groups who are dependent on State income supports and who have had their case managed in facilitating their return to work or participation in training or further education in 2002, 2003 and 2004; and if he will make a statement on the matter. [28131/04]

**Mr. Brennan:** I propose to take Questions Nos. 71, 80 and 104 together.

My Department provides a range of supports to assist and encourage long-term unemployed and other long-term welfare recipients to return to work, training or further education. My Department's primary intervention to assist people on the live register find work, training or further education is the national employment action plan. Under the terms of this plan, people aged 18 to 55 years of age, who are on the live register, are systematically referred to FÁS for guidance, education or training.

In the period from January 2002 to the end of June 2004, a total of 91,324 people were selected for referral to FÁS under this process. Of these, 52,865, or 58%, closed their unemployment claims and left the live register. A total of 18,103



[Mr. Brennan.]

were placed in jobs, FÁS programmes or returned to education, accounting for 20% of those referred. Of these, 10,489 people were placed in jobs, 5,192 were placed in FÁS programmes and 2,422 returned to education or were placed in non-FÁS training courses. In addition, another 14,000 people who were on the live register for more than six months have been referred to FÁS. Some 4,122, or 29%, of these have closed their unemployment claims.

Some people face severe employability issues which are not amenable to resolution within the normal range of interventions available. To assist such people, a high supports process was established in 2003 by the Department of Enterprise, Trade and Employment. As part of this process, local networks of relevant service providers were established in certain areas in conjunction with FÁS and my Department. People identified as suffering severe employability issues are referred to the local networks and appropriate avenues identified to enhance employability.

Another significant measure is the back to work allowance scheme which incentivises and encourages long-term unemployed people, lone parents and certain persons with disabilities to return to work by allowing them to retain part of their social welfare payment when they take up employment or self-employment. Currently there are 12,097 participants in the scheme, over half of whom are engaged in a wide range of self-employment options.

A further measure offered by my Department's employment support service is the back to education allowance programme. This is a second chance educational opportunities programme designed to encourage and facilitate unemployed people, lone parents and people with disabilities to improve their skills and qualifications with a view to returning to the workforce. In the 2003-04 academic year, 7,648 eligible social welfare customers availed of the scheme. A range of other supports is provided by my Department's locally-based facilitators. Their primary role is to assist the long-term unemployed and other long-term welfare dependants back to work, training or further education by providing them on an individual basis with assistance to access the necessary programmes or supports where their circumstances demand. Facilitators have access to additional services and funding to arrange specialised training and supports for those who are distant from the labour market and who need additional help in preparing them for further training and employment. To date this year, 167 projects were supported at a total cost of €2 million.

**Mr. Stanton:** Will the Minister agree that the cutbacks made by his Department and the Government last year acted as a disincentive to people to return to work? The qualifying period for the back to education allowance was increased from six to 15 months. What impact did

this have on people wishing to go back to work? What has been the impact of the exclusion from rent supplement while either of a couple is working over 30 hours per weeks, which saved the Minister €1 million, in helping people return to work? What was the impact of the abolition of the crèche supplement? I contend it did not have a positive impact. While the Minister said that 52,865 people closed their files as a result of the referral, what happened to the people who did not close their files? What plans are in place to support these people to get into work or further education or training?

**Mr. Brennan:** As I explained, I am reviewing the various measures. An impact assessment is part of the process to see how the measures impact on returning to work. The Deputy put his finger on the situation from this point of view. In the period from January 2002 to the end of June 2004, 52,865 people closed their unemployment claims and left the live register. By simply going through the interview process and the referral to FÁS process, 58% of people closed their unemployment claims in a two and a half year period. This was done by way of 18,000 people taking up jobs, 5,000 being placed on FÁS programmes and more than 2,500 returning to education. Obviously the rest remained on benefits because their files were not closed. These figures certainly underline the success of the programme and confirm the need to continue to help people and to have FÁS examine the situation. I am sure people do not abuse the system but we must ensure they have options to take up work or return to education so that they have other alternatives to remaining on unemployment welfare.

**Mr. Boyle:** Will the Minister supply detailed information on the numbers who applied for back to work and back to education allowances in 2003 and 2004 and those who have been successful in their claims? The criticism from this side of the House is that the qualifying criteria led to a reduced take-up of these schemes. To have the figures would help to prove that case.

**Mr. Brennan:** I will supply the Deputy with the information. Some 12,097 people are currently in receipt of the allowance. This comprises 7,265 on the self-employment strand of the scheme and 4,832 on the employee strand.

**Mr. Boyle:** Does this relate to both allowances?

**Mr. Brennan:** It relates to the back to work allowance. I will get the other figure for the Deputy.

**Mr. Penrose:** We all accept that the best way to get people out of poverty is to facilitate them back into the workplace. Was it not economic folly to emasculate the back to education and back to work allowance schemes which would have facilitated the objective at the core of Government policy? Will the Minister agree to

ensure that the back to education scheme is reviewed in this context?

**Mr. Brennan:** The labour market is always changing. Employment figures rise and fall. One can never say that a scheme must never change. There will always be need, as the labour market changes and employment opportunities improve or disimprove, to be flexible regarding schemes so that we continue to focus them where they are needed. If we spot abuse of a scheme from time to time or leakage out of the scheme in the sense that it is not focused and is leaking outside the target area, it would be irresponsible not to make the necessary changes to refocus the scheme where it was intended. We must be careful not to get into a position where schemes are so inflexible that they do not take account of people's needs.

I am determined that all the benefits and supports administered by the Department should be client-centred. There is no point in quoting rules and regulations to people. It should be a question of assessing the requirements of an individual and his or her family and then seeing what fits. It is not the case that one size fits all. Rather than adopting a bureaucratic approach, we must ensure that every scheme is client-centred, individual-centred, family-centred and is looked at from the point of view of what helps them through their difficulties and what gives them a chance to re-enter the workforce. That may be more easily said than done but that is the philosophy I hope to bring to the issue.

**Mr. Stanton:** Why was the qualifying period for the back to education allowance increased from six to 15 months? What impact has this had?

**Mr. Brennan:** That will be included in the impact assessment I am undertaking. The reason for the decision to increase the qualifying period was to allow a longer period within which to deal with unemployment and get people back to work in a more focused way. We are closely examining the various aspects to see what impact they have had on the lives of the individuals concerned. I give a public commitment to make the necessary amendments if hardship is involved. In some cases which I have examined and on which I have taken independent advice, including the social partnership in some areas, identifying and measuring hardship is not as easy as it sounds. That will be brought to finality soon.

72. **Mr. Deasy** asked the Minister for Social and Family Affairs the work his Department has carried out with the Department of Justice, Equality and Law Reform, the probation and welfare service, the Irish Prison Service, health boards and other agencies since June 2002 to develop more responsive social welfare services to meet the needs of ex-prisoners; and if he will make a statement on the matter. [28126/04]

84. **Ms O. Mitchell** asked the Minister for Social and Family Affairs if he will report on the involvement of his Department with the Irish Prison Service in providing advice and support to offenders in integrating or reintegrating into the labour market; the number of cases that have been dealt with in 2002, 2003 and 2004; and if he will make a statement on the matter. [28153/04]

**Mr. Brennan:** I propose to take Questions Nos. 72 and 84 together.

My Department assists and encourages long-term unemployed and other groups who are distant from the labour market, including ex-prisoners, to return to work, training or further education through a range of measures administered by the Department's employment support service. The measures offered include the back to work allowance and the back to education allowance.

Periods spent in prison count towards the required qualification period for these payments. Other supports are provided by the Department's locally based facilitators who provide ex-prisoners and others with assistance to access the necessary programmes or supports which their circumstances demand. Facilitators have access to funding to arrange specialised training and supports for those who are distant from the labour market and who need additional help in preparing them for further training and employment. Other supports targeted specifically at the long term unemployed include the operation of the employment action plan under which customers on the live register are systematically referred to FÁS for guidance, intervention or placement.

Ex-prisoners in common with certain other categories, can face severe employability issues not amenable to resolution within the normal range of interventions available through the EAP. To assist people in this situation a high supports process was established in 2003 by the Department of Enterprise, Trade and Employment. In conjunction with FÁS and my Department's facilitators, local networks of relevant service providers are being established in certain areas. People identified as suffering severe employability issues will be referred to these networks and appropriate avenues will be identified to enhance their employability. A special fund is available to purchase specialist training or interventions that may be required to assist an individual.

My Department has been in discussion with the Irish Prison Service to explore mechanisms of referral which will best serve the needs of ex-offenders. A pilot programme is being developed in conjunction with FÁS in the Cork area which will specifically serve the needs of ex-offenders. This programme will provide an opportunity to learn which approach best meets the needs of ex-offenders and which can thereafter be applied to other areas in the State.

My Department has been proactive in addressing the information needs of ex-prisoners through the publication in 2003 of an information booklet

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specifically targeted at people leaving prison. The booklet contains information on social welfare payments, accommodation, financial, education, health, training and legal matters. Facilitators provide information and advice on employment supports to ex-prisoners and they also work closely with the probation and welfare service and arrange visits to prisons to provide outreach services.

Customer information held in my Department is maintained for the purpose of generating the appropriate social welfare payment and does not contain data on socio-economic or other groupings. For that reason, information on the number of prisoners who have been assisted is not readily available.

**Mr. Stanton:** I intended to ask how many people availed of the back to education and back to work allowances, but it seems from what the Minister said that such information is not available. Is the Minister aware that many prisoners leave prison on a Friday evening when services are closed? At that stage they have no identification, address, bank account or proof of identity in the form of utility bills and so on and therefore have severe difficulty in accessing social welfare services. Will Minister ensure that when prisoners leave prison, they get more than merely a letter stating that they are ex-prisoners and that they are given some form of identification so that they can access services?

Does the Minister agree that much more needs to be done to solve the problem of homelessness among ex-prisoners? Often they have nowhere to go on leaving prison other than to a shelter for the homeless, which may lead them back into the spiral of crime. Will the Minister give a commitment to explore this area further as a matter of urgency, because there is much that needs to be done?

**Mr. Brennan:** We could do much more. The Department has been active in trying to address what might be called the Friday syndrome. An information booklet is made available to those leaving prison. It contains accommodation details and possibilities for financial education, health training and legal matters. A fair amount of information is provided to assist prisoners. I said that facilitators are available to arrange for specialised training and support for those involved.

There are employability issues involved which are not amenable to resolution within the normal range of interventions. For that reason we have the high supports process in the Department of Enterprise, Trade and Employment. There is also a special fund to help to integrate prisoners into society. In addition, a pilot programme is being developed in Cork which will particularly meet needs in that regard. There are employability issues and I have outlined the efforts that are being made to address them.

**Mr. Boyle:** Will the Minister expand on the information relating to the pilot project in Cork? How long has it been in progress? When is it intended it will come to a conclusion? Is it the Minister's intention to mainstream such a project, given that pilot schemes are usually left to terminate naturally or are left in some kind of administrative limbo? This project has much going for it that could translate on a nationwide basis.

**Mr. Brennan:** The Cork project is being developed with FÁS and is specifically targeted at ex-offenders. The objective is to provide FÁS with the opportunity to learn which approach best meets the needs of ex-offenders so that this approach can be applied elsewhere. It is very much a pilot project to determine what will work in this regard. If any more information is available on the Cork situation, I will forward it to Deputy Boyle.

**Mr. Stanton:** Can the Minister tell us when the Cork project began and the number of ex-offenders involved?

**Mr. Brennan:** The only information I have on the Cork project is that it is being developed in conjunction with FÁS and is specifically targeted at meeting the needs of ex-offenders. The objective is to see what can be learned from it. The involvement of FÁS is intended to make an urgent link to employment and FÁS will be proactive in assisting ex-offenders in seeking employment as soon as possible, and in identifying the factors that will make them more employable. I am not sure how advanced this pilot project is. It is being developed as we speak and I will get more information about it for Deputy Stanton.

#### **Services for People with Disabilities.**

73. **Mr. McGinley** asked the Minister for Social and Family Affairs the range of options he has identified to assist persons with disabilities who are in receipt of social welfare payments, to take up employment; and if he will make a statement on the matter. [28151/04]

**Mr. Brennan:** My Department operates a number of schemes which provide income support to persons who are unfit to work because of illness, or who are "substantially handicapped" from doing work which would otherwise be suitable for a person of that age, experience and qualifications. These payments include, for instance, the contributory disability benefit and invalidity pension schemes and the means-tested disability allowance and blind person's pension schemes. In addition, there is a further range of benefits available under the occupational injury benefits scheme for people who have been disabled as a result of an accident at work.

There is also a number of employment and training incentives available within the social welfare system to encourage and facilitate people with disabilities to take up available employment



and training options. In recent years, the range of employment supports has been widened considerably and now includes the back to work allowance, exemptions from the general "no work" conditions for contributory illness and disability payments, income disregards in the case of means-tested payments, family income supplement, the job facilitator network, and exemptions from liability for employer and employee social security contributions.

As part of the Government's expenditure review initiative, a working group established by my Department reviewed the illness and disability schemes provided by the Department and by the Department of Health and Children. The review identified a number of areas where employment support could be strengthened within the social welfare system and across Departments generally. The review considered that there is no single option which offers a total solution to all these problems. Rather, a combination of measures is required.

There should be a recognition that some people's medical and other circumstances may mean that they have some capacity for work, but may never achieve full-time work. The review mentioned the importance of ensuring that whatever employment support measures are adopted do not act as a disincentive for people with disabilities and long-term illnesses in maximising their employment and earnings potential. Another recommendation is to retain a range of employment supports for different client groups, and to ensure that clients are referred to the most suitable option, having regard to the nature of their illness or disability, age, social circumstances and so on. The review also recommended the introduction of early intervention measures which are aimed at re-integrating people who sustain serious illnesses, injuries and disabilities back into the workforce before they become dependent in the long term on social welfare payments.

The review also stresses the importance of meeting the additional costs of disability in ways that are less dependent on labour force status, if people with disabilities are to be given the opportunity of participating in the workforce. The review sets out a strategic direction for policy with regard to these schemes in the future and its recommendations will be taken on board in the context of the future development of the scheme.

**Mr. McGinley:** It is appalling that the Minister has not identified a single measure specifically designed to help people with disabilities to return to employment. Has the Minister considered the Disability Bill 2004, which is a disgrace and does nothing to assist disabled persons in gaining employment? Can the Minister name one measure, the specific objective of which is to assist those with disabilities who want and are able to work but are barred from doing so because of the barriers that exist?

**Mr. Brennan:** I have outlined a number of measures in this regard. I will continue in the context of the upcoming Comhairle Bill to provide further information on this issue.

*Written Answers follow Adjournment Debate.*

### Private Notice Questions.

#### Variant CJD Incidence.

**An Ceann Comhairle:** I will call on the Deputies who tabled the questions to the Tánaiste and Minister for Health and Children regarding the recent diagnosis of a person with variant CJD.

**Dr. Upton** asked the Tánaiste and Minister for Health and Children the action that has been taken to identify the source of the variant CJD contracted by a person now being treated in a Dublin hospital; if there is any information as to the way in which the condition was contracted in this country; and if she will make a statement on the matter.

**Ms McManus** asked the Tánaiste and Minister for Health and Children the action she intends to take arising from the confirmation that a person being treated in a Dublin hospital has variant CJD; if information is available regarding whether the condition was contracted here; if she has satisfied herself that all appropriate procedures are in place to deal with this case and other possible cases; and if she will make a statement on the matter.

**Mr. Naughten** asked the Tánaiste and Minister for Health and Children the action she is taking to try to identify the source of the variant CJD infection of a person being treated in a Dublin hospital; and if she will make a statement on the matter.

**Dr. Twomey** asked the Tánaiste and Minister for Health and Children if she will make a statement on the incidence of a variant CJD case in a Dublin hospital in the context of more than 100 diagnosed cases in the UK; and her views on whether the incidence of variant CJD will become a greater issue here in the future.

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** I propose to take all the questions together. I have learned with regret of the occurrence of a case of variant CJD in a young man in Dublin. I am sure this experience has been most distressing for him and his family. The case concerns a 23 year old man who was admitted to hospital approximately six weeks ago. It has now been confirmed that he is suffering from variant CJD and the probability is that he contracted it before the current very strict controls on the sale of meat in Ireland were brought into force in 1996. Given that the typical incubation period for variant CJD can be as much as

[Mr. B. Lenihan.]  
ten, 15 or 20 years, it is impossible to identify a specific source of infection. However, the CJD advisory group and the National Disease Surveillance Centre are giving further consideration to this issue. I understand they are meeting as we speak. The clinical management of the case is, of course, a matter for the physicians involved.

The Tánaiste and Minister for Health and Children, Deputy Harney, has been briefed by Professor William Hall, chairman of the CJD advisory group, on any broader public health implications which may arise from this case. The CJD advisory group provides scientific, professional and technical advice on all aspects of CJD to the Department, and the policy responses that are appropriate in the light of the evolving information and evidence on this topic. I reassure the public that there are no public health issues in this case. The patient has never received a blood transfusion, was never a blood donor and has not received any invasive medical treatments, including major surgery. There is no risk of onward transmission, therefore, with regard to this case.

New variant CJD is a rare degenerative fatal brain disorder in humans. It is believed that the vast majority of persons who have developed variant CJD became infected through the consumption of cattle products contaminated with the agent of BSE. The Food Safety Authority of Ireland and the Department of Agriculture and Food are responsible for BSE controls in Ireland. The FSAI stresses that BSE controls in place in Ireland since 1996 are very strict and that there are layers of robust control measures to ensure maximum consumer protection with regard to BSE. The incidence of BSE continues to decline in the Irish cattle population, demonstrating that the controls introduced in 1996 and 1997 are working. There are fewer cases of BSE and the vast majority of current cases are in animals born before the introduction of these enhanced controls.

One of the key factors for establishing the Food Safety Authority in 1996 was the BSE crisis. The authority bases its decisions upon the best scientific data and knowledge and develops inspection and audit controls to ensure maximum consumer protection in regard to meat and meat products. A rigorous policy of safeguards is now firmly established throughout the food chain.

In Ireland, there is a sequence of controls for BSE along the food chain. Feeding of meat and bonemeal to all farm animals is prohibited. There are stringent controls at rendering plants and feed mills. The main consumer protection measure has been the removal of specified risk material from the human food chain. This material is the parts of an animal most likely to contain BSE infectivity if that animal is incubating the disease.

Veterinary inspectors examine all cattle before slaughter at the abattoir and rapid BSE testing is carried out on all animals over 30 months of age. The inspectors, under service contract to the Food Safety Authority, ensure that slaughtered

cattle have had the SRM removed. At boning plants, the carcasses are inspected again. In butcher's shops, environmental health officers under contract to the Food Safety Authority inspect carcasses at this level. In addition, all butchers operating in Ireland are aware that it is illegal to sell meat products containing SRM. The Food Safety Authority and the Department of Agriculture and Food have been to the forefront in the European Union with the most aggressive controls to protect both animals and humans from the BSE agent. The Food Safety Authority, the Department of Agriculture and Food and the other agencies involved in policing the food chain are working together to ensure full compliance and maximum consumer protection.

The Tánaiste has also been assured by Professor Hall that the measures in place to protect public health, especially in regard to the protection of the blood supply, are in accordance with best internal practice. A number of technical sterilising measures are taken on blood supplies and a number of donor deferral measures, especially in respect of persons who have lived in the United Kingdom, form the cornerstone of this activity.

Following preliminary discussions with Professor Hall and the medical director of the Irish Blood Transfusion Service, the initial conclusion is that the position presented by the occurrence of this case does not require that any other measures apart from those already in place need to be taken. The Irish Blood Transfusion Service undertook a review of its policies following the case of transfusion infection in the United Kingdom last year and will continue with these policies.

The CJD advisory group has recently endorsed the most up to date infection control guidance in respect of the management of CJD in the hospital setting. The Department of Health and Children is ensuring the circulation of the guidance through the hospital system. The disease continues to be notifiable and the national CJD surveillance unit in Beaumont Hospital continues its activity in monitoring the occurrence of CJD in Ireland.

At this very difficult time for those concerned I ask that everyone in the House and in the media respects the privacy of this young man and of his relatives.

**Dr. Upton:** I thank the Minister of State for his reply to my question. I express sympathy to the victim and to his family. This is a very distressing time for them. We will do everything we can as public representatives to ensure their privacy is respected.

Presumably at this stage, all other events in terms of hospital treatment, blood transfusions and so on being excluded, it is fairly clear that the source of the infection must have been meat. Is there a view on whether that meat could have been imported? What level of imports would there have been during the period in question? I

refer to imports from the UK in particular since it is where the largest number of cases of BSE occurred during the period in question.

Is the Minister of State satisfied that we now have in place all the relevant stringent conditions to ensure that any other meat imports or animal feed are meeting the highest standards? Is he also satisfied that there is no further concern regarding meat or animal feed imports now or into the future?

A relatively recent event relating to the importation of animal feed gives rise to some general concern if not specifically in regard to BSE. I refer to beet pulp that was found to have traces of bone in it. This would be totally unacceptable in the context of the reasons we banned meat and bonemeal. Do we have an assurance that there are in place rigorous conditions and monitoring systems to ensure that such an event cannot recur?

**Mr. B. Lenihan:** I made clear that it is a matter of probability that the origination of this CJD was in meat. However, we cannot say that as a matter of certainty because it is almost impossible to trace so far back the source of what has caused this infection. As a matter of probability it is probably safe for us to draw that inference and as persons responsible for putting controls in place, we must draw that inference.

That leads me to the second question posed by the Deputy regarding importation. Clearly, we cannot draw any conclusion about that. I am quite satisfied about the procedures that now apply to the importation of food products into Ireland. That is a robust system in place. I made that clear in my reply. In regard to animal feed, its importation generally is a matter for the Minister for Agriculture and Food; it is not a matter for the Food Safety Authority or the Department of Health and Children.

**Ms McManus:** I would like to be associated with the concerns expressed by Members regarding this unfortunate patient and his family.

Regarding the last point made by the Minister of State, will he explain how the Department of Health and Children liaises with the Department of Agriculture and Food on an issue such as this? I imagine a central feature that would need to be established is that there would be full co-operation.

Is there anybody else in the country who is suspected of having this condition, or is this the only case? This case has been the subject of considerable media discussion today. A point that has arisen, which might be worth considering, is that there has been a black market in sales of meat from time to time, with meat being illegally sold in housing estates and other such activity, although it does not currently seem to be prevalent. Has the committee carried out an assessment about those types of sales and the sourcing of such meat?

**Mr. B. Lenihan:** This is the only case that has been brought to the attention of the Department or the Minister. It was brought to the attention of the Minister some weeks ago. As I indicated in my reply, the Minister met Professor Hall at the time, but out of respect for the privacy and confidentiality of the relationship between this young man and his medical advisers, and because there was no issue in regard to public health, the information was not disclosed at that stage by the Minister or the Department. I want to make it clear and put on record that this is the only case that has been brought to the attention of the Minister or the Department. If there were another case, it is likely it would be brought to our attention.

Liaison with the Department of Agriculture and Food takes place through the Food Safety Authority and the food safety liaison office at the Department of Agriculture and Food.

Deputy McManus referred to black market operations in meat. Operators or persons who engage in this activity would be engaged in a conduct that amounts to a criminal offence. If there is any information in that respect, the Department will see to it that it is followed up.

**Mr. Naughten:** On my behalf and on behalf of the Fine Gael Party I express sympathy to the victim and his family. Everyone would agree that this is a traumatic position for anyone to find himself or herself in.

Because of the period involved dating back perhaps some 20 years, the probability of contamination from Irish beef is quite slim. Can the Minister indicate the scale of the importation of meat from the UK during that period? Is there a possibility that the infection may have come from the UK and, if so, what would be the scale of that? What action is being taken by the Food Safety Authority of Ireland to address the concerns among the member of the public about the safety of beef products currently on the market?

I have a further question related to previous comments about concern among members of the public regarding beef. Is it possible that some products labelled as Irish could have come from the United Kingdom in that period? Is there not an urgent need for country of origin labelling on all food products purchased in this country?

**Mr. B. Lenihan:** Country of origin labels are required on meat products, and robust controls are in place.

**Mr. Naughten:** Products carry country of processing labels.

**Mr. B. Lenihan:** Country of origin labels are also insisted upon under our present regime. Robust controls are in place so the suggestion which the Deputy hinted at rather than canvassed that the present case might have originated in recent products is not correct. It is a matter of



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probability that the current case of vCJD was contracted before the very strict controls were brought in by the Government in 1996. Deputy Naughten is anxious to ascertain whether we can say, as a matter of probability, that the present case originated in material imported from the United Kingdom. I cannot say that because it is impossible to trace the source, but it is a strong possibility. I do not have at my disposal the detailed volumes of statistics precisely outlining our importation of meat from overseas markets. However, my advice from the Department is that it is a matter of strong possibility that the disease originated in meat which was imported from the United Kingdom.

As the Deputy is aware, matters were attended to in 1996 and very strict controls were introduced on importation and food control at that stage.

**Dr. Twomey:** Our sympathies are with this patient. Variant CJD is fatal and it must be difficult for the patient's family to accept that treatment in this case is very limited.

It has been pointed out that stringent controls have existed in Ireland since 1996 and one can accept that there is no chance of any person under the age of eight getting this disease from an Irish product. However, we still import foodstuffs from many jurisdictions where bonemeal is used in animal feed. Last week, we discussed the importation of beet pulp which contained bone. In some countries it is still legitimate to use bonemeal in the preparation of animal feed.

This disease, once contracted, is virulent. We are trying to prevent BSE from crossing from the animal food chain to the human food chain. Even though our controls are strict and we have been implementing them tightly to prevent BSE from neural and spinal animal tissue getting into meat, other countries may not be so stringent in keeping it out of the human food chain. As the Minister of State has pointed out, there is a latent period of between ten and 15 years and we have seen several cases of vCJD in the United Kingdom. Has the Minister of State been in discussion with the Ministry of Agriculture, Fisheries and Food or with the Secretary of State for Health in the United Kingdom to see what public health measures have been used to decrease the incidence of CJD in the United Kingdom?

**Mr. B. Lenihan:** I understand the Food Safety Authority of Ireland has been in discussion with the corresponding authority in the United Kingdom about these issues and maintains dialogue with it. There are also controls in place in third countries outside the European Union. We monitor those controls in liaison with the Commission. We must be satisfied with the controls on products being imported.

**Mr. Gormley:** Will the Minister of State explain why, if these stringent controls have been in place

since 1996, there were 74 cases of BSE at that time, 333 cases in 2002 and 104 cases last year? Why were there three cases of BSE even on organic farms? I was surprised to receive this information in a reply to a recent parliamentary question because I was under the impression that the strictest standards applied on organic farms.

Will the Minister of State reassure consumers about the quality of beef products on the shelves of our shops? The rapid test, which has been approved by the European Commission, is carried out on cattle aged over 30 months. Those are cattle which are killed for human consumption. Are cattle which are killed for use in pet food tested? While I do not profess to being a scientist, I know that the prion survives all rigours, even very high temperatures. If a householder uses a spoon to dish out pet food, is there any danger that the prion from contaminated pet food could survive on the spoon and be transferred to food to be eaten by humans? This question has been put to me.

**Mr. B. Lenihan:** The advice I have received from those who have expertise in the matter is that there is not such a risk. It is transmitted through blood. The prion, which is a protein derivative from the brain or spinal tissue—

**Mr. Gormley:** I have been assured that spinal tissue is present in pet food.

**Mr. B. Lenihan:** My advice is that the prion is transmitted through blood. It is not transmitted through holding a spoon, which was the circumstance canvassed by the Deputy.

**Mr. Gormley:** The Minister of State is missing the point.

**Mr. B. Lenihan:** That is the circumstance canvassed by the Deputy so I am addressing it.

There are fewer cases of BSE in the Irish cattle population and the vast majority of current cases are in animals born before the introduction of the enhanced controls. The Deputy is right in saying there have been very few cases in cattle born after 1997, and the Department of Agriculture and Food is investigating them.

With regard to pet food, there is no spinal or brain tissue in pet food. That is my advice on that issue.

**Mr. Gormley:** Are animals slaughtered for pet food tested?

**Mr. B. Lenihan:** They are tested.

**Mr. Crawford:** I too express my sympathy with the patient and his family who find themselves in this unfortunate situation. I have asked many questions on the regulations regarding the importation of meat and meat products and I am conscious of the extreme seriousness of this issue. We can trace the country of origin of a product

but we cannot trace the farm from which it comes.

In light of the recent contamination of imported sugar beet, are we certain that all meat and bonemeal which leaves this country is used for the production of electricity or otherwise? In exporting all our meat and bonemeal we leave ourselves open because we cannot control what is done to it in other countries.

Irish producers — I am one of them — must adhere to the strictest regulations, and that is only right. However, we must make certain that every consumer of meat and meat products knows that imported products are produced and monitored in the same way. Can the Minister of State assure us of that?

**An Ceann Comhairle:** All the questions were directed to the Minister for Health and Children and related to health matters.

Obviously, the House wants to get as much information as possible but, in fairness to the Minister of State, he is dealing with the health aspects.

**Mr. B. Lenihan:** I can answer and deal with the question.

**Mr. Gormley:** May I be associated with the expressions of sympathy? I forgot to say that at the outset.

**Mr. B. Lenihan:** Deputy Crawford is quite right and I welcome his point that producers must adhere to these strict regulations. That is not just in the interest of consumers but of the industry also. We must remember that when discussing imports we are talking about an EU regime. The EU food and veterinary office is the enforcement authority. It is a matter of EU law that any meats imported into any part of the EU must meet the required standard. The standard is not enforced here through the Department of Agriculture and Food or the Food Safety Authority, it is a matter of European law that imports are regulated on a uniform basis throughout the union. The EU standard is policed by the EU food and veterinary office which conducts spot checks. That applies to all third party material coming into the EU. Once it is in the EU, it is subject to the EU standard that is applied in each member state by the relevant authority. That is the answer to the Deputy's question.

**Dr. Upton:** I accept that the questions are directed to the Minister for Health and Children but it is difficult to separate the responsibilities, given the importance of this matter. As regards older animals and the epidemiological studies that are being carried out, it strikes me as extraordinary that recently an 18-year-old animal was diagnosed as having BSE. It is inappropriate to have such old animals because the disease normally presents in older animals. Surely, therefore, there is a case for dealing with older animals.

Even at this stage, that would take some of the possible sources of infection out of the system.

If I may refer again to the factors surrounding the patient, does the Minister have an opinion on whether a trust fund should be established to ensure this patient, and any future patients who might be unfortunate enough to become victims of variant CJD, will be supported and looked after? The Labour Party has already raised this issue and it is very important in terms of ensuring the safety and security of that family as best we can.

**Mr. B. Lenihan:** There are about 1 million cattle over seven years of age in the country, which is a substantial number. Therefore, the Deputy will appreciate that the implications of what she is proposing are far reaching. As regards the care and treatment of the patient who has been so unfortunate in contracting this condition, the Department will entertain any reasonable request to ensure that he receives all possible care and attention.

**Mr. Naughten:** In an earlier response, the Minister of State referred to country-of-origin labels. If we have an accurate labelling system identifying countries of origin, how did the Food Safety Authority detect a significant amount of beef labelled as Irish but which was of South American origin? Will the Minister deal with that question as there seems to be something significantly wrong with the system?

The UK authorities have introduced disposable surgical equipment to reduce the possibility of cross-infection. Has that been introduced here and, if not, are there any plans to introduce it? That would reduce the possible risk of cross-infection between patients in medical facilities throughout the country.

**Mr. B. Lenihan:** The Deputy is correct in suggesting that foreign meat has been incorrectly labelled. The Department is aware of that. Those who mislabel such products are in breach of the relevant regulations, which are clear-cut. The Department will investigate any such matters that are brought to its attention to see that appropriate enforcement action is taken.

**Mr. Naughten:** We look forward to seeing that happen.

**Mr. B. Lenihan:** I am glad Deputy Naughten has raised the issue because it has allowed me to put on record the legal position, which is not fully appreciated — that a meat product's country of origin should be stated. The Food Safety Authority would be delighted to receive any information on this issue and it will act on any information it receives. I urge Deputies and members of the public to co-operate with the authority on this matter.

As regards disposable surgical instruments, strict infection control guidelines are applied and

[Mr. B. Lenihan.]  
the CJD group has considered this issue. The group's advice is that it is not essential to use disposable instruments. That is the advice we have received from those with expertise in this matter.

**Mr. Gormley:** Will the Minister of State clarify his previous answer to me? I think his officials were indicating that cattle chosen for pet food are also tested for BSE. Did I understand the Minister of State correctly in this regard?

**Mr. B. Lenihan:** I confirm that such cattle are tested.

**Mr. Gormley:** I thank the Minister of State for that response. What sort of testing takes place for variant CJD in blood products? Are they rigorously tested because we now know that the disease can be transferred in that way? Is that the case?

**Mr. B. Lenihan:** It is not always possible to test for vCJD in blood products. That is a scientific difficulty we are faced with as regards blood products specifically and their association with vCJD. Nowadays, however, every possible step is taken to test blood products and ensure they are safe.

**Mr. Gormley:** Can the Minister of State clarify that point?

**Mr. B. Lenihan:** It is not possible to test blood for the presence of vCJD.

**Mr. Gormley:** So one cannot test it for vCJD.

**Mr. B. Lenihan:** It is not possible to do so.

**Dr. Twomey:** Can the Minister of State's Department, in liaison with the Department of Agriculture and Food, supply a list of countries that are still using bonemeal in animal feed and from which food products originate? Will he also liaise with the Department of Agriculture and Food to obtain an accurate answer as to whether there was any possible risk, or potential risk, to the food chain from foodstuffs that were imported last week but were subsequently returned to their country of origin? I would like to get a clear answer on those matters from the Department.

**Mr. B. Lenihan:** To what incident last week is the Deputy referring?

**Mr. Naughten:** Beet pulp.

**Dr. Twomey:** Last week, beet pulp was imported into this country and traces of bone were found in the load. It was all subsequently recalled but some of it had already been distributed to different parts of the country. Some 4,000 tonnes of the produce was imported but it was all recalled by the Department of Agriculture and

Food. There seems to have been some breakdown in the procedures that are normally followed in the importation of such foodstuffs. Will the Minister of State clarify that with the Department of Agriculture and Food? We are trying to keep BSE out of the food chain so that we will not end up with variant CJD in human beings.

**Mr. B. Lenihan:** As regards the incident to which the Deputy has referred, there was no question of a breakdown of procedures. This discovery occurred in the course of the normal monitoring operation that the Department conducts for this material.

**Mr. Naughten:** Some 300 tonnes were released before the Department responded.

**Mr. B. Lenihan:** For that reason the Department first of all arranged to impound the bulk of the consignment. In so far as consignments were distributed, the Department is seeking to trace them and bring them in also.

**Dr. Twomey:** We are not blaming the Department of Agriculture and Food, we are just wondering if there was any breach of procedure.

**Mr. B. Lenihan:** No. The breach of procedure was because of the importer. The Deputy must forgive me for having assumed otherwise. As regards the wider issues raised by the Deputies concerning statistical data on bonemeal use, I will endeavour to obtain that information.

**Mr. J. Brady:** While I know it concerns a different Department to the Minister of State's, I have read that there is a possibility that the Department is considering culling all the herds where animals have been fed the imported beet pulp. Is that correct? Further to Deputy Gormley's question on the testing of animals for pet food, is it not true that even fallen animals are tested for BSE?

**Mr. B. Lenihan:** The matter of pulp beet is under consideration in the Department and no final decision has been taken. It would not be fair to say a decision has been taken to slaughter any animals yet. Obviously it is an option that may arise. As I explained to Deputy Twomey, the Department is endeavouring to trace, identify and recover the entire consignment.

The position on pet food is as stated by Deputy Johnny Brady.

**Mr. Hogan:** The Minister's response to Deputy Johnny Brady's question would indicate that some of that imported product was fed to animals giving rise to the risk of it turning up in the food chain. I ask the Minister of State or his colleague the Minister for Agriculture and Food to make a statement to the House at the earliest possible opportunity about any developments that have taken place arising from this importation. While



it is serious for the beef industry, it is also serious from the point of view of human health.

**Mr. B. Lenihan:** That is a matter for the Minister for Agriculture and Food. Obviously the Food Safety Authority and my Department in liaison with the Minister will ensure there is no risk to public health in this matter and that every possible step will be taken to protect the public in this regard.

#### Adjournment Debate Matters.

**An Ceann 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 Durkan — the circumstances alleged in a Sunday newspaper (details supplied) article that a special deal was offered to a particular telecommunications service provider; (2) Deputy O'Dowd — to ask the Minister to discuss the findings of the Health Research Board on the health effects of incineration and landfill in the report commissioned by his Department; (3) Deputy Pat Breen — calling on the Minister to provide extra funding from the local government fund in 2005 to Clare County Council given that Clare County Council has now taken over responsibility from Shannon Development for Shannon town since 6 September 2004 resulting in a huge drain on the council resources; (4) Deputy Finneran — calling on the Minister to extend the rural renewal scheme to coincide with the period of Objective One status in that region; (5) Deputy Andrews — the reason capital funding was withdrawn from the Spinal Injuries Association of Ireland; (6) 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; (7) Deputy Ring — to ask the Minister to indicate when arrears of blind welfare allowance that are due to people for a number of years will be paid; (8) Deputy McCormack — the provision of funding to the Western Health Board to enable the community resource for mental health patients to be opened without further delay; (9) Deputy Connaughton — to ask the Government to address the issues highlighted in the task force report, Ireland and The Irish Abroad, published in August 2002 and if the Government is aware of the grave circumstances faced by many elderly Irish citizens who emigrated to the UK and the USA in the 1950s and 1960s and what extra financial help the Government proposes to make available to the many and varied groups that are struggling to help our citizens; (10) Deputy Moynihan-Cronin — the need to expedite the provision of a new hospital in Dingle, County Kerry; (11) Deputy Cowley — to ask the Minister if he will consider reform of An Bord Pleanála in view of the overwhelming opinion that it is incapable of operating as an independent board since it is apparently bound by Government policy in mak-

ing its decisions; (12) Deputy Gormley — confirmation of a case of variant CJD in an Irish patient, the implications of this case for the Irish health service and the beef industry, and the need now for the Minister to take all necessary steps to ensure that there are no further cases of variant CJD; (13) Deputy Morgan — the necessity for the Minister to address the findings of the Arctic Climate Impact Assessment report on global warming; the consequential necessity to review the national climate change strategy and the necessity for the State to make a greater commitment to tackle global warming and bring about reductions in emissions; (14) Deputy Sargent — calling on the Minister to ensure that resources are made available for a full criminal investigation into the killing of seals on the Blasket Islands in Kerry; (15) Deputy Naughten — calling on the Minister to take decisive action to label Irish beef in light of the diagnosis of a person with variant CJD; and (16) Deputy Crawford — to ask if the Minister is aware that five junior doctors will not be replaced or have their time extended in Monaghan General Hospital after 1 January.

The matters raised by Deputies McCormack, Moynihan-Cronin, Crawford and Sargent have been selected for discussion.

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

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

**Mr. Broughan:** I am grateful for the opportunity to speak on this important Bill. I welcome the kind comments of the Minister for Transport, Deputy Cullen, on section 24, in which he gave me and my party credit for the two Bills I introduced into the House in 2000 and 2002, following our campaign on car theft and "joyriding" crime, which has resulted in so much tragedy and death. While section 24 will address these issues, it is regrettable that the scope of the section is so narrow and that the penalties to be imposed on "joyriding" criminals and those who supply them with vehicles are not more severe. However, it is a step forward for which I commend the Minister and I again thank him for his kind comments, which are deeply appreciated on this side of the House by the Labour Party.

Like many Members I have concerns about implementing the metric system. Yesterday we heard very interesting contributions from all sides of the House on the new metric speed limits. Given that the motor industry has not prepared for this change, we may be entering a dangerous period. My colleague, Deputy Shortall, will try to amend some of the safeguards in the legislation. While I welcome section 11 on exceeding speed limits, the provisions therein require considerable development.

There is general agreement on all sides of the House that the holocaust of death on our roads

[Mr. Broughan.]

over the past ten or 15 years, with 4,000 or 5,000 people dead and 4,000 or 5,000 families devastated for years and decades afterwards, is utterly unacceptable. Given the death toll perhaps the Minister should have introduced a much more comprehensive and far-reaching Bill particularly addressing what happens after a fatal road accident. We do not give sufficient attention to the investigation of a death crash. We do not follow up treating the crash as a serious criminal incident, which has taken the life of one of our citizens. In the past I asked questions of the Minister then responsible, Deputy Noel Dempsey, and others as to whether we should have a much more determined system of investigation. The approach seems to be almost apologetic largely due to the tragedy that has befallen the families concerned.

A recent court case resulted in a lengthy sentence for the driver of the vehicle involved in a horrific crash in my constituency in which three young men died, and three families and the whole district of Donaghmede was devastated. While that case stands out, as it was so horrific, many other tragedies also occur. The public feels there is insufficient examination and while I know the Garda makes a report on all serious accidents, which may be forwarded to the Director of Public Prosecutions, we do not have a regime to take these cases sufficiently seriously.

This has been a disastrously disappointing year. Following the massive tragedies last weekend, we are again reflecting and asking how we can bring these to an end. We need much more far-reaching Bill than this one. We need the involvement of the Department of Justice, Equality and Law Reform to try to cope with the weekend mayhem — most of these tragedies occur at weekends. We are again approaching 400 deaths this year.

When we look back at the terrible events in Northern Ireland from 1970 and the number of fatalities and the destruction that horrific war caused to the nation and the people of the island, we can reflect that in the past 15 years or so we have had an even worse holocaust on the roads of Ireland. Government has a grave responsibility to address this matter. In so far as the Road Traffic Bill begins to introduce a more coherent system of signage and sanctions, I welcome it as a step forward.

I welcome the Minister's comments on section 24. When I introduced anti-joyriding Bills in 2000 and 2002, I was told their two main elements were unnecessary and that the 1968 and 1995 Road Traffic Acts adequately covered the problem. They do not and, year after year, joyriding has continued.

Looking back at my Bill in its final incarnation in the run-up to the 2002 general election, key differences between it and this Bill are apparent. In section 3 of my Bill, on summary conviction, a person who sold a vehicle to a minor would be fined €2,000 or given a 12 month jail sentence, with a fine not exceeding €32,000 or a term of

imprisonment not exceeding seven years on indictment. The criminals who give or sell cars to children must be severely dealt with. Will the Minister examine the penalty in section 24 and make it more resolute, including punishment on indictment and a prison term for those responsible?

The other major difference is that the Bill sponsored by the Labour Party provided for the offences of supplying or offering to supply a vehicle to an under age driver and of organising, directing or participation in the unlawful taking of a mechanically propelled vehicle for the purpose of dangerous driving in a public place. I had hoped the Government would define the crime of joyriding. This crime should not have such a title, however. It should be called death-riding or grief-riding, as local Dublin newspapers have referred to it. In section 2 of the 2002 Bill, I set out equally severe penalties for those who took part in the crime, defining organising, directing or participating in the taking of a mechanically propelled vehicle as an offence. Deputy Shortall might revisit this on Committee Stage to extend section 24. Death by dangerous driving or serious driving offences do not encompass the disgusting anti-social crime of joyriding.

The Minister of State at the Department of Foreign Affairs comes from the south west of the city and is familiar with this crime. The parks of the south west, just like those of the north and west of the city, are littered with the remains of burnt out vehicles. The Bill should be strengthened because joyriding has not died out, it still exists. In the run-up to Hallowe'en, there were repeated episodes in one area of my constituency. I arrived on a Monday morning for a constituency clinic and saw the remains of five burnt out vehicles, some of them close to households where tormented families had to endure this behaviour during the night.

The Garda has been responsive and brave in pursuing these miscreants and Dublin City Council has also improved the physical infrastructure of the north fringe of the constituency, which has improved the situation on some roads that had been overtaken by development. The problem of joyriding, however, continues. It has not died out and the opportunity is lost in this Bill to introduce a more severe and powerful sanction against people who perpetrate this crime.

The Labour Party understands the nature of the problem. In the lifetime of the previous Dáil, I made 30 contributions on joyriding and raised it with the Taoiseach on many occasions. The sanctions under the Road Traffic Acts are not sufficient and we need a new approach. I was surprised, however, to hear that some of the funding available to the Minister for Justice, Equality and Law Reform for the youth diversion programme for 2004 has not been spent and money remains for youth diversion and support for youth workers who do such great work in some of these areas. The Labour Party published a ten point programme, of which the Bill I introduced was

one aspect, to encourage youth diversion and to combat this problem.

A common feature when dealing with the horrendous death and injury toll on the roads, joyriding and even traffic management is the role of the motor industry. It has been disgraceful. In the run-up to the budget, we will receive glossy brochures from organisations such as the Society for the Irish Motor Industry. It will sell 150,000 vehicles this year but it has not addressed our concerns on a range of issues. Why are cars being sold without a wiper on the back windscreen? Why are cars allowed into the State that have blinding headlights? There are problems with mirrors that cannot be adjusted.

Section 2 of the Bill, however, demonstrates that the previous and current Ministers have not had any negotiations with the motor industry. Speed limit signs will be metric from 1 January 2005 but the imperial speedometer will still be used by the majority of people. The metric speedometer is tiny compared with it. Someone in my family has a car registered in 2004 and even it still has an imperial speedometer. The motor industry should address this issue but it has never been called to account for its lack of action in this area. Some of the wealthiest families in this State owned important motor car marques here for a generation and became extremely wealthy but they have not taken action of these matters. From the start of 2006 we will have the European speedometer with the metric dial to the fore but most of us do not drive brand new cars and we will have to use the imperial measure for many years. There has not been any discussion of this or other safety issues.

With the honourable exception of Mr. Conor Faughnan of the Automobile Association who addressed some of these matters, the Irish motor industry has never taken responsibility for what happens to cars when they become old bangers at 13 or 14 years old.

Four years ago, I asked for an end-of-life, or a death, certificate for cars. A constituent who traded in a 16 or 17 year old car was told it would be brought to Hammond Lane and destroyed. She traded in the vehicle and a week later she was rambling around a shopping centre when she saw her old car being driven around the carpark. There is a grotesque lack of responsibility in the car industry and I would like that addressed by the Minister as a key issue. There is quite a large market for automobiles. A beautiful, glossy presentation from SIMI refers to 150,000 units. The market has been a bit flat this year and only 150,000 units — new cars etc. — were sold. It is a huge market and some people have become massively wealthy as a result. While I accept the industry has provided much employment, I do not accept the motor industry has taken responsibility for its own products.

Unfortunately, we have had no indigenous car industry since Ford's in Cork. We had an industry on the northside in Santry during Mr. Haughey's

time in the early 1980s but we have had no indigenous industry for the past 15 or 20 years.

Despite the fact this is a smaller market, we should insist on standards. In the context of this Bill, will the Minister take strong measures, if necessary, to get the car industry to take safety seriously? Deputy Andrews made a very salient point yesterday when he said there are vehicles which can travel at speeds of 150 miles per hour plus. One would only drive at such speeds in Mondello Park if one was into motor sport. However, I fail to see the necessity for cars to be able to travel at such speeds.

The former Minister, Deputy Brennan, had a run in with the city council over what I called the famous Keegan signs. These crazy signs were put up by the director of traffic with arrows going right and left — in fact, there were arrows going upwards, so one could have taken off on some streets. I thought he wanted areas of the city to be known as J4 and J3 and one would move from J3 to J4. We might be in J1. The signs were chaotic and the Minister rightly put his foot down. We need some coherence in regard to traffic signs.

The most effective signs in my constituency are the 30 mile per hour signs on the actual road. As one drives along, one sees massive signs. I asked for such signs to be painted on the Grange Road heading out to the M50 and I am delighted the city council did so. We need more coherence and we should lay down standards for local government in regard to signage. One only needs to go outside the gates of the House to see the chaos. The director of traffic in Dublin needs to take cognisance of that.

**Mr. Moloney:** I wish to share time with Deputy Callanan.

I welcome the Bill and the opportunity to speak on it. While we recognise the introduction of speed limits based on metric values is the main purpose of the Bill, the concern of most speakers so far has been road safety. Most speakers referred to the number of road deaths. Although there have been many publicity campaigns over the years, the message does not appear to have sunk in. What must we do given that all those campaigns have had little effect? The figures are somewhat down. However, when one considers the huge difficulties caused to families over the years, one would imagine the impact would have sunk in, but it has not.

Concern about road deaths is not confined to one party. I am glad the Bill introduces the offence of supplying mechanically propelled vehicles to minors. I congratulated Deputy Broughan when he introduced a Private Members' motion in this regard. Although we did not support it, obviously, we agreed with the sentiments. That problem was once confined to urban areas but it is now an issue in rural constituencies. It was seen as something funny but, unfortunately, the availability of 17, 18 and 20 year old cars caused huge concern and road



[Mr. Moloney.]

deaths, of which I have seen so many in my constituency at first hand.

As a member of the Vintners' Federation of Ireland, I often wonder whether in the past it was glamorous for someone to drink and drive. Although the campaigns over the years have brought about public recognition that that day is gone, they have not seen off the issue of drinking and driving. While I welcome the Bill and recognise its main tenet, it is, nevertheless, important that it should consider how we further reduce the incidence of road death.

The Bill provides for a number of other initiatives, notwithstanding the issue of speed limits based on metric values. These relate mainly to the introduction of amendments to the legislation on the administration of fixed charges and the penalty points system introduced under the Road Traffic Act 2002 which focus, in particular, on the outsourcing from the Garda Síochána of certain functions relating to fixed charge payments, which I welcome. The Bill provides for a number of changes to the Taxi Regulation Act 2002 to assist the operation of certain key provisions contained in that Act.

We all aspire to a reduction in the number of road deaths. Even what is considered an acceptable figure of 300 should cause us huge concern. While we quote and compare figures on road deaths, we cannot do enough. I call for a greater combined effort to get try to get the message out that we are not doing enough. When we compare safety standards across Europe, we see ours are not nearly high enough.

I take the point made by Deputy Broughan when he quoted the various pre-budget statements from the motor industry. While the members of SIMI ask us to take their concerns on board, it is important that the industry also takes our concerns on board. Much more could be done by the industry in the lead up to the budget when it could make a pitch for greater road safety and an increase in standards.

The introduction of the penalty points system in 2002 has further increased progress in the area of road safety. From November 2002 to end of September 2004, the number of road deaths has fallen from 775 to 675 in comparison with the previous 12 months. The above measures have helped to save in the region of 100 lives if one basis it on the previous figures. People should be congratulated on this. The Government's target is to ensure there are no more than 300 deaths on the roads by 2006. In setting our goals up to the end of 2006, we are supported by the knowledge that the strategic approach we have adopted has been shown to deliver greater benefits in the long term.

It is always worth noting that the most successful countries in the EU in terms of implementing reductions in road casualty numbers on a sustained basis are those which adopted such an approach. In adopting our road strategy we can learn from the experience of states such as the

Netherlands, Sweden and the UK which are among the leaders in the European Union in terms of road safety performance. We have also adopted many of the recommendations of those organisations which have made a contribution to road safety. Often the point is made that accident statistics come about either through dangerous driving, excessive speed or alcohol. We must also examine the whole aspect of making roads safer and increasing the level of investment to ensure this. Many Deputies have made the point that Garda activities seem concentrated mainly on rural roads. Such emphasis often displays poor judgment.

Recently I took a submission from people acting on behalf of the elderly and while it may be somewhat over the top, I believe it could be worth considering. Persons over 75 have made an appeal that the Department should consider the possibility of a licence which would allow them to drive within a five mile radius of their homes. Any breach of that would clearly be outside the terms of their insurance cover. This appeal has been made to me on a regular basis and while I initially thought it was silly, I have nevertheless come to accept the reason for it. Certain constraints could be put in place as regards such a proposal and it might be confined to more rural areas.

Equally, the general impression is that on certain rural roads there is increased Garda activity while on main roads, where there is a higher incidence of road traffic accidents, there is not the same level of intensity. That is something that must be examined. However, legislation alone is not sufficient to tackle the issue of road safety. We must seek to change the country's entire driving culture. It is imperative that young people appreciate the responsibilities attached to holding a driver's licence. I commend the Irish School of Motoring which, in conjunction with Mondello Park race track, is launching a new initiative to teach young people to drive responsibly and promoting education on the dangers of speeding. I also congratulate the Minister for the Environment, Heritage and Local Government, Deputy Roche, who is embracing this initiative and will attend the launch shortly.

A debate on road safety must include the condition of the roads. While I am aware of the adage "a bad workman blames his tools", it must be conceded, nonetheless, that bad roads contribute to traffic accidents. I recognise the progress made by the Government as regards the road upgrades programme under the National Development Plan 2000-2006. To date, 44 projects, a total of 210 km, including 76 km of motorway and 233 km of dual carriageway have been completed. This should be part of a strategy that ensures we maximise road safety.

I commend the introduction of fixed charges and penalty points as another step towards reducing deaths on our roads. I welcome the relevant provisions for this in the Bill, which I believe will put sufficient networks in place to fully support

fixed charges and penalty points. Certain aspects of the pilot IT system are to be outsourced to relieve administrative pressure on the Garda and we all welcome that. This will ensure that the system functions more effectively. There have been delays in notifying people they have received penalty points and this measure should obviate that.

I welcome the measure in the Bill that will give greater clarity to the role of the Courts Service. The Bill seeks to review speed limits. Indeed the first offence to incur penalty points in 2002 related to speed limits. The current general speed limit is to be replaced by separate limits applied to national and non-national roads outside urban areas. To this end local authorities are involved in reviewing speed limits in 43 locations.

In response to those who have criticised some of these speed limits I emphasise that unrealistically low limits would bring the whole system into disrepute. If people are to believe in the efficacy of speed limits, they must have confidence in the system and believe they are sensible. I welcome provisions in the Bill that will see speed limits on secondary or country roads reduced to 80 kph. The legislation also provides for car speedometers to be kph-denominated in accordance with European norms, in line with the relevant EU directive. I commend the Bill and anticipate it being supported in its overall objective of trying to reduce the difficulties of road traffic and in particular the incidence of death on roads.

**Mr. Callanan:** I welcome the Road Traffic Bill 2004. The purpose of this legislation, as with many other Bills brought forward by the Government, is to make roads safer. Section 5 provides for a speed limit of 50 kph to apply in built-up areas. This replaces the current 30 mph in built-up areas. Section 6, which introduces a new speed limit of 80 kph will apply on all regional and county roads outside built-up areas. This is equivalent to 50 mph and replaces the current 60 mph speed limit. A new speed limit of 100 kph will apply to all national roads outside built-up areas and is provided for under section 7. This speed limit will replace the present general limit of 60 mph on all national roads outside urban areas. Section 8 establishes that the speed limit for motorways will be 120 kph. This replaces the current motorway limit of 70 mph.

The main changes in the Bill are a reduction from 60 mph to 50 mph on all regional and county roads. These roads are generally not fit for great speed and by slowing down the traffic there should be fewer deaths and accidents. I acknowledge the work done by the Department over the past few years in terms of road improvements. The Government has invested heavily in road construction under the National Development Plan 2000-2006. To date, 44 projects, totalling 310 km, including 76 km of motorway and 203 km of standard dual carriageway, have been completed. In addition, work is under way on 20 projects,

totalling 203 km, including upgrading 157 km to motorway and dual carriageway standard, while another eight projects, totalling 58 km, are at tender stage.

As regards the five major inter-urban routes, at the end of 2003 nearly 30% had been upgraded to motorway or dual carriageway standard, with work currently under way on approximately a further 12%. This ensures that priority is given to addressing the needs of urban bypasses and traffic congestion. I welcome the start of the Loughrea bypass and thank the previous Minister for bringing this about. It will mean a great improvement for the town of Loughrea as well as for motorists travelling from Dublin to Galway. There have been tremendous bottlenecks in Loughrea and it will be great to see it bypassed by the end of next year.

Planning to CPO stage is going ahead on the Dublin-Galway M6 motorway and I look forward to its completion as soon as possible. For far too long new roads were constructed in the eastern part of the country while neglecting other areas. The Government is now building roads to the regions. There is still much work to be done on regional and county roads to bring them up to an acceptable standard.

There is a chronic problem on the Tuam-Galway road, at Claregalway, for example, as seen on the news recently, with an enormous build-up of traffic. A bypass is needed there. There is also the Loughrea-Gort-Ennis road, which is not up to standard and needs improvement. Good work has been done in improving accident blackspots in many locations. Dangerous and narrow bridges are a problem in rural areas and need to be addressed, as well as verge trimming on regional and county roads, to improve visibility and help reduce accidents. Verge trimming along county roads would significantly improve safety.

There is a problem in County Galway with telecommunications poles, which are extremely dangerous. The Minister should contact Eircom to ask it to co-operate with the National Roads Authority to remove the poles where necessary.

In the west, we are very supportive of the provision of a railway to link our major towns and reduce the volume of traffic on our roads. Commuter trains from Tuam to Galway and Ballinasloe and Athenry to Galway could be provided very quickly and at little cost.

The Bill makes it an offence to sell a mechanically propelled vehicle to a minor, which is very welcome. Many accidents have taken place as a result of minors driving cars which go out of control.

As a member of the Joint Committee on Enterprise and Small Business which prepared a report on the cost of insurance, I welcome the Bill. The Personal Injuries Assessment Board Act 2003, the legislation on fraudulent claims, the Safety, Health and Welfare at Work Bill 2004 and the Road Traffic Bill are contributing factors in the continuing reduction in the cost of insurance.

5 o'clock

[Mr. Callanan.]

As Ireland and Irish roads have been made safer, the cost of claims has been reduced. I call on insurance companies to reduce premiums further on the enactment of the Bill, which I commend to the House.

**Mr. F. McGrath:** I wish to share time with Deputy Gormley.

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

**Mr. F. McGrath:** I welcome the opportunity to debate the important Road Traffic Bill 2004. Most people in our society have a car and most families have two while some have three. Traffic is significant in our lives and if we do not face up to finding constructive ways to deal with it, we will continue to choke our cities and towns. Poor planning and years of neglect mean we are playing catch up in terms of traffic issues. There is hope, however, and a way to deal with the crisis.

Before I turn to the detail of the legislation, I wish to discuss the key issues of public safety and proper planning and development of our roads on which we must focus. As the safety of citizens must be placed at the top of the political agenda, I welcome and recognise the positive aspects of the Bill. We face the nightmare of many workers having to spend three to four hours per day in their cars, stuck in traffic in order to get to work while others travel on overcrowded trains and DART services. This is completely unacceptable. We must face up to this reality and get something done soon. There are young couples who do not get home from work to relieve their child care services until 8 p.m. This does not constitute a proper quality of life and is a recipe for disaster for the broader society. The people involved must be included in today's debate. We must deal with congestion, pollution and the stress experienced by members of society.

When one considers the legislation, one sees that its primary purpose is to introduce a new system of speed limits based on metric values. The Bill also provides for the adoption of changes to the administration of the fixed-charge system for traffic offences including the out-sourcing of certain functions of the Garda. It also introduces a new offence relating to the supply of mechanically propelled vehicles to minors, which is especially welcome. The Bill extends and clarifies the application of exemptions from traffic and parking restrictions for emergency vehicles and provides for other miscellaneous changes to the Road Traffic Acts 1961 to 2003 as well as for certain technical amendments to the provisions of the Taxi Regulation Act 2003.

Section 8 provides for a default speed limit on motorways of 120 km per hour to replace the current limit of 70 mph. I confess that I have been one of those who has breached the current limit and in the last few days received penalty points. While I put up my hand and accept full responsi-

bility for travelling at 14 mph above the limit, I urge the Minister to consider proper limits in suitable and recognisable areas. Where a person is travelling at 14 mph above the limit and driving very slowly, he or she still manages to incur penalty points. It is something the Minister should examine.

In the context of traffic issues, it is very important to examine the details of the debate on the Dublin Port tunnel which affects my constituency. I challenge the Minister for Transport, Deputy Cullen, who said last week that those of us who raised the concerns of local residents did so on the basis of inaccurate information. I remind Deputy Cullen that there have been 176 recognised incidents in the Fairview-Marino-Drumcondra area. There have been cracks in ceilings, external cracks, cracks in walls and toilets have shaken during tunnelling. There have been significant noise and disruption, floor boards have been twisted and serious damage has been done to conservatories. Hairline cracks have appeared as have cracks in garden walls, roof tiles have been displaced and panes of glass have shattered. Mirrors have fallen off walls. These are just some of the incidents I raised with the Minister last week and I hope he will take my concerns on board. Prior to the commencement of the construction of the tunnel, a number of other routes were suggested the choice of which would have made a great difference to the local community. I raise these issues during this discussion on the Road Traffic Bill on behalf of the people of Marino, Fairview, Santry and Drumcondra.

Section 9(3) provides that local authorities must enter a consultation process when making by-laws. Section 9(3)(a) requires county councils to consult urban authorities in their counties on proposals relating to local roads while section 9(3)(b) requires local authorities to consult the Garda Commissioner on proposals for inclusion in by-laws. In each case, a period of one month is allowed for the receipt of representations following the date on which a consultation notice is issued. The word "consultation" is often abused as one will find if one asks the residents of Marino, Fairview, Santry and Drumcondra about consultation with them on the Dublin Port tunnel.

It is important that we refrain from hammering the motorist again and again in the context of traffic and the motor industry though it is now trendy to do so. The Environmental Protection Agency's estimate of CO<sub>2</sub> emissions from the transport sector is too high as it is based on fuel sales in the State. The high rate of fuel smuggling to the North and of cross-Border fuel purchases severely distorts the State's fuel consumption statistics. It is estimated that up to 670,000 tonnes of fuel representing 19% of recorded fuel consumption in the State was consumed in the North. As the reverse was the case in the base year 1990, the growth in CO<sub>2</sub> emissions recorded in the EPA report is grossly exaggerated.



Improved vehicle and fuel emission standards and new EU directives lead experts to say emissions of non-CO<sub>2</sub> gasses by cars have declined by more than 50% since 1990. Emissions per vehicle are now almost as low as one quarter of the 1990 level. Improvements in fuel efficiency are set to continue under the commitments made by the motor industry to the European Union and I acknowledge this progressive development. The average CO<sub>2</sub> emission per kilometre for new passenger cars sold in Ireland fell to 160 g per kilometre in 2002 representing a decrease of almost 10% since 1995. These are sensible issues to raise involving sensible proposals which the Minister should consider very seriously.

To deal with public safety in the context of road traffic requires behavioural changes. I accept that people must change their attitudes to speeding. We must consider accidents and when they happen. As it is usually between the midnight and 3 a.m., gardaí working on traffic duty should focus on these times. These hours are also very busy for the Garda in terms of public order. I welcome any development in this context and urge the Government to consider the introduction of traffic police whom we urgently need. We have moved on in terms of drink driving and most people accept the rules in this area as a part of life.

Local authorities and the Minister must address the issue of dangerous bends on small roads from the point of view of construction. We must invest in road safety awareness which has been treated in the past as a joke in schools and the wider society. I welcome this debate and call on the Cabinet to consider these constructive proposals which are based on reality, common sense, road safety and, above all, the public good.

**Mr. Gormley:** I regard the legislation as cowardly and a missed opportunity. One of the last acts of the former Minister for Transport, Deputy Brennan, was to introduce a new road safety strategy which states: "The advancement of full random breath testing is strongly recommended for the purpose of establishing a clear deterrent for motorists against drinking and driving." Unfortunately, we tolerate drink-driving and those selfish, irresponsible and dangerous people who choose to drink and drive. The Minister tolerates drink-driving by not addressing it properly in the legislation. He has failed to tackle the issue. He does not have the courage or the bottle to tackle drink-driving.

**Mr. Durkan:** No pun intended.

**Mr. Gormley:** The failure to tackle drink-driving will mean that between now and the next general election, 300 people will die on our roads because of drink-driving. That should not be tolerated under any circumstance. If 300 people were to die in an accident of any description, there would be a call for a public inquiry and a call for immediate action, yet we allow this to

continue because, apparently, it is part of our culture. We accept it. I do not agree with the previous speaker who said we are now dealing with the issue. We are not. I remember as a young person looking at advertisements on television which stated: "Accidents do not happen, they are caused." By not tackling this issue we are allowing the drink-driving culture to continue. As a young fellow I worked in pubs and saw, as all Members have seen, people stagger out to their cars in which they could hardly get the key in the ignition. When they eventually did, they drove off and God knows what happened. I remember on one occasion people asking Joe how he managed to stay between the white lines the previous night. His reply that he was not trying to stay between the white lines but between the hedges. That is the attitude. On another occasion, a person said to me that he thought he drove better after a few gin and tonics. This is the culture with which we are dealing.

Anyone who tries to come the heavy is a party pooper. We must change that attitude and the way to do it is through the introduction of random breath testing. If the people coming out of any pub were tested, I guarantee a number would be over the limit. However, we do not test them. We pussyfoot and do not try to deal with it. If someone is caught, he or she gets a slap across the wrist. The judge who spoke out last week was right when he said these people should be put in jail. Their licences must be taken away. They must be hurt because they have hurt families who have lost loved ones or, even worse, left people brain damaged or paraplegic. This is the reality of drink-driving which we choose to ignore and which the Minister has chosen not to address in the legislation. We have all seen the horrific injuries, yet we turn a blind eye to it. That is not good enough. We hold publicans responsible for people who smoke on their premises, yet they allow people to drink as much as they wish and get into a car. Surely there is something inconsistent and bizarre about that.

Recently in France there was a landmark case where a couple was charged for giving someone too much wine to drink in their home. That person got into the car and caused an accident. The people who gave that person the wine and allowed that person to drink were held responsible. This is the type of case we must examine if we are serious about tackling drink-driving. Unfortunately, we are not serious about tackling it. I urge the Minister to deal with drink-driving now. The scale of the human tragedy is too much to bear and we are turning a blind eye.

We also turn a blind eye to the question of speed because cars are manufactured to travel at very high speeds. The macho culture is encouraged at all times. We see it on driving programmes where people race around and test the car to see how quickly it goes, how fast it can accelerate and so on. I saw on the Jeremy Clarkson programme the other night where he was driving a four wheel drive up a mountain to

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see how it could perform. It does not make any sense that cars are manufactured to travel at very high speeds while we try to curtail their speed. Surely we could have a governor in the car to make it go at a certain speed only. There are those who argue that it might be dangerous because one might try to overtake and it might affect the acceleration and so on. I do not accept those arguments. If we are serious about speeding, surely we can introduce such a measure.

These are the issues with which the Minister should deal. The question of speeding, especially in urban areas where there are children, is not being dealt with. We introduce ramps and people complain about them but we are not enforcing the law. The penalty points system is not working. Initially it was seen as a deterrent and there was a reduction in speed. After that, people said they would not get caught. That is the reason we need a specialised traffic corps to catch those who speed. We will see the result once heavier penalties are imposed. Those penalties must be a deterrent.

People are affected by what affects their wallet. If they knew they would lose their licence, they would behave in a more responsible fashion. There is no doubt, and it was said earlier in the debate, that those responsible for most of the speeding tend to be younger males. We see that all the time and Deputy Broughan referred to it. I welcome his contribution and thank him for many of the initiatives he has introduced and for his constant questioning of the Taoiseach on the issue of death-riding. It is an issue we have been slow to address because we see the car as indispensable. To take away a person's licence, even if he or she is not dependent on his or her car, is seen as a harsh measure. If that person has abused his or her privilege to drive on our roads, the licence should be taken from that person. It is time we got tough on drink-driving and speeding, but I do not see that in the legislation. I urge the Minister of State, Deputy Killeen, to give the Garda those powers. He will be aware that I do not always say the Garda should be given more powers, but in this instance society will benefit. I do not believe the Minister of State would trample over civil liberties.

At present, gardaí can only test a person if they suspect he or she will cause an accident or if they have seen him or her wobbling on the road. If they really wanted to know, they could go into pubs and see people drinking numerous pints, something which would let them know whether people were over the limit. Despite this, they cannot do it, and there is something wrong with that. Will the Minister of State implement the recommendations of the road safety strategy, allow gardaí to perform random breath tests. Were he to do so, I guarantee the number of fatalities on our roads would be reduced.

**Mr. McGuinness:** I welcome the Bill which affords Members the opportunity to raise many

issues with which we are all familiar, including road safety, speeding on roads, traffic accidents and the need for investment, through local authorities, to provide necessary infrastructure and traffic calming measures. Having listened to Members, I note they are availing of the opportunity to deal with all the specific issues that affect their local communities. This highlights the need for a further debate on the overall approach to road safety, traffic management, including its management in urban centres, and investment in the road network.

We last had such a debate seven years ago during the last Dáil in which we discussed the use of tachographs in trucks. Members also took the opportunity to explain their positions on road safety and to identify legislative measures that would assist the then Minister for Transport and policing proposals that would assist the then Minister for Justice, Equality and Law Reform. The issues we discussed in that debate are the ones about which we are talking today. Some of the problems have worsened while new issues have arisen. There is great concern about road safety.

This House can pass legislation, but its implementation and policing are matters for others. We must go further and discuss road safety in our second level schools in order that we can get the message across just as teenagers are about to take driving lessons or take up jobs for which they will have to be able to drive. Most of us need a car because of the lack of a public transport system. It has been highlighted that there is a deficit in the provision of public transport, not just on routes between urban centres and Dublin but within those urban centres, all of which are growing rapidly.

Another Bill is to be introduced to deal with the testing of young drivers and the issuing of licences, be they for commercial vehicles or cars. As one who spent time driving a truck, I realise there is a great need for education. Such education should begin in second level schools and be provided constantly by transport companies to those who use vehicles as part of their work, whether they drive fleet vehicles or otherwise. This would draw attention to what is happening on our roads and what needs to be done.

This Bill outlines the specific measures to be introduced regarding speed limits. We must consider most of its provisions in the context of what is happening in local authority areas. In urban centres in particular, finance is a considerable problem. It is difficult for local borough councils or corporations to acquire the funding required to plan and put in place a proper transport management system. To this end, we should provide them with the necessary funding.

As I say time and again, we all like to refer to our parish pump. In that regard, let me draw attention to Kilkenny city which is no different from other growing urban centres. We have difficulty in determining the best plan for traffic management in the city and funding is required to

solve the problem. A proposal has just been made for an inner relief road, but planning can take forever. Waiting in line for funding can also take some time. The resulting burden on local communities can be breathtaking.

I was part of a local group which objected to part of the inner relief road passing through the established community of Wolfe Tone Street. I do not believe for one minute that the second option, that of passing through a greenfield site, should have been ignored. Local communities must be protected. If it is proposed to run roads through established housing estates, as is about to happen in Kilkenny, we should object. The Minister should intervene, particularly where there is an alternative solution. There is a need to oversee major projects to ensure the rights of communities are protected, bearing in mind that they may have enjoyed these rights for a long time.

Another issue that arises in Kilkenny concerns the €31 million allocated for the completion of the next phase of the ring road. We hope construction will begin in the coming year. Plans such as those for the inner relief road or ring road in Kilkenny can result in better traffic management in urban centres. Coupled with a suggestion I have made regarding the management of traffic in urban centres, such plans could solve many problems prior to the State having to spend considerable sums on bigger projects. If one attends to the smaller issues in cities and counties and ensures the existing infrastructure works properly, the State will not have to spend as much on the major plans being suggested. This can be said for roads that connect major urban centres. Perhaps major motorways are not required; perhaps the upgrading of the existing road network and the provision of essential public transport could save the State money.

When I note the speed at which certain vehicles travel, particularly trucks, I note CIE was once able to transport safely, by rail, a great volume of cargo all over the country. Perhaps in another Bill we could consider the possibility of increasing rail freight, thus reducing the number of trucks on the road. There are many reports on the subject. The proposals made in these reports should be costed and the costs compared to those of the road infrastructure schemes for which we are providing.

I admit Ireland is trying to catch up with other European countries in its road infrastructure. Reference was made to driving elsewhere in Europe. I drive occasionally in France and must say its road network is excellent. However, there is considerable investment. If one does not want to drive on the motorways, one can use the secondary roads. Both types of road have good signage and there are many opportunities to note the route one is taking, particularly when driving at night. The roads are well lit and have plenty of markings. By comparison, the secondary roads in Ireland require considerable investment. Reference was made to removing the bends. This would require a great deal of planning and invest-

ment but should take place. Many other associated problems could be dealt with effectively through the provision of proper on-road markings, lighting and signs. If one travels on country roads, as many of us do in our constituencies, one will have to agree there is a great deficit right across the country and a need for plans to deal with them.

The Bill makes reference to the introduction of speed limits by local authorities to regulate the speed of traffic passing through housing estates, for example. This is a good move. Empowering local authorities in such matters is the correct approach because their decisions can have a real, positive and tangible effect on local communities. The more powers we give local communities, the more they will find a local solution to local problems. This would be even more cost effective than having solutions imposed on them.

Funding for housing estates is an issue with which Deputies and Senators must deal. It is pointless erecting "slow" signposts at entrances to housing estate. The provision of ramps and appropriate lighting and signage has a major effect on the speed of traffic through estates. This is not just hearsay, it has been proved in my local authority and in local authorities throughout the country. Because of the success of the scheme, more communities are now organised and asking for extra lighting and extra signage. The basic sign is "children at play" and "ramps ahead" is another. Local authorities have difficulty funding that type of approach. Legislation can be passed in this House, but if we do not apply adequate funding, the job will not be done on the ground. One of the jobs local authorities are crying out to do on the back of representations made by local communities is to provide proper traffic management, road improvements and ramps in these housing estates.

Deputy Carey spoke about the use of company cars, which is associated with activities in large greenfield sites on the outskirts of the city, adjoining housing estates. I am pleased that the fine introduced in this regard is in the region of €3,000, which is an absolute necessity. When I first heard the issue referred to here, it was associated with bigger urban centres such as Dublin, Limerick and Galway. However, this is now happening throughout the country. Young teenagers use these cars in greenfield sites and cause serious problems not just for the residents, but for themselves, because the cars they use are extremely dangerous. People who supply these cars should receive the maximum penalty. While it is stated clearly in the Bill, there is a need to continue to review the fine so that it will not still be €3,000 in ten years' time.

Last night, we received a submission from the motor industry. It was a well-constructed presentation relating to the budget, which had a bearing on road safety. Imported cars in particular should go through a stringent checklist in regard to road safety, and this should be reviewed on a regular basis. Tax on cars should also be reviewed. When



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it was running at approximately 40%, capital gains tax yielded much less money than it is now yielding at 20%. The former Minister, Deputy McCreevy, often cited this aspect to indicate that high tax rates do not always yield the highest amount of money but, if a tax rate is sensible, it will allow for far greater activity in the marketplace and provide a far greater yield. As this has been proved, we should examine VRT. Whether we like it or not, cars are part and parcel of everyday life. Movement towards a smaller number of cars can only be achieved by provision of a proper public transport system and proper pedestrian and cycle facilities, implemented by beefed up local authorities that can make decision in that area.

In the meantime, we must examine car taxation. The motor industry made an interesting submission. Given that more than 50,000 people are employed in the industry, it is a significant industry. The sale of an average car will yield in the region of €9,000 for the Exchequer. This is the type of in-built cost that applies in the motor industry. The Government and the Department should work with the motor industry in the area of education. I found the people in the industry to be a willing group of people, anxious to get involved in this area. While they were anxious to tell their story in regard to VRT, they have a case to make. Over the years, members of the industry have made a significant investment in their showrooms in presenting their product. If they were encouraged to work with the Department in highlighting issues such as proper education in regard to driving, highlighting the issue of drink driving and ensuring there are appropriate penalties, everyone would gain. What is needed is education and all sectors working together to ensure greater safety on our roads.

The example of the smoking ban is something we should examine. When the silent majority was supported by legislation, smoking in the workplace and in pubs, which was a contentious issue, stopped. Now the UK and other European countries are examining what happened here. The drink driving laws in this country are being examined in other countries. France is considering changing its drink driving laws. Because of the drink driving laws in France, the consumption of wine has dropped dramatically, which is of concern to the wine producers in the country. A change in culture is taking place. However, everyone in the motor industry, in this House and those who use our roads must come together to provide the best legislation possible. Perhaps some of the solutions need not be re-invented, they can be taken from other countries and applied here.

I am pleased that the Minister of State, Deputy Callely, has arrived to listen to the road safety issues.

**Mr. Durkan:** He is into traffic calming.

**Mr. McGuinness:** He will have a calming effect on the House. I welcome the Bill and encourage the Minister to examine other legislation to enhance this area which is extremely important to all of us. I would also encourage him to provide the investment needed and to ensure that the powers associated with the investment are given to local authorities so that we can channel our efforts through them. We must get the support of those involved in the motor industry. I commend the Bill to the House.

I welcome the appointment of the Minister of State, Deputy Callely. I know he has a keen interest in this area and I wish him well in office.

**Mr. Durkan:** I also welcome the Minister of State, Deputy Callely, and wish him well in his new portfolio. I have no doubt he will be as colourful in his application to his new portfolio as he was in the last one. I am sure this colourfulness will not be outstripped by the colourfulness of his shirts and ties, which I welcome and encourage.

**Mr. Callely:** I hope the Deputy approved of all I did.

**Mr. Durkan:** I approved of the colour scheme most of the time. Occasionally the stripes get a bit dizzy and I get a bit worried at that stage.

I am not as sure as everyone else in the House appears to be about the effect of the Bill. When I was a member of the county council some years ago, an engineer used to point out the statistics and technical evidence to back up his case that the more signage there is, the less likely it is that people will see it. In other words, if one plasters the wall with 10,000 advertisements, advertising everything from soap powders to foreign travel, the impact of the signage is minimal. If one erects three or four signs, the public is likely to see them, take them on board and the signage is likely to have some effect.

When debating road traffic Acts, we must examine road traffic accidents and the continued death toll on the roads. I do not accept that accidents and deaths on the roads are attributable to any one cause. There is a multiplicity of causes, and the State is responsible in respect of many of them. They include the quality and condition of the roads, the width of roads, lighting, road surface, potholes — somebody trying to negotiate a bend may encounter a massive pothole a foot in diameter and at least a foot deep. All of these contribute to accidents on the roads and nobody seems to care a pin about them.

It is common for roads to be so narrow that two vehicles cannot pass, and somebody travelling the road for the first time might not realise that. I know of one road in my constituency where two vehicles may pass at a number of locations but there are also a number of locations where they cannot. This creates problems for drivers who have not previously driven on the road. They presume the people who designed the road knew

what they were about and that the road is sufficiently wide to accommodate two vehicles.

Road resurfacing is another cause of accidents. Bitmac surfacing is put on a country road or a road linking two urban areas, but in order to save money and surface ten more yards, somebody decides the road surface should be no more than ten or ten and a half feet wide. The result is a massive channel on both sides of the road such that the driver of a motor cycle or car meeting another wider vehicle and moving as far as possible to the left in order to accommodate the other vehicle ends up in a trench about a foot deep and is unable to get out. That happens all the time.

Let us consider the confusion that is likely to be caused by the various speed limits and the number of signs alerting the motorist to hazards that lie ahead. The Bill proposes to introduce an ordinary speed limit, a built up area speed limit, a regional local roads speed limit, a national roads speed limit, a motorway speed limit, and a special speed limit or roadworks speed limit. This can vary dramatically depending on the whim of whoever decides the speed limit, its purpose, and the length of time it will operate. It can be very entertaining to motorists as they queue up behind it from time to time.

Let us now consider the situation if one has had to drive to the far end of the country and back, perhaps late at night. As we enter the outer precincts of a town or village the first sign that greets our eyes is one warning of traffic calming ahead. We may think that is fair enough and that there is a very responsible community in the town who have everything in order. Then there is a welcome sign in four languages — Irish, English, French and German — and we wonder why it happens to be in four languages. Fifty or 60 metres further on, perhaps less, there is a sign welcoming us to whatever town it is, informing us that it is twinned with New York, Boston Paris and London, and that explains why there had to be multilingual communication with us as we approached the town. We have already encountered up to six signs in the first 40 or 50 metres. Moving a little further we encounter a sign admonishing us to slow down because there is a junction, or some other sign warning the public as to a possible hazard ahead. There are so many signs that a navigator would be required in order to keep the driver informed about all the hazards that lie ahead, and if there were so many hazards as the signs seem to indicate, a driver might have a nervous breakdown and leave the car in the belief that it would not be safe to drive.

None of these signs warn about manhole covers that protrude above the surface of the road, or recessed manhole covers that are four or five inches below the surface. I do not know how drivers can be in control of a car and drive in an exemplary fashion with all these distractions.

Traffic turning right on country roads at night is also a hazard. How does the motorist who wants to turn across the line of traffic decide where to turn if there are no traffic lights? Road

markings have been recently introduced on some roads, but one would have to get out of the car and search for them with a flash lamp. An impatient motorist travelling behind a driver intending to turn right across the traffic may be wondering why he or she is slowing down when they were previously driving normally. Even if there is a sign the following motorist may not be able to see it because it is dark or the sign is not on the right side of the road where it can be easily seen.

It always amuses me that “no overtaking” signs are on the left hand side of the road. It is not possible to see the signs if they are on the left hand side of the road. Surely they should also be displayed on the right hand side of the road where they would be visible to the motorist who is intending to overtake. I can list countless accidents in my area which have been caused by motorists overtaking when they should not, and the reason is that a sign placed on the left hand side of the road is obscured by the traffic on that side and there is no sign on the other side which could be seen by an overtaking motorist.

In one particularly notorious location in my constituency 21 people died at a junction over a period of eight or nine years. It was not that one or two a year died. On some occasions three or four were tragically killed at one time. The reason is that the crossing in question was badly designed and motorists approaching it were not alerted to the fact that it was possible to drift too far out on the road before realising they were supposed to stop.

These are just a few of the factors that contribute to accidents on the road. They are part and parcel of the hazards motorists face every day. Good drivers, experienced drivers, drivers of high quality, can also face the unexpected. If a driver, wittingly or unwittingly, leaks oil onto the road, two things can happen. If the person realises this has happened he or she may alert the authorities straight away. If the person does not realise what has happened, the next motorist who comes along loses control on the wet surface even at 20 miles an hour. There is no traction whatsoever, and no control over the car; the vehicle takes on a life of its own and goes in all directions. If the driver is lucky and there is a rough patch where the tyres can get a grip, control can be maintained. I had one such experience some years ago on a bend. I was travelling at 25 mph in traffic. There was a heavy goods vehicle in front of me which had released oil onto the road. I drove around the bend and lost control of the car. I could not figure out what was wrong. I thought the steering had failed. However, when I checked the road I discovered that fuel oil had got onto the road. Like many others in this House, I have been driving a long time and have had some hair-raising experiences many of which involved factors over which I had no control.

Another major cause of road accidents is bad driving. I do not believe anything will be done about it in the Bill. It is the combination of bad

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driving on bad roads which are improperly maintained and poorly lit that causes accidents on our roads.

An issue rarely mentioned is the incidence of pedestrians stepping off the footpath directly in front of a motorist. This can happen for a variety of reasons, including, for example, that the pedestrian is pre-occupied and accidentally steps onto the road. The conscientious oncoming motorist slows down quickly in such cases. The invariable consequence, however, is that the motorist will be subjected to the hooting of the impatient motorist behind who is obviously engaged in important business and cannot be delayed. The presumption is that the first motorist is expected to drive over the unfortunate pedestrian. I can never understand why this happens.

For whatever reason, perhaps because they are not paying attention, pedestrians will sometimes step into the path of incoming traffic. It is a stupid thing to do but inevitable, just as drivers will occasionally behave stupidly. However, one cannot drive over pedestrians; they must be given space to collect their thoughts and remove themselves from harm's way. In spite of this, the genius motorist in the car behind may feel he or she has a far better appraisal of events and knows more about the rules of the road and the pedestrian's right to live. This motorist will, therefore, start beeping the horn to indicate that he or she — it is usually a he — is an important person on important business who must not be detained.

I do not understand how Ministers can profess to be experts on road traffic when some of them have not driven for as long as 20 years. This applies to most Ministers in the Government. The Minister of State, Deputy Callely, may be an exception but I am sure he has not driven for at least a few years in the ordinary course of his day's work.

**Mr. Callely:** That is not true.

**Mr. Durkan:** The Minister of State's predecessor admitted that he had not driven for several years. I cannot understand how Ministers suddenly become experts on traffic management and conditions when they are driven around the countryside at all times.

**Mr. S. Ryan:** The Deputy will have his own driver after the next general election.

**Mr. Callely:** That is wishful thinking.

**Mr. Durkan:** If I were the passenger of a motorist in the situation I have described, I would feel obliged to offer him or her advice. We all know what is said about back-seat drivers.

**Mr. Callely:** The Deputy's car drives itself at this stage.

**Mr. Durkan:** I saw the Minister of State in a Volkswagen car which was trailing a caravan. I am not sure if he drives that vehicle.

**Mr. Callely:** I do.

**Mr. Durkan:** It is ironic that Ministers, most of whom have not driven a car officially for 20 years, should claim to be experts on driving and road conditions.

**Mr. S. Ryan:** They will discover the reality soon enough.

**Mr. Durkan:** That is true and they will have plenty of time to become accustomed to it.

**Mr. Callely:** Does the Deputy now understand the theme of "Yes, Minister"?

**Mr. Durkan:** Another Deputy mentioned the need for fewer roads. I do not know how one could cater for increased traffic volumes if there were fewer roads. Some countries cope by establishing two tiers of traffic. If we can find a way to cater for increased traffic volumes by having fewer roads, it will be a unique system. I have not seen such a system yet but it probably works in the same manner as fibre optics.

Mrs. Margaret Thatcher, a woman of certain fame across the water, had a great idea which was hailed as a green revolution. Her plan was to build no more motorways because they were causing traffic congestion and encouraging more people to travel by car and an increase in the transportation of goods by road. She never told anybody the real reason for her decision which was a desire not to spend any money on building roads. It was no green revolution. As a result, her successors have had to face the task of building roads, ten or 15 years later, at significantly inflated prices. The same is happening in this country.

I mentioned accident black spots about which during the years I have tabled countless questions in this House. I have had countless questions refused on technical grounds on the basis that the Minister had no responsibility to the House. If that is the case, why are we dealing with Bills that impact on road traffic? It is about time this issue was finally clarified. There is no sense in legislation being dealt with in the House if the Minister then walks out and proclaims that he or she has no responsibility in the matter, has no intention of taking any action and does not want to hear about any problems that may arise.

There are hundreds of traffic black spots. At one such location more lives were taken in the same week in which I had a question refused on this subject. Apart from the irony, this is tragic and should not be allowed to persist. It should be possible, after a number of accidents have taken place at a particular location, to telephone a person who will examine the corner, bridge or junction in question. Without the need for a consultant's report which might cost €10 million, such a



person should be available to handle requests and consider what can be done to alleviate the problem. It is as simple as that; it is not rocket science. Instead, we hear from the Minister that he or she has no responsibility in the matter, that it is one for the NRA or the local authority. As a result, the situation persists and there are more accidents at the same black spots. The Bill contains many provisions which are of little use. A proposal should be incorporated which deals with the causes of accidents, of which black spots is one.

I have already spoken about lighting and the proliferation of signs and their lack of effectiveness. On occasion I have been driven to despair in attempting to decipher road signs. It is sometimes unclear in which direction a sign is indicating that motorists should travel. Signs are sometimes so confusing that one would need to speak to the person who designed and located them in order to ascertain their purpose. It is not unusual that a motorist has to travel twice around a roundabout in order to discover where he or she should exit. One should be able to move smoothly and swiftly on a roundabout and be able to see the sign on time. There is a new sign at the roundabout one encounters on leaving Dublin Airport, with the intention of travelling on the M50 towards the city centre. It is difficult to exit this double roundabout without going back down the road one has just left, which leads back into the airport. Why are these problems not identified and rectified?

Another problem with roundabout signage relates to vehicle lighting. If a motorist is on a roundabout and the lights of his or her vehicle are focused in a particular direction, as they should be, the sign may be at a location which the motorist cannot see. Like a certain boxer, I could continue like this all afternoon. Short of disembarking with a torch to examine the road signs, one will be unable to decipher their intent. These contributory causes of accidents must be examined. A motorist coming around a roundabout who is unable to see where he or she is going is at risk of impact from other traffic. Such accidents happen all the time.

**Mr. Callely:** There has been good progress in this area.

**Mr. Durkan:** If a visitor from Mars was to spend a weekend driving in Ireland, he or she would go home very confused after witnessing the so-called improvements of which the Minister of State speaks.

**Ms O. Mitchell:** That person would be lost.

**Mr. Durkan:** Such a visitor would be left wondering as to the type of ragamuffins running the country.

On their introduction, penalty points were hailed as the answer to all our problems. In Britain the penalty points system is under review

because, for some reason, the numbers of road traffic accidents and fatalities have increased since its introduction. There is a problem with this approach. Graduated penalties should also be considered. A penalty should apply to a motorist caught driving at 20 mph over the speed limit. However, a motorist who is caught driving 2 mph or 3 mph over the speed limit should be treated somewhat differently. While precision is the order of the day, applying a penalty in respect of such a short gap over the speed limit is a little excessive.

**Mr. Callely:** I hope the Deputy does not have a vested interest in that respect.

**Mr. Durkan:** I was looking at the stripes on the Minister of State's suit the other day and I got dizzy afterwards.

**Mr. O'Connor:** I am happy to give a minute of my time to Deputy Durkan because his contribution was entertaining. I wish him well. It is a shame he will not get a chance to be in Government for 20 more years because he might have been good at it.

I do not share the Deputy's views about the Minister of State, Deputy Callely, because I am a well known fan of his.

**Mr. Durkan:** He has so many fans he must be embarrassed.

**Mr. O'Connor:** The Minister of State will be badly missed in the Department of Health and Children but he will bring a breath of fresh air to the Department of Transport. He has served the House by giving us much information about his brief.

**Ms O'Mitchell:** There is something of a vacuum there.

**Mr. Durkan:** It is not a breath of fresh air that is needed there.

**Mr. O'Connor:** I wish the Minister of State well. He will do a tremendous job. There is grudging respect among Members on all sides of the House for the work he is doing.

**Mr. Callely:** I thank the Deputy for his comments.

**Mr. O'Connor:** I am glad Deputy Durkan agrees with me.

**Mr. Durkan:** I did not agree with anything the Deputy said.

**Mr. O'Connor:** I am tempted to talk about Tallaght for 20 minutes, but I have decided not to. However, I listened to some of the contributions and I heard Deputy Durkan talk about Kildare. I was particularly entertained by Deputy Finian McGrath's contribution where he named

[Mr. O'Connor.]

almost every street in Marino, Fairview and other places across the Liffey where I would get lost. Therefore, I am not afraid to mention Tallaght the odd time during my contribution.

As I listened to the contributions, I was reminded of the fact that when I moved to Tallaght because of employment in 1969, all those years ago, it was a village. The infrastructure consisted of a number of country roads and there was a rural community there. If one was to go to Tallaght today — Members should take the Luas to The Square now that Christmas is approaching — one would find it is a tremendous place.

**Mr. Calley:** I did that last Sunday.

**Mr. O'Connor:** It is a great place. I hope more people do that.

All of us who are associated with Tallaght and have the honour of representing the people of that area can inform the House that the road infrastructure has improved tremendously during the past number of years, particularly since The Square was opened in October 1990.

I listened to some colleagues bemoan road developments and progress in that respect. While we will always have problems in this area and Members are entitled to raise concerns in this respect, the road infrastructure in my constituency has improved greatly during the years. The M50 crosses my constituency and there have also been other road developments. If often says there is a lot done and more to do. There is a need to develop the Tallaght bypass at Jobstown. I will continue to campaign for that. It is important the Minister understands the need for it. The roadway is used not only by many people from Tallaght and elsewhere in Dublin South-West but by many nice people who travel to and from Wicklow. It is important to keep the pressure on for the development of that road infrastructure.

I wish to talk about a related matter and I note that other colleagues strayed somewhat from the subject of the Bill.

**Mr. S. Ryan:** Is this the Deputy's manifesto for the next election?

**Mr. O'Connor:** I have never changed my style. From the day that 7,155 good people of Tallaght sent me here, I continue to tell them what I want to deliver.

I wish to refer to the Luas which is now in operation. I ask the Acting Chairman to extend me some latitude to raise this matter in the context of the Bill. I am glad Deputy Olivia Mitchell is present as the Luas line through her constituency is a great benefit to her constituents. The Luas line to Tallaght is a great success. It is relevant to refer to the Luas in the context of this Bill. There are difficulties in terms of safety. There have been a number of accidents in Tallaght and elsewhere on the line. Unfortunately, there have

been two fatalities in the south central area of the line, which is very regrettable.

It is important to refer to the Luas in the context of road safety. We all need to adhere to road safety in terms of the Luas. Deputy Durkan referred to the standard of driving here. Like most people I am not always comfortable driving, but sometimes one has to drive. Where I can use public transport, including the Luas, I do so. We must be aware that we are not only confronted with the normal challenges on our roads, which is true in every constituency, but now that the Luas comes through the city and out to the suburbs including the new town of Tallaght, it presents further and greater challenges. The Department has evidence that motorists are not respecting yellow box junctions, traffic signals and stop signs at Luas intersections, which constitutes breaking the road traffic laws. It is important to get the message across that there is an onus on road users and pedestrians to take due care along Luas routes. We need to promote that message as much as possible. I read during the week that the National Safety Council and the Department of Transport has called on road users and pedestrians to exercise due care.

I am old enough to remember the tram lines, although I am not sure I remember the trams in Dublin city, but I remember the tramlines being pulled up. I am fascinated that we have returned to such a system. Luas is a tremendous success. Many people in my constituency and in the Dublin South constituency, which Deputy Olivia Mitchell represents, along with other colleagues, are using it in great numbers. In the context of any discussion on road safety, it is important that we refer to and promote safety in regard to the Luas.

I note that the Minister make particular reference to road safety. He said that the immediate focus of the Bill is to support the introduction of a new system of speed limits based on metric values. He made the point that the new system is about controlling and regulating our roads and making them safer. That is an issue whether one lives in Tallaght or elsewhere in the country. All of us are appalled when we view the carnage caused by terrible accidents on our roads most weeks. I am often fascinated early in the morning when I hear on radio, even on music stations, interjections of news of crashes here, there and everywhere on radio. They occur not only in Dublin but throughout the country. There is an issue of road safety involved in this regard and it is an important consideration in the context of this legislation which I support. It is important that we continue to make this point. There but for the grace of God go any of us. A strong message needs to put across in this context.

I listened to some of the contributions during which strong points made about drink driving. All of us are responsible, particularly those of us in public life, and we should promote the idea that one should not drink and drive. I will not repeat some of the emotive statements made by col-

leagues. As we approach Christmas, the Garda will be particularly active in that respect. I am glad to note that the Government, through the Minister for Justice, Equality and Law Reform, Deputy McDowell, announced additional resources will be made available, which I hope will help the position.

**Mr. S. Ryan:** Another promise.

**Mr. O'Connor:** It is more than a promise. We should not be flippant about the use of Garda resources at this time of the year.

I am no prude. Some colleagues have been coddling me lately as to why I do not drink. I do not wear a temperance badge. I adopted the attitude I have to driving and drinking a long time ago. As a young person I used to drink, but I decided, particularly when I got involved in the community and in politics and was using my car a good deal travelling to and fro, that it was not a good idea. I find sipping a mineral, as expensive as it is, is what I want to do. I have no difficulty with social drinking but it is important that we strongly condemn drink driving and continue to do that.

I notice that other colleagues made admissions in their contributions, therefore, I will make one. Some people tell me I am not a great driver but that is their opinion. I have had only one crash. It was not my fault and it did not occur in Tallaght. It happened in Clara, a small village in County Offaly, famous only because it is the home of the Minister for Finance. I often think of Clara and of my little crash. We all bring our own experiences to discussions on road safety. We all have views about how lucky we have been when driving on the road. How often have we heard a neighbour say he or she was nearly killed while driving? Such incidents are not always funny.

Many years ago I took part in a discussion on road safety at a meeting organised by the Legion of Mary. A speaker made the point that road accidents are often caused by lack of charity and by people who simply refuse to be courteous or charitable. How many times have we seen motorists sounding their horns at people who take their time or who let an elderly person walk across a pedestrian crossing? In driving through a housing estate and observing the speed limit one often sees other motorists indicating that one should drive faster. The message I heard all those years ago is as relevant today as it was then. It is important for all of us to remember to be charitable to our neighbours and to give people the benefit of the doubt. How often have we seen accidents which could have been prevented?

A wide range of issues could be brought into this debate. Other Members have referred to the need for good street lighting and signage. While some of the observations were entertaining they were also accurate. Wherever we go we see confusing signs. Some years ago Clement Freud, a British politician who was also famous for other

reasons, described on "The Late Late Show" how, as he drove south from Dublin he saw several signs saying, "Slow Down", "No Speeding", "Careful, Children" and so on. Then, a few miles from Naas, he saw a large sign saying "Kill". We need to take account of signs, improve them and keep the pressure on as far as signage is concerned.

Motoring will be particularly challenging in January because, while I do not criticise what the Minister is trying to achieve, I will have to struggle with change. I look around at my colleagues in the Chamber who, apart from Deputy Olivia Mitchell, are of the same generation as myself. Deputy Mitchell is much younger than the rest of us.

**Ms O. Mitchell:** Deputy O'Connor said it himself.

**Mr. O'Connor:** I am trying to figure out how to do a quick conversion in my head. Should I divide by three and multiply by two? Conversion will be a challenge and the Minister should realise that. I hope some assistance will be given to the public to cope with this change. I presume an education process will be put in place and that signage will be clear and plentiful. I hope the Minister is making the point to local authorities that they have a particular challenge in this regard. Those of us who are of the generation who were challenged by computers and currency changes will now be challenged once again. We will get by, but making this adjustment while driving will present a particular challenge. I hope people will find it easy to convert and to adhere to the new speed limits.

When I was a member of South Dublin County Council I had an argument with the National Safety Council about the operation of speed traps by gardaí. The council chastised me and said the public attitude to speeding had to be changed. That is fair enough. However, I am not convinced that we have the right speed limits in the right places and that Garda action is carried out in the right places. Statistics show us where and why people die in road accidents. Those statistics should be examined in the context of the Bill.

The issue of road safety within housing estates must be addressed. Seeing Deputy Seán Ryan here reminds me of a discussion I once had with the former Minister, Mr. Mervyn Taylor, on the subject of ramps and traffic calming measures. I made the point that the jury was still out on the issue of traffic calming. This is still the case. Like all Members I receive many calls about road safety in housing estates and requests for traffic calming measures. In my case these requests refer to Tallaght, Firhouse, Templeogue, Greenhills and even Brittas. People often seek traffic calming measures but not everyone agrees with the need for them. There is a particularly effective traffic calming measure in the Wellington Lane area where, as part of the process of opening the bridge to the south county constituency across the



[Mr. O'Connor.]

Firhouse Road, provision was made for traffic calming on the Wellington Lane. Many people queried the advisability of this measure and are still querying it. I still receive calls on the issue. I ask Members not to tell my party colleagues that I receive calls from Templeogue, but I do.

I am interested in what the Department and others are saying about traffic calming. Is it still the way to go forward? Many of my constituents advocate traffic calming throughout the constituency while others point out that a speeding car can bounce off a ramp and cause an accident. I speak as a representative of an area where there has been considerable progress in road traffic calming in recent times and where a number of projects are ongoing at present. Nevertheless, the jury is still out on the issue and one hears many different views on the matter.

The question of motor insurance is often brought to my attention. Is it not reasonable to expect that recent improvements in road safety would be reflected in a reduction in insurance premiums? I receive many calls on this issue, particularly from young people. The Minister and many other commentators have focused on the relationship between young people and accidents. There are many responsible young drivers who tell me about their difficulties in getting insurance, despite their interest in being responsible drivers. This remains a challenge. After the last general election I sat down and listed the issues which had been brought to my attention during the campaign. Motor insurance, particularly insurance for young people, was an issue. I have continued to campaign for action in that regard and I hope the Minister will take account of that.

I wish the Minister of State well and I also congratulate the Minister for Transport and wish him well in his new Department. Deputy Cullen was a good friend to all of us as Minister for the Environment, Heritage and Local Government. His work was appreciated on all sides of the House and was applauded, even by the Opposition. He has a challenging job in the Department of Transport in which I wish him well. I look forward to supporting the Bill as it progresses through the House.

He has a challenging job in the Department of Transport in which I wish him well. I look forward to supporting the Bill as it progresses through the House.

**Mr. S. Ryan:** I am pleased to have this opportunity to speak on the Road Traffic Bill which the Labour Party welcomes but envisaged would be more wide-ranging in its nature. Given the problems on our roads and the need for action in particular areas, it would be more helpful if the legislation was more encompassing. It is, therefore, our intention to submit amendments on Committee Stage. I appeal to the Minister of State to take on board as many Opposition amendments as possible to ensure the widest possible consensus.

In discussing road traffic legislation the first point that comes to mind is the number of accidents causing injury and death. Last Monday morning I awoke to read in the newspapers of more deaths on our roads at the weekend. One newspaper headline referred to the continuing carnage with six more deaths bringing the number this year to 324. Provisional figures supplied to us last week showed that up to 1 November 2004 there were 313 fatalities. The corresponding figure for the same period last year was 288, giving an increase of 25. The figures speak for themselves. Regrettably, in spite of the introduction of the penalty points system, the numbers of deaths and serious injuries on the roads have continued to spiral upwards. We all have a responsibility in this regard.

Last Sunday morning there was a pile up on the M1. It is alleged that a driver reaching for his mobile phone was initially responsible. Irrespective of the cause, five people were injured, including a woman in the final stages of pregnancy. The road was closed for nine hours causing a ten mile tailback. Protective safety barriers are required along the median of our motorways but, to date, the National Roads Authority has refused to countenance their need. A constituent of mine who travels around the country as part of his work wrote to it on this issue and was informed in no uncertain manner that it was not its policy to install such barriers.

Local authorities design motorways in accordance with the National Road Authority's design manual for roads and bridges. It is my understanding that where a central reservation exceeds 15 metres in width, there are no provisions for protective measures. In such cases no funding is available from the authority, even if a local authority, through its elected representatives, directs the county manager and his or her engineers to provide for such barriers in the design of the motorway. Somebody must be answerable and accountable to the elected members, whether in the Dáil or county councils, for safety, including the provision of protective barriers on motorways. There have been many fatal accidents involving vehicles that veered across the median of motorways. For example, not far from the scene of last Sunday's accident, a priest from north County Dublin was driving home along the M50 one evening when another car veered across the median and killed him. I could cite many other similar examples.

The NRA must change its attitude to the provision of motorway barriers. I would welcome the views of the Minister of State because he has a role to play in this regard. There is an abundance of statistical information available from other countries, including the USA, which clearly illustrates that safety barriers — whether they are metal, open-box beam, concrete or flexible free-strain cable rail — save lives and reduce the extent of injury on motorways. It is illogical at a time when we are designing motorways and other roadways that protective barriers are not incor-

porated at design stage of national road construction. It would save lives to provide them, as well as save money for the State. It is inevitable that at some stage somebody will examine the situation and say there is a need for such barriers on the central reservation of motorways.

The principle purpose of the Bill is to provide for the introduction of a new system of speed limits based on metric values. The previous Minister for Transport, Deputy Brennan, gave a commitment that the speedometers all new cars coming on stream from 1 January 2005 would be converted to the metric system. I understand that up to 90% of new cars will have their speedometers converted to kilometres by 1 January 2005. Perhaps the Minister of State will confirm this.

The number of new cars sold this year is expected to be approximately 155,000, down significantly from the level of 230,000 achieved in 2000. As far as I can ascertain, the Irish car market represents about 5% of the English manufacturing base. Will the metric conversion of 5% of England's car production raise the cost of cars here? I hope that will not be the case.

**Mr. Callely:** Congratulations should be given to the chief executive of SIMI.

**Mr. S. Ryan:** I hope the conversion will not result in further increases in the costs of new cars. As the Minister of State will be aware, motorists are being fleeced as far as taxation is concerned. The Society of the Irish Motor Industry in its pre-budget submission indicated that total Government revenue from motor-related taxation in 2003 will be more than €4 billion. The Minister of State mentioned the chief executive of the Society of the Irish Motor Industry, Mr. Cyril McHugh. I compliment him on what he has achieved on the conversion.

**Mr. Callely:** Hear, hear.

**Mr. S. Ryan:** He stated that the €4 billion was made up of the following elements: excise on fuels, €1.586 billion; VRT on cars, €806 million; road tax, €680 million; VAT on motor vehicles, €437 million; VAT on fuels, €324 million; benefit-in-kind estimated at €80 million; VAT on repairs, €48 million; road tolls, €48.3 million; and VRT on other vehicles, €12.7 million. This clearly shows that the Irish motorist is being fleeced at a time when we are talking about the expansion of Europe. When the concept of Europe was being sold to the public, we were told there would be swings and roundabouts and that, for example, the cost of a car would reduce to be in line with the cost in Britain and Europe. However, we were sold a pup in that regard and Irish car prices are among the highest in the European Union.

The report, *Roads Accidents Facts Ireland 2002*, published by the NRA reveals some startling facts, which are worth highlighting. These are relevant when dealing with accidents and deaths

on our roads. Single vehicle accidents were responsible in 30% of fatal accidents. This collision type, which involves no other road users, is strongly associated with excessive speed and alcohol. According to the report: "In two vehicle only fatal accidents ... the most frequently cited contributory factor is 'went to the wrong side of road' (39%)". So the reason for 39% of the fatalities was that they were going up the wrong side of the road. Surely something can be learnt from this. Have we examined the type of signage provided in these areas or is there a need for this change?

The same report states that the number of fatal accidents between 9 p.m. and 3 a.m., the hours associated with drinking and driving, accounted for 32% of both fatal accidents and fatalities in 2002. It went on to state that 72% of fatal accidents occurred on rural roads and the figures also show the most vulnerable age group for death and injury in vehicle accidents is between 25 and 34 years. In preparing legislation to be enforced by the Garda Síochána and the other authorities that will deal with these matters, the stark reality is that if we took progressive action to deal with the problems identified in this regard, the age group, rural roads, drink driving, speed and the hours after pubs close up to 3 a.m., and implemented the existing legislation by targeting these areas, we could see a real change in the numbers of deaths and accidents on our roads.

What is the cost of a death? We have all been to a church when a young person is brought in a coffin and have seen the effect on his family, possibly his girlfriend and the wider community. We must address this problem.

I doubt if the figures for this year will differ significantly from those for 2002. If we are serious about dealing with the carnage on our roads, we must all consider our own actions on the roads and the example we give. An issue of real concern to many people, some of whom have come to me and other public representatives, is the reluctance of the Government to address the issue of the use of mobile phones while driving. It is totally unacceptable and frightening to see drivers of all types of vehicles and particularly large articulated trucks and public service vehicles driving on the roads and around roundabouts with a mobile phone in one hand and steering the vehicle with the other.

We have been repeatedly promised that something would be done about this matter. I am not claiming to be any different from anybody else. In my early days of having a mobile phone I used it while driving on a number of occasions — although not on roundabouts. I admit this was wrong and totally irresponsible. For a number of years I have had a hands-free system in my car and I would encourage every driver with a mobile phone to install such a system. I also ask the Minister to investigate making the installation of such systems mandatory on car manufacturers for all new cars. The Government should encourage other drivers to install such systems in existing

[Mr. S. Ryan.] cars. The Minister for Finance should consider introducing a tax relief for the installation of such systems. I would welcome the views of the Minister of State on this matter. Many other major industries get tax breaks, which help many people. However, such a tax break could help save lives and reduce the carnage on the roads, and we should give it serious consideration.

My final point relates to the transitional period. Have all the signs that will be required throughout the country been ordered and are they ready? Who will co-ordinate the erection of these signs? It is vital they are all erected at the same time. It is no use if one local authority does it one day and another the next day. We broadly support the Bill and look forward to the Minister of State giving meaningful consideration to amendments on Committee Stage.

**Mr. Callely:** It will be done; 53,000 new signs will be erected.

**Mr. N. O’Keeffe:** I welcome the Bill and congratulate Deputy Callely on his appointment as Minister of State at the Department of Transport. Since he was given the job, transport in Dublin has improved — I found it much easier coming to work this morning. I also congratulate the Minister, Deputy Cullen, who did an excellent job in the Department of the Environment, Heritage and Local Government before being moved to the Department of Transport where he has already displayed initiative and enthusiasm. It would be remiss of me not to pay tribute to the previous Minister, Deputy Brennan, who did some pioneering work in road transport. The fruits of his labour were visible on Monday with the opening of the Monasterevin bypass. I congratulate all of them and when the Minister of State links the Luas on the northside with that on the southside, he will be Taoiseach.

I drive from Cork to Dublin on a regular basis. When leaving the bypass on the Dublin side for Cork and merging with the road for Abbeylisle, there is a lane that has not been finished by the National Roads Authority or Laois County Council. This has been the situation for a number of years. There should be two lanes. I, therefore, ask the Minister of State to use his good offices with the authority and council to have this road completed. Unfinished roads are a thing of the past, particularly as regards safety. I have raised this issue in the House before but no progress has been made. It is on the left hand side when driving to Cork — I might get the Minister of State a job as a guest speaker some night and he can see it for himself. I hope he will refer to it when summing up because the area is covered by cones. It is embarrassing in this day and age for a road to be unfinished.

**Mr. Callely:** Is this where the driver swings left?

**Mr. N. O’Keeffe:** Yes, the old Portlaoise bypass. The second lane is not in use when a person swings left. What is the problem? Why is it not finished? If we build roads but do not finish them, it will hang over the Government.

Traffic problems are due to economic success and will increase, particularly with the number of cars being purchased. When I drive through the State, I envy the northern area compared to the southern area. The Monasterevin and Cashel bypasses were outstanding successes but I am lonely when I get further south because there is no bypass in Mitchelstown or Fermoy and I must sit in the car for an hour in both towns. The Minister of State might fast track construction of these bypasses. The Monasterevin bypass was built one year ahead of schedule, a credit to the contractors and the others involved. The National Roads Authority is doing a great job.

Everything that goes wrong with traffic is blamed on the Garda traffic division but it does an excellent job. Gardaí should not have to hide in gateways and behind trees measuring speed limits when most traffic is found on the main thoroughfares and bypasses. If they used unmarked cars, they could identify the dangerous drivers who cause most of the problems on our roads.

I am against the privatisation of the fines collection system. It is a national issue under the Constitution. We are inclined to shed too much of our business by privatising State property.

Much of the high speed driving is done in small cars, mainly by young people who drive recklessly. We have all seen how cars that size disintegrate in accidents. There is a need for education. Driver testing is one thing but people must be compelled to drive safely. If there was an incentive in the schools, there would be less carnage on the roads. It is usually smaller cars, between 0.8 and 1.5 litres in capacity, that are involved in accidents. The driving test is a success but it is not enough; there is a need for education and civic spirit.

There will be a 17 kilometres per hour speed limit outside schools. Many schools were built on national roads, a retrograde step on the part of the planning authorities. I am aware of the planning authorities giving permission for a school to be built on a national secondary road in a particular area in recent years and it is creating a problem. Parents ring the Garda to complain about speeding cars but the school should not have been built there in the first place. Many schools are built in such areas. The Department of Transport should lay down criteria that new school developments should be located in a safer environment.

I have no problem with the new speed limit signs. I learned to count decimal money many years ago and also the euro. Therefore, metric speed limits will not be a problem. Most cars have dual speedometers with both imperial and metric speeds marked.



Guidelines for speed limits are an issue. Local authority members are intelligent people but many table motions at council meetings for speed limit signs to get publicity locally. I do not want to choke the process in guidelines but there must be criteria for speed limits. The Bill provides that councils will retain the power to make speed limit by-laws. That is fine but many speed limits signs are erected not for speed purposes but to extend the limit of a town or village in order that land will be more valuable for development purposes. Speed limits should be about safety. Therefore, a safeguard should be inserted. I served on a county council for 15 years and know that zoning comes into this.

Deputy Seán Ryan referred to signs indicating a town, village or otherwise. I travel a fair bit and the signage is appalling in many parts of the country, especially on county and regional roads which leads to many problems in that people must break suddenly because they realise they are on the wrong road and must turn around. This needs to be addressed.

The Minister of State, Deputy Callely, is very much in demand and travels the length and breadth of the country. I would say the Minister of State and his driver travelling from Dublin to Cork, to the west or elsewhere have difficulties from time to time. The Minister of State may have two functions on the one day. I know how busy he is because he is a go-getter. He and his driver will make mistakes. The signage must be improved at all levels.

I support and have no difficulty with toll roads, which are a good development. They are a way of fast-tracking matters in terms of finance. One can see how lucrative they are and the amount of money being collected on all of them. Members of the House travel abroad on what are sometimes called junkets, trips, conferences or otherwise and see toll roads which are all over the world and which work well.

I ask that something be done about the Jack Lynch tunnel in Cork, which is in the hands of the National Roads Authority. The traffic jams in the tunnel are unreal in the morning and in the evening. It is getting choked up and it is a hazard in terms of the volume of traffic. It is not able to take the current volumes of traffic and the situation must be re-examined by the National Roads Authority. It was built many years ago when the economy was not as buoyant as it is now. Traffic has probably doubled in the area. The tunnel should be re-examined from a roads point of view. I urge the Minister to get a report from the National Roads Authority to see what can be done to alleviate the problem.

Traffic calming measures work well. I see them on many routes to Dublin, as do other Members, and they have been very effective in reducing speeding in villages and towns and there is less emphasis on gardaí trying to reduce speeding. The traffic calming project underway in Horse and Jockey, County Tipperary, will be very effective. It should have been done 30 years ago.

I am not altogether happy with the statistics released from time to time. I do not think we have proper statistical information on road deaths *vis-à-vis* other countries. I would like to know the number of drink-related deaths and drink driving deaths because they are lumped together and we are not getting a fair assessment. Motorcyclists should be in another category. Statistics are about giving true and accurate information and they are easy to compile in this regard.

I come from a rural area and I will be regarded as a bogman or otherwise when I say that it is difficult for people living in rural areas who want a social drink. I said this many years ago when Deputy Michael Smith was Minister for the Environment. Many people living in rural areas live in fear of going to the rural pub. I do not know how we can overcome that problem. I made the point that there should be two criterion — one for urban people and one for rural people.

I would like road deaths to be categorised in terms of age — for example, 40 to 50 years of age, 50 to 60 years of age and so on. That would give us a clearer picture as to where the problem lies. There is no doubt in my mind that discos should close or drinking should stop at 1 a.m. That relates to the Liquor Licensing Act. On a Sunday morning I usually have the radio on at 7 a.m. and I sometimes hear there have been three deaths the previous night somewhere in the country but no information is given on where those involved were coming from. When I read the newspaper on a Monday morning I might find they were coming from a disco, a dance or from some social occasion. Those involved might all have been drunk or loaded with drugs, as has been the case. This area must be tightened up. If it was, there would be fewer problems and less hardship for those in rural areas going to the pub.

In the areas of road traffic and drink driving, the gardaí are very considerate and are doing the best they can. They get a lot of abuse but it is very hard to do a job and to try to use discretion and to be fair to people. I travel the length and breadth of the country, as do all Deputies, and I would praise the gardaí as I travel the road from Cork to Dublin and back again. I wish the Minister of State well.

**Dr. Cowley:** When the penalty points system was introduced, people had a high expectation that they might get penalty points and that if they speeded, drove dangerously or otherwise, they would be in trouble. However, as time went on, people began to realise that there was a great chance that they would get away with speeding or otherwise. There was quite a change in behaviour for a period of time which brought us into line with other countries that had a much lower level of accidents than we had. There is a lesson to be learned.

In a recent parliamentary question, I asked the Minister for Justice, Equality and Law Reform to bring more gardaí on board. I welcome the sig-

[Dr. Cowley.]

nificant increase in gardaí allocated to traffic duties. Having said that, there must be a sense of proportion and fairness which the Minister must ensure and which does not exist. Measures taken in the past have turned the public off in terms of implementation of the law. The clamping of cars was introduced to relieve traffic congestion but it appears that most income from clamping comes from people whose parking meter time has expired and who are not interrupting the flow of traffic, although I stand corrected on that. What is set out as something to improve the flow of traffic has been used for something completely different and that really annoys people. A sense of proportion and fairness must be evident.

If a motorist drives one mile per hour over the designated speed limit, he or she gets two penalty points. Surely a twilight zone should exist where a monetary penalty would be more appropriate. These are the types of situations which make people non-compliant. People would have greater respect for limits if there was a sense of fairness and proportion in the implementation of penalties.

Another measure, which would make a big difference to the number of terrible road accidents and the amount of disability which results from them, would be the provision of a helicopter emergency medical service which is available in every other European country but which we do not have. It would not be a substitute for what is in place already, that is, the good ground ambulance service, but it would be the missing link in having a truly co-ordinated, complete and effective pre-hospital and inter-hospital transport system. People are losing their lives because we do not have a helicopter emergency medical service. It would be a flying intensive care unit which would be available to somebody after a bad road traffic accident to take them to the most appropriate hospital. With the Hanly report and the centralisation proposed, there is even a greater need for this service, which was highlighted a visibility study published last April.

Debate adjourned.

### **Private Members' Business.**

### **Health Care: Motion (Resumed).**

The following motion was moved by Deputy Twomey on Tuesday, 10 November 2004:

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.

Debate resumed on 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.”

—(Minister for Health and Children).

**Minister of State at the Department of Health and Children (Mr. S. Power):** I wish to share my time with Deputies, Sexton, Devins, Kirk and Johnny Brady.

The Fine Gael motion calls on this Government to resource properly the Louth-Meath and Cavan-Monaghan hospital groups. The Tánaiste and Minister for Health and Children, Deputy Harney and the Minister of State, Deputy Tim O'Malley have spoken about the comprehensive investment programme which has been put in place since 1997 in the North Eastern Health Board area under this Government. In the context of the hospital reform programme, the Tánaiste referred last night to the recommendations of the Hanly report as regards the configuration of hospital services. It should be noted that the Hanly report emphasised the need for further development of the ambulance services.

Pre-hospital emergency care is a key component in the planning and reconfiguration of hospital services. It is disappointing that some Opposition Members chose to ignore the valuable role played by ambulance personnel in the delivery of care in the north east.

It is important to outline some of the main developments that have taken place nationally and in the north east in the area of pre-hospital emergency care in recent years. These include the following: a major upgrading in training and standards; the equipping of emergency ambulances with defibrillators and the training of ambulance personnel in their use; the introduction of two person crewing; and improvements in communication equipment and control operations. Among the developments being addressed are the elimination of on-call as a means of providing emergency cover, improved fleet reliability and the roll-out of the advanced paramedic training programme

Ambulance personnel are limited in the range of medications they can administer at the scene of an illness or accident. To address this issue, the former Minister for Health and Children, Deputy Martin announced policy approval for the development of the advanced paramedic training programme. Considerable work has been done in preparing the legislative base necessary to give effect to the introduction of the programme. I am pleased to advise that the new statutory instrument amending the pre-hospital emergency care

council's establishment order has recently been amended to facilitate its introduction.

Additional legislative changes are being progressed as a priority and will provide a statutory basis for the administration by ambulance personnel of treatment, such as cardiac medications, to patients. The new measures mean that patients, wherever they live, will have equitable and rapid access to a wider range of emergency services. It is intended that this expanded service will commence roll-out in 2005 following the completion of training of ambulance personnel.

Consistent with the policy agenda for pre-hospital care, a number of important developments have taken place in recent years in the north-eastern region. Staffing levels have increased from 95 in 2001 to 126 in 2004 and two new ambulance stations opened in Ardee and Dunshaughlin in 2001. A new ambulance station is expected to be operational in Virginia before the end of 2004 and sanction has been given for the development of a new ambulance station on the grounds of St Davnet's Hospital in Monaghan at a cost of €1.8 million. All frontline ambulances are equipped with ECG monitors-defibrillators and each unit has a telemetry facility to transmit a patient's ECG to the receiving hospital before his or her arrival. More than €500,000 has been invested in information technology and communications at ambulance control in the past two years, providing integrated command and control and a computer-aided despatch system. The NEHB has invested €1.5 million on vehicle replacement over the last three years.

The level of investment and development which is taking place in the area of pre-hospital emergency care complements the investment programme in the acute hospital sector which has been outlined by the Tánaiste and the Minister of State. The ambulance service has an important role to play in the delivery of an integrated hospital service in the north east and in all the other regions. The Government will continue to focus on the development of the service and ensure that the issue of ready access to treatment remains at the centre of evolving health policy in this country.

**Ms Sexton:** I welcome the opportunity to contribute to tonight's Private Members' debate. Like my colleagues on all sides of the House, I record my support for and appreciation and acknowledgement of the various groups within the health sector who provide a superb, safe and outstanding service to the people in the north east. This Government policy on health has two fundamental elements which are worthy of repetition and support, namely, investment in service developments and real and lasting reform. My party colleagues, the Tánaiste, Deputy Harney, and the Minister of State, Deputy Tim O'Malley, spoke last night and addressed the issue of Government funding for the health services. They spoke, in particular, about substantial Government funding for the North Eastern Health



[Ms Sexton.]

Board area and the fact that since 1997 the extra €383 million has been the largest increase in day-to-day spending in all of the health boards. It has been unprecedented and is a substantial investment.

I want to acknowledge the Tánaiste's commitment that the Estimates for 2005 when published will again show the consistent record of the Government in prioritising the health services. However, in my few short minutes I do not intend to repeat verbatim all the current capital works in the region put on record by the Minister and the Minister of State, or the interim projects indicated. They are too numerous to mention. In conjunction with those, any reasonable person would agree that a 65% increase in consultants' posts, almost 20% more than the national average, does not indicate a Government that has neglected the region, which I believe is suggested in the motion before the House. It is a figure I have no doubt is envied by many other health regions.

However, I do not suggest that the Minister is any less eager than the movers of the motion to ensure the provision of even greater and enhanced supports in the region. Any time I speak in the House on health-related matters, I repeat that concern for the ill, vulnerable and under-privileged in society is not just the prerogative of the Opposition. Improvement in the health service is both desirable and necessary on an ongoing basis.

I wish to address the real and lasting reforms taking place. While the Government continues to generate the necessary resources to fund the health services, real reform must also take place in each health region. Reform means making and implementing decisions, which is why I am delighted the Tánaiste, Deputy Harney, is at the helm in the Department of Health and Children. However, she will not be able to succeed without the support and co-operation of all in the health service — the people who manage and staff it, health care professionals and patients. Every region will undergo a degree of reform, change and re-organisation. All this will be driven with the patient as priority. Nobody will be left without access to the services he or she needs.

In my area of the Midland Health Board, change will happen and similarly it will take place in the north-eastern area too. I firmly believe that this will be embraced by all those at the coalface of the health service in a partnership approach with the new Minister for Health and Children. Future reform is about striking a balance between mammoth centres concentrated in one part of the country and a few acute hospital services in every county in Ireland. Future reform means a full range of regional hospital services working in a network in co-operation for all but the most specialised of services, which is what the Hanly report is based on. It is not about downgrading or closing hospitals, as has been suggested, or leaving patients without vital services but about striking the right balance.

In the UK, Leicester has a population of just 1 million. It has one accident and emergency service, no queues and no waiting lists on trolleys. Dublin, with approximately the same number of people, has seven accident and emergency departments and a unique set of difficulties that must be addressed. With a total population of four million in Ireland, it is essential we properly balance our acute services throughout the country in a manner in which the best of hospital care is delivered to all patients. This is both achievable and desirable and I have no doubt that the majority of those who work in the health service are prepared for change in a partnership approach with the Minister.

**Dr. Devins:** I take this opportunity to wish the Minister of State, Deputy Seán Power, the very best in his job as I have not spoken in the House in his presence since his promotion.

I am delighted to speak on this important Private Members' motion. I do not represent any of the constituencies covered by the former North Eastern Health Board and unlike many of tonight's speakers do not have the experience of day-to-day representations from the north east. However, people who live in the area have contacted me and like all of my Dáil colleagues, I have listened to many debates on the health board in question.

Unfortunately, the North Eastern Health Board has been in the news more regularly than its counterparts in the last few years. This has in general been for the wrong reasons. It saddens everybody to hear of a death and the tragic death of young Bronagh Livingstone was a tragic reminder of this fact. Last night, I listened with great interest to the debate. The Minister outlined clearly the support her predecessor, Deputy Martin, provided to the North Eastern Health Board over the last few years. I was particularly interested to hear about the board's programme of reform of its hospital services. The programme is based on the realisation that it will never be possible to develop the same range of services at each of the five hospitals in the north east.

In the short time available, I intend to expand the debate to a discussion of the wider health service. As reform of service delivery in health is essential, I am especially interested to know where exactly the Opposition stands. It has been said repeatedly in the course of this debate that numerous reports have been produced. We all acknowledge that the time for reports is over and the time for action has come. The pathway for health service reform has been clearly set out in the Hanly report. While opportunistic and selective attacks on this blueprint by some Members have allowed them to build a high profile, the same Deputies have been remarkably silent in coming up with an alternative. It is very easy to adopt a destructive approach and criticise everything. While criticism is sometimes constructive, selective targeting while failing to recognise the overall thrust of reform leads ultimately to pre-

varication. Prevarication leads to confusion and the only people who suffer are those members of the public who have to put up with hospital facilities which fail to meet their contemporary requirements.

I look forward with great interest to the presentation to be given to the Joint Committee on Health and Children by those opposed to the Hanly recommendations. I hope they will not be parochial and play on the unfounded fears of the general public. Reform is necessary and the Hanly report recommends investment in local hospitals to allow them to provide more rather than less services to patients. The application of this principle to the hospital services in general and the north east area in particular should ensure that the banner headlines of disaster and crisis become a thing of the past. Reference to such headlines has become commonplace among certain people who discuss our health services. The public must have faith in the people and service delivering health care. If we are constructive and forget headline grabbing, the necessary reforms can be implemented and the problems experienced in the former North Eastern Health Board area forgotten.

**Mr. Kirk:** I am grateful for the opportunity to contribute to this important debate. Private Members' time allows the Opposition to table motions for debate which are clearly relevant to many people in various constituencies. It is the essence of democracy that Members can table controversial motions which are relevant to the present or near future. It is important that when an individual or party moves a motion, negative comment is avoided. While criticism is one thing, downright negativity can have serious consequences in the context of positive achievements and provisions such as those at Our Lady of Lourdes Hospital in Drogheda and Louth County Hospital in Dundalk.

A cardiac rehabilitation unit opened at Louth County Hospital 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 for development purposes adjacent to Louth County Hospital at a cost of €2.6 million.

Developments at Our Lady of Lourdes Hospital in Drogheda have included 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. A new symptomatic breast care and palliative care service commenced in June 2004 with the commissioning of new modular accommodation while a cardiac rehabilitation service commenced in July 2004.

Project teams have been formed for Drogheda and Dundalk hospitals and approval issued earlier this year to commence a feasibility study at Our Lady of Lourdes Hospital to assess the development potential of the site. The Department of Health and Children has also agreed to the selection of a design team for Louth County Hospital. In August 2004, the Department issued approval to the North Eastern Health Board to progress a series of interim capital works. Specifically, the Department approved a design team to advance the provision of two modular theatres and upgrade kitchens at an estimated capital cost of €1.4 million. A design team was appointed to progress the development of midwife-led maternity units in Drogheda and at Cavan General Hospital at a capital cost of €1.5 million. Design teams were also approved to upgrade the accident and emergency department and the kitchens at Our Lady of Lourdes Hospital at a combined capital cost of over €4 million.

There has been significant population growth in the former North Eastern Health Board area, especially in Louth and Meath. Not only must this significant population block be catered to currently, but a rapid increase is projected. Accordingly, we must plan for a full range of health services. Drogheda and Dundalk are two of Ireland's largest provincial towns and with the projected rapid growth it is essential to provide a full range of health services going forward. Hospital plans must be phased to permit expansion on existing sites and the additional land which has been provided at Louth County Hospital is particularly welcome in that context.

Accident and emergency services are regularly denigrated due to over-crowding at certain times. We must ask how this problem can be alleviated. Some of those who attend accident and emergency departments should be treated by their general practitioner. We must ask if we need to take more drastic action to tackle the road carnage besetting the country and to adopt a more proactive approach to the provision of facilities for the active retired as well as those of younger age. We must discover what percentage of the population takes regular exercise and is conscious of dietary habits.

How many lay people have first-aid knowledge and how many sports clubs have suitably qualified first-aid personnel who can help out in emergencies? I dare say it is a relatively small percentage. Consequently, many players and participants in sport must be transferred automatically to a local accident and emergency unit on a Saturday or Sunday evening. On an isolated playing field in Galway or Louth to take a player to hospital may seem irrelevant, but there is a cumulative effect. Inevitably, pressure is put on our accident and emergency services.

Apart from the broader plan for hospitals, it is clear that accident and emergency services constitute the most controversial aspect of the health system. It is an area that can be tackled with common sense and practical management arrange-

[Mr. Kirk.]

ments in the various hospitals. It behoves us all as public representatives to encourage and cajole people and make them aware of their individual responsibilities in the circumstances.

**Mr. J. Brady:** I wish the Minister of State at the Department of Health and Children, Deputy Seán Power, well in his new position. I am happy to support the Government's amendment to the motion. Since 1997 funding for the North Eastern Health Board has increased by €383 million, more than three times the 1997 level. The Government has put significant investment into the north east. In 2004 the funding provided for the North Eastern Health Board was €549 million, an increase of almost €66 million on 2003, or over 13%. 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. There were 124 consultants in the north-eastern region in January, up from 75 in 1997, an increase of almost two thirds, which compares well with the national average of 46% in the same period.

I have no doubt that the Government is committed to the provision of a high quality cost effective and responsive hospital service for all people in the north-eastern region. The North Eastern Health Board has engaged in a programme of hospital reform in a challenging and changing environment. Recently, it was announced that Kells was to be the Dublin north east region centre for the new health executive which has taken over the functions of the health boards. Kells joins Galway and Cork cities as well as Tullamore in serving the western, southern, Dublin north east and Dublin midlands regions. This news has been warmly welcomed in Kells, putting an end to opposition speculation that the town was about to lose its health headquarters. There have been numerous doubters and naysayers locally who doubted that Kells would be in the frame for such an important base.

These new structures will help to improve patient service in the region. They will also serve to minimise disruption to staff working in existing locations. I welcome the fact that there will be ongoing consultation about changes in roles, responsibilities and lines of accountability with staff. I thank the former Minister for Health and Children, Deputy Martin, whom I lobbied constantly and told him of our determination to ensure Kells was in a position to expand the range of office and professional functions available. I wish to highlight how an earlier undertaking from the former Minister, Deputy Martin, that no jobs would be put at risk in the North Eastern Health Board headquarters town had been borne out.

I thank my colleagues on the Kells Town Council and the cathaoirleach and officials who travelled with me to Dublin to meet the Minister to ensure the new executive was placed in Kells.

Under the national development plan, health projects have included ongoing refurbishment works and equipment at Our Lady's Hospital in Navan, a new health care unit in Trim with community health centres and GP practice centre and a mental health day centre and day resource centre for persons with disabilities. I am sure the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, has played a major part in achieving those services. We also benefit from 80 new ambulances. In Oldcastle a new community health centre, GP practice centre and day centre has been completed. The extension and refurbishment of the health centre in Dunboyne is complete as is refurbishment work for Meath health centre and an extension to the health centre in Slane. My colleague, Deputy Mary Wallace, played her part.

**Mr. English:** My colleague granted it.

**Mr. J. Brady:** A design team has been approved to upgrade the existing orthopaedic operating theatre at Our Lady's Hospital in Navan. I thank my colleagues for allowing me to contribute. There is a great deal more I could say. I could speak for the next half hour about the achievements of the Government.

**Mr. Connaughton:** Put it on the web.

**Dr. Cowley:** I am glad to speak on this motion. I would not be here, nor would many of my Independent colleagues were it not for the neglect of successive Governments, including Fine Gael Governments. Given that Fianna Fáil has been in office for a much longer period it must accept the major portion of the blame.

**Mr. Connaughton:** Eighteen out of 20 years.

**Dr. Cowley:** We have felt the apartheid and despite what Deputies on the other side say, this is the reality we have to deal with every day. It is much less frustrating for me to be here than to be in my surgery putting up with the fact that cancer patients have to wait so long to get basic services. I mentioned a case this morning, under Standing Order 31, of a gentleman who was diagnosed with probable cancer by his GP last April and he is still waiting to get into UCHG for treatment. If that man had money he would have been looked after and neither he nor his family would be in dread wondering what are his chances. What are the chances of a man who was diagnosed with probable cancer last April and is still waiting to find out? That is not acceptable. Deputies on the other side of the House are talking through their hat.

As a result of the Hanly report we will never have a urology service and for the 1,000 plus people who have been waiting seven years for a urology appointment there will be no change.

**Dr. Devins:** That is rubbish.



**Dr. Cowley:** It is not rubbish because that is the service we have at present. That is the reality. The Deputy cannot deny that reality irrespective of his guff. We need two consultant urologists in Mayo General Hospital, but as a result of the Hanly report, we will never get them. That is not unique. I spoke here not long ago about another man with cancer who waited months for a first appointment. That is not acceptable. As a result of the Hanly report, 24-hour accident and emergency services will close down. There has been backtracking since, but people are not stupid. If one applies the Hanly report literally, as has been done with the Trinity report, one will see that people will have to travel further to get the essential services for a heart attack and so on.

**Mr. Connaughton:** Exactly.

**Dr. Cowley:** That is not scaremongering, that is the reality. If one looks at the ambulance service, it is clear it is dependent on the road network, time of call-out and location of ambulance bases. In Ballina the response time is 58.8% within 20 minutes. In the Eastern Regional Health Authority area it is 97%, which is a fair difference. Given that services are being cut back people have to travel further. The standard is that each ambulance base should be within 20 miles of a population. The Western Health Board area is unique in that three ambulance bases are urgently needed to provide that standard of service. That is the reality no matter what anybody says.

We do not have the BreastCheck service in west although it has been available in the south and east since 2000. We do not have rheumatology services in the west. We now have an orthopaedic unit but under the Hanly report we would not have such a unit. We have that unit only because I started a campaign many years ago and brought it to the streets last summer. Under the Hanly report local services will be closed down, and that is not acceptable. Irrespective of what Deputies on the other side of the House say, that is the reality.

**Mr. Gormley:** I congratulate Fine Gael on moving this important motion. In his opening remarks Deputy Twomey told the House that the north-eastern region, which has a population of 350,000 got an extra €2 million for cancer care and an extra €400,000 for primary care. We can all agree these are paltry amounts of money and do little to help deal with the serious health problems in that region. The problem is that we have not made up for the shortfall in spending during the 1980s when beds were taken out of the system and spending fell way below the EU average. The Minister now tells us that we are spending vast sums on the health service, but it just does not make up for that shortfall. Spending of €400,000 on primary care and €2 million on cancer care will not go very far.

We know that we have a very high incidence of cancer on the east coast and in the north-eastern

region. It has been said that this has nothing to do with Sellafield or other environmental factors. Primary care ought to be about prevention. Once one begins to deal with the symptoms it is often too late and extremely expensive, especially in cases of heart disease, diabetes or cancer. Primary care, in which we should be investing a lot of money, would help us to address the root causes of disease. A starting point would be to examine the environment in which we are living and to conduct baseline studies. We know from the WHO that 80% of cancers are environmentally linked.

I recently became aware of a serious problem in Ringsend in my constituency, where there is a very high incidence of cancer. Every time there is a funeral in Ringsend church, it seems to be that of someone who died of cancer. Many of the women who live in a part of Ringsend known as "the new houses", although they are now 20 years old, are very concerned. They contacted me recently and pointed out that practically every house in the area has had a cancer death. There is no question but that this is abnormal. Statistically, one in four will get cancer at some stage in his life, but the incidence is way above average in the area in question. Furthermore, there has been a considerable number of thyroid problems.

It seems that this is certainly out of the ordinary and needs to be investigated. The area is built on the old city dump. Nowadays, we would never allow houses to be built on an old dump. The area would first have to be remediated and made safe. That never happened in Ringsend. There were peculiar occurrences in which the ground suddenly swelled up and there were gas emissions. Sometimes the people did not have to heat their houses because the heat from the ground was so intense. All these stories are true. It is equally true that people are dying and therefore we need an investigation.

When talking about primary care, it is important that we examine baseline studies to determine how healthy it is to live in a particular environment. We cannot allow circumstances such as those in Ringsend to continue. People are dying mysteriously but I do not believe there is a mystery. There is a root cause and it is up to the Government and health authorities to look into it. I have raised this before but people do not want to know because they are concerned that compensation may have to be paid at some stage. The quality of the environment, particularly air quality, in the Ringsend area has been very poor over the years. Ringsend has had to deal with the city dump, numerous dirty industries, including power stations burning coal, and other industries such as scrapworks. There used to be incinerators and there is now a proposal for another. It is unacceptable for those living in the area and I want an investigation. It is what the people deserve. The amount we are investing in primary health care is laughable.

**Mr. Connolly:** I welcome the opportunity to speak on this motion. We must remember that the staff in Cavan, Monaghan and the north east will probably become further demoralised and feel that they are being criticised when in fact it is the failure of the whole system that has brought about this debate. People in Monaghan are worried about their jobs and those in Cavan are worried about performing their jobs. The latter are not actively allowed to do so because of numbers.

Cavan, Monaghan and the North Eastern Health Board region always appear to come under the spotlight of the media. They almost deserve their own channel because there is so much news of the wrong kind being generated in the area. The Cavan-Monaghan area is a guinea pig for those implementing the Hanly report. The north east is effectively the prototype.

If one wants to know why the report's proposals will not work, one should visit the north east. Consider the well-noted case of Benny McCullagh, for example. Last week he had a heart attack and was carted by ambulance for 30 miles because he was not allowed to be taken to Monaghan General Hospital, which was within sight. After the funeral of Mr. McCullagh on Friday, I decided to ring the deputy CEO in charge of acute hospital services, based in Kells. I did so on Monday morning. I stated my business related to the Benny McCullagh case and that I wanted to discuss how the recurrence of such a case could be avoided. I was told my call would be returned that evening but this did not happen. I waited until Tuesday afternoon and rang again. I got through to the deputy CEO's department again and re-stated my business. My mobile number and other details were taken but I received no return call. On Wednesday I got a call from the office to say that the person in question would step down from his little high horse and ring me on Monday, yet I am still awaiting that call. This attitude problem must be addressed.

It strikes me that officials do not want to talk to Dáil representatives. This is not good enough, nor is it sufficiently responsible. To me, it is sending out the signal that they do not care if a case such as that of Mr. McCullagh recurs. They are so far removed from reality and common sense that it is unreal.

It is well known that minutes matter when a person has a heart attack. The sooner clot-busting medication is administered into the veins of the patient, the better in terms of the treatment outcome. This is what we should be examining. We should also be ensuring that a person having a very severe haemorrhage or broken limbs can be brought to a hospital and stabilised.

I am not talking out of one side of my mouth because my son was brought to hospital less than 12 months ago with a very badly damaged hand and was treated extremely well and professionally by a junior doctor. I was certainly not expecting an accident and emergency consultant to be present on a Saturday afternoon. The junior doctor administered pain-relief medication, put

my son on a drip, X-rayed him and sent him to Dublin to the centre of excellence, where he was treated by a senior registrar. Again, I would not have expected a top consultant at this point, yet my son got the very best chance available at the time. That is the type of common sense approach to medicine that we should be taking.

The Hanly recommendations have lost it in terms of this common sense approach. I was astonished to hear the Minister say in the House last night — I read her script twice — that it is not a report about taking services away from people and that it is not a question of centralising services. Are there two Hanly reports? Maybe we have the wrong one and the Minister is reading another. She also stated that people want services and want to have confidence therein, and she claimed that the Government intends to deliver in this regard. If one asks the representatives of the hospitals of Cavan, Monaghan, Ennis, Nenagh, Clones or any of the other small hospitals earmarked in the report whether they have confidence in the Hanly report, they will state that they do not. They will argue that those implementing the report's recommendations are taking the SHOs out of Monaghan Hospital and sending them to Cavan with a consultant surgeon. From this point, they are to be sent back to Monaghan to perform surgery on a daily basis. How can any college of surgeons say this is best practice?

Consider the size of the teams that must travel from hospital to hospital. There will possibly be more than four individuals and I am quite sure that those who travel for the health board travel alone in their cars. This incurs an expense and takes up considerable man hours. This time will be subtracted from the SHOs' session time. It takes at least an hour to travel from Cavan to Monaghan. At present there are road blocks and road works and therefore circuitous routes must be taken. Asking a surgeon to travel 30 miles on bad roads in the winter to provide a day surgeon in Monaghan Hospital does not make sense. Furthermore, a different surgeon and team are expected to travel the following day. This is absolute lunacy. They should build a 19 bed psychiatric extension for the people who dream up these proposals. It is crazy. We referred earlier to funding for the North Eastern Health Board, which is a waste of funding.

The surgeon who performs an operation should discharge the patient. He is the one who should tell a patient it is all right to go home, which is not happening. Members praise the Hanly report as if it was the best thing that happened, which is not the case. We need to re-examine the proposals because we need to provide common-sense services, which is what people want. Two days ago, there were 18 patients on trolleys in Cavan General Hospital. They were taking up space in corridors, dental rooms, day rooms and so on, which is not acceptable. This service is not acceptable to the people of north east, Monaghan or Cavan.

**Mr. Connaughton:** The reason Fine Gael tabled this Private Members' motion is because of the frustration, annoyance and downright pent up anger that almost everyone in the country, not just in the North Eastern Health Board area, feels towards the health services. This is not a witch hunt against doctors, consultants or administrative staff. All those who work in the health service work very hard but, because they are not well directed from the top, they do not appear to be able to deliver the type of service people want. It appears that no one feels secure or safe in any part of the country in so far as the delivery of the health service is concerned. We are asked to accept clapped out health strategies that seem to get rustier as the days pass.

If the debate this evening does nothing else — I am pleased the new Minister of State is present to listen to it — I hope it will prompt the Government to be honest about the Hanly report. Let us start from that basis. Over the past two years, I listened each day in this House to the previous Government and this Government consistently stand four square behind the Hanly report. The contents of the report are nauseating for the public and they proved it last June. It is one of the reasons the Government lost so many seats. People will not accept the Hanly strategy. People who have become used to services at their local accident and emergency and maternity departments will never accept a pig in a poke strategy which may provide them with a better service.

During the course of the debate, several Members said that the golden hour is sacrosanct. One does not have to be a doctor to be aware of this fact. The chances of survival following the first crucial hour after an accident diminish alarmingly. The public will not accept a health strategy which could result in their having to travel by ambulance or car for 50 miles or 60 miles in heavy traffic past their local hospital in which they have confidence. The public will not accept this type of strategy whether it be in Ennis, Monaghan, Cavan, Ballinasloe, Nenagh or Roscommon. It appears the Government still insists on ramming down the throats of people that Hanly is good for them, but it will not get away with it. The advances the Government made in primary care are pathetic. Localised professional primary care, which would prevent so many unnecessary trips to hospital, would work wonders. Resources have not been made available to allow local general practitioners and other professional staff to provide the service which they can and want to deliver.

Great concern has been expressed in my area in County Galway and in other areas about the organisation of the WestDoc proposals. This allows people to contact doctors out of hours and at weekends. The principle of the service may be all right, but recently I have received calls from the public stating that they are not satisfied with the service. People tell me that they would prefer to be in closer contact with their local doctors. There is a great opportunity to manage the

WestDoc service in a slightly different way which involves local doctors at times of great stress and urgency for patients. This issue will have to be examined immediately by the new Minister.

**Mr. Ring:** I wish to share my time with Deputies McCormack, Durkan and Paul McGrath.

I now know why there is such a crisis in the health service. I suppose it is why the former Minister, Deputy Martin, was removed from office and new people appointed.

**Deputy Durkan:** Unceremoniously.

**Mr. Ring:** He did not know the difference between a medical consultant and an ordinary consultant. He spent more money on ordinary consultants or spin doctors — I call them witch doctors and others call them Fianna Fáil doctors — because this has been the fastest growing industry in Ireland over the last ten years. The Department spent in the region of €60 million on reports. If the Minister wishes, I will draw up any number of reports. I will go into every library, including the Oireachtas Library, and produce all the reports the Minister wants.

It is now time to find out what is happening to the health service, which is collapsing. Is what is happening orchestrated and, if so, what is the Minister and the Government doing about it? Each day mothers, fathers, brothers and sisters contact public representatives seeking hospital beds for their loved ones. Yesterday I met a man in Mayo General Hospital who has been trying to get into hospital for the past two weeks. He is an emergency patient and he has been told by St. James's Hospital that as soon as a bed is available, he will be given a bed. This is no way to operate the health service. We have been waiting for years in County Mayo for the appointment of a rheumatologist. One man is responsible for services in Connacht and Clare. People wait for appointments for months and years. Ill men and women of 70 years of age must leave the county each day and travel a 120 mile round journey to Galway. Funding should be provided to operate the service 20 hours a day in hospitals in our county. If funding can be made available for consultants to draw up reports, money should be provided for nurses to operate the dialysis unit, which is not a significant request.

What is happening with cancer services? While funds are being raised throughout the world, why do more people die each day in this country from cancer? Nowadays, if one reaches 50 years of age or more, one has a good chance of survival. The dangerous period now is from birth to 50 years. What has gone wrong? The foodstuff imported into this country is being pumped with chemicals and the Government, doctors and consultants do nothing about it. We let these companies come in from Europe. An asbestos industry wants to set up business in my county. Asahi, which was located in north Mayo, walked away when it was



[Mr. Ring.]

finished and did not decommission the plant. As a result, there is a high rate of cancer in and around the area and no one does anything about it.

The drinks industry is supported by the Government. The previous Minister, Deputy Martin, introduced the smoking ban, and rightly so. But why are we not tackling the greatest crisis in the country, namely, the abuse of alcohol? It is not safe to walk the streets of any town or village at the weekend because of the abuse of alcohol. Why does the Minister for Health and Children not do something about this problem? Why does she not take the same steps that were taken in regard to smoking? Do drink or cigarettes do more damage to the country? Drink does more damage, and because of it we must put more gardaí on the streets. They are brought into accident and emergency units in hospitals every weekend where there are people with broken noses, injured eyes and so on. Nobody is prepared to speak out and do something about it because the Government has a vested interest — it takes massive revenue from the drinks industry. It is time we spoke out. It is time mothers, father, brothers, sisters and priests took moral control and spoke out about the abuse of alcohol. What is going on is wrong and the effect it has on the health service and on families is devastating.

**An Leas-Cheann Comhairle:** The Deputy should conclude.

**Mr. McCormack:** Deputy Ring was given no drinking up time. He was going well when he was cut off. That is the result of time constraints in this House. I am glad to have the opportunity to speak on this motion and that the first sentence of the motion acknowledges the hard work of all doctors, nurses, and health care professionals in the North Eastern Health Board area and every other health board area. That is acknowledged by Fine Gael in putting down this motion.

The motion deals with the crisis of confidence in our health services. This crisis of confidence has led to recent protest marches on the Dáil by patient groups who highlighted it. Good has been done by another group, Patient Focus, which has highlighted problems in our hospitals for a number of years. These groups were born of the frustration of families seeing their loved ones, parents or other older relatives, left on trolleys in accident and emergency units, sometimes for up to 30 hours. Elderly people have been forced to lie on uncomfortable trolleys in embarrassing and degrading circumstances because there are no beds available in hospitals.

Other examples of hardship involve cases where patients have their appointments cancelled at the last minute. I have dealt with one person whose appointments have been cancelled on eight occasions. The North Eastern Health Board area is no different from any other health board area. I dealt recently with a man from the Aran

Islands who had an appointment at University College Hospital at 11 a.m. He was told there was no bed available and was asked to call back in the afternoon. He spent part of the day walking around town and came back in the afternoon, but there was still no bed available. He had to stay overnight and go back to the island without his appointment. That is causing frustration for families and people who have been awaiting an operation. People have made the necessary arrangements for somebody to look after their homes, their stock or their businesses, and have been fasting since the previous night only to be told their appointment has been cancelled. That is not a health service. It is no wonder there are groups marching in protest about it.

In the North Eastern Health Board area primary care has been suspended in Monaghan General Hospital. Cavan General Hospital is working at capacity and is under enormous strain. Despite that, there are large numbers of beds in all hospitals, and wards are closed on one pretence or another — one ward was being painted this year and another last year. One ward is closed and another opened. I have seen padlocks on wards in University College Hospital Galway where there are 50 beds idle because there is not enough staff to man the wards.

I recently tabled a question to the Minister for Health and Children asking whether she intended to lift the Government embargo on the recruitment of permanent staff so that the wards could be opened. I was informed by the Minister that there was no Government embargo on the recruitment of nurses. In the same paragraph the Minister stated that recruitment was subject to the overall employment levels remaining within the authorised ceiling and if the levels of employment are at the authorised ceiling the health board cannot take on a nurse or anybody else to work on the wards. Somebody must leave before the health board can take on another person. The beds, therefore, remain closed and people remain on trolleys in the corridors and accident and emergency units because of the Government embargo. There is an embargo on the employment of staff in hospitals if they cannot take on any more staff because levels are at the authorised ceiling.

I ask the Minister of State, in the absence of the Minister, to address the problem whereby hospitals cannot take on the staff to open and run beds that have been closed. That might go some way towards alleviating the serious problem in accident and emergency units where old people are degraded and forced to lie on trolleys sometimes for more than 30 hours.

**Mr. Durkan:** A superficial examination of the delivery of health services in the north-eastern area will show that the situation there is symptomatic of what is happening all over the country. The Government lost sight of its duty to the public, its duty to provide services when and as required. The Minister commissioned a consult-

ant's report followed by another and another, with the aim of advising the Minister what could be done and seeing who could be found to blame for what had happened. However, the blame rests fairly and squarely with the Government.

What has happened over the past five years? The Government treated the health service as an employment agency. A total of 30,000 extra people were employed, but not in essential areas involving the delivery of services. The Government engaged in an employment creation exercise in which more people were employed in administration. They could have meetings in the mornings and were unable to answer other essential telephone calls. They had regular management meetings, morning, afternoon and evening. They went on courses to figure out where they had gone wrong and they lost sight of their primary responsibility to deliver services.

We have seen a number of very traumatic cases in the north-eastern region over the past few years which should have indicated to the Government that something was drastically wrong. It is for the Minister to identify problems and to give leadership, not to blame somebody else and not to seek a consultant's report and walk away from the problem. When the people involved in the delivery of services saw what was going on, there was no reason for them to do anything other than wait to see what the Government would do. However, the Government did nothing.

The sad part of all this is the Government's conclusion that abolishing health boards was the answer to the problems. This was done for one purpose only, to show the public in the run-up to the local elections that the Government was doing something when it was doing nothing and was guilty of gross negligence in the delivery of health services.

What will happen now? The Hanly report and a number of others are lying on the shelves. I have no doubt the Government has no intention of implementing the Hanly report. If it did, half the services we have would be closed down. That has happened already. It is ironic that over the past couple of years there was at one stage a threat to treat patients in a hospital car park because beds had been closed owing to a lack of specialist staff. There is no sense in employing administrators if specialist staff are wanted. There is no point in the hospital closing theatres and wards if it is intent on providing a service.

It is common now to put a question to the Minister for Health and Children only to be told in a reply, three months or more after the question was put, that the subject of the question is a matter for the regional health authority or the health board. It is another clear example of the lack of determination on the part of the Government to get to grips with the situation and ensure there is accountability. There has been no accountability, in particular, on the part the Government.

It is sad we have a service that is costing so much, that has so many flaws and where we have

to send patients abroad for treatment under the treatment purchase scheme.

There is a crisis situation on a daily basis, with wards closed and clear evidence of a lack of medical, nursing and surgical staff in various wards and hospitals throughout the country. The Government has nothing to do and nothing to say about this matter. Last summer, a Minister had to go overboard, to the embarrassment of the Government, to prevent the closure of his local hospital.

**Mr. F. McGrath:** I wish to concentrate on sections 1 and 11 of the motion, and to address the issue of Beaumont Hospital, which is in my constituency. I challenge the Government and those others who say the health issue has only come to the top of the political agenda recently with the appointment of the new Minister for Health and Children. On what planet have they been living for the last three years? Several Deputies were elected to this House in 2002 on a strong health and disability platform. People asked us to raise health issues and we have done so many times with questions, motions and Adjournment debates, but the Government and the Cabinet refuse to respond.

It is not good enough that people are waiting on trolleys and chairs in our accident and emergency departments when this Government has been in power for seven years. It can blame nobody but itself. Some €30 million has been spent on reports while citizens remain on trolleys and waiting lists. The Government was told of the situation many times in this House and it is time its members took their heads out of the sand.

I support Patients Together, a non-political group, in its efforts to end this crisis and I urge people to support its march on Saturday. The Government parties should not jump on the bandwagon now, because they have had their chance to deal with this issue. When dealing with the health service, one simply needs to remember two words, "reform" and "investment". There is no other way and I challenge the Tánaiste and Minister for Health and Children, Deputy Harney, on these core principles. It is not possible to run a quality health service on the cheap. The patients and staff of Beaumont Hospital contact me with real facts about real people and I urge the Minister to listen to them. Reform and investment are needed.

In reference to section 1 of the motion, I pay tribute the consultants, doctors, nurses and other health care professionals at Beaumont Hospital and at the orthopaedic hospital in Clontarf. This is a group of people dedicated to our health service, many of them working against the odds. They need our support and we must ensure that they get the resources necessary to deliver a good quality health service. Beaumont Hospital must be properly resourced to provide acute and elective care to those patients for whose care it is responsible in the North Eastern Health Board area. There have been enough reports. It is time

[Mr. F. McGrath.]  
now to bite the bullet and invest in the health service.

With regard to the budget and services to people with intellectual disabilities, we have seen that the follow-on allocation for 2004 fell far short of the €35 million called for. Failure to provide significant extra resources in the coming budget will add to the length of existing waiting lists. The 2003 report of the national intellectual disability database, published in June 2004, states that the number requiring full-time residential services has increased for the first time since 2000 and is the highest recorded figure since formal reporting through the national intellectual disability database was established. This report indicates that 1,776 people will require a full-time residential service between 2004 and 2008, and some 1,441 of them require this service in 2004. A further 1,637 people, the majority of whom live at home, require residential support services, that is, respite care, of which 1,526 require this service immediately. Some 546 people are in need of a day service and 356 have no service whatsoever. There are 494 people with intellectual disabilities resident in our psychiatric services. Of this group, 330 have been identified as requiring a specific intellectual disability service.

These figures are an indictment of the manner in which services for people with an intellectual disability, and their families, are prioritised. While it is true that extra resources have been allocated in the area of intellectual disability during the period 2000 to 2002, these funds were allocated at a time when the then Minister for Health and Children, Deputy Cowen, recognised the historical level of under-funding in this area. The abrupt halt to extra funding in 2003, until public outcry led to a U-turn in July 2003, combined with the reduced allocation in 2004, have led to a crisis reminiscent of the worst days in the early 1990s. This situation must not be exacerbated by the next budget.

This motion is about the health service and the patients who use that service. Above all, it is concerned with real people and I urge all Deputies to support it.

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** The Tánaiste and Minister for Health and Children, Deputy Harney, is well aware of the problems of the disability sector, as outlined by Deputy Finian McGrath. I am sure she will have specific proposals to bring forward in this regard. The motion before the House deals with the circumstances of the North Eastern Health Board. I remind Fine Gael Deputies who tabled this motion of some basic facts. Deputy Durkan claims the Government has done little. However, more than €10 billion will be invested in the health service this year, some €926 million more than in 2003. The level of funding provided for the North Eastern Health Board out of this year's allocation is €549 million, an increase of €66 million over 2003.

**Mr. Connolly:** It is the most under-funded health board in the country.

**Mr. B. Lenihan:** The overall increase in funding for the North Eastern Health Board between 1997 and 2004 is €383 million, or 231%. To address the point made by Deputy Connolly, this represents the largest increase in day-to-day funding of all the health boards.

**Mr. English:** The Minister of State knows the health board is under-funded. He should cop himself on.

**Mr. B. Lenihan:** It is the health board which has seen the greatest level of increase in funding.

**Mr. English:** The area has seen a significant increase in population.

**Mr. B. Lenihan:** I reassure Deputy English that I will deal presently with the matter of County Meath.

**Mr. English:** I hope the Minister of State does so.

**Mr. B. Lenihan:** The number of patients treated by the North Eastern Health Board has increased significantly since 1997, with 22,000 additional inpatients and 16,000 more day cases over the six years to 2003. Total staffing has risen from 4,400 in 1997 to more than 7,000 in 2004, and the number of permanent consultant posts has increased by 65% since 1997. Deputy McCormack raised the issue of the embargo. Any discussion or judgment of this matter must take account of those basic, raw figures in one health board functional area. I am sure they are mirrored in every other health board functional area. There have been substantial increases in staffing. Staff must also be managed and that is the function of health management.

The North Eastern Health Board has been working to develop a high-quality, safe, responsive hospital service, across all five hospital sites in the region, to a population of approximately 350,000.

**Mr. Connolly:** Why are there always reports in the newspapers of the board's difficulties?

**Mr. B. Lenihan:** The strategy of the board to plan services across two hospital groups is appropriate and consistent with national health policy. That strategy is being pursued, not because of a lack of resources, but because it is the right strategy. The motion tabled by the Fine Gael Deputies, with regard to this strategy of the two hospital groups, is interesting. It is akin to a Fine Gael version of the Hanly report. After noting the circumstances which give rise to the motion and raising certain questions about the health board, the motion then seeks to suggest that we should properly resource the Cavan-Monaghan group of hospitals so that acute and elective care



can be provided to the people of Cavan-Monaghan. I notice this region is defined as one entity and each county is not taken on its own. This is an indication of good "Hanly thinking" and the Deputies must be given 100 out of 100 for that.

**Mr. English:** This has been the practice for a number of years. The Minister of State has the intelligence to recognise that.

**Mr. B. Lenihan:** The motion then mentions the Louth-Meath group of hospitals, another indication of "Hanly thinking". The call to "resource the Beaumont Hospital to provide acute and elective care to the local, regional and national tertiary services" represents a type of "super-Hanly thinking".

**Mr. Connolly:** There must be a lot of Hanly reports out there.

**Mr. B. Lenihan:** The next request is to "properly resource the Navan hospital to provide acute and elective care to the people of Meath". One does not need to be a genius to know that the next time people will be consulted in a parliamentary election will be in County Meath, not in counties Cavan or Monaghan. It is County Meath which is given particular emphasis in the motion.

**Dr. Twomey:** That is a paranoid observation.

**Mr. B. Lenihan:** This is the type of thinking that has the health service in its current state, particularly the hospital service outside Dublin.

**Mr. English:** The Minister of State should note the state of Navan hospital. Has he visited it? In 2004, its accident and emergency unit is in a portakabin. It is little more than a cardboard box.

**Mr. B. Lenihan:** I do not blame the Deputy for trying. This is the Fine Gael version of the Hanly report, carefully tailored for immediate electoral prospects. The board has reorganised services in areas such as trauma, orthopaedics, obstetrics and breast services, and is working with the various professional bodies.

**Mr. Connolly:** Will the Minister of State recommend that to all the health boards?

**Mr. B. Lenihan:** Last night Ministers outlined an impressive investment programme across the hospital and emergency services in the north east. The programme includes two modular theatres and upgrading of the kitchens at Dundalk, at a cost of more than €4 million; the development of the midwife led units at Drogheda and Cavan, at a cost of €1.5 million; the upgrading of the accident and emergency department and the kitchens at Our Lady of Lourdes Hospital, Drogheda, at a combined capital cost of more than €4 million; and the upgrading of the orthopaedic operating

theatre unit at Our Lady's Hospital, Navan, which is under way.

**Mr. English:** A design team is examining it, the work is not under way.

**Mr. B. Lenihan:** The programme also includes the development of an expanded treatment room at Monaghan General Hospital, at a cost of €750,000, and the upgrading of the male medical ward at the hospital, at a capital cost of €2 million. Within the Cavan-Monaghan hospital group, the following developments are progressing: five additional non-consultant hospital doctors to facilitate an early restoration of 24 hour seven day medical cover to Monaghan General Hospital and ten additional day beds are being provided at Monaghan General Hospital.

**Mr. Crawford:** Five will be removed on 1 January next.

**Mr. B. Lenihan:** I will deal with that matter on the Adjournment. The Deputy should not chase that rabbit until he has a chance to do so at 8.40 p.m., of which I have no doubt he will avail.

**Mr. Crawford:** I will chase it.

**Mr. B. Lenihan:** Further developments include financial clearance to the recruitment of three replacement surgical posts to facilitate the development of surgical services across the Cavan-Monaghan hospital group and proposals are being progressed for the commissioning of an additional 19 beds at Cavan General Hospital. In the area of cancer services, additional cumulative investment of approximately €28 million has been provided for since 1997. Cardiovascular services have received additional funding of €5 million, facilitating a 32% increase in admission since 1997.

In Beaumont Hospital there has been substantial investment in equipment, at a cost of €40 million; an additional 35 beds have been provided; there is provision for a second MRI scanner; approval has been granted for a purpose-built 44-station dialysis unit; there is provision for a 15-bed rehabilitation unit at St. Joseph's for patients over the age of 65 requiring rehabilitation; and ten additional consultants will provide additional services at Beaumont and St. Joseph's Hospitals.

The ambulance service has a key role to play. The Minister of State, Deputy Seán Power, outlined a number of important developments being progressed across the ambulance service, including the rolling out of the advanced paramedic training programme. This programme will ensure that ambulance personnel can deliver a wider range of services to patients at the scene of an illness or an accident. The programme represents the most significant policy development in pre-hospital care for many years. I am sure any of the Deputies who have examined the Bonner report and other matters will recognise the importance of that message.

**Mr. Sherlock:** Is the Minister of State in favour of implementing the Hanly report?

**Mr. B. Lenihan:** I am in favour of giving the people of Ireland the best possible hospital service.

**Mr. Sherlock:** Is the Minister of State in favour of implementing it?

**Mr. B. Lenihan:** I am guided in that by people who know what they are talking about and not by people who just sit in this House to protect vested interests in particular localities.

**Ms McManus:** That is an outrageous statement.

**Mr. English:** It is their job to do that.

**Mr. B. Lenihan:** On the question of accountability to Dáil Éireann——

**An Leas-Cheann Comhairle:** Order, please, the Minister of State to continue without interruption.

**Ms McManus:** Someone who represents his or her constituency does not have a vested interest. That was an outrageous remark by the Minister of State.

**Mr. B. Lenihan:** Unfortunately, we have to consider the national interest. There is a national interest to ensure that people have the best possible hospital service.

**Ms McManus:** The Minister of State should have some respect for the dozens of Deputies in this House.

**Mr. B. Lenihan:** I have every respect for the Deputies in this House. We have to listen to the people who work in the hospital service.

**Ms McManus:** Where are they putting the patients?

**Dr. Twomey:** We must be talking to different people because we are talking to people in the service.

**An Leas-Cheann Comhairle:** Order, please.

**Mr. B. Lenihan:** We have to examine what is the best outcome for the patient.

**Mr. English:** The Minister of State should ask the patients.

**Mr. B. Lenihan:** We have been advised in the Hanly report——

**Dr. Twomey:** The Minister of State is unquestioning.

**Mr. B. Lenihan:**——where we can get the best outcomes for patients. We have been advised how

we can develop not one hospital or another but every local hospital——

**Mr. Sherlock:** As a general hospital.

**Mr. B. Lenihan:**——and how we can develop centres of excellence.

**Mr. Sherlock:** Will they be general hospitals?

**Mr. B. Lenihan:** When the Deputy uses an expression such as “general hospital” I advise him to read the Hanly report. He should read its analysis of patient outcome and he will note what it recommends.

**Ms McManus:** The Government is not even implementing the Hanly report.

**Mr. B. Lenihan:** The Hanly report cannot be implemented until many other elements are in place. Therefore, it is extraordinary we are having this highly theoretical argument. We will not go down that road.

In the limited time available, I wish to address the point Deputy Durkan raised about the accountability to Dáil Éireann of the new structures to be established under the reform programme, the legislation to establish the Health Service Executive on a statutory basis. The local and regional offices will be accountable to the Health Service Executive. That is an important point to be made because the motion refers to the mechanism by which the Dublin north east regional health office and other regional health offices will be accountable to Dáil Éireann. The regional health offices are completely assimilated legally to the Health Service Executive. They have no independent existence. In no sense are they a reincarnation of the old health boards, nor is it intended that they should be. The legislation will make provision for the appearance of the chief executive officer before the relevant committees of the Houses of the Oireachtas in regard to the activities and operations of the Health Service Executive. The executive will report and be accountable to the Minister for Health and Children. The immediate goal will be for the executive to respond efficiently and effectively——

**Ms McManus:** Although not democratically.

**Mr. B. Lenihan:**——to inquiries from Members of the House regarding matters within its statutory remit. The executive will also be tasked with building on the existing strength of consumer panels and co-ordinating committees within the health system.

**Ms McManus:** With no democracy.

**Mr. English:** I could talk for the next three hours about why the latter part of the motion relating to Navan hospital and the provision of a service to the people of Meath is included. Navan hospital serves Meath and the north-east region.

The Minister of State is aware it is famous for its orthopaedic service. Therefore, he should not question why it has been included in the motion. Some 38% of the population of the North Eastern Health Board area live in Meath. That is why the hospital is included, not because of any by-election, in the hope that the new Minister for Health and Children, who is not a member of the party of which the Minister of State is a member, might do something to improve it. That hospital has every right to be included in the motion.

The Minister of State spoke of an extra €66 million increase in 2003 funding. The region per head of population was €60 million to €70 million short in 2003. That figure only brings the funding up to what it should be and the funding for the region is still far short for this year.

Others have spoken about the issues in other hospitals, but I will concentrate on Navan hospital and point out some home truths about it. I notice every speaker in this debate over the past two days avoided mentioning Navan hospital. They ducked and dived and were afraid to comment on it.

Before I deal with the problems in the hospital, I will make three points. In regard to medical cards, the number of people in the north-eastern region who hold a medical card is down approximately 24,000, to 30,000, in the past few years. In Meath alone there was a drop in the numbers who had medical cards by 7,000. That is with a population increase of nearly 30,000. The Minister can work out the figures — there is something wrong with that.

Last week, three people came to see me who had given up their jobs to hold on to their medical cards. Two of them worked in the home help service while the other was a school assistant. They left their jobs because they were €10, €12 and €17 over the eligibility limit for a medical card. It is time we copped on to ourselves. That is not a health service. That will result in a further burden on the State.

I know of another man who has to leave hospital. He had his foot amputated yet he is being sent home. He needs a wheelchair because he cannot walk. Because of the procedures and red tape of the health service, he cannot be assessed until he gets home. When he is finally assessed at home, it will take at least two to three weeks to process his application. That is the health service we are providing. That man cannot function for two or three weeks. He cannot even move around his own house because of procedures and red tape. That is not a health service. That was not the position seven or eight years ago, or even 20 years ago. We have gone backwards in that regard. I could talk about that forever.

The Government amendment commends the Government on the unprecedented increase in the level of investment in the health service and refers to threefold increases since 1997. The population has increased by 30%. The cost of the health service — the payment of doctors or any

type of equipment — has increased by 20% or 30% in the past few years. Everyone knows that. It is time to stop referring back to 1997 as a comparison. It is not a proper base figure. It was a different century. The Government should cop on and stop going back to 1997 and 1998. That is not real. Nobody in business does that. Why is the Government doing it? It is trying to be political. It is burying its head in the sand and not facing the facts.

Since the Government took up office in 1997, Navan hospital has had no capital investment. Last night, the Tánaiste complimented herself and said that significant progress has been made in advancing the development of each of the five acute hospital sites under the capital programme. That is wrong, and it is a disgrace, because Navan hospital did not get any capital investment. A design team is examining it. The phrase “design team” was mentioned three times last night and the Minister of State almost mentioned it again tonight — he said the development is on the way. Reference to a design team is spin. It is not evidence of buildings. There is mention in the amendment of capital improvements for Navan hospital. It refers to refurbishment of the accident and emergency department. Has the Minister of State been in that department? I wonder has the Tánaiste been in it. It is a portakabin which was added on to the hospital building 20 or 30 years ago. The portakabin has 12 seats inside. The refurbishment consisted of painting. No extra beds, equipment, trolleys or waiting rooms were provided. Ambulances must reverse in a tight spot when bringing patients in. This is not refurbishment. Navan hospital needs a proper purpose-built accident and emergency unit. It will not cost a fortune but Government commitment is needed.

This is not news. The provision and refurbishment of all X-ray equipment was referred to. We had a mammography unit until a few years ago but it has now gone. The Government decided it was not worth staffing it. X-ray services have deteriorated. The Government claims to have refurbished the female medical ward. That was done under the previous Government, which was the last time a Government made capital investment in Navan hospital. How dare the Government claim to look after the north east and Navan hospital?

Deputy Sexton said she did not want to go the trouble of mentioning the many developments and capital projects. I do not blame her. There are none to mention. This is a disgrace. Deputy Johnny Brady congratulated the Government and is delighted with it. The people of Meath will not be delighted with that, and I am surprised to hear him say it.

The Minister of State at the Department of Health and Children, Deputy Power, referred to the comprehensive development and capital projects. This is an absolute disgrace. This was lies because there has been no capital investment in Navan hospital.



**Leas-Cheann Comhairle:** The Deputy should not use the word “lies”.

**Mr. English:** It is true.

**Leas-Cheann Comhairle:** The Deputy is out of order.

**Mr. English:** Tell the people it is out of order, a Leas-Cheann Comhairle. Investment in car parking is included in the Government's list. Navan hospital always had a car park. It has simply been painted and barriers erected. Visitors and patients are now charged €2 per car for parking. That is what is called capital investment in Navan hospital. We also acquired a sign saying, “For paediatric services and orthopaedic trauma go to Drogheda” and a roundabout to facilitate patients in leaving the hospital when it cannot take them.

**Dr. Twomey:** This is a U-turn.

**Mr. English:** It is a U-turn on the Government's previous policies. The Government has insulted the people of Navan, Meath and the north east in claiming it is looking after their hospitals. Capital investment in hospitals in the area since 1998 will not reach €15 million. Monaghan and Cavan hospitals have each received capital investment of €4 million. Land bought last year for Our Lady of Lourdes Hospital, Drogheda, was valued at €6 million. Capital investment will not reach €15 million and it is wrong to claim it will.

A Leas-Cheann Comhairle, I am sorry I used the wrong word but this is how strongly I feel about this matter.

**Dr. Twomey:** I am surprised the Government's €60 million worth of spin doctors could not provide the Minister of State with better facts than this. The Minister of State mentioned a figure of €66 million. He should have been more clear as to where that money was spent. He referred to a 160% increase in staff in the north east, yet we know from reports that there has been an increase of only 22% in the number of nurses working in our hospitals. I like the way the Government's spin doctors use percentages or figures depending on what suits them. The Minister of State says permanent consultants increased by 65% since 1997. Why did he not say seven extra consultants have been appointed for a population of 350,000 every year for the past seven years? That would give people a better idea of how miserable these increases are. The figures of 65% looks better than the total number of seven extra consultants per year.

Most of the capital funding spoken about by the Minister of State is projected, in the design stage or will come when the next Government arrives in the House. I hope that will be from this side of the House because, since 1997, the Government has spent less than €20 million. The Minister of State referred to spending €10 million

on this and €5 million on that. He spoke of ten beds here and 20 beds there. However, the Government has done none of this. The Minister of State was simply talking about doing it.

We are told that cancer care is very close to the Government's heart. The Minister of State says cumulative investment in the north east is €28 million. That figure breaks down to €4 per year. This is not a fantastic amount of money when one is talking about cancer treatment drugs, doctors and services. The Minister should be realistic and not accuse the Opposition of “pseudo-Hanlyism” or of playing political games on the Navan hospital issue.

I am fully aware of how health services should be organised and that quality of care and patient services are the most important issue. The Government has misled people as to what they are going to get, and it has grossly under-resourced the health services. The Hanly report is not worth talking about because it is unimplementable.

**Mr. English:** It is not patient friendly.

**Dr. Twomey:** What is Deputy Sexton thinking about when she compares Leicester with Dublin. She says Leicester has one accident and emergency department. Nowhere in the Hanly report did I read that six of the seven accident and emergency departments in Dublin should be closed. Is Deputy Sexton saying there will be only one accident and emergency unit in Dublin when the Progressive Democrats Minister is up and running?

This type of balderdash continually comes from the Government. Facts and figures are thrown out to suit what is thought to be an unreceptive audience. The Government thinks no one is listening and that if one treats people like mushrooms, they will eventually believe what they are told. We now know this is rubbish. The elective services broke down years ago. In some parts of the country people must wait four years for an orthopaedic appointment and three years for a rheumatology appointment. They have grown to accept that the elective services have broken down.

We now see the acute services breaking down. Maternity units in Dublin and Limerick cannot cope. The accident and emergency crisis has grown from a winter crisis to an all-year crisis. Meanwhile, the Government rattles out the same old figures about what it has done for health spending. Why does the Government not show what it has really done to health spending? It has made a mess of the health services. The only truthful thing the Tánaiste said is that health spending does not equate with health services. The Government should point out where it is making these mistakes.

How can Deputy Devins say he supports the Hanly report unconditionally, coming from his part of the country and knowing that Hanly proposes the closure of accident and emergency

departments and expects patients to travel to an unsuitable service in the nearest regional trauma centre?

There is no one-size-fits-all health care system. Every region is different and has different deficiencies. The Minister of State may have forgotten what reality is like outside Leinster House and Dublin. I know the Mater Hospital is in crisis but Ministers would not bother to go up to see it. This crisis exists outside of Dublin as well and the same solution will not sort out every region.

Last night we were told Monaghan hospital will keep its acute medical services. When I asked the Tánaiste if that also included acute surgical services, she did not reply. The reason is obvious. The contracts of junior doctors in surgery in Monaghan will not be renewed in January. The former Minister for Health and Children gave letters to the people of Monaghan stating that they will have selective elective surgical services. Selective elective surgery is five-day surgery, not day surgery. Five-day surgery cannot be done without junior doctors. Is the Minister for State considering going to Monaghan to assist the consultants when they are operating? It is not possible to do what is proposed without junior doctors.

**Mr. B. Lenihan:** Why, then, are we recruiting five anaesthetists?

**Dr. Twomey:** I would love to know.

**Mr. English:** To waste more money, probably.

**Dr. Twomey:** The service promised to the people of Monaghan cannot be provided.

**Mr. G. Mitchell:** The Government will need to sedate its backbenchers.

**Dr. Twomey:** I do not know how the Minister will get around this one. Anyone with the minimum of medical knowledge knows this will not work. The idea of bussing consultants to Monaghan every day to do the five-day surgery is the most airy fairy thing I have ever heard.

The Minister of State should take the trouble to visit Cavan hospital. Mr. Finbar Lennon, the medical adviser to the North Eastern Health Board, seems to have a different opinion of what should happen in Cavan from that of the Royal College of Surgeons in Ireland. The Government is responsible for the provision of services in hospitals. It is not the responsibility of the North Eastern Health Board, the hospital administrators, the Royal College of Surgeons in Ireland or Mr. Finbar Lennon. If there is a contradiction in the services proposed for one of our hospitals the Government should make it its business to find that out. The Minister of State should not come to the House with a simplistic argument about whether one is pro-Hanly or anti-Hanly.

We will definitely change the Hanly report because we know it cannot work in the form in which was published and in the way the Minister of State believes it can.

I was shocked that no Government Deputy referred to what improvements could be made. Nobody discussed the medical admissions unit or how day case procedures can make things better. Nobody discussed what is being done in the North Western Health Board area where patients are being assessed before they even come to hospital, and pre-discharge wards were not discussed either.

**An Ceann Comhairle:** As it is now 8.30 p.m. I am obliged to put the question.

Amendment put.

The Dáil divided: Tá, 67; Níl, 50.

Tá

Ahern, Michael.  
Ahern, Noel.  
Andrews, Barry.  
Ardagh, Seán.  
Blaney, Niall.  
Brady, Johnny.  
Brady, Martin.  
Brennan, Seamus.  
Browne, John.  
Callanan, Joe.  
Callely, Ivor.  
Carey, Pat.  
Carty, John.  
Cassidy, Donie.  
Collins, Michael.  
Coughlan, Mary.  
Cullen, Martin.  
Curran, John.  
de Valera, Síle.  
Dempsey, Tony.  
Dennehy, John.  
Devins, Jimmy.  
Finneran, Michael.  
Fitzpatrick, Dermot.  
Fleming, Seán.

Gallagher, Pat The Cope.  
Glennon, Jim.  
Hanafin, Mary.  
Haughey, Seán.  
Hector, Máire.  
Jacob, Joe.  
Keaveney, Cecilia.  
Kelleher, Billy.  
Kelly, Peter.  
Killeen, Tony.  
Kirk, Seamus.  
Kitt, Tom.  
Lenihan, Brian.  
Lenihan, Conor.  
McDowell, Michael.  
McEllistrim, Thomas.  
McGuinness, John.  
Moloney, John.  
Moynihan, Michael.  
Mulcahy, Michael.  
Nolan, M.J.  
Ó Cuív, Éamon.  
Ó Fearghail, Seán.  
O'Connor, Charlie.  
O'Dea, Willie.

## Tá—continued

O'Donnell, Liz.  
O'Donovan, Denis.  
O'Flynn, Noel.  
O'Keeffe, Batt.  
O'Keeffe, Ned.  
O'Malley, Fiona.  
Parlon, Tom.  
Power, Peter.  
Power, Seán.

Sexton, Mae.  
Smith, Brendan.  
Smith, Michael.  
Wallace, Dan.  
Wallace, Mary.  
Walsh, Joe.  
Wilkinson, Ollie.  
Woods, Michael.

## Níl

Boyle, Dan.  
Breen, Pat.  
Broughan, Thomas P.  
Bruton, Richard.  
Connaughton, Paul.  
Connolly, Paudge.  
Costello, Joe.  
Cowley, Jerry.  
Crawford, Seymour.  
Crowe, Seán.  
Deenihan, Jimmy.  
Durkan, Bernard J.  
English, Damien.  
Enright, Olwyn.  
Gilmore, Eamon.  
Gormley, John.  
Hayes, Tom.  
Higgins, Michael D.  
Hogan, Phil.  
Howlin, Brendan.  
Kehoe, Paul.  
McCormack, Padraic.  
McGinley, Dinny.  
McGrath, Finian.  
McGrath, Paul.

McHugh, Paddy.  
McManus, Liz.  
Mitchell, Gay.  
Mitchell, Olivia.  
Morgan, Arthur.  
Moynihan-Cronin, Breeda.  
Murphy, Gerard.  
Naughten, Denis.  
Ó Snodaigh, Aengus.  
O'Dowd, Fergus.  
O'Keeffe, Jim.  
O'Sullivan, Jan.  
Pattison, Seamus.  
Penrose, Willie.  
Perry, John.  
Ryan, Eamon.  
Ryan, Seán.  
Sargent, Trevor.  
Sherlock, Joe.  
Shortall, Róisín.  
Stagg, Emmet.  
Stanton, David.  
Twomey, Liam.  
Upton, Mary.  
Wall, Jack.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Kehoe and Stagg.

Amendment declared carried.

Motion, as amended, put and declared carried.

### Adjournment Debate.

#### Health Board Services.

**Mr. McCormack:** I am glad to have the opportunity to raise on the Adjournment a serious matter that is developing in Clifden in my constituency. The community residence was built in Clifden at the initiative of the Clifden Mental Health Association after a long fundraising campaign over ten years. The group acknowledges the grant aid support from the Department of the Environment, Heritage and Local Government in the building of the facility. This modern facility has lain idle for the past year and a half because the Department of Health and Children has not provided the necessary funds for the Western Health Board to staff the facility and allow it to be opened. Some young people are using it as an area of congregation. A certain amount of vandalism has taken place and some windows have been broken. Clifden Mental Health Association

has replaced the windows and is trying to keep the building in its original perfect state.

The facility is fully equipped with a capacity of ten beds, eight residential beds and two respite care beds. Eight people from the Clifden area are waiting to be admitted to the facility. Some of those people are unable to live an independent life and live at home with elderly parents who are no longer able to cater for them in the family home. They are very worried as to what will happen to their children when they die. The situation is deplorable. Some people from the Clifden area are also in the long-stay unit in Merlin Park hospital and if they were transferred to Clifden, it would allow the redistribution of beds in the long-stay unit in Merlin Park hospital.

Apparently the obstacle preventing the Department of Health and Children giving funding and allowing the health board to open this facility is the embargo on the recruitment of staff in the Western Health Board area. The Minister of State might tell me in his reply, as I was recently advised in the reply to a parliamentary question, that there is no embargo on the recruitment of nurses. This is not true because the reply to that parliamentary question continued to say that there is no embargo subject to the employment levels remaining within the authorised ceilings. If a health board is at the authorised ceiling



it cannot employ anybody else. As the health board needs 14 people to run this facility, unless 14 people leave the employment of the Western Health Board, as a result of the Government embargo, it cannot recruit the people to run the facility.

While I welcome the Minister of State, Deputy Brian Lenihan, I regret that the Tánaiste and Minister for Health and Children is not here. The Tánaiste is not in any way concerned at the plight of aged parents at their wits end minding a loved one in their own home. This matter is very urgent. A year ago one of the members of the Clifden Mental Health Association, an aged lady in her 80s, met representatives of the Western Health Board and on several occasions in the past year and a half I have written to the former Minister asking him for the funds to open the facility. This elderly lady is so serious about the way the opening of the facility is being delayed that almost a year ago she threatened to go on hunger strike within a year if the building is not opened. That very sad event will take place in December as this lady is determined. Even though she is 80 years of age and has nothing personally to gain for herself, for the good of the community in her area she will go on hunger strike if the facility is not opened. There is no use in the Minister of State fobbing me off with a prepared speech. I want him to address the problem.

This week the Western Health Board applied for the necessary funds and the go-ahead to appoint the staff to the facility in Clifden, as it did in December 2002 and mid-2003. Will the Minister respond to the Western Health Board's request to provide the finance and go-ahead for the appointment of the 14 staff to open this facility for the good of the people in the area, especially the aged lady in Clifden who will be on hunger strike outside the building if it is not open within a month?

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** I thank the Deputy for raising this matter on the Adjournment of the House.

Major changes in the delivery of mental health services have taken place in Ireland over recent years. Enormous strides have been and continue to be made in developing a service that is comprehensive, community-based and integrated with other health services. This shift in the delivery of services from predominantly hospital-based care has been a success and the quality of care for persons with a mental illness has been enhanced as a result.

Significant capital is being provided over the lifetime of the national development plan for mental health services. A significant part of this funding is going towards the development of acute psychiatric units linked to general hospitals as a replacement for services previously provided in psychiatric hospitals. In addition to the 22 acute units already in place, a number of units are at various stages of planning. Funding provided

under the national development plan will also provide for more community facilities, such as mental health centres and community residences, which will accelerate the phasing out of the old psychiatric institutions.

There has also been a decline in the number of inpatients from 5,192 in 1997 to 3,701 in 2003, with a corresponding increase in the provision of a range of care facilities based in the community to complement inpatient services. In 2003, there were 418 community psychiatric residences in the country providing 3,210 places compared to 391 residences providing 2,878 places in 1997.

Deputy McCormack raised a specific matter related to the Western Health Board and the community residence in Clifden. This was constructed by the Connemara Sheltered Housing Association with funds provided by the Department of the Environment, Heritage and Local Government and the Western Health Board. The fit-out of the building was completed by December 2003 following expenditure by the health board in the amount of €100,000.

In 2003, my Department allocated €300,000 towards the opening of this service but difficulties subsequently arose with the staffing of the residence. Representatives from the health board and the Psychiatric Nurses Association met the Labour Relations Commission on several occasions. This week, however, the Western Health Board has submitted an agreed proposal to my Department on the staffing of the community residence in Clifden. This submission, which would require additional revenue funding and an increase in staff numbers, will be considered in the context of the Estimates for mental health services in 2005.

**Mr. McCormack:** Will it be done in 2005 or will it just be considered?

### Hospitals Building Programme.

**Ms B. Moynihan-Cronin:** This is a crucial issue for thousands of my constituents, especially those living in the Dingle peninsula. I have for years asked various Ministers for Health and Children about the development of a new hospital in Dingle and I have received the same tired old answer from the Government. I remember it being an issue during the 1997 general election. I remember calling to the hospital during the local and European elections in 1999 when the Government again made promises. The issue had not been resolved by the general election in 2002 and even when I was canvassing during this year's local elections, the people of the Dingle area were still wondering why there is such a delay in this project.

The condition of the existing district hospital in Dingle is appalling. The occupants are mainly geriatric patients who are not being allowed to live out their days in appropriate and comfortable circumstances. The matron and the staff of the hospital do a wonderful job with the limited resources from the health board and the Govern-

[Ms B. Moynihan-Cronin.]

ment but the old hospital is like something from the age of Florence Nightingale. The Minister should visit it. It spans two floors and some of the wards are huge. There is an 11-bed ward, a ten-bed ward, a nine-bed ward, a six-bed ward and three wards with two beds. The hospital was originally built as a workhouse in 1852 in the aftermath of the famine and the existing building is far from adequate, having outlived its use.

A site has been acquired for the new hospital on the outskirts of Dingle town but the health board is waiting for the Department to allow the project to proceed to tender. It is the number one priority primary care project for the Southern Health Board but it is being held up by the Department of Health and Children. The staff of the hospital were under the impression that the project was to go to tender in February this year. What has happened since?

We must consider how necessary this new hospital is for the people of Corca Dhuibhne. There are 10,000 people living in the Dingle Peninsula and 25% of them are over 65. At any time, 20 patients from the west Kerry area are resident in the St. Columbanus home in Killarney. I made a round trip of 90 miles from Killarney to a meeting last night in Dingle. There is no direct bus service and some of the elderly cannot drive that distance to see their relatives. A local group campaigning on this issue, Comhar Dhuibhne, has pointed out that when patients are discharged from the Kerry General Hospital in Tralee, they are often sent to convalescent homes in other parts of the county because there is no nursing home in the Dingle area. This causes immense hardship for relatives who do not have a car, especially when there is no direct public transport and they must go through Tralee.

The new hospital will provide essential services such as day centre for physiotherapy, occupation therapy and X-ray facilities. There will also be a mental health centre that will be welcomed by the psychiatric services in Kerry but the Minister has stalled on funding and permitting the project to move on to the next stage. Elderly patients should be able to avail of geriatric care in their own locality as close as possible to their friends and relatives. There are only 33 beds in the old hospital while the new hospital will have 72 beds, many of which will hopefully be used to allow elderly patients from the Dingle area to avail of their local hospital.

The Government and its representatives in my constituency have been announcing the opening of this hospital year after year but the patients, staff and people of the Dingle Peninsula are still waiting and still being denied this vital facility. The cost involved is only €12 million. The Government squandered €52 million on electronic voting and at the end of the Government is millions of euro ahead of target in tax receipts. The Minister of State should ensure that €12 million is spent on this essential health care facility in the west Kerry Gaeltacht. When will this new

hospital be built and open for use? When will the project be allowed to proceed to tender?

**Mr. B. Lenihan:** I am pleased to deal with the matter raised by the Deputy. It falls easily off the lips of Opposition Deputies that there was a substantial waste of funds on electronic voting but there has been a sizeable increase in the amount local authorities had to spend as a result of the decision not to proceed with it. Electronic voting would have led to substantial savings in local authority funding because it did away with the need to pay staff to count votes at the conclusion of any election or referendum.

The Government has made services for older persons a priority and is fully committed to the development of a comprehensive health service capable of responding quickly, fully and effectively to the health service needs of older persons. In recent years health and social services for older persons have improved both in hospitals and the community and the Government has substantially increased the level of funding, both capital and in respect of services, for older persons, with €280 million in additional funding allocated on the current spending side to these services since 1997. In the health sector, capital funding over the years 2000-03 was approximately €1.7 billion. Progress has been made in addressing some of the historical deficits in health infrastructure and in improving the standards of facilities required for quality modern patient care. Considerable capital funding has been provided to services for older people which will enable a comprehensive infrastructure of community nursing units and day care facilities to be put in place as well as the refurbishment of existing extended-care facilities and the replacement of old workhouse-type accommodation such as that to which the Deputy referred. I agree with the Deputy that older people deserve first class facilities and we intend to provide such facilities in appropriate locations.

In regard to Dingle Community Hospital, the Southern Health Board, which is responsible in the first instance for the provision of health services in County Kerry, took a decision to build a new 72 bed community hospital to replace the existing hospital. This new hospital will comprise a mix of beds for continuing care, rehabilitation-convalescent, respite, palliative care beds and beds which will be used for direct admissions by the local general practitioner-primary care team. In addition, there will be a central module, a day care unit, a mental health day care unit and an ambulance base.

The next step in the progressing of the Dingle project to construction is to arrange for submission of tenders. Any decision in regard to progressing this project will be considered by my Department in the context of the significant additional revenue funding and staff which will be required by the board to operate the new hospital and having regard to the board's employ-

9 o'clock

ment ceiling and funding available in the Department.

### Hospital Services.

**Mr. Crawford:** I wish to share time with Deputy Connolly.

This is an urgent and important issue regarding the removal of five junior doctors specialising in surgery from Monaghan General Hospital. I acknowledge the presence of the Minister of State, Deputy Brian Lenihan, but I am disappointed the Tánaiste and Minister for Health and Children is not here. I assure the Minister of State that I am not in the business of pulling rabbits out of hats as far as Monaghan General Hospital is concerned. I think too much of that hospital, of the patients it looks after and of the people it serves. This is not a joke, or the pulling of a rabbit out of a hat, and I am extremely disappointed at the Minister of State for making that comment earlier because I do not see it as such.

**Mr. B. Lenihan:** I did not refer to any rabbits.

**Mr. Crawford:** The Minister of State did and it is on the record.

The North Eastern Health Board, like every other health board, employs such staff on a six monthly basis starting in January and July. To this end, the North Eastern Health Board accepted applications for, in its words, the post of surgical SHOs at Monaghan General Hospital from 1 January 2005 to 30 June 2005. However, it advised the applicants that it acknowledged receipt of their applications for the above post but that it regretted that, due to unforeseen circumstances, it would not pursue this competition at this time. The health board further advised me by telephone today that this marked the beginning of the implementation of the report of the Cavan-Monaghan acute hospitals steering committee.

This action by the health board management raises major questions over not only the future of surgery in Monaghan General Hospital, but over the services available to the people of Cavan-Monaghan taking into account the ongoing difficulties and overflow situation in Cavan General Hospital. There is a serious question over whether the contract of the surgical senior house officers will be renewed in January and over the long-term situation of the two surgical registrars whose contracts expire in six months time.

This move is unexpected and totally out of line with the promises made by the former Minister, Deputy Martin, in a letter last May and in a statement on 29 September which were welcomed with open arms by his Fianna Fáil colleagues in north Monaghan. My Independent colleague, with whom I am sharing time, also felt it was the answer. Those of us who raised questions based on previous commitments were accused of being

negative and were partially blamed for the ongoing situation. I remind the House that this is the way maternity and, especially, gynaecological services were removed from Monaghan General Hospital. Without surgeons and junior doctors on site in Monaghan General Hospital, five day surgery will not happen. This will limit the work for the permanent anaesthetist not to mention the five junior doctors promised.

It is not so long ago that the theatres in Monaghan General Hospital, together with its excellent surgeons and staff, were used by the Northern Ireland health service under contract. Now the Tánaiste and Minister for Health and Children is more committed to the national treatment purchases fund which draws on services outside this country. It must be remembered that if worthwhile active surgery is removed from Monaghan General Hospital and anaesthetic cover is not available, then the high care treatment room will be under threat.

I beg the Tánaiste and Minister for Health and Children to meet the people of Monaghan as a matter of urgency. She should stop the lunacy in the name of health care in Monaghan General Hospital. When the country had no money, Monaghan County Council could assure access to all care and treatment. It may have been an older style but the hospital never turned anyone away. Surely no service should be withdrawn without a proper alternative. It seems the people of Monaghan deserve neither.

I refer to Mr. Ben McCullagh who lived 500 yards from the hospital. An ambulance was sent for him but as there was no doctor on site, he had to travel 30 miles to Cavan and died en route. How does his family feel?

**Mr. Connolly:** I thank Deputy Crawford for sharing his time. Deputy Crawford was right in that on 29 September, I welcomed the deal announced by the former Minister for Health and Children, Deputy Martin, and I would do so again in the same situation. Many people gave it a guarded welcome but I gave it a straightforward one. If one does not listen to, believe or trust people, one could be described as paranoid and I would not like to think that I am, or that I would have to become an eternal sceptic.

The Tánaiste and Minister for Health and Children in her contribution to Private Members' time last night and the former Minister for Health and Children, Deputy Martin, on 29 September, both clearly stated that this is additional funding for six NCHDs for Monaghan General Hospital. Additional to me means that if five doctors went away, it would be cost neutral and there would be no cost involved.

There appears to be a view that the surgical personnel will be moved to Cavan but that they will still perform surgery in Monaghan, that is, they will be based in Cavan but will travel to



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Monaghan to perform surgery and will go back to Cavan. That is an awful waste of resources because it would eat into their session time. It would take an hour to travel from Cavan and another hour to go back. I am sure a team of at least three or four people would be travelling. There would be costs in terms of man hours and travel. In wintertime, it might not be suitable or safe to drive.

It is not sensible for people to continue with that type of thinking. Another group of people will have to travel from Monaghan to Cavan to check the reports on the work they have done. This cannot continue. Common sense must prevail and we must get back to the basics.

**Mr. B. Lenihan:** If, in the heat of the moment, I referred to rabbits being taken out of a hats, it certainly was not in reference to Deputy Crawford who never misses an opportunity on this subject. I welcome the opportunity to respond to the Deputy on this matter and to outline to the House the position with regard to the provision of surgical services across the Cavan-Monaghan hospital group.

At the outset, I wish to refute any suggestion that all surgical services will be removed from Monaghan General Hospital. The position in relation to the reconfiguration of hospital services in the Cavan-Monaghan group has been discussed in great detail in this House in recent weeks. Members will be aware that in September the former Minister for Health and Children, Deputy Martin, met with the North Eastern Health Board and was briefed on the progress made by the steering group, which had been established by the board to oversee the reconfiguration of hospital services across the Cavan-Monaghan group.

The Department is advised that the position in relation to the reconfiguration of surgical services is as follows. The steering group, following consultation with the Royal College of Surgeons in Ireland has recommended that major emergency and elective surgery be carried out at Cavan General Hospital and that selective elective surgery be performed at Monaghan General Hospital. In accordance with the recommendations of the steering group, a full surgical team, based in Cavan, will provide services at Monaghan General Hospital daily, Monday to Friday. This joint department of surgery team will provide selective elective surgery, endoscopy and outpatient services and consultation on inpatients as required. Protocols governing surgical admissions to both sites will be developed by the RCSI in consultation with the new joint department of surgery.

In addition, the steering group proposed the restoration of 24-hour, seven-day medical cover at Monaghan and the employment of additional NCHD anaesthetists in order to bring the

hospital back on-call. The role of the five new anaesthetists will be to ensure the safe transfer of patients when required and to assist the consultant anaesthetist in theatre during surgery. The Department is advised that the recruitment process is underway and that subject to the satisfactory completion of registration with the Irish Medical Council, the additional personnel should be in place in January next year.

Consistent with the recommendations of the steering group, the Department has approved revenue funding of €500,000 to commission ten additional day beds at Monaghan General Hospital. These beds are designed to facilitate the development of surgical services across the Cavan-Monaghan hospital group. The commissioning of the beds is to be progressed by the board as a priority.

Finally, 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. Detailed applications in respect of these posts have been submitted by the board to Comhairle na nOspidéal for approval.

### Seal Protection.

**Mr. Sargent:** Ba mhaith liom buíochas a thabhairt don Ceann Comhairle agus don Aire Stáit as ucht cead a thabhairt dom an cheist phráinneach seo a ardú anocht.

The brutal and illegal killing of at least 60 grey seals on Beg Inish, inis beag de na Blascaodaí i gCorca Dhuibhne, has shocked many people, including many fishermen. A text to me from one such fisherman read:

That was a sick attack on wildlife. Those who did it should be ashamed of themselves, that they cannot live and work alongside such free and intelligent creatures without killing them.

I live in a coastal community and when news of the slaughter reached fishermen there, the response was shock. Seals occupy a special place in the folklore of Irish people. Some families are even believed in legend to be related to seals, particularly in Connemara. The eyewitness account I am aware of counted 44 pups and 16 adult seals brutally killed. Post mortems have confirmed that some were shot or bludgeoned and a sharp instrument was driven through the head of one. The blatant cruelty of the outrage leads me to believe that those responsible are disturbed and need help. They must be apprehended. Given that the Garda station in Dingle is only open between 10 a.m. and 6 p.m., this investigation needs additional resources from outside the area. I ask the Minister of State to accept this and to provide the investigative help that is needed.

Meanwhile, there is no scientific census of the grey seal population around our coast. Brutal killings such as this and pollution are having an unquantifiable impact on this, the world's first protected species. It is also protected under the Wildlife Act 1976 and by several pieces of EU legislation. Any fisherman knows that overfishing and pollution are by far the real causes of depleted fish stocks. Any fisherman in Kerry knows that marine wildlife, whether Fungi the dolphin, seals, whales or other wildlife, attracts millions in tourist dollars to the region. This outrage is not just a blow to wildlife, it is damaging tourism.

The Northern Ireland authorities have recognised the tourism potential of the marine environment in Portaferry. A visit there will reveal how 100,000 visitors a year are attracted there to learn about marine life, from which all life evolved. The lack of a marine conservation centre in this part of the island makes us shamefully unique among European coastal countries. Let us address that glaring omission, on foot of these brutal killings.

Until now, dedicated and selfless volunteers in NGOs such as the Irish Seal Sanctuary have responded to calls for help from the Garda, local authorities and the public if sea mammals or birds were found injured, a pod of whales or school of dolphins was beached, oiled wildlife needed help or veterinary students required hands-on experience to learn about sea animals. Is it not obvious that Ireland, now more than ever, needs a marine conservation centre which could pay for itself in tourism revenue as does the centre in Portaferry?

Fingal County Council is currently acting on this need by supplying a site in the coastal fishing town of Balbriggan, where a disused Martello tower, old bathhouse, boathouse and slipway provide an ideal setting, close to a train station and just off the M1 motorway. As the Minister of State knows, the population of Balbriggan is expected to grow to more than 30,000, and it needs this facility, as does the whole country.

Balbriggan was last week the venue for an international conference on preparedness for oil spills affecting wildlife. Speakers included former Government Ministers from other EU coastal countries, as well as senior European Union officials. It was difficult to explain why an island nation's Government was so unaware of its marine environment and its responsibilities to it. For less than €2 million in capital funding, which the Government, through Fáilte Ireland could well justify under the category of projects to attract 100,000 visitors a year, this marine centre could be a reality.

The forthcoming budget is the third in which expectations for this funding will have been given by Government. I appeal to the Minister of State to use his influence to ensure this small investment is made in this project which is critical for

marine tourism, education and conservation. Perhaps then, these 60 plus seals will not have died in vain.

**Mr. B. Lenihan:** Ba mhaith liom mo bhuíochas a ghabháil don Teachta as ucht an cheist seo a phlé. Tá fhios agam go bhfuil suim aige san ábhar seo. Táim ag tabhairt an freagra seo ar son an tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí. Níl sé in ann bheith anseo um tráthnóna.

I thank the Deputy for giving me the opportunity to speak on this distressing matter, which has become a rightful focus for public concern and outrage. There is no question that the killing of 51 grey seals in the Blasket Islands was a brutal and cruel act.

**Mr. Sargent:** It was more than that.

**Mr. B. Lenihan:** The seals that were killed were mostly pups just a few weeks old. Seals are a protected species under the Wildlife Act 1976 and in European waters generally, and it is a serious offence to kill them. The grey seal population represents an important natural resource. They are a top predator in the marine food chain. The species is a very important indicator of the level of biodiversity within the ecosystem and an indicator of the overall health of the environment. The Blasket islands have a large population of grey seal with close to 600 animals counted in a recent survey. This is one of the largest populations in Ireland and represents, I understand, about one third of the Irish seal population.

**Mr. Sargent:** No census has been done.

**Mr. B. Lenihan:** I will outline to the House information the Minister is in possession of in regard to this matter. On Friday, 5 November, gardaí, accompanied by a wildlife official from the Department of the Environment, Heritage and Local Government, an official from the Department of Communications, Marine and Natural Resources and a veterinary surgeon, visited Beg Inish, one of the Blasket islands. This was in response to allegations that an offence of the unlawful killing of seals had taken place on the island. The officials found 51 dead seals, 43 pups and eight adults. While it was clear that some of the animals had been shot, it was not at that stage possible to establish the cause of death of a number of them. Accordingly it was decided, in consultation with a marine mammal specialist from University College Cork, to remove three carcasses to Cork for a full post mortem.

The post mortems revealed that one seal had been shot, one had been bludgeoned to death, and the third had been hit at force through the eyes with a sharp metal object. As a consequence of this outcome a further visit was made to the island on Monday, 8 November, by members of

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the Garda Síochána, accompanied by wildlife officials, and an extensive search was conducted for the purpose of gathering evidence. At that time one further carcass was removed for examination.

I am informed by the Garda authorities that a full investigation is ongoing as regards the suspicious circumstances surrounding the deaths of the seals. The investigation is comprehensive and well resourced and all avenues of inquiry are being explored, with the assistance of wildlife officials, in an effort to establish all circumstances surrounding the deaths of the seals.

Bord lascaigh Mhara is a State agency responsible for the development of the sea fishing and

aquaculture industries. I cannot comment on whether it will run an information campaign. That is a matter for BIM to respond to directly.

There is widespread revulsion at the brutality displayed in the killing of these legally protected wild creatures. I share that revulsion as does the Minister and I believe the Members of this House. I appeal to anyone who has information in regard to this incident to contact the Garda authorities, or the Irish Seal Sanctuary if they so wish, in order that the perpetrators of these killings may be brought to account.

**Mr. Sargent:** What about the marine conservation centre?

The Dáil adjourned at 9.20 p.m. until 2.30 p.m. on Tuesday, 16 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 7, inclusive, answered orally.*

*Questions Nos. 8 to 63, inclusive, resubmitted.*

*Questions Nos. 64 to 73, inclusive, answered orally.*

### Employment Action Plan.

74. **Mr. Allen** asked the Minister for Social and Family Affairs if he has extended the employment action plan to all customers on the live register for over six months; if so, the number of persons who have been on the live register for over six months and have availed of the employment action plan; and if he will make a statement on the matter. [28146/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The employment action plan commenced in September 1998 as part of Ireland's response to the European employment strategy. The focus has been on preventing people drifting into long-term unemployment. Under the terms of the plan, people of varying durations on the live register have been referred to FÁS for intervention. This intervention can comprise placement in a job or on a FÁS training or education course.

When the plan commenced in September 1998, those less than 25 years of age were selected for referral as they approached six months on the live register. From March 1999, those less than 25 years of age were also selected as they approached 18 months on the live register. Selection as they approached 12 months on the live register was subsequently extended to those between 25 and 34 years of age from May 1999 and to those between 35 and 55 years of age from February 2000. From July 2000, the threshold for selection was reduced from 12 to nine months for those between 25 and 55 years of age and subsequently to six months from March 2003. From March 2003, a common threshold of six months applies to all those between 18 and 55 years of age.

Following a commitment contained in the programme for Government, a systematic referral of people who have been on the live register for over six months commenced in June 2003. Initially commencing in the Dublin region, this process was extended to all remaining regions by the end of 2003. The purpose of this intensification was to give people who were of longer term duration on the live register and who had not previously been referred to FÁS the opportunity of benefiting from the referral process. In

some instances these people can be suffering from severe disadvantage in terms of labour market participation and referral to FÁS on a systematic basis will begin the process of addressing these disadvantages.

Under the terms of the referral process, all people between 18 and 55 years of age who are over six months on the live register and have not previously been selected for inclusion in the employment action plan process are being selected for referral to FÁS. FÁS then commences a guidance process with each individual who attends and a progression plan to address employability barriers is agreed. To date, some 25,600 people have been selected for such referral. At present, there are a further 5,100 people who are on the live register for longer than six months and have yet to be selected for referral to FÁS. At the present selection rate, it is estimated that all people will have been selected by September 2005. At that stage it has been agreed with FÁS that the provisions of the plan will be made available to people over 55 years of age who are on the live register.

This intensification of the provisions of the employment action plan is part of the strategy to help those displaced from labour market activity find employment or further education and training.

### Departmental Reviews.

75. **Mr. Boyle** asked the Minister for Social and Family Affairs the situation regarding the review of the family which he has been undertaking. [28167/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The project referred to by the Deputy is intended to begin a strategic process under which issues affecting families would be addressed in an integrated way across the range of Departments and agencies currently involved in issues impacting on families. The project commenced with a public consultation process by way of five regional fora held during 2003 which gave rise to the publication of "Families and Family Life in Ireland: Challenges for the Future" earlier this year.

An interdepartmental committee, IDC, was established to oversee the development of the document and issued a call for submissions to non-governmental organisations interested in family issues to inform the deliberative process. Some 25 contributions were subsequently received and are being reviewed by the committee. The committee also tendered for an expert to prepare an introduction to the review outlining the main issues facing families today. This document is nearing completion and will discuss the role of families and the impact on families and family life of the demographic, social and economic changes taking place in society and what changes might be necessary in current policies and programmes in response to that. The Departments represented on the interdepartmental com-

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mittee are also identifying the policy areas for which they have responsibility as well as reviewing the recommendations of the Commission on the Family which come within their remit.

In addition to setting out the trends relating to families and family life, it is intended that the review will identify the challenges to be faced and consider the appropriate strategies to meet these challenges, what measures might be taken to give effect to the strategies in the immediate term and the measures which might be planned for in the longer term. The institutional arrangements which might be required to ensure that the measures are implemented in an integrated manner will also be addressed.

In drawing up the strategy, I will also take full account of the findings of the Irish EU Presidency conference “Families, Change and Social Policy in Europe” which was held in Dublin Castle in May to mark at EU level the tenth anniversary of the International Year of the Family. It is my intention to have the substantive work in connection with the project completed by the end of this year, the tenth anniversary of the UN International Year of Families, with a view to completion of the review and its publication early in the New Year.

#### **Pension Provisions.**

76. **Mr. Penrose** asked the Minister for Social and Family Affairs his views on whether radical action is required if the commitment to ensure that 70% of workers make pension provision by 2006 is to be met; and if he will make a statement on the matter. [28191/04]

129. **Ms Burton** asked the Minister for Social and Family Affairs the number of persons in possession of a PRSA account; if he has satisfied himself that this number is in keeping with Government targets; and if he will make a statement on the matter. [28198/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 76 and 129 together.

Information on the number of personal retirement savings accounts, PRSAs, opened is received by the Pensions Board from PRSA providers at the end of each quarter. The latest figures available relate to the end of September 2004 and these show that 37,086 accounts have been opened with a total asset value of €106.6 million.

It is Government policy to encourage people to participate in occupational and private pension arrangements so that they can, when they retire, aim to maintain their pre-retirement standard of living. The national pensions policy initiative suggested that up to 70% of those in employment, who are 30 years of age or over, will need to supplement their social welfare pension for this purpose. At present, over 59% of people in this target group have supplementary pensions cover.

PRSAs were launched in 2003 and are one of the main policy instruments being used in pursuit of Government targets in this area. The Government is also undertaking a pensions awareness campaign, through the Pensions Board, to encourage take up of all types of private and occupational pensions, not just PRSAs. Since the launch of PRSAs, the numbers opening accounts has grown steadily. In September 2003, the number of people with accounts was 6,707 and, as already indicated, this had grown to over 37,000 by the end of September this year. The number of people participating in occupational pension schemes increased by 2% in 2003.

Research shows that there is now a high level of awareness of pensions issues amongst the general public and the challenge is to translate this into increased coverage. The Pensions Board is running a targeted awareness campaign this year aimed at groups with low pensions coverage. It has also been involved in an extensive control project to identify employers who are not honouring their legal obligations with regard to access to PRSAs for their employees. Some 64,000 employers have been contacted and the Pensions Board is currently analysing the responses received.

The take up of PRSAs and pensions coverage generally is being monitored closely by my Department and there is no doubt that the overall number of people with pensions has increased. Under legislation a review of the overall coverage position is required by September 2006 and, at that stage, the nature of any further action required in this area will be decided on.

#### **Social Welfare Benefits.**

77. **Mr. Eamon Ryan** asked the Minister for Social and Family Affairs if consideration is being given to have payments being made by other Government Departments to be more readily made by his Department. [28174/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Department of Social and Family Affairs pays a wide range of benefits to persons based on an identified income support need. Payments such as unemployment benefit and disability benefit address the needs of persons who might have lost an income through redundancy or through illness. Payments such as supplementary welfare allowance or the other main means tested payments are made where a person's income is insufficient to meet their ongoing living needs and/or the needs of their family.

My Department has in the past successfully incorporated into the social welfare system payments which had been made by health boards where it was clear that the payment addressed a primary income support need. Hence, the payment of supplementary welfare allowance was incorporated into the mainstream social welfare system on 1 July 1977, although significant aspects of its delivery and administration are still conducted by health board staff. In 1996, the

Department of Social Welfare took over the disabled persons maintenance allowance, DPMA, from the health boards and renamed it disability allowance.

My Department continues to keep the appropriateness of income support payment arrangements under review. A recent review of illness and disability schemes concluded, with regard to the infectious diseases maintenance allowance currently paid by health boards, that “the current arrangements for dealing with the social assistance needs of those who are short-term ill or disabled should continue to apply”. In addition, “the infectious diseases (maintenance) allowance should be merged into the supplementary welfare allowance scheme”. Arrangements are being made to progress this recommendation by my Department in association with the health boards.

The review of illness and disability schemes also considered the limitation on the payment of DA to persons in residential institutions before a certain date and recommended its removal. The working group recognised that the removal would have a range of implications that would not be possible to assess at that time. However, in recognition of a lack of specific information about the practical implication of removing the limitations it was also recommended that progress could be made by taking over from the health boards the discretionary pocket money allowance currently paid to some persons affected by the limitation. Budget 2003 provided for the transfer to begin and sufficient information has now been gathered to address this issue.

No decisions have been made regarding the transfer of other payments to my Department at this time. That being said, the effective and efficient delivery of income supports is a primary objective of the Government and the position regarding such payments must be kept under review.

I understand the Deputy is particularly concerned with payments made by health boards, such as domiciliary care allowances, mobility allowance and other payments. Some of these payments are viewed more in the nature of addressing the cost of disability rather than as income support payments. The range of issues which these raise are considerably wider than income support payments and for this reason a social partnership working group was set up specifically to examine these issues. The working group is chaired by the Department of Health and Children and various Departments, including my own, contribute to the work of the group. The work of this group is ongoing.

78. **Mr. Timmins** asked the Minister for Social and Family Affairs the circumstances under which the rent allowance supplement for private accommodation is withdrawn; if it is withdrawn if a person refuses an offer of accommodation from a local authority due to the fact that they believe the accommodation to be substandard; and if he will make a statement on the matter. [28188/04]

117. **Mr. Timmins** asked the Minister for Social and Family Affairs the circumstances under which the rent supplement allowance is withdrawn; and if he will make a statement on the matter. [28189/04]

138. **Mr. Kehoe** asked the Minister for Social and Family Affairs his and the Government's definition of a genuine housing need with regard to his comments on the supplementary welfare rent allowance in Dáil Éireann on 6 October 2004; and if he will make a statement on the matter. [28124/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 78, 117 and 138 together.

Rent supplements are provided through the supplementary welfare allowance scheme which is administered by the health boards on behalf of my Department. One of the conditions for receipt of rent supplement is that the tenant must be in need of accommodation and must be unable to provide for it from his or her own resources.

Under previous arrangements, health boards for the most part decided whether an applicant for rent supplement was in need of accommodation without reference to the local authority. Under the arrangements now in place, more systematic referral of applicants gives an increased role for local authorities in this area. Ultimately, it is a matter for the local authorities to determine whether a person has a genuine housing need in accordance with the criteria set out in section 9 of the Housing Act 1988.

If an applicant for rent supplement has not been assessed by a local authority as being in need of housing, they are not necessarily excluded from receiving rent supplement on that account. A number of categories of people are exempted from the requirement to be assessed by the local authority, including elderly people, people with disabilities, those regarded as homeless and people leaving institutions such as prisons. The scheme is also flexible in providing support for existing private sector tenants who have been renting a period of time and who have recently experienced an income maintenance need, for example, because they have become unemployed.

In the past it had been possible for people to refuse State support from the local housing authority in respect of their housing needs in favour of availing indefinitely of rent supplement from the health board in respect of those same housing needs. It is currently a condition of any claimant's entitlement to a rent supplement that he or she has not refused, within any continuous 12 month period commencing on or after 31 January 2004, a second offer of accommodation provided by the local housing authority.

In this regard, offers made by a local housing authority are in respect of accommodation which is of an acceptable standard, suitable to the applicant's needs and in an area chosen by the person themselves. If a rent supplement recipient con-



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 siders that the accommodation offered by the local authority is not suitable then they must pursue the matter with the local authority. If the offer is withdrawn by the local authority, rent supplement remains in payment.

In addition to people who refuse local authority accommodation without reasonable cause, rent supplement may be withdrawn from a person whose financial circumstances have changed to the degree to which they are deemed to have sufficient means to meet their accommodation costs themselves.

79. **Mr. Morgan** asked the Minister for Social and Family Affairs if, in view of the up coming budget, he will return eligibility for back to work enterprise allowance and back to work allowance to 15 and 12 months respectively in view of the hardships incurred in this sector. [28116/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The back to work allowance scheme 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 in 1993 at a time when long-term unemployment stood at 8.9%. In its early years the scheme proved 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 its introduction. 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, therefore, the qualifying period for persons on unemployment benefit/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 budget 2004 the qualifying period for access to the self employed strand of the scheme was

reduced to three years. From March 2004, persons in receipt of unemployment benefit/assistance accessing the self-employed strand of the scheme only require three years on their unemployment payment to qualify for participation in the scheme.

There is no evidence that focusing the scheme on the long-term unemployed has caused hardship. However, I will continue to monitor the scheme to ensure that it continues to assist those furthest from the labour market to gain a foothold into sustainable employment or self employment.

*Question No. 80 answered with Question No. 71.*

### **Social Welfare Code.**

81. **Mr. Cuffe** asked the Minister for Social and Family Affairs the policy reasons behind the decision that involvement in the special saving investment accounts will be counted as means against any future social welfare payments. [28168/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I have recently asked my Department to carry out a comprehensive examination of the current 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.

Overall, 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 the following: stocks and shares of every description, which are assessed according to their current market value; savings certificates, bonds, national instalment savings, which are assessed according to their current market value; money invested in a bank, building society and so forth. Under current arrangements amounts held in SSIA accounts are treated in the same manner as other capital outlined above and no specific decision has been made about them.

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 pension, 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.**

82. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs his intentions regarding carers in the Book of Estimates in 2004 further to his recent commitment to do something special for carers in 2005; and if he will make a statement on the matter. [28218/04]

108. **Ms McManus** asked the Minister for Social and Family Affairs if he has received the pre-budget submission from Caring for Carers Ireland; his views on whether the most immediate and effective way to ease the plight of thousands of carers is to abolish the means test for the carer's allowance; and if he will make a statement on the matter. [28193/04]

204. **Mr. Durkan** asked the Minister for Social and Family Affairs the extent to which he can expect to increase the number of persons entitled to carer's allowance in 2005; and if he will make a statement on the matter. [28461/04]

205. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will give favourable consideration to a major expansion of the numbers entitled to carer's allowance having particular regard to the ever growing need; and if he will make a statement on the matter. [28462/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 82, 108, 204 and 205 together.

Supporting carers in our society has been a priority of the Government since 1997. Over that period weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced. The 2004 Estimates provide for expenditure of over €203.8 million on the carer's allowance scheme and €8.5 million on the carer's benefit scheme. This represents a combined increase of over 11.6% on last year's expenditure on carer's payments.

The primary objective of the carer's allowance is to provide income support to low income carers. In line with other social assistance schemes, the means test is applied to the carer's allowance so as to ensure that limited resources are directed to those in greatest need. The means test applied to the allowance has been eased significantly in the past few years, most notably with the introduction of disregards of spouse's earnings. In April 2004 the weekly income disregards increased to €250 for a single carer and to €500 for a couple.

The effect of this increase, for example, ensures that a couple with two children, earning a joint annual income of up to €29,328 can qualify for the maximum rate of carer's allowance, while the same couple, if they had an income of €46,384 could still qualify for the minimum carer's allowance, the free schemes and the respite care grant. As average industrial earnings in December 2003 were approximately €29,100 per annum, good progress is being made towards the commitment in the programme for Government that all persons on average industrial earnings will be able to qualify for the carer's allowance.

The complete abolition of the means test would have substantial cost implications. It is estimated, based on available data, that abolition of the means test could cost in the region of €160 million

per annum. This estimate should be taken as an order of magnitude given the difficulties in costing such a proposal. It is debatable whether this proposal could be considered to be the best use of resources. The views of some support and health organisations, for example, is that if resources of this scale were available, it would be more beneficial to carers to invest in the type of community care services which would support them in their caring role, such as additional respite care facilities.

Government policy is strongly in favour of supporting care in the community and enabling people to remain in their own homes for as long as possible. The development of the range of supports for carers will continue to be a priority for this Government and, building on the foundations now in place, we will continue to develop the types of services which recognise the value of the caring ethos and which provide real support and practical assistance to the people involved.

Proposals involving additional expenditure will be considered in the context of the forthcoming budget. As part of this process my Department is currently undertaking an internal review of the carer's allowance and carer's benefit schemes, taking account of the issues that have been raised in many fora. In addition to examining all the pre-budget submissions sent to me, including that of Caring for Carers Ireland, I am also engaged in meeting a wide variety of community and voluntary groups, including carers' representative groups, to hear their concerns.

### Employment Action Plan.

83. **Mr. Coveney** asked the Minister for Social and Family Affairs if his Department has examined the potential for enhanced data sharing to improve the operation of the employment action plan; and if he will make a statement on the matter. [28149/04]

**Minister for Social and Family Affairs (Mr. Brennan):** My Department has worked closely with FÁS, in its capacity as the national training and employment service, over a number of years to enhance training and development opportunities available to unemployed customers and other customers. This close working arrangement has meant that a level of data exchange has always existed between my Department and FÁS. FÁS, for example, has access to certain elements of my Department's computer system to facilitate speedy processing of customers registering with it. Similarly, FÁS regularly sends batch data to my Department in respect of persons who have commenced or completed their training and development programmes.

Since 1998, there has been increased co-operation in the context of the preventative strategy of the employment action plan under which unemployed customers are systematically referred to FÁS to avail of training and development opportunities. This involves my Department forwarding details of persons' social welfare

[Mr. Brennan.] status to FÁS which in turn reports back on customers' progress within the process to my Department via an electronic transfer of codified information.

This co-operation was within the framework of a memorandum of understanding signed by both organisations. In April 2004, a new memorandum of understanding was signed which reflects the increased co-operation between the organisations as well as changes in the labour market environment in which we operate. The new memorandum contains an explicit commitment to enhance the sharing of relevant data and methods of doing this are being investigated currently by both organisations. Each organisation is examining its internal enhanced data requirements at present and a joint working group is being formed to progress matters. It is intended that enhanced data exchange will incorporate matters such as the specific type of training, employment or education offered by FÁS to persons participating in the employment action plan.

The data exchanged will also indicate whether a referred person is engaging fully in the process and availing of progression offers made by FÁS. The exchange of enhanced data will facilitate appropriate interventions being made by both organisations in a timely fashion. In addition to this, the memorandum has facilitated the establishment of local and regional networks where relevant personnel from both organisations meet on a regular basis to identify and resolve issues arising. The employment action plan is a significant tool in assisting persons on the live register being reintegrated into the labour market.

Exchange of data between my Department and FÁS is central to the success of the plan and both organisations are working to optimise the level and extent of data exchanged.

*Question No. 84 answered with Question No. 72.*

### **Social Welfare Benefits.**

85. **Mr. English** asked the Minister for Social and Family Affairs the details of the pilot programme planned for certain persons on disability allowance; if this pilot programme has commenced; the results of same and future plans he has for the programme; and if he will make a statement on the matter. [28129/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Disability allowance is a weekly payment made in 2003 to over 67,000 people with a disability in 2003 at a cost of over €460 million. Recipients must be aged 16 years or over and under age 66 years. The disability must be expected to last for at least one year and the allowance is subject to both medical suitability and a means test.

A pilot project to support people with disabilities will commence in early 2005 based in the Midlands Health Board area — Counties Long-

ford, Westmeath, Offaly and Laois — of the country to address the important issue of how persons in receipt of this payment might be better assisted into employment. The pilot project is being undertaken in association with FÁS and the Midland Health Board and marks an important step in exploring a more integrated employment support approach for people with disabilities.

The project will facilitate localised responses to the identified needs of those considered suitable for the project based on an inter-agency approach. It will initially deal with existing customers of disability allowance between 18 and 25 years of age and this phase is expected to take six months to complete. Based on the initial outcomes of phase 1, phase 2, dealing with new entrants to the scheme, will follow for a further six month period. A range of existing employment supports are available to people with disabilities and these are provided on a multi-agency basis. These functions have, thus far, generally operated independently of each other. The initiative will pilot a more co-ordinated support approach for people with disabilities.

Based on an analysis undertaken by my Department, there are some 6,467 persons between 16 and 25 years of age who are in receipt of disability allowance who are not regarded as having disabilities which are profound in nature. The initial target group will be drawn from this cohort.

The specific objectives of the project are to: provide an integrated point of contact for persons with disabilities and a multi-agency examination of their training and employment support potential; facilitate participation in training and employment supports by addressing the needs of groups with high risks of poverty, that is, people with disabilities; reduce social welfare dependency and create economic independence for individuals with disabilities; examine the nature and extent of existing supports used by various providers to assist people with disabilities to progress to employment or other opportunities; analyse and benchmark the outcomes of the pilot against previous approaches. The pilot will allow for better use of existing training/employment supports services and schemes that are provided by the relevant agencies concerned.

The pilot and its follow up will play an important role in the development of policy for people with disabilities, particularly in reaching their full potential through employment.

86. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will consider substantially increasing child benefit with a view to meeting the child care requirements of parents in today's workforce; and if he will make a statement on the matter. [28133/04]

112. **Mr. S. Ryan** asked the Minister for Social and Family Affairs when he will honour the long held but as yet undelivered commitment to deliver a series of child benefit increases over a



three year period; and if he will make a statement on the matter. [28196/04]

203. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will favourably consider substantially increasing child benefit as a means of addressing the child care issue; and if he will make a statement on the matter. [28460/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 86, 112 and 203 together.

The policy direction followed by successive Governments has been to concentrate resources for child income support on the child benefit scheme. Child benefit is neutral *vis-à-vis* the employment status of parents and therefore does not contribute to unemployment or poverty traps. It delivers a standard rate of payment in respect of all children in a family regardless of income levels or employment status.

Child benefit supports all children and assists those on low incomes more in relative terms. It is not intended primarily to meet child care costs but to provide assistance generally to parents in the cost of raising children, regardless of the household's income or employment status. In this way it does not distort parental choice in respect of labour force participation and contributes towards alleviating child poverty. The concentration of additional resources in child benefit avoids the employment disincentives associated with increased child dependant allowances and has underpinned the policy of successive Governments since 1994.

In budget 2001, the Minister for Finance announced a multi-annual programme of increases in child benefit to the value of €1.27 billion over three years. This was subsequently extended to five years, to be completed in 2005. Over the period since 1997, the value of all social welfare payments has increased in real terms. In particular, the monthly rates of child benefit have increased by €93.51 at the lower rate and €115.78 at the higher rate, increases of 246% and 234% respectively, compared with inflation of 26.9%. This level of increase is unprecedented and delivers on the Government's objective of providing support for children generally while offering real choice to all parents.

Looking ahead, my priorities include making further progress on our child benefit strategy along with the other commitments on social welfare contained in Sustaining Progress, the national anti-poverty strategy and the programme for Government. The question of further rationalisation of child benefit will be a matter for consideration in a budgetary context and in the context of priorities generally.

#### Social Welfare Code.

87. **Dr. Twomey** asked the Minister for Social and Family Affairs his definition of hardship with regard to his comments on rescinding the cut-

backs from the Estimates for 2004; and if he will make a statement on the matter. [28123/04]

**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 the measures in question having regard to: whether the implementation of the measures may be causing hardship; the factors that may be leading to that outcome; the availability of other measures which could alleviate a likely negative impact on the individual; policy or other developments since the measures were announced last year; and to propose and consider possible solutions to any difficulties associated with the various measures.

In this context, a key issue is whether any of the measures, or an aspect of same, is having a significant adverse impact on individuals, be it financially or otherwise, having regard to the overall purpose of each individual measure. I expect this review to be completed in the near future and I will bring forward proposals, if appropriate, in the light of the findings of the review.

88. **Mr. Sargent** asked the Minister for Social and Family Affairs the consideration being given to introducing tapered social welfare payments for those who are close to or barely exceed means test levels. [28176/04]

**Minister for Social and Family Affairs (Mr. Brennan):** A number of current features of social welfare schemes are designed to make them more employment friendly by removing disincentives associated with loss of benefits on taking up employment.

Examples of such measures for people returning to work are: one-parent family payment, where the first €146.50 weekly earnings plus 50% of earnings from €146.51 to €293 are disregarded; unemployment assistance, where 40% of net earnings from part-time work are disregarded; retention of rent/mortgage interest supplement and other secondary benefits on a tapered basis in certain circumstances; tapered withdrawal of adult and child dependent increases as the spouse/partner's earnings from employment increase; farm assist, where 30% of earnings from self-employment are disregarded; family income supplement, where 40% of net earnings are disregarded.

Further improvements to incentives to encourage people to take up employment fall to be considered in a budgetary context.

#### Social Welfare Benefits.

89. **Mr. Ring** asked the Minister for Social and Family Affairs the numbers availing of and the amount of funding involved in the farm assist scheme in each year that it has been in operation giving details on a county by county basis; and if

[Mr. Ring .]  
he will make a statement on the matter.  
[28182/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The details requested by the Deputy in so far as they are available are set out in the attached table. The cost of funding the farm assist scheme is not available in the format requested by the Deputy but I am providing a separate table of the total cost of the scheme on a yearly basis since its inception.

At the end of October 2004, there were 8,486 people in receipt of a farm assist payment. The amount paid to each farmer depends on a number of factors, for example, family size, whether the spouse/partner is working and any means assessed from all sources. The farm assist scheme is a practical response by my Department to the situation of low income farmers and it represents a long-term safety net for them. It benefits farm families with children and also provides increased payments to farming couples without children and to single farmers on low income.

The level of take up is less than had been anticipated when the scheme was first introduced in April 1999. One of the factors impacting on the take up of the scheme is the significant increase in off-farm employment in recent years. However, the benefits to those who have joined

it have been significant. The scheme makes a valuable contribution to supporting those who are at the lower end of the farm income spectrum. In calculating means for the purposes of farm assist, account is taken of the gross yearly income which the farmer and his or her spouse/partner may reasonably expect to receive from farming or any other self employment, less any expenses necessarily incurred in carrying on the business.

Where a farmer disagrees with a means assessment, he or she may appeal the decision to the social welfare appeals office. In addition, where a farmer feels that his or her circumstances have changed since the most recent assessment, he or she may request a means review.

A new scheme, the rural social scheme, RSS, was introduced by the Minister for Community, Rural and Gaeltacht Affairs with effect from May 2004. This scheme is designed specifically for rural people and is a community work programme, with a focus on the provision of direct services in the community. At the end of September 2004, 45 farmers had transferred from farm assist to the rural social scheme.

The following table shows a breakdown by county of farm assist recipients. It should be noted that the figures have been compiled from data that is maintained on a local office catchment area basis and these do not correspond exactly with county boundaries.

County	1999	2000	2001	2002	2003	29/11/04
Carlow	53	58	72	72	71	61
Cavan	287	303	323	307	312	310
Clare	438	451	458	466	464	461
Cork	447	507	552	577	599	599
Donegal	1,007	1,100	1,165	1,211	1,219	1,183
Dublin	9	13	11	11	12	12
Galway	770	835	847	887	898	902
Kerry	686	696	705	691	694	657
Kildare	36	41	42	43	49	46
Kilkenny	78	98	111	112	128	128
Laois	68	77	89	94	94	87
Leitrim	223	238	247	250	260	225
Limerick	185	186	237	226	221	214
Longford	100	107	112	113	114	112
Louth	27	28	65	62	65	68
Mayo	1,228	1,492	1,570	1,593	1,647	1,605
Meath	57	58	62	58	60	56
Monaghan	339	378	401	404	408	416
Offaly	68	65	76	81	83	85
Roscommon	341	342	351	338	348	322
Sligo	243	281	313	341	366	352
Tipperary	170	179	207	231	226	221
Waterford	33	37	43	42	49	46
Westmeath	75	85	88	96	89	88
Wexford	109	118	130	147	175	174
Wicklow	40	37	35	45	52	56

Expenditure per year was as follows: 1999 — €19.861 million; 2000 — €41.425 million; 2001 —

€50,650 million; 2002 — €58.571 million; 2003 — €62.806 million.

90. **Ms Shortall** asked the Minister for Social and Family Affairs if he will increase the income eligibility limits for the retention of secondary benefits; and if he will make a statement on the matter. [28226/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Social welfare programmes aim to be responsive to the needs of those who depend on them while simultaneously providing opportunities to assist people to become more independent. A number of measures have been introduced in recent years to remove disincentives to taking up employment and to ease the transition from welfare to work. These measures include means disregards and tapered withdrawal of benefits as earnings increase, employment support schemes such as the back to work programme and support from facilitators from my Department's staff to assist with the transition to employment.

The income limit referred to by the Deputy applies to people who take up employment under approved employment schemes. Such people are entitled to retain certain social welfare and other benefits, known as secondary benefits, in total or in part for the duration of the scheme subject to certain conditions. For most people the most significant secondary benefit is rent or mortgage interest supplement which is paid under the supplementary welfare allowance scheme.

An income limit of €317.43 per week applies to these supplements. While this income limit has not changed since its introduction, significant other improvements have been made to the means test. 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. PRSI and reasonable travelling expenses are also disregarded in the means test.

In effect, this means that people who had been unemployed and who commence employment through the back to work scheme can have a weekly household income significantly in excess of the €317.43 limit in question and still qualify to retain 75% of their rent or mortgage interest supplement. In the first year on the back to work allowance, for example, a single person can have combined income from the back to work allowance and wages of €418.50 while a couple with two children can have an income of €510.75. Other improvements have also been made to the retention arrangements. The period for which rent or mortgage interest supplement may be retained has been extended to four years on a tapered basis, that is, 75% in year one, 50% in year two and 25% in years three and four. In addition, the maximum payment limit of €317.43 per month on the amount of supplement payable was abolished for people on approved schemes.

As a consequence of these improvements many families retain more of their rent or mortgage interest supplement than had been the case prior to these changes taking place. In addition, a per-

son availing of an employment support scheme may opt to be assessed under either standard rules or under the special retention rules and will be entitled to receive payment under the more favourable option.

I consider that the secondary benefit income eligibility thresholds and disregards allow significant and realistic retention of these entitlements and are not acting as a disincentive to people to take up back to work opportunities. Any further changes to these arrangements would have to be considered in the light of other priorities and of the budget resources available.

### **Anti-Poverty Strategy.**

91. **Ms Burton** asked the Minister for Social and Family Affairs his views on a finding by the Combat Poverty Agency that relative income poverty has increased dramatically since 1994; and if he will make a statement on the matter. [28199/04]

194. **Mr. Stanton** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent findings which show that welfare recipients are at a very high risk of poverty; and if he will make a statement on the matter. [28453/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 91 and 194 together.

Ireland has over the past decade achieved an unprecedented level of economic growth. This has resulted in major improvements in average incomes resulting from increased employment; better paid jobs; more two income households resulting from a significant increase in female participation in the workforce; and lower tax levels in exchange for moderate wage increases to maintain economic competitiveness. A major outcome is that average income almost doubled over the same period from €83 in 1994 to €164 in 2001. Another major outcome is that over the period 1994 to 2001, the numbers in basic or consistent poverty reduced by almost two thirds from 15.1% in 1994 to 5.2% in 2001.

The "consistent poverty" indicator, developed by the ESRI, measures the percentage of persons below 60% of average income, who are also deprived of goods and services regarded as essential for living in Ireland today, as measured by deprivation indicators. Paradoxically, however, during the same period the percentage classified under an EU indicator as being "at risk of poverty" rose from 15.6% in 1994 to 21.9% in 2001. That indicator measures the percentage of persons below a relative income threshold of 60% of median income. The increase in the proportion "at risk of poverty" has arisen mainly from the almost doubling of average incomes during this period. Substantial increases in social welfare payments, which have amounted to 27% in real terms over a more recent period, 1997 to 2004,



[Mr. Brennan.]

did not keep pace with the unprecedented increases in incomes generally.

However, it is important to point out that not all those below the 60% income threshold are in poverty, as that depends on other factors such as the extent to which their income is below the threshold, the length of time they have been living on a low income, the degree to which their assets will have run down while on a low income and the other resources they have at their disposal. In the case of Ireland, for example, the indicator does not reflect the high level of home ownership, especially among the elderly, and consequently the value to households of owning their own home. It also does not reflect access to household allowances in kind such as electricity, fuel, telephone rental and TV licence.

It is for those reasons that the consistent poverty indicator is a more reliable guide to those who are most deprived and in need of extra support. The over-riding objective of the national anti-poverty strategy, NAPS, is to reduce the number of persons who are in “consistent poverty” to 2% by 2007 and, if possible, to eliminate consistent poverty entirely. The Government is committed to implementing the measures in the NAPs designed to meet that objective. Improved income supports form a key component of these efforts. The Government, for example, has committed to increasing old age pensions to €200 per week and to making progress towards achieving the target level of €150, in 2002 terms, for the lowest rates of social welfare payments by 2007.

The “at risk of poverty” indicator also identifies those vulnerable to falling below general living standards. These include families with children relying on low incomes or on social welfare payments long term. A key element of the strategy is to further improve employment participation, create better jobs and target more resources at those who cannot work, such as pensioners for whom there is a commitment to provide higher weekly payments.

Poverty is a multi-dimensional problem, requiring actions across a wide range of policy areas if it is to be tackled decisively. In addition to income supports, the national anti-poverty strategy sets ambitious targets across a range of other policy areas, including employment, health, education, housing and accommodation, all of which impact on poverty and social exclusion. The strategy also addresses the needs of certain groups within society who are particularly vulnerable to poverty and social exclusion. These groups include women, children and young people, older people, people with disabilities, Travellers, prisoners and ex-prisoners.

It is important to emphasise also that economic sustainability is an essential feature of the Government’s anti-poverty strategy, as it delivers high employment and high employment participation. It will be important to maintain the balance which has been developed between

achieving the key economic and social objectives, having regard to our current stage of economic development, and the need to maintain economic competitiveness.

92. **Mr. Ferris** asked the Minister for Social and Family Affairs if his Department has been in discussions with Sustainable Energy Ireland with a view to carrying out fuel poverty action research; the stage that research has reached in view of the commitment to have the research completed in the second quarter of 2004. [28117/04]

**Minister for Social and Family Affairs (Mr. Brennan):** My Department is in discussion with Sustainable Energy Ireland and with the Combat Poverty Agency with a view to carrying out an energy needs assessment project. Other agencies such as the Department of Health and Children, the Health Institute and the Department of the Environment, Heritage and Local Government will also be involved.

It is proposed to carry out an action research project in designated geographical areas where eligible persons will have an energy audit carried out in their homes. The energy audit will include energy advice to the household as well as minor remedial work, such as the installation of roof space insulation, draft proofing, fitting of hot water cylinder lagging jackets and energy efficient light bulbs.

The project will evaluate the effects of the measures undertaken from the point of view of comfort levels, health effects as well as changes in fuel costs and carbon dioxide emissions. The project is due to commence early in 2005 and will take some time to complete, as it will involve monitoring the effect of individual remedial works carried out as part of the project. This action research is not intended to measure the extent to which “fuel poverty” exists nationally but it may give some indications in that regard.

My Department provides financial supports to assist householders who are in receipt of long-term social welfare or health board payments and who are unable to provide fully for their own heating needs. A fuel allowance payment of €9 per week is paid to eligible households with an additional €3.90 per week being paid in designated urban smokeless fuel zones, bringing the total amount in those areas to €12.90 per week. These payments are made for the duration of the fuel season which lasts for 29 weeks from the end of September to mid-April. The fuel allowances represent a contribution towards a person’s normal heating expenses.

Many households also qualify for electricity and gas allowances through the household benefits package. Expenditure by my Department on fuel, electricity and gas allowances for social welfare clients is expected to be some €175 million this year. The extent to which people on social welfare can afford fuel is kept under review in my Department. The objective of social welfare provision in this regard is to ensure that the com-

bined value of weekly social welfare payments and fuel allowances rises in real terms, after compensating people for inflation, including fuel price inflation. In this regard, the significant increases in recent years in primary social welfare payment rates have improved the income situation for these groups in real terms relative to cost increases.

### European Court Judgment.

93. **Mr. Cuffe** asked the Minister for Social and Family Affairs the effect that the Chen judgment of the European Court of Justice will have on his Department. [28169/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The judgment of the European Court of Justice in the Chen case, which was given on 19 October 2004, stated that the non-national parents of an Irish born child had the right to live in any other EU state provided they were covered by health insurance and had sufficient resources to avoid becoming a burden on the public finances of the host state. The judgment does not, therefore, confer rights on people who would qualify for social assistance from my Department.

Since 1 May 2004, applicants for certain social welfare schemes and child benefit are subject to the habitual residence condition. The basis for the restriction contained in the new rules is the applicant's habitual residence. The restriction is not based on citizenship, nationality, immigration status or any other factor. The question of what is a person's "habitual residence" is decided in accordance with European Court of Justice case law, which sets out the grounds for assessing individual claims.

The habitual residence condition is being operated to ensure that the social welfare system is no longer open to everyone who is newly arrived in Ireland, while at the same time ensuring that people whose cases are appropriate to the Irish social welfare system get access to social assistance when they need it. Each case received for a determination on the habitual residence condition is dealt with in its own right and a decision is based on application of the guidelines to the particular individual circumstances of each case. These decisions, however, have to be compatible with EU law and other international and national legal obligations and it is not possible to discriminate in favour of any particular group or nationality.

Any applicant who disagrees with the decision of a deciding officer has the right to appeal to the social welfare appeals office. Should a person find him or herself in an exceptional situation without funds, the community welfare officers may provide a once-off exceptional needs payment under the supplementary welfare allowance scheme.

The habitual residence condition is a major new development in the Irish social welfare system. Now that it has been in place for over six months, a review of its efficiency and effectiveness is being carried out by my officials and I will

consider any further measures which may be required in the light of the review.

### Anti-Poverty Strategy.

94. **Mr. Neville** asked the Minister for Social and Family Affairs the way in which he has co-ordinated with other Departments and agencies in the development of a strong infrastructure of rights and entitlements in the context of the NAPS; and if he will make a statement on the matter. [28143/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The office for social inclusion in my Department is responsible for co-ordinating and overseeing the implementation of the national anti-poverty strategy, NAPS. The revised NAPS, *Building an Inclusive Society*, 2002, contains a commitment to move towards a more formal expression of entitlements across the range of public services and to set standards and guidelines regarding the standard of service delivery which can be expected by the customer.

The Department of the Taoiseach has led developments on this issue. The customer charter initiative, launched by the Taoiseach in December 2002, requires Departments and offices to formalise their commitments to service provision and delivery by describing in a public charter the level of service a customer can expect from a Department or office. This initiative on service standards, by assisting the development of formal expressions of entitlements across a range of public services, recognises that citizenship rights encompass not only the core civil and political rights and obligations but also social, economic and cultural rights and obligations.

As a support to Departments and offices in preparing their charters, the Government approved a detailed set of guidelines in September 2003 that provide a framework for Departments and offices in preparing and reporting on their charters. Charters are based around a four step cycle of consultation, commitment, evaluation and reporting. The guidelines recommend that, in their consultation phase, Departments and offices should consult with all customer groups, including "representatives of groups experiencing, or vulnerable to, poverty and social exclusion as identified by the National Anti-Poverty Strategy (NAPS) and to those covered by equality legislation — gender, marital status, family status, age, disability, sexual orientation, race, religion and membership of the Traveller Community".

As of October 2004, 19 customer charters have been published and the remainder will be published before the end of this year. Departments and offices will report on the implementation of the service standards included in their charters in their 2004 annual reports. The office for social inclusion will continue to co-operate with all relevant Departments in monitoring progress. The first annual report of the office is currently being finalised and will contain an account of progress

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during the first year of the plan under a number of different policy headings, including access to resources, rights goods and services.

95. **Mr. Sargent** asked the Minister for Social and Family Affairs the measures he intends to put in place to ensure the poverty proofing of all Government policies. [28177/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Poverty is a key concern of this Government and its substantial reduction and eventual elimination is the major objective of the national anti-poverty strategy. The causes of poverty are multi-faceted and require a multi-policy response across virtually all areas of Government.

Implementation of the Government's anti-poverty strategy requires that Departments take into account the possible implications for poverty when developing or revising policies or legislation. This is especially important for policies that do not have an explicit poverty aspect. Departments are obliged to "poverty proof" their policies and must ensure that major policy proposals indicate clearly their impact on groups in poverty or at risk of falling into poverty.

Poverty proofing is an important tool in helping to achieve the goals contained in the national anti-poverty strategy, NAPS, and the national action plan against poverty and social exclusion. Following the launch of the NAPS in 1997, it was agreed that a system of proofing policies for their impact on poverty be developed. In 1999, my Department introduced proofing guidelines for use by Departments and State agencies. The National Economic and Social Council carried out a comprehensive review of the poverty proofing process in late 2001 and an undertaking was given in the revised national anti-poverty strategy in 2002 to develop a more effective proofing process, taking into account the findings and recommendations of the NESCC.

An evaluation of the second national action plan against poverty and social exclusion, which incorporates the commitments in the revised national anti-poverty strategy, is due to be completed by June of next year for submission to the EU. This will be based on the annual report on implementation of the first year of the plan which is due to be published shortly. It is considered appropriate to initiate the review of the proofing process in the context of this evaluation, which will commence from the beginning of next year.

*Question No. 96 answered with Question No. 69.*

#### **Social Welfare Code.**

97. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will reverse all of the social welfare budgetary cuts introduced in the past 12 months by his predecessor; and if he will make a statement on the matter. [28132/04]

106. **Ms McManus** asked the Minister for Social and Family Affairs the number of persons affected by each of the social welfare cutbacks announced in the Book of Estimates in 2003; the number who were receiving each of the social welfare payments and are not doing so now as a result of the changes; and if he will make a statement on the matter. [28192/04]

206. **Mr. Durkan** asked the Minister for Social and Family Affairs if he intends to reverse in full the cuts imposed in social welfare in Budget 2003; and if he will make a statement on the matter. [28463/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 97, 106 and 206 together.

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. It is not possible to quantify precisely the numbers affected by the measures in question in that where disallowances or reduced entitlements occur, the specific reasons for such are not recorded on payment systems in a way which facilitates production of the information requested.

While data are regularly available on the numbers in receipt of all payments, simple comparisons of such numbers would not reliably indicate the number of persons affected by the measures. The number in receipt of any particular scheme can and does fluctuate for a wide variety of reasons, for example, seasonal factors in the case of unemployment. Furthermore, in many instances, individuals who may have been affected by a particular measure could have availed of alternative support.

My Department is currently reviewing the measures in question. It is expected that this review will be completed in the near future and I will bring forward proposals, if appropriate, in the light of the findings of the review.

#### **Anti-Poverty Strategy.**

98. **Mr. Boyle** asked the Minister for Social and Family Affairs the measures he intends to put in place to alleviate the situation in view of the fact that 17% of families living in relative poverty in this country have a parent in full-time employment and that 35% of Irish children who live with relative poverty are members of such families. [28166/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Deputy is no doubt referring to the Combat Poverty Agency's recent pre-budget submission to the Government which refers to children of families in low paid employment who are deemed to be "at risk of poverty" as their income falls below the 60% relative income threshold, that is, 60% of median or average income.

Tackling child poverty has been, and continues to be, one of the key priorities of this Govern-



ment. The problem of child poverty is a multi-faceted one which requires a multi-faceted response through strategies such as the revised national anti-poverty strategy, the national children's strategy and, more recently, the national action plan against poverty and social exclusion. Through these strategies, the Government has committed to specific and measurable targets aimed at achieving greater equality for all in terms of access to an adequate income, appropriate education, health and housing, thereby seeking to break the cycle of disadvantage and exclusion experienced by certain children in society.

The Government recognises the importance of supporting and protecting families and children and is fully committed to achieving the NAPS target of reducing the number of children who are consistently poor to below 2% by 2007 and, if possible, to eliminate consistent poverty amongst children by then. Significant progress has already been made towards achieving this target. The number of children who are consistently poor, for example, has more than halved in the four year period 1997 to 2001, falling from 15.3% in 1997 to 6.5% in 2001.

One of the key factors underpinning this reduction in child poverty is the reduction in the numbers of parents who are unemployed. Our aim is to continue to maintain high levels of employment and to remove obstacles to taking up employment, especially in the case of lone parents and parents with large families. The work/no work divide is a key factor in child poverty risks. In 2000, for example, the risk of poverty for a child being reared by a lone parent reduced almost five fold when that parent took up employment. Similarly, the risk for children in two parent families reduced from over 33% to less than 10% when one parent started work, and further reduced to 1.2% when the second parent was also in employment.

Securing employment, therefore, is still the surest route out of poverty and this Government has presided over unprecedented reductions in unemployment and significant increases in employment levels. The level of unemployment has been reduced to 4.6%, from 11.9% in 1996, and long-term unemployment has now been reduced to 1.4%. A combination of strong economic performance, labour market interventions, income supports and tax reform have ensured that the downward trend has been constant. In addition to this, the Government has sought to ensure that increases in social welfare payments made progress towards its target of €150 per week in 2002 terms by 2007. The future direction of social welfare rates generally is a matter which is under continuing consideration within my Department.

The elimination of poverty in any society can only occur through tackling its causes, in particular the provision of employment. This Government has worked throughout its term to tackle the root causes of poverty across various themes,

including income adequacy, educational disadvantage, unemployment, rural poverty and urban disadvantage, and, while we are already seeing reductions in consistent poverty, its eventual elimination is something for which we, as a society, need to strive. The groundwork for this is now taking place.

This approach is reflected in the investment which has been made in child benefit, an employment neutral payment which offers an effective means of channelling income support to low income families to tackle child poverty. Payments now amount to €131.60 for the first and second children and €165.30 for third and subsequent children.

Family income supplement also provides cash support by way of weekly payments to families, including lone parent families, at work on low pay. Improvements to the scheme, including the assessment of entitlements on the basis of net rather than gross income and the progressive increases in the income limits, have made it easier for lower income households to qualify under the scheme. For instance, the budget 2004 increases raised the weekly income qualification thresholds by €28 at each point, adding an extra €16.80 to the payments of most existing FIS recipients. In addition, the minimum weekly FIS payment was increased by €7, from €13 to €20. The number of persons in receipt of family income supplement at the end of October 2004 was 14,303, with an average weekly payment of €74.16. In the 2004 estimates, €56 million has been allocated for this scheme.

The importance of tackling child poverty is reflected in the fact that "Ending Child Poverty" was identified as one of ten special initiatives being undertaken under Sustaining Progress. Under this initiative, key policy issues are being addressed, including child income support arrangements. The work being undertaken under the special initiative will, I believe, further enhance our capacity to tackle the issue of child poverty. Further improvements to child income support arrangements will be considered in a budgetary context.

#### **Social Welfare Benefits.**

99. **Ms O'Sullivan** asked the Minister for Social and Family Affairs if he will report on the recent changes in arrangements that end signing on by social welfare recipients at local Garda stations; and if he will make a statement on the matter.  
[28224/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Currently, recipients of unemployment payments who reside more than six miles from their nearest social welfare local or branch office sign a declaration at their local Garda station for the purpose of proving unemployment. This service was instituted as a service to customers at a time when transport was less frequent and travel was more difficult than today.

[Mr. Brennan.]

My Department is currently implementing a modernisation action plan aimed at improving customer service and at enhancing control. In this context, the role of signing at Garda stations has been reviewed and it has been concluded that the service has long since ceased to be appropriate in providing customer service. The new signing arrangements, which balance customer service requirements with effective control measures, will be introduced in two phases. At the end of November 2004, all customers who currently sign on at Garda stations will self-certify and return their signing docket directly to the social welfare local/branch office.

In the early part of 2005 the following revised signing arrangements will apply. Customers residing up to ten miles or 16 km from their social welfare local/branch office will attend that office once every four weeks for certification purposes. Customers residing over ten miles from their local/branch office will self certify every four weeks and attend that office every 12 weeks. These customers will be offered the flexibility to attend at the office on any day in a designated week. A flexible approach to certification will be adopted for customers on offshore islands and other remote areas of the country and they will not, as a general rule, be required to attend the local/branch office.

These changes represent a significant improvement in customer service by enabling all unemployed customers have direct contact with their social welfare local/branch office where they can be directed to the many educational and work supports available to the unemployed.

### **Pension Provisions.**

100. **Mr. Sherlock** asked the Minister for Social and Family Affairs the nature of his Department's campaign to alert pensioners to their entitlements; his views on the fact that thousands of over 65 year olds are failing to apply for their old age pension; and if he will make a statement on the matter. [28220/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The purpose of the advertising campaign referred to by the Deputy is to alert people coming up to pension age that they should apply for their pension at least three months before they reach pension age. Delays in the payment of old age pensions arising from late applications have been an ongoing issue for my Department for some time and I am keen to get the message across that early applications helps both the pensioner and my Department. There is no evidence to support the Deputy's contention that large numbers are failing to apply for their pension entitlements but I am determined to ensure that people are aware of their entitlements and the necessity to apply on time so that they can be paid their pension in a timely fashion.

My Department takes a proactive approach in advertising our range of pension schemes. Staff in

my Department participate at public events, such as the "Over 50s Exhibition" in the RDS, promoting all social welfare pensions and advising people on their entitlements. In addition, staff visit many organisations, such as employer groups, pre-retirement seminars and courses, and voluntary and community organisations, and provide presentations on social welfare pension entitlements.

My Department produces a comprehensive range of information leaflets and booklets covering each social welfare payment or scheme. These information leaflets are available in a wide range of outlets countrywide, including all social welfare local offices, citizen's information centres, post offices and in a wide range of other organisations such as local community centres. My Department works closely with all relevant voluntary organisations engaged in information provision, a number of which receive funding on an annual basis towards the cost of disseminating information to their target groups.

New schemes, changes and improvements to existing schemes and services are advertised, using an appropriate mix of national and provincial media, fact sheets, posters and from time to time direct mailshots. Selective use is also made of freephone services to provide information and advice on the introduction of new schemes or, for example, at budget time. We have also recently introduced a LoCall leaflet line where the public can obtain an information leaflet on any social welfare scheme or service. This initiative has been particularly successful and we are now receiving over 300 calls per day on this channel.

The central information services unit in my Department operates a telephone information service for the public and there is an information officer in each of the social welfare local offices around the country. The public can also access information on social welfare pensions and services through the Department's website [www.welfare.ie](http://www.welfare.ie).

Comhairle, the statutory agency responsible for the provision of independent information, advice and advocacy services for all citizens throughout the country, comes within the remit of my Department. Comhairle currently supports some 85 independent citizen's information centres which are locally based and provide information on a wide range of social services, including pensions. Comhairle also operates the citizen's information phone service and manages the information website [OASIS.gov.ie](http://OASIS.gov.ie) which is a source of information on a wide range of social services. It also produces an information booklet "Entitlements for the Over 60s" on an annual basis.

### **Social Welfare Benefits.**

101. **Ms Enright** asked the Minister for Social and Family Affairs the arrangements in place for recovering maintenance from spouses and unmarried partners of people on one-parent family payments to contribute to the cost of those payments;

his future plans for these arrangements; and if he will make a statement on the matter. [28158/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Applicants for one-parent family payment are required to make ongoing efforts to seek adequate maintenance from their former spouses, or, in the case of unmarried applicants, the other parent of their child. Normally, such maintenance is obtained by way of negotiation or by court order, though separated couples are increasingly using my Department's Family Mediation Service which is being progressively extended countrywide. Since 2001, one-parent family payment claimants are allowed to retain 50% of any maintenance received without reduction in their social welfare entitlements, as a further incentive to seek support themselves.

Where social welfare support is being provided to a one-parent family, the other parent is legally liable to contribute to the cost of this payment. In every case where a one-parent family payment is awarded, the maintenance recovery unit of my Department seeks to trace the liable relative involved in order to ascertain whether s/he is in a financial position to contribute towards the cost of one-parent family payment. This follow up activity takes place within two to three weeks of award of payment.

All liable relatives assessed with maintenance liability are notified by the Department and issued with a determination order setting out the amount of contribution assessed. The amount assessed can be reviewed where there is new information about, or changes in, the financial or household circumstances of a liable relative. The Department requires regular, normally weekly, payment of the contributions assessed in this way.

There are currently 1,779 liable relatives contributing directly to my Department. As a result of maintenance recovery unit activity, savings of €8.5 million were achieved in 2002 and €14.2 million in 2003. Savings for 2004 are estimated at €14.9 million. These savings are composed of direct cash payments by the liable relative to the Department and of scheme savings. Savings on scheme expenditure arise where maintenance recovery activity leads to the liable relative beginning to pay maintenance in respect of a spouse and/or children and the consequent reduction or termination of a one-parent family payment. In 2004 to date, a total of 509 one-parent family payments were cancelled while a further 303 payments were reduced as a result of maintenance recovery activity.

In implementing maintenance recovery provisions to date the Department has concentrated on those cases where the liable relatives concerned, being in employment or self-employment, would be in a better financial position to make a contribution towards the relevant benefit or allowance being paid by the Department to their families.

Legislation allows the Department to seek recovery from liable relatives through the courts

in appropriate cases. A total of 152 cases have been submitted for court action from 2001 to date. The majority of these cases have resulted in either orders being written against the liable relative in court or alternatively in the liable relative agreeing to pay a contribution to either the Department or the lone parent. Further cases are in the course of preparation by the Department for court action.

102. **Mr. Penrose** asked the Minister for Social and Family Affairs his views on the call from 42 voluntary organisations to reverse cuts in the rent supplement; and if he will make a statement on the matter. [28190/04]

107. **Dr. Upton** asked the Minister for Social and Family Affairs if his attention has been drawn to recent remarks by a person (details supplied) who has criticised the restrictions placed on the rent supplement; his views on those remarks; and if he will make a statement on the matter. [28194/04]

120. **Mr. Quinn** asked the Minister for Social and Family Affairs if his attention has been drawn to the fact that following changes in the rent supplement scheme in 2003 many women in domestic violence situations are having difficulty withdrawing from such situations due to the new rent restrictions; and if he will make a statement on the matter. [28222/04]

131. **Mr. Crowe** asked the Minister for Social and Family Affairs if he will give an updated report into any new arrangements being introduced whereby local authorities will be assigned responsibility for meeting long-term housing needs of some 19,000 households dependent on rent supplement for 18 months or longer. [28113/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 102, 107, 120 and 131 together.

Rent supplements are provided through the supplementary welfare allowance scheme, which is administered by the health boards on behalf of my Department. A growing number of people have come to rely on rent supplements on a long-term basis over the years. However, people with a long-term housing need require a long-term social housing solution, not a social welfare payment in lieu. The new arrangements announced by the Government in July mean that local authorities will progressively assume responsibility for meeting these long-term housing needs, including those of people dependent on rent supplement for 18 months or longer. The rent supplement scheme will continue to provide short-term income support.

The housing authorities will be able to make better use of funding that is currently channelled through the social welfare system and I consider that the new arrangements provide the best solution for disadvantaged people with ongoing housing needs. The necessary funding is being



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transferred from the social welfare Vote to the housing authorities from January 2005 to cover both the cost of the new system and the cost of administering it. The new system will be implemented initially in seven local authorities and my Department is assisting in this process. It is intended that the system will be commenced in all local authority areas by the end of 2005 and will be fully operational in all areas by 2008.

The changes introduced in the rent supplement scheme earlier this year will also assist by refocusing the scheme on its original objective of providing short-term maintenance support rather than long-term housing solutions. The likely impact of the measures was assessed in advance and the manner of their implementation was carefully designed to ensure that the interests of vulnerable groups were protected. There are no circumstances in which women in domestic violence situations have to remain in such situations due to these changes. All applicants for rent supplement who have been assessed by a local authority as being in need of housing, receive rent supplement immediately, regardless of how long they have been renting in the private sector or even if they never rented before. Nobody who needs rent supplement is refused if they have a housing need.

If an applicant for rent supplement has not had their housing need assessed by a local authority, they are not excluded from receiving rent supplement on that account. They will be advised, however, by the community welfare officer to have their needs assessed by the authority first. If the local authority considers that they have a housing need and the authority cannot immediately meet that housing need, then rent supplement is payable.

Furthermore, the health boards have discretion to award rent supplement in any cases where they feel it is appropriate to do so. The instructions issued to health boards on implementing the new arrangements earlier this year state that the new arrangements do not restrict the discretion given to them to award a supplement in any case where it appears to the board that the circumstances of the case so warrant. The principal criteria upon which such a determination might be made include the safety and well-being of the applicant or a situation where an applicant is being made homeless or forced to use homeless facilities unless rent supplement is paid. Such cases could include people who find themselves caught up in violent domestic situations who have to move accommodation because of fears for their safety or well-being.

My Department is actively monitoring the impact of the measures. A working group was established earlier this year under the Sustaining Progress agreement to enable the social partners to assess the impact of the changes to the rent supplement scheme. The working group concluded that the new measures were not having

any significant adverse impacts, having regard to the design of the measures.

I am aware that a range of voluntary organisations have been critical of aspects of the changes in the rent supplement scheme. However, more than 31,000 rent supplements have been awarded since the measures came into effect at the end of January this year. I have instructed my Department to conduct a review of the measures and I expect that it will be concluded soon.

#### **Tax and Social Welfare Codes.**

103. **Mr. Gormley** asked the Minister for Social and Family Affairs if contact has been made with the Department of Finance on the income redistribution benefit of refundable tax credits; and if he would be prepared to lobby for such a measure as an assist to other social welfare measures. [28172/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The social welfare system plays a key role in the final distribution of disposable incomes and in particular on the ability of many low income individuals and families to participate in society. Previous analysis of the social welfare system shows that it is highly effective in the role of strengthening the income position of those at the bottom of the income distribution.

Some commentators argue that the redistribution objectives of both the tax and the social welfare systems could be enhanced through closer co-ordination between the two systems, particularly in the form of refundable tax credits. Refundable tax credits allow families with incomes below the tax threshold receive a cash benefit or refund of any unused portion of a tax credit. Policy on income taxes is primarily a matter for the Minister for Finance and I understand he has indicated that he has no plans to introduce refundable tax credits at the present time. I also understand that initial estimates of the cost of making all unused personal tax credits refundable would be in the region of €1.6 billion annually.

In the circumstances, my priority objective is to secure sufficient resources to meet the objectives contained in the programme for Government relating to social welfare and to enhance the effectiveness and efficiency of the social welfare system in addressing issues of poverty and social inclusion. The introduction of a refundable tax credit and its potential role in the tax and social welfare systems was examined by a working group established under the Programme for Prosperity and Fairness. The working group comprised representatives of the social partners and relevant Government Departments. I understand its report is currently being finalised and I await it with interest.

*Question No. 104 answered with Question No. 71.*

### Anti-Poverty Strategy.

105. **Dr. Twomey** asked the Minister for Social and Family Affairs the resources which have been provided to the respective non-governmental organisations which work to combat poverty and social exclusion in the State for 2002, 2003 and 2004; and if he will make a statement on the matter. [28122/04]

113. **Mr. Naughten** asked the Minister for Social and Family Affairs the moneys which have been allocated and which have been spent in each of the years 2002, 2003 and 2004 by his Department in working closely with the Department of Community, Rural and Gaeltacht Affairs in supporting local community and anti-poverty activities; and if he will make a statement on the matter. [28141/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I propose to take Questions Nos. 105 and 113 together.

In addition to requiring relevant figures for core Department spending and Estimates, compilation of the information for the Deputy requires an analysis of payments and estimates for 2002-2004 by relevant agencies under the aegis of my Department. The detailed information requested is currently being compiled and will issue to the Deputies, as separate replies from my Department and relevant agencies, in the near future.

*Question No. 106 answered with Question No. 97.*

*Question No. 107 answered with Question No. 102.*

*Question No. 108 answered with Question No. 82.*

### Family Support Services.

109. **Ms Enright** asked the Minister for Social and Family Affairs the projects undertaken with the International Initiative for Children, Youth and Families; the amount available and the amount spent in each of these projects in 2002, 2003 and 2004; and if he will make a statement on the matter. [28157/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The International Initiative for Children, Youth and Families is an international network of policymakers, managers, practitioners and researchers involved in promoting effective policies and services for children, youth and families. The initiative was set up in 1992 with initial funding from the Netherlands Government. It is essentially a networking organisation.

Ireland has been involved with the initiative since 2001. Its objectives are to locate and share information about the best family centred programmes and policies from different countries and to develop and disseminate knowledge about what works to help strengthen communities so that they in turn can support families. The current

theme of interest to the initiative relates to community engagement in achieving better results for children and families. Arising from the contacts made through the international initiative a residents exchange programme was set up involving Portsmouth in the UK, Groningen in Holland and Waterford.

The purpose of the exchange was to develop best practice for residents involvement in changes affecting their communities. The process consisted of workshops and visits hosted by each of the cities involved. During 2002, residents from disadvantaged areas of Waterford city, along with representatives of Waterford City Council, RAPID, the Garda, the South Eastern Health Board and this Department visited Groningen. The visit sought to advance thinking on best practice in engaging residents, particularly in the RAPID programme which was getting underway in Waterford at the time. The total cost of the exchange visit was €8,827 approximately.

My Department and the Family Support Agency was also represented at an international expert seminar in Windsor sponsored by the UK Government on the theme of "effective policies to support strong communities and better results for children and families". In early 2004, training on working for better results for children, families and communities — one of the strands of work promoted by the international initiative — was run in Waterford and Clonmel in conjunction with the Waterford city and county development boards and South Tipperary County Development Board.

The training was attended by about 100 people from a variety of State agencies and community groups. Its aim was to promote a method of working which would ensure the achievement of better results for children, families and communities. The total cost of the training was approximately €8,000 to which my Department contributed some €4,500. In May 2004, following an invitation from the international initiative, the board of the Family Support Agency nominated its chief executive officer to join the board of the initiative.

Representatives from the Family Support Agency and the National Children's Office, NCO, together with two young people chosen by the NCO attended a study tour and seminar organised by the international initiative in Boston and Washington respectively from 1 to 5 November 2004. The theme of the study tour and seminar was "Involving Youth in Changing Their Communities".

### Social Welfare Benefits.

110. **Mr. Ring** asked the Minister for Social and Family Affairs the plans he has to extend the free travel scheme to an all-Ireland travel pass; the number of persons this would effect and the estimated costs; and if he will make a statement on the matter. [28181/04]

**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 the South. Similarly, people who live in Northern Ireland who hold a concessionary travel pass can travel free within the North. Under special cross-Border arrangements that have been 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 enhance these existing arrangements by enabling 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 South free of charge to them. There is considerable take up by passholders — North and South — of the existing cross-Border free travel service. Some 200,000 passenger journeys are made by passholders each year under the scheme, about half and half from each jurisdiction. An enhanced All-Ireland free travel service would bring a useful additional flexibility to the service and should help encourage even more extensive take up by passholders on both sides of the Border.

The current annual cost to my Department of providing cross-Border free travel is €2.7 million. It is difficult to estimate the cost of an all-Ireland free travel scheme in advance of its introduction. However, experience to date with the current cross-Border scheme would suggest that the additional transport reimbursement cost of introducing this measure would be of the order of €3 million per annum.

There are a number of technical and financial issues to be resolved to implement an enhanced all-Ireland free travel system. These issues will require co-operation between my Department and the Northern Ireland Department with responsibility for transport policy, as well as the relevant northern and southern transport operator companies. In September 2004, my predecessor met with the Minister of State at the Department for Regional Development in Northern Ireland, to explore the potential for further co-operation between the two Departments on the proposal. They discussed the options and scope for co-funding the scheme and considered various technical issues that arise.

Shortly after taking up this post, I wrote to the Minister, Mr. John Spellar, indicating my wish to move the issue forward. Contacts between the two Departments are being maintained and work is ongoing at official level on developing proposals for an all-Ireland free travel scheme.

#### **Social Welfare Code.**

111. **Mr. Hayes** asked the Minister for Social and Family Affairs the work he has undertaken with the Department of Justice, Equality and Law Reform, the Department of the Environment, Heritage and Local Government, health boards and other agencies since June 2002 to ensure that

his Department's services are provided in a manner that is appropriate to the needs of Travellers; and if he will make a statement on the matter. [28127/04]

**Minister for Social and Family Affairs (Mr. Brennan):** A high level group on Travellers issues was set up by the Cabinet committee on social inclusion and consists of senior officials from a number of Government Departments and agencies. My Department is represented on the group. The aim of the group is to develop approaches to improve service delivery to Travellers, in particular through inter-agency co-operation. The high level group provides a forum in which agencies can address issues and share experiences in providing services to Travellers.

The primary focus of the group is to address the issue of Travellers on the roadside and to explore what can be done to address their needs in the short, medium and long term. The issue of accommodation for Travellers is a key issue. Travellers are at significant risk of social exclusion and suffer high levels of poverty. Most Travellers are in receipt of income support from my Department through unemployment assistance or payment for one parent families.

Proof of residency is a requirement for the processing of a claim under the social welfare code and it is necessary to validate the information provided by our customers. For many members of the Traveller community there are particular difficulties in establishing the facts necessary to decide on claims. My officials co-operate on an ongoing basis with the local authorities about the issues around residency of individual Travellers. My officials also work closely with other service providers, such as the housing sections of local authorities and the Traveller units in health boards. This co-operation aims to establish facts quickly and so speed up the necessary processing of claims and ensure payment is made as quickly as possible to those entitled to receive it.

The high level group is currently looking at a number of initiatives by local authorities aimed at overcoming the barriers to the provision of adequate accommodation to members of the Traveller community. These initiatives require a multi-agency approach and my Department is playing its role in identifying the data that can lead to the targeting of resources to those in greatest need. Solving the accommodation issue for Travellers will contribute to tackling the issues which arise under the social inclusion agenda. It will also help in improving the delivery of a proper service to these customers, particularly in the area of claim processing.

*Question No. 112 answered with Question No. 86.*

*Question No. 113 answered with Question No. 105.*



### Social Welfare Benefits.

114. **Mr. Stagg** asked the Minister for Social and Family Affairs if he will extend the free travel scheme to persons in receipt of an Irish pension but who live in the UK on a permanent basis to allow them free travel whilst holidaying at home; and if he will make a statement on the matter. [28201/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The free travel scheme is available to all people aged 66 years or over who are permanently residing in the State. It is also available to carers and to people with disabilities who are in receipt of certain social welfare payments. It applies to travel within the State and cross-Border journeys between here and Northern Ireland.

The primary objective of the free travel scheme is to encourage older people and people with disabilities to remain independent and active within the community, thereby reducing the need for institutional care. Extending the scheme to visitors would not be in keeping with the objective of the free travel scheme. Any extensions to the free travel scheme could only be considered in a budgetary context and taking account of the

objectives of the scheme and the needs of those not covered by the existing arrangements.

### Departmental Staff.

115. **Mr. Perry** asked the Minister for Social and Family Affairs the number of persons who came into his Department by way of open recruitment, transfer from other Departments or offices and return from career breaks or secondments in 2002, 2003 and 2004; the number who left his Department in 2002, 2003 and 2004; the effect that staff turnover has on services provided by his Department; and if he will make a statement on the matter. [28128/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The information requested for the years 2002, 2003 and 2004 — January to September — is outlined in the table below. My Department is committed to delivering a quality customer service to all our customers and also to ensuring the continuous improvement in the service we provide. The Department's statement of strategy, customer action plan and human resources strategy provide a specific focus on customer service development and recognise that effective training of staff is vital to deliver quality customer service. My Department has in place a wide variety of staff training programmes to address, *inter alia*, staff turnover issues.

Category	2002 (Jan to Sept)	2003 (Jan to Sept)	2004 (Jan to Sept)
Open recruitment	129	65	91
Transfer from other Depts.	111	37	42
Return from career break/secondment	29	34	37
Left the Department	223	199	159

### Family Support Services.

116. **Mr. Connaughton** asked the Minister for Social and Family Affairs the contributions that have been made to the Council of Europe forum for children and other international fora relating to family issues since the Government was formed; and if he will make a statement on the matter. [28154/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Forum for Children and Families was established in April 2001 by the European committee on social cohesion at the Council of Europe to report on issues concerning children and families and their living environment. An official from the family affairs unit of my Department represented Ireland on the forum.

The forum discussed the activities, policies and priorities of international governmental and non-governmental organisations in the field of childhood policies, family affairs, children's rights and social support of children and families. It facilitated an exchange of views on strategies for common action on priority issues, acted as a forum for the exchange of information on best practice and made proposals to the European committee on social cohesion for future work.

During the three years of its existence, the forum debated and achieved progress in important issues such as the establishment of good standards for day care of children, the role of ombudspersons for children, the ban on corporal punishment of children and the protection of the rights of children in residential institutions. In consultation with other Government Departments, my Department contributed to these debates and presented the Irish position on the issues being discussed. The information and analysis arising from these discussions are fully taken into account, as appropriate, in policy development at national level with regard to children and families.

The final meeting of the forum took place in April of this year. At this meeting the forum agreed a declaration on the occasion of this the tenth anniversary of the UN International Year of the Family. It welcomed the plans of the secretary general of the Council of Europe to strengthen the organisation's work on the rights of children and encouraged the Council to continue to actively promote child and family friendly policies in Europe.

Following on from the forum's work and recommendations, a new committee of experts on

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children and families has now been established by the European committee on social cohesion and it will hold its first meeting 8-9 December 2004. The representative of Ireland on the European committee for social cohesion is one of four country representatives chosen by that committee to represent it on the new committee on children and families. Its terms of reference include to: promote European co-operation and exchanges between member states — 46 such states — on the social aspects of childhood and family policies; make an active contribution to any multi-disciplinary project concerning children which may be launched in the framework of the programme of activities of the Council of Europe; conduct research to identify problems of parenting in Europe, particularly problems facing parents whose children are at risk of social exclusion.

In this respect the committee will evaluate national policies to see to what extent they address these problems. In light of the principles and rights enshrined in the United Nations Convention on the Rights of the Child, the committee will promote best practices of parenting, as well as family policies including, in particular, support systems to parents at varying stages of the child's development.

Officials of my Department have also been directly involved in child and family related issues in other international fora. In February of this year the Irish EU Presidency delegation, including officials of my Department, negotiated on behalf of EU countries a UN resolution on the celebration of the tenth anniversary of the International Year of the Family and beyond at a meeting of the UN commission on social development. My Department has also contributed in its schemes and services to Ireland's response to the United Nations on compliance with the UN conventions on the rights of the child and on economic, social and cultural rights.

The Irish Presidency in May of this year, with the support of the EU Commission, hosted an international conference entitled, "Families, Change and European Social Policy", to mark the tenth anniversary of the International Year of the Family. The conference focused on the implications for social policy of demographic, economic, political and social changes affecting families, with particular reference to EU policies in this field. It also provided a forum for exchanges on the latest policy developments. Papers from the conference are available on my Department's website and preparations are underway for a final report to be published shortly.

One of the conference conclusions related to the need for further such exchanges to assist member states in modernising their policies to meet the changing needs of families. A direct outcome is a further international conference on the broad theme of family change and social policy

being hosted by Germany for representatives of EU states in December.

Ireland has also participated in an OECD multi-country project on reconciling work and family life, entitled "Babies and Bosses". An analysis of the situation in Ireland in this regard was included in Volume II of the study which is now concluded, with a final volume due for publication shortly. The findings of the study will form the basis for an exchange of views on these subjects at an OECD meeting of Ministers for Social Affairs next April. Full account of all these developments will be taken into account in the strategic process to modernise and strengthen supports for families, the preparation of which is being co-ordinated by my Department for publication early next year.

*Question No. 117 answered with Question No. 78.*

### **Anti-Poverty Strategy.**

118. **Mr. S. Ryan** asked the Minister for Social and Family Affairs his views on the report on socioeconomic conditions in west Tallaght by the Tallaght west childhood development initiative; his views on the high incidence of social disadvantage highlighted therein; and if he will make a statement on the matter. [28197/04]

**Minister for Social and Family Affairs (Mr. Brennan):** I welcome the study and, like many others, am concerned at its findings. It demonstrates the urgency of the action required to combat poverty, which impacts on our most vulnerable citizens, especially our children.

The study is based on a sample of 187 children drawn from 79 households in Tallaght west. The area differs from the average in this country in the following important respects. The population is much younger than the average, 54% under 25 years, compared to the national average of 37%, while the proportion of children leaving education early is significantly higher than the national average. Almost 7% of the population lives with a disability of whom 14.6% are under 15 years age, compared to an national average of 5.3%. The proportion unemployed, at 10.6%, is more than twice the national average, while a further 4.6% are unable to work. Almost one in three, 32.6%, of households are headed by a lone parent, with just under 24% of lone parent households having a child under 15 years, compared to national averages of 12% and 5.3% respectively. Those living in the area are, therefore, at a higher risk of poverty than the national average.

The national anti-poverty strategy, NAPS, which has been in operation since 1997, is being constantly developed, a process being co-ordinated by the office for social inclusion in my Department. The strategy is designed to meet the type of challenges highlighted by this study, challenges which are cross cutting in nature and which require an integrated approach to dealing with them. A key objective of the strategy is to move

towards eliminating child poverty and to have a situation of greater equality for all in terms of access to appropriate education, health and housing, thereby seeking to break the cycle of disadvantage and exclusion experienced by certain children in society.

A report on implementation of the strategy for the period 2003 to 2004 is currently being finalised and will be published shortly. This will provide a basis for an evaluation of the progress made so far in combating poverty and social exclusion and what the priorities should be for further action. The evaluation will take place in consultation with the social partners, the community and voluntary sector and other interested parties, with a view to a report being forwarded to the EU in June next year.

A key priority will be to further develop a more effective regional and locally based approach to combating poverty, within the context of the RAPID programme — revitalising areas by planning, investment and development. This programme, launched in 2001, is designed to improve the quality and delivery of services and facilities in identified areas of urban disadvantage, which includes parts of west Tallaght. The ongoing review of the NAPS will examine how national policies in areas such as income and employment supports, child care, health, and education can be better integrated with locally based services to more effectively combat concentrations of poverty, especially in areas of deprivation. Above all the review will seek to identify priorities for immediate action, given the urgency of significantly improving the well being of the children, whose situation is so well documented in the study.

The findings of studies such as this are being fully taken into account in this process. I have also asked my officials to discuss the study with the authors and to identify other priorities for action.

#### **Employment Support Services.**

119. **Mr. P. Breen** asked the Minister for Social and Family Affairs the definition of long-term unemployed; the number of persons who come under this category; and if he will make a statement on the matter. [28144/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Twelve months on the live register is the generally accepted definition of long-term unemployment and this is the definition used by this Department for most administrative purposes. Twelve months duration is also used by the Central Statistics Office in the quarterly national household survey. It is also the internationally accepted standard used by the ILO.

The number of people signing on the live register for longer than one year was 44,385 at the end of October 2004. This represents a decrease of 9,657, from the figure of 54,042 in October 2000. The number of persons signing long term on the live register in the period from October 2000 to

October 2004 has decreased by 18%. My Department remains committed to assisting those persons who are long-term on the live register to make the transition to employment or to further training and education. Programmes such as the back to work and the back to education allowances assist people in returning to employment.

The employment action plan, which is operated with FÁS, is currently being extended to include everybody who has been on the live register in excess of six months and aged between 18 and 55 years of age. Further movement on this will be considered in the future.

*Question No. 120 answered with Question No. 102.*

#### **Anti-Poverty Strategy.**

121. **Mr. Quinn** asked the Minister for Social and Family Affairs if he will prioritise the phenomenon of food poverty in his Department; the number of persons who are experiencing food poverty; if, in addressing this issue, he will expand the school meals programme in schools; and if he will make a statement on the matter. [28221/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Weekly payments through the various social assistance schemes are intended to provide income to meet the basis living needs of recipients. Supplements are also payable in certain circumstances for specific needs, for example, fuel allowances, rent supplements, living alone allowance for older people or the household benefits package for pensioners, eligible disabled people and carers.

Budgetary increases in these rates of payment each year meet or exceed the rate of increase in the cost of living. This is to ensure that those depending on social welfare experience real improvement in their ability to meet their basis needs. The amount by which rates of payment can be increased generally each year is a key element of budget planning, as is the scope for prioritising support for particular needy groups.

The underlying adequacy of social welfare rates is considered in conjunction with the broader issue of the prevalence and alleviation of poverty in our society. One measure of poverty is “consistent poverty” which takes into account both the level of income and the level of deprivation of basic items, including adequate meals because of the inability to afford them. While consistent poverty is now at very low levels, some recent studies have focused on aspects such as fuel and food costs in particular. A recent report entitled “Food Poverty and Policy”, published by Crosscare, the Combat Poverty Agency and the Society of the St. Vincent de Paul, defined food poverty as “the inability to access a nutritionally adequate diet and the related impact on health, culture and social participation”.

Another recent study indicated that particular family groups depending on social welfare unemployment or lone parent support might not have



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an adequate income to meet their basic needs for a balanced diet and other essential items. It is not clear whether this calculation takes account of other supplementary supports available to families or of the earnings and other disregards available to enable them to supplement their income through employment or training. However, the study indicated that a pensioner couple would have more than sufficient income to meet a low cost but acceptable standard of living. This is an affirmation that the Government's policy of providing particular supports to old age pensioners is having a real effect in improving their standard of living. I aim to continue this process.

For families with schoolgoing children, school meals can make a real and important contribution to ensuring that children receive better nutrition. Such services can also contribute to improved school attendance and quality of learning. My Department provides funding for school meals under two strands, namely the urban school meals scheme and the local projects scheme. The urban school meals scheme operates in conjunction with certain local authorities and is co-funded by my Department. The local projects scheme provides funding to secondary, national, pre-schools and community groups in both urban and rural areas who provide school meals.

In 2003, €3.29 million was spent on the school meals programme. It is estimated that 382 schools, with a total of over 50,650 pupils, benefited from the urban scheme while 347 schools and voluntary organisations received funding which benefited some 26,000 children under local school meals projects. The 2004 provision for this programme is €6.08 million. A review of the urban and Gaeltacht schools meals schemes, which was published in 2003, made a number of recommendations to focus the scheme on areas of greatest disadvantage. This includes targeting secondary schools with the highest concentration of pupils at risk of early school leaving and their primary feeder schools.

My Department is working with the Department of Education and Science to extend the school meals programme. In this regard the Department of Education and Science is using its schools completion programme and Giving Children an Even Break programme to target disadvantaged schools. It is actively promoting the school meals programme through the local schools completion programme co-ordinators. I intend to continue to extend and enhance the scheme as much as possible having regard to other resource priorities.

#### **Pension Provisions.**

122. **Mr. Gilmore** asked the Minister for Social and Family Affairs the amount paid out by his Department since the pre-1953 pension was introduced in 2000; his views on a miscalculation of

the costs of the scheme; and if he will make a statement on the matter. [28202/04]

**Minister for Social and Family Affairs (Mr. Brennan):** In May 2000, a special half rate old age contributory pension was introduced to enable people with pre-1953 insurance who could not qualify for a payment under normal qualifying conditions to receive a pension. People already qualifying for pensions at less than half rate could also benefit from the new scheme. In order to be eligible for the payment a person needs 260 paid contributions at the appropriate rate, which can comprise a mixture of pre- and post-1953 contributions.

Based on analysis and previous experience of other special measures it was estimated that some 3,000 persons would qualify for this new pension in 2000 at a full year cost of €8.9 million. The overall claim load was not expected to exceed 5,000 people. By the end of 2000, however, over 11,500 applications had been received, of which 3,545 had been awarded pensions. This high level of interest has continued and by the end of October 2004, a total of 28,410 pre-1953 pensions were awarded. Approximately 67% of these pensions are being paid to residents of the UK and other countries. Up to the end of 2004, the total cost, which includes the budget increases in those payments, is estimated at €459 million.

The reason for the underestimation which occurred in this case was, essentially, that the Department, based on its current databases, did not anticipate the large influx of claims from persons resident abroad. Estimates depend on the data available and in the area of social welfare these are administrative data. By definition, these data are compiled for the administration of the various programmes and frequently, for a variety of reasons, are not that suitable for analysis purposes. It can be very difficult to access and interrogate the data and these difficulties are even more pronounced when dealing with pensions, where records can date from as far back 40 or 50 years ago.

My Department is frequently required to estimate the costs of policy measures and its record in this regard is a good one. This has been recognised by the Department of Finance. The experience in this case was highly unusual and, as I have explained, related to lack of data. However, the Department will take on board the specific lessons of this project in estimating the costs of similar proposals in the future.

#### **Social Welfare Policy.**

123. **Mr. Eamon Ryan** asked the Minister for Social and Family Affairs his views on the disappointment expressed by the Irish Congress of Trade Unions on the lack of progress on the special initiative in the Sustaining Progress agreement on tackling the care needs of children, persons with disability and older persons. [28175/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Sustaining Progress agreement contains a special initiative to tackle the care needs of children, people with disabilities and older persons.

The areas under this initiative for which my Department has responsibility are: the publication of a study to examine the future financing of long-term care in Ireland and the establishment of a working group to examine the strategic policy, cost and service delivery issues associated with the care of older people; a commitment to review the contribution being made by the Department's income support system to people reconciling work and family life; the development and promotion of an information remit by the Family Support Agency; the preparation of a national programme focusing specifically on the development of family policy and supports to mark the tenth anniversary of the International Year of the Family.

Supporting carers in our society has been a priority of the Government since 1997. Over that period weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced. The long-term care agenda is a very important aspect of social policy, with major financial and other implications, and I am determined to move this agenda on by developing a framework for the future of long-term care in this country.

Under the Sustaining Progress special care initiative the Government gave a commitment to publish the study to examine the future financing of long-term care in Ireland. There is also a commitment to establish a working group, including relevant interests, to examine the strategic policy, cost and service delivery issues associated with the care of older people. The "Study to Examine the Future Financing of Long-term Care in Ireland" was launched last year. My Department circulated a consultation document based on this study.

The aim of this document was to focus interested parties on the specific complex issues which are discussed at length in the report. These issues include benefit design, delivery, cost and financing of long-term care into the future. The document was circulated to over 70 interested parties, including Government Departments, health boards, interest groups and the social partners. Many of these organisations and groups have replied to the Department and these responses are currently being examined. The feedback from this process will be the starting point for meeting the commitment in Sustaining Progress to examine the strategic policy, cost and service delivery issues associated with the care of older people.

Government policy has had to evolve to take account of changing family structures in Ireland.

Issues such as decreasing birth rates, increasing numbers of lone parents, the introduction of divorce, the ageing of the population, as well as the increased participation of women in the workforce, have all impacted on the development of policies to support families in Ireland. In preparation for the tenth anniversary of the International Year of the Family this year, 2004, a series of public consultation fora on the family took place last year, 2003. The aim was to obtain the views, particularly of family members and other interests, on the impact of social and economic changes on families and on what the priorities of Government should be in the development of family policy and supports in this changing context.

A thematic report of the process, entitled "Families and Family Life in Ireland — Challenges for the Future" was published in February 2004, together with reports on each individual forum. This thematic report provides an analysis of the outcome of the consultative process at the beginning of this special year.

The Irish EU Presidency organised, with the support of the EU Commission, an international conference in May 2004 in Dublin Castle, entitled "Families, Change and Social Policy in Europe", at which support for the caring responsibilities of families was one of the main themes. My Department also arranged for Ireland's participation in a cross country study by the OECD, entitled "Babies and Bosses: Reconciling Work and Family Life". Volume II of the study, launched in November 2003, includes an analysis of the position in Ireland regarding reconciling the family caring role and the demands of work. The full study being finalised at present will provide a clear and comprehensive analysis of the issues and of best practices identified in the countries studied, which will be of great assistance in the further development of policy here in Ireland.

An interdepartmental committee with consultancy assistance has been working since July to draw up an integrated strategy for supporting families designed to modernise existing policies and programmes to meet today's realities for families. Full account will be taken of the outcome of the public consultation, the findings of the Irish Presidency conference and of relevant studies at both national and international levels, and of submissions received from interested parties. The aim is to have the strategy substantially completed by the end of this anniversary year with a view to publication early in 2005. The issue of supports for families with regard to caring will form a major part of the strategy.

Under the Family Support Agency Act 2001, one of the functions of the agency is "to promote and disseminate information about issues in relation to marriage and relationships education, family mediation, parenting and family responsibilities and related matters and in this regard to co-operate with other public authorities in providing information to assist persons in balancing

[Mr. Brennan.] their work and family responsibilities". The strategic plan of the Family Support Agency was launched in May 2004 and includes a strategic priority to promote the Family Support Agency as a key provider of support services and related information for families in Ireland. A total of €20.17 million has been allocated to the agency in 2004 to enable it to carry out the functions assigned to it.

I am satisfied that significant progress has been made on those aspects of the special initiative on the care needs of children, persons with disability and older persons which come within the remit of my Department and I am determined to ensure that it continues in this key policy area.

### **Consumer Indebtedness.**

124. **Mr. Gilmore** asked the Minister for Social and Family Affairs if he will respond to proposals from the free legal aid centres for a more ordered approach to indebtedness and to persons in financial difficulty, particularly in the context of their report, *An End Based on Means*, published in May 2003; and if he will make a statement on the matter. [28203/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The report, "*An End Based on Means*", is a comprehensive report on an area that has not been examined for some time. The report brings together many of the issues faced by people who are over indebted. It deals with how the legal system treats uncontested consumer debt cases and examines alternatives and proposals for reform. The case is made for a review of debt enforcement procedure to be undertaken by the Department of Justice, Equality and Law Reform, which has primary responsibility in this area.

The money advice and budgeting service, MABS, funded by my Department, helps to negotiate voluntary repayment arrangements as an alternative to the legal system. This approach is generally well received by creditors who, in the absence of the MABS, would be more likely to use the legal system to enforce the debt. The free legal advice centres, FLAC, work closely with the MABS and the views of those working in the service were sought for the purpose of this report.

The service now operates nationwide, with 52 services operating from 65 centres throughout the country. It has an emphasis on practical, budget based measures that will assist in removing people permanently from dependence on money-lenders and open up alternative sources of credit through the credit unions. The service gives advice and assistance but does not pay debts. An option offered by the MABS is to arrange for the person to open a "special account" in their local credit union. This enables them to repay their debts by paying an agreed weekly amount into this account. They also open a shares account which helps to cultivate a savings habit and facilitates borrowing in time of need.

A pilot debt settlement programme was agreed by the MABS and the Irish Bankers' Federation and supported by the other main creditors. This pilot scheme provides a non-judicial alternative for resolving cases of multiple consumer debt that are likely to prove intractable and otherwise end up in court. The scheme introduces a range of innovative features that are new to this jurisdiction, such as a finite period for an agreed debt repayment programme, the freezing/reduction of interest and the write off of residual debt on successful completion of the programme. The debt settlement pilot commenced in four Dublin areas in June 2002 and was extended countrywide in June 2003. It closed for new cases on 30 September and it will be evaluated in the first quarter of 2005.

I believe the money advice and budgeting service offers practical and effective assistance to people with problems of indebtedness. I will take account of the recommendations in this report in considering future development in this area.

### **Anti-Poverty Strategy.**

125. **Ms O'Sullivan** asked the Minister for Social and Family Affairs if he has considered the report, *Counting our Children — An analysis of Official Data Sources on Children and Childhood in Ireland*, which highlights a dearth of knowledge regarding children when it comes to welfare and living standards, particularly poverty; and if he will make a statement on the matter. [28223/04]

**Minister for Social and Family Affairs (Mr. Brennan):** A copy of the report to which the Deputy refers has been received in my Department. It will be fully taken into account in the context of the data strategy being developed by the office for social inclusion. This recognises the importance of having comprehensive, accurate and timely data for monitoring and evaluating progress in achieving the targets in the national anti-poverty strategy and in the national action plan against poverty and social exclusion for 2003 to 2005.

The extent to which children are in poverty and at risk of poverty is, however, reasonably well documented from *Living in Ireland* surveys. A specific target in the NAPS is to reduce the number of children who are consistently poor to below 2% by 2007 and, if possible, to eliminate consistent poverty among children by then. Children in consistent poverty are those living in households which, on the basis of surveys, lack goods and services considered essential by people in Ireland. Significant progress has already been made towards achieving this 2% target. The number of children who are consistently poor, for example, has more than halved in the four year period 1997 to 2001, falling from 15.3% in 1997 to 6.5% in 2001.

The causes of poverty among children and its effects are multi-faceted, requiring a multi-policy response. A wide range of data are required in



effectively monitoring, evaluating and further developing such policies. It is for that reason that my Department and the Department of Health and Children, through the National Children's Office, are jointly funding a national longitudinal study on children. The study will be the most significant of its kind to be undertaken here, particularly in terms of the cost, scope and length of study period. It is anticipated that 10,000 children from birth and 8,000 children aged nine years will be recruited to participate in the study.

The aim of the study is to examine the factors which contribute to, or undermine, the well being of children in contemporary Irish families. The findings will make a major contribution to the setting of effective and responsive policies relating to children and to the design of services for children and their families. I expect that, following the completion of the tendering process, this study will commence in mid-2005.

### **Social Welfare Benefits.**

126. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs his proposals to provide more assistance to lone parents in receipt of social welfare payments who find themselves in financial difficulty; and if he will make a statement on the matter. [28217/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The main financial support available to lone parents is the one-parent family payment which was introduced in 1997 to replace a number of schemes which catered for different categories of lone parent. These schemes included lone parent's allowance, deserted wife's benefit and the non-contributory widow and widower's pension for those with dependent children.

The one-parent family payment, OFP, is based on the contingency of lone parenthood and the need for social welfare support for parents with children where a person has not secured adequate, or any, maintenance from the spouse or the other parent. One of the objectives of the one-parent family payment is to encourage lone parents to consider employment as an alternative to welfare dependency, while at the same time supporting them to remain in the home if they so wish. It is generally accepted that one of the most effective routes out of poverty for people in the active age groups is through paid employment.

The main element of this policy is an earnings disregard of €146.50 per week. Earnings above this limit are assessed at 50%, up to a maximum of €293 per week. The earnings disregard is designed to facilitate lone parents in entering or re-entering the workforce by enabling them retain entitlement to their payments until they become established in employment. It also facilitates them in availing of training opportunities to prepare them for employment. Lone parents who exceed the upper income limit applying under the one-parent family payment may qualify for the family income supplement. This scheme is designed to provide income support for

employees on low earnings with children. It helps to "make work pay" for employees with children, in circumstances where otherwise they might only be marginally better off in work than if claiming other social welfare payments.

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. An application for an exceptional needs payment can be made by contacting the community welfare officer at the local health centre who will carry out an assessment of the applicant's circumstances to determine whether the issuing of an exceptional needs payment is warranted.

I am committed to review the income support arrangements for lone parents. This review will take account of recent reports and emerging analysis in this area, such as the review of the one-parent family payment, published by my own Department in September 2000. Full account is also being taken of policies and programmes pursued in other EU countries, as set out in their national action plans on social inclusion.

### **Child Support.**

127. **Mr. Morgan** asked the Minister for Social and Family Affairs if he has read the report compiled by the Children's Rights Alliance, entitled *End Child Poverty by 2007*; and if he proposes to factor in the recommendations of the report, particularly in the area of child income support. [28115/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The Deputy is referring to the pre-budget submission by the Children's Rights Alliance, entitled "End Child Poverty by 2007", in which the alliance makes the case for appropriate policy and budgetary measures with particular reference to child income support measures. In addition to the alliance's presentation at the annual pre-budget forum, I met representatives of the alliance recently and we discussed the contents of its submission.

With regard to child income support, the alliance's submission makes a number of recommendations which have relevance to my Department: implementing increases in child benefit; equalising and increasing child dependent additions to primary social welfare payments; increasing FIS income thresholds.

Tackling child poverty has been, and continues to be, one of the key priorities of this Government. The Government recognises the importance of supporting and protecting families and children and is fully committed to achieving the NAPS target of reducing the number of children who are consistently poor to below 2% by 2007 and, if possible, to eliminate consistent poverty amongst children by then. Significant progress has already been made towards achieving this tar-

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get. The number of children who are consistently poor, for instance, has more than halved in the four year period 1997 to 2001, falling from 15.3% in 1997 to 6.5% in 2001.

The increased spending on child benefit in recent years has offered an effective means of channelling income support to low income families in order to tackle child poverty. Payments now amount to €131.60 for the first and second children and €165.30 for third and subsequent children. The completion of the announced programme of increases in the level of child benefit is a matter for consideration in the context of the budget.

Policy in recent years regarding CDAs has been to channel available resources through child benefit. In this way, the level of child income support is not reduced as a parent moves into employment. Given the close link between child poverty and the employment status of the parent, this has been a very important element of child income support strategy in recent years.

Family income supplement provides cash support by way of weekly payments to families, including lone parent families, at work on low pay. Improvements to the scheme, including the assessment of entitlements on the basis of net rather than gross income and the progressive increases in the income limits, have made it easier for lower income households to qualify under the scheme. Further improvements to FIS arrangements will be considered in a budgetary context.

### Family Support Services.

128. **Mr. Deenihan** asked the Minister for Social and Family Affairs the work to date that he has carried out to promote family mediation as a non-adversarial approach to the resolution of issues which arise on marital breakdown and parental separation; the amount provided for and actually spent for each of the years 2002, 2003 and 2004; and if he will make a statement on the matter. [28156/04]

130. **Mr. McCormack** asked the Minister for Social and Family Affairs the amount he has allocated for and the amount spent in 2002, 2003 and 2004 to promote and support, in conjunction with the Family Support Agency, the provision of marriage and relationship counselling services; and if he will make a statement on the matter. [28155/04]

**Minister for Social and Family Affairs (Mr. Brennan):** It is proposed to answer Questions Nos. 128 and 130 together.

The Family Support Agency, established on 6 May 2003, brings together pro-family programmes and services introduced by the Government in recent years. These are designed to promote continuity and stability in family life, help prevent family breakdown, support ongoing parenting relationships for children and local community support for families.

One of the services provided directly is a nationwide family mediation service. The agency provides funding to support, promote and develop the provision of marriage and relationship counselling and other family supports. The family and community services resource centre programme is also funded through the agency. This year, 2004, funding of €7.61 million was made available to some 520 voluntary and community groups nationwide providing marriage counselling, marriage preparation, child counselling relating to parental separation and bereavement counselling and support.

This Government's families first approach is illustrated by the expansion and continued success of this scheme. This year's funding is more than six and a half times the allocation in 1997 and some €600,000 greater than 2003. The amounts spent on this scheme in 2002 and 2003 respectively were €6,713,789 and €7,088,970.

The Family Mediation Service is a free, professional, confidential service that enables couples who have decided to separate to reach agreement on all issues related to their separation. It assists couples to address the issues on which they need to make decisions, including post-separation living arrangements, finances and parenting arrangements to enable children to have an ongoing relationship with each parent. The benefits of family mediation, as a non-adversarial approach to resolving the issues that arise on separation, are increasingly being recognised worldwide.

The continued expansion of the Family Mediation Service is a priority for the Family Support Agency. During 2003, new centres opened in Sligo and Waterford, bringing to 14 the number of offices nationally. Two more centres are planned for the near future, copper-fastening the service in the north west with the opening of a centre in Letterkenny and expanding the service in the Midlands with a new centre in Portlaoise. The amount provided for and spent for the Family Mediation Service in 2002 and 2003 is as follows:

Year	Allocated	Spent
2002	€1.7 million	€1,252,593
2003	€1,507,735	€1,398,406.

A total of €2,445,000 was allocated to the Family Mediation Service in 2004. For 2004, over €20 million has been made available to the Family Support Agency to fulfil its functions. The level of funding allocated to this area underlines this Government's commitment to supporting families in meeting their key responsibilities not just in the care of individual family members, but through this care to society generally. It represents a ten fold increase in the amount allocated to family services in 1997 when the Government first came to office.

*Question No. 129 answered with Question No. 76.*

*Question No. 130 answered with Question No. 128.*

*Question No. 131 answered with Question No. 102.*

### **Departmental Strategy Statements.**

132. **Mr. P. McGrath** asked the Minister for Social and Family Affairs when he last reviewed his Department's statement of strategy; the conclusions which were reached; and if he will make a statement on the matter. [28125/04]

**Minister for Social and Family Affairs (Mr. Brennan):** My Department's statement of strategy, "Promoting a Caring Society", covers the period 2003 to 2005. The Department's goals as outlined in the strategy reflect the evolving role of the Department, from providing for the income support needs of customers to assisting them in accessing employment where appropriate, addressing the underlying causes of poverty and social exclusion, and supporting families.

The Department's annual reports detail the progress achieved over each year in implementing the strategy. The most recent annual report for 2003 is the first such on the implementation of the current strategy and provides a detailed account of developments. I am arranging for a copy to be sent to the Deputy.

Following my appointment as Minister, and in accordance with the provisions of the Public Service Management Act 1997, a new strategy statement is required to be put in place within six months of the date of my appointment. This will build and develop on the considerable progress which has already been achieved to date but will also provide an opportunity to re-examine the Department's existing objectives, outputs and related actions. Account will be taken in preparing the new strategy of the relevant commitments in the programme for Government, the Department's commitments under its modernisation action plan under Sustaining Progress, the customer action plan 2004-2007 and customer charter, and the Department's internal customer service plan.

### **Anti-Poverty Strategy.**

133. **Mr. Noonan** asked the Minister for Social and Family Affairs the way in which he has supported local authorities in extending the national anti-poverty strategy to them; the amount made available and spent in each of the respective local authorities for 2002, 2003 and 2004; and if he will make a statement on the matter. [28159/04]

**Minister for Social and Family Affairs (Mr. Brennan):** In 1999, as part of its remit in the national anti-poverty strategy, NAPS, the Combat Poverty Agency, CPA, in conjunction with my Department and the Department of the

Environment, Heritage and Local Government, devised the local government work programme. The main output of the programme is the local government anti-poverty learning network.

The overall aim of the network is to promote and support the development of a strong anti-poverty focus within local government. It is managed by the CPA, with the assistance of an advisory committee and a steering group. My Department's office for social inclusion is represented on both of these groups. The objectives of the network are to: provide a forum in which local authorities can share experience and consider how to make the maximum contribution to policies to tackle poverty and social inclusion; support and assist local authorities to incorporate a strong anti-poverty focus within their work; enable local authorities to share information about developing new and innovative projects and initiatives; and exchange different local experiences and best practice.

The network has supported a range of activities including meetings, grants, information provision, training and research. Overall CPA expenditure under the local government work programme was €396,958 in 2002, €395,024 in 2003 and €251,000 to date in 2004. The programme includes a scheme of grants for local anti-poverty projects which is administered by the CPA. A total sum of €180,866 was paid under this scheme in 2002; the sum paid in 2003 was €201,100 when the focus of the scheme was on applications that supported the development of elements of local anti-poverty strategies. The sum issued to date in 2004 is €45,000. I have asked the agency to provide the Deputy with a breakdown of expenditure across each local authority area.

The office for social inclusion continues to support the social inclusion role of the county and city development boards, CDBs, and the social inclusion measures, SIM, co-ordinating groups of the boards. The office also supports the pilot social inclusion units that were established in seven local authorities during 2002 to 2004. A social inclusion unit was in operation in Dublin City Council prior to the commencement of the pilot units but has also received funding under the pilot scheme. The Department of the Environment, Heritage and Local Government provided total funding of €3.1 million for the establishment and operation of the units for the three year duration of the pilot scheme. In June 2004, independent consultants were engaged to undertake a review and evaluation of the pilot programme and will report shortly.

The office for social inclusion supports the Combat Poverty Agency's partnership in a transnational EU social exclusion programme project, entitled "Local Authorities and Social Inclusion". The project aims at strengthening anti-poverty practice in local government. Following on from the findings of the NESC review of poverty proofing, my Department is a partner in an integrated proofing project with the Equality Auth-



[Mr. Brennan.]

ority and the Department of Justice, Equality and Law Reform. In the medium term, the intention is that the formal process of poverty proofing will be extended to all areas of local government.

134. **Mr. Sherlock** asked the Minister for Social and Family Affairs if he has studied recent family budget research carried out by a group (details supplied) which pointed out the way in which family incomes fall short in meeting basic household costs; and if he will make a statement on the matter. [28219/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The report to which the Deputy refers, “Low Cost But Acceptable Budgets for Three Households”, was launched by the Vincentian Partnership for Social Justice on 18 October this year. It sets out to apply budget standards to three household types.

The framework in which Government policy in this area operates is the national anti-poverty strategy. The reduction and eventual elimination of consistent poverty has been the priority goal of the national anti-poverty strategy since its inception. Using the most recent figures from the 2001 Living in Ireland survey, conducted by the ESRI, consistent poverty rates have fallen considerably from 15.1% in 1994 to 5.2% in 2001. There have been a number of major contributory factors behind this decrease. The substantial reduction in unemployment rates in recent years, particularly with regard to the long-term unemployed, has had a major impact on the numbers experiencing consistent poverty. In addition, policies designed to make work pay, such as the national minimum wage, family income supplement and the back to work allowance have further contributed to the decline in consistent poverty rates.

The lowest social welfare rates have been increased by 62% since 1997, 27% in real terms. The value of social transfers in Ireland can be seen in the fact that the numbers at risk of poverty before such transfers in 2001 was 30% but had fallen to 21% following social transfers. This was among the largest reductions achieved by social transfers of any country in the EU. It demonstrates that the social welfare system is well targeted towards the less well off. Commitments are made in the national anti-poverty strategy to increase old age pensions to €200 per week and to make progress towards achieving the target level of €150, in 2002 terms, for the lowest rates of social welfare payments by 2007.

The challenge now and for the future is to sustain the progress we have made so that we can meet our objective of achieving further substantial reductions in the levels of consistent poverty. The information presented in this study is being considered by officials in my Department and will be fully taken into account in future policy development, especially in the context of the national anti-poverty strategy.

### Employment Support Services.

135. **Mr. Crawford** asked the Minister for Social and Family Affairs the training programmes which have been sourced by his Department in co-operation and consultation with training agencies in both the public and private sectors since 2002; and if he will make a statement on the matter. [28160/04]

**Minister for Social and Family Affairs (Mr. Brennan):** My Department assists and encourages long-term unemployed and other long-term welfare recipients to return to work, training or further education through a range of measures administered by the Department’s employment support service.

One significant measure is the back to work allowance scheme which incentivises and encourages long-term unemployed people, lone parents and certain people with disabilities to return to work by allowing them to retain part of their social welfare payment when they take up employment or self employment. Another measure offered by my Department’s employment support service is the back to education allowance programme.

Facilitators, based in social welfare local offices, can provide additional support to the more marginalised groups in the community, through the special projects fund. This fund enables facilitators to provide enhanced supports to people who need additional help to progress to further training and employment. The groups who need special help of this nature include the long-term ill and people with disabilities, the very long-term unemployed, Travellers, people with literacy difficulties and lone parents.

In addition to the special projects fund, funding is also available by way of the family services project. This funding focuses supports specifically towards some of the key national anti-poverty strategy target groups. It has developed an enhanced programme of support for a small group of customers with complex needs, for example, very young lone parents, parents rearing children without the support of a partner and dependent spouses on social welfare payments.

It is anticipated that the provision of the additional support involving individual attention, customised information and enhanced access to services will increase the capacity of those in the most difficult circumstances to improve their personal situations through the access to basic education, training and developmental opportunities made available.

Since 2002, over 500 special projects have been funded, co-founded or part funded by my Department. Since 2002, just under 200 family services projects have been centrally approved for funding, co-funding or part funding by my Department. I have arranged that further details of individual projects will be provided to the Deputy.

### Money Advice and Budgeting Service.

136. **Ms Shortall** asked the Minister for Social and Family Affairs the number of persons using the money advice and budgeting service; the numbers of MABS centres and their location; if he has satisfied himself that the budget provided to MABS is adequate to allow it to function efficiently; and if he will make a statement on the matter. [28225/04]

**Minister for Social and Family Affairs (Mr. Brennan):** In 2003, the money advice and budgeting service provided services to approximately 16,000 new clients and had more than 13,000 active cases at any one time. The number of new clients has increased from 9,000 in 2001 and 12,000 in 2002. An average of 1,700 persons per month visit the MABS website at [www.mabs.ie](http://www.mabs.ie).

There are 52 MABS companies throughout the country with a total of 65 offices including outreach facilities. Each county has at least one MABS company, with the larger counties such as Galway, Tipperary, Mayo, Cork and Donegal having two or more. Due to its large population Dublin city and county has 17 MABS centres. There are 130 money advisers and 80 administrative staff working in the MABS. Provision has been made for a budget of more than €11 million for MABS in 2004.

I am satisfied that the budget provided to MABS is sufficient to enable it to function adequately. The MABS budget since the inception of the scheme has always been sufficient to ensure that the service could develop to its present level and to ensure that all reasonable requests for funding received from MABS companies can be considered. This year's level of funding represents an increase of 15% on the level of funding allowed for the year 2003.

A recent evaluation found that over 90% of those questioned were positively disposed towards the service. This included clients, community and voluntary bodies, the finance industry and statutory creditors. The evaluation also found that two thirds of the caseload consisted of female clients. Just over half were aged between 25 and 44 years and one third were aged over 45 years. A small proportion were aged under 25 years. Approximately 70% were receiving some form of social welfare payment.

The overall conclusion was that the MABS has proven itself a worthwhile intervention with a strong rationale for its continuation.

### Social Welfare Benefits.

137. **Mr. Gogarty** asked the Minister for Social and Family Affairs if he will provide the rates of child dependant allowance that would now exist had CDA payments been indexed linked and not frozen at 1994 levels. [28170/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Since 1994, successive Governments have held the rate of child dependant allowances constant while concentrating resources for child

income support on the child benefit scheme. It is important to recognise that over that period, the combined child benefit/child dependant allowance payment has increased by more than double the rate of inflation.

Child benefit is neutral *vis-à-vis* the employment status of the child's parents and does not contribute to poverty traps, whereas the loss of child dependent allowances by social welfare recipients on taking up employment can act as a disincentive to availing of work opportunities. As a universal payment, which is not taxable and is not assessed as means for other secondary benefits, child benefit is in fact more effective than child dependant allowances as a child income support mechanism when account is taken of these incentive issues.

The Government's commitment to this policy is reflected in the substantial resources invested in the child benefit scheme since entering office, including an additional expenditure of €1.27 billion on child benefit when the current programme of multi-annual increases is complete. We will then have moved from a position in 1994 where 70% of child income support for a family claiming social welfare payments was in the form of child dependant allowances, to a position where child dependant allowances will account for less than 33%.

The issue of the appropriate strategy to succeed the current one of increasing child benefit rates has been brought to the fore by the special initiative in Sustaining Progress, and in particular the commitment to review the importance of child income support arrangements, including examining the effectiveness of, for example, merging child dependant allowance with family income supplement, FIS. NESC has been commissioned to carry out this review.

It is estimated that if the three rates of child dependant allowance, €16.80, €19.30 and €21.60, were index linked from 1994 to 2004 they would be €22.66, €26.04 and €29.14 respectively.

The issue of increasing child dependant allowances has been raised on a number of occasions. The increased investment in the child benefit scheme which the Government has made in recent years has been of major benefit to families and is a most effective use of the resources available for child income support. The question of further rationalisation of child dependant increases will be a matter for consideration in a budgetary context and in the context of priorities generally.

*Question No. 138 answered with Question No. 78.*

### Medical Cards.

139. **Mr. English** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that persons are giving up their jobs in order to qualify for medical cards in view of the fact that their income alone is not

[Mr. English.]

sufficient to cover ongoing medical needs; the cost of this to the State; and if she will make a statement on the matter. [28243/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** 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.

The Deputy may be aware that 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 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 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.

For those who do not qualify for a medical card a number of schemes provide assistance towards the cost of medication. Under the long-term illness scheme persons suffering from a number of conditions can obtain the drugs and medicines required for the treatment of that condition free of charges. Under the drug payments scheme, a person and his or her dependants will not have to pay more than €78 in any calendar month for approved prescribed drugs and medicines.

Health board chief executive officers have discretion in regard to the issuing of 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.

Increases in social welfare rates in recent years have given rise to a situation where such rates may exceed the income guidelines for a medical card. Due to this situation, my Department has written to the chairman of the Chief Executive Officers' Group on a number of occasions asking that he advise the CEOs of the concern that medical card holders should not be disadvantaged by virtue of increases in social welfare payments announced in the budget. They were asked to

ensure that increases in social welfare payments do not lead to medical card holders losing their medical cards by reference to the income guidelines and to make every effort to ensure that both medical card holders and applicants are made fully aware that increases in social welfare payments will not disadvantage them when applying to hold or retain a medical card.

I should also add that, as part of budget 1996, the then Government announced that persons who have been unemployed for at least one year shall retain their medical cards after entering employment. Persons on the live register for at least one year, who take up paid insurable employment were deemed to meet the criteria for retaining their medical cards for three years. The provision also covers participants on approved schemes applicable to the long-term unemployed, including back to work allowance, BTWA, community employment, jobstart, job initiative, partnership and community group initiative and development courses such as workplace and vocational training opportunities scheme, VTOS. The purpose of the budget provision was to remove disincentives to labour force participation by long-term unemployed persons. The retention of medical card eligibility is approved for a period of three years when a person or the spouse of a person who has been unemployed for a minimum of one year takes up employment. In this context, time spent on the live register, approved schemes or courses for the long-term unemployed is treated as an unemployed period.

The health strategy that is being implemented includes a series of initiatives to clarify and expand the existing arrangements for eligibility for health services, including recommendations arising from the review of the medical card scheme carried out by the health board CEOs under the PPF which include: streamlining applications and improving the standardisation of the medical card applications process to ensure better fairness and transparency; providing clearer information to people about how and where to apply for medical cards; proactively seeking out those who should have medical cards to ensure they have access to the services that are available.

A core objective of the health strategy is that all people should have access to high quality services. Priority will be given to supporting those who need to access the health service they require, and I will address the provision of health services from this perspective with particular emphasis on the implementation of the current reform programme. 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.

#### **Health Board Services.**

140. **Mr. English** asked the Tánaiste and Minister for Health and Children if she will allocate additional funding, independent of the funding



for the elderly, for home help in regard to parents of triplets (details supplied) in County Meath; and if she will make a statement on the matter. [28245/04]

**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 Collon, County Meath, this responsibility lies with the North Eastern Health Board. In the circumstances my Department has requested the chief executive officer of the North Eastern Health Board to reply direct to the Deputy.

#### **Departmental Properties.**

141. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that the Southern Health Board has identified the availability of a site for a new health centre in the Youghal Community Hospital and that design team approval has been sought from her Department; if she will give this approval as a matter of urgency; and if she will make a statement on the matter. [28249/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** My Department has been aware for some time of a proposal by the Southern Health Board to provide a new health centre at Youghal. However, it has not been possible to date, given the competing demands generally of progressing other new capital developments in the Southern Health Board region, to progress this particular project. The question of the appointment of a design team in this case will be kept under review by my Department in the context of determining what new capital commitments can be made, in line with overall funding resources available, under the Health Capital Investment Framework 2004-8. My Department will continue to liaise with the Southern Health Board in the matter.

#### **Health Board Services.**

142. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children her views on whether there is a crisis with orthodontic treatment for children in the mid-western region and in north Tipperary in particular; her strategy for dealing with waiting lists in certain parts of the country for orthodontic treatment for children; and if she will make a statement on the matter. [28250/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of orthodontic services is the statutory responsibility of the health boards/authority in the first instance.

I am pleased to advise the Deputy that a number of measures have been adopted to improve orthodontic services in the Mid-Western Health Board, MWHB, area and on a national basis. The grade of specialist in orthodontics has

been created in the health board orthodontic service. In 2003, my Department and the health boards funded 13 dentists from various health boards for specialist in orthodontics qualifications at training programmes in Ireland and at three separate universities in the United Kingdom. These 13 trainees for the public orthodontic service are additional to the six dentists who commenced their training in 2001. Thus, there is an aggregate of 19 dentists in specialist training for orthodontics. These measures will complement the other structural changes being introduced into the orthodontic service, including the creation of an auxiliary grade of orthodontic therapist to work in the orthodontic area.

Furthermore, the commitment of the Department to training development is manifested in the funding provided to both the training of specialist clinical staff and the recruitment of a professor in orthodontics for the Cork Dental School. This appointment at the school will facilitate the development of an approved training programme leading to specialist qualification in orthodontics. My Department has given approval in principle to a proposal to further substantially improve training facilities for orthodontics at the school, which will ultimately support an enhanced teaching and treatment service to the wider region — including the MWHB — under the leadership of the professor of orthodontics.

In June 2002, my Department provided additional funding of €5 million from the treatment purchase fund to health boards/authority specifically for the purchase of orthodontic treatment. This funding is enabling boards to provide both additional sessions for existing staff and purchase treatment from private specialist orthodontic practitioners. The MWHB was allocated an additional €0.451 million from this fund for the treatment of cases in this way.

The chief executive officer of the Mid-Western Health Board has informed my Department that at the end of the September 2004 quarter, there were 1,863 patients receiving orthodontic treatment in the board. The chief executive officers of the health boards/authority have informed my Department that at the end of the September 2004 quarter, there were 22,168 patients receiving orthodontic treatment in the public orthodontic service. This means that there are over twice as many patients getting orthodontic treatment as there are waiting to be treated and more than 6,000 extra patients are getting treatment from the health boards/authority since the end of the September 2001 quarter.

#### **Cancer Screening Programme.**

143. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children when the BreastCheck programme on the east coast will reach the rest of the country; the progress which has been made to date in launching a similar BreastCheck programme in the mid-western region; her plans for the women of north

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 Tipperary; and if she will make a statement on the matter. [28251/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The roll out of the national breast screening programme to the remaining counties is a major priority in the development of cancer services. This will ensure that all women in the 50 to 64 year age group throughout the country have access to breast screening and follow-up treatment where required. A capital investment of approximately €20 million has been approved to construct and equip two static clinical units, one in Cork and the other in Galway. This investment will also ensure that mobile units are available to screen women in the relevant age group in the Mid-Western Health Board area. BreastCheck and my Department are fully committed to an expeditious approach to the national roll out of the programme and representatives have met recently to progress the design process.

#### Departmental Properties.

144. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the progress to date on the proposed health centre for Borrisokane, County Tipperary; the funds which have been committed to the project to date; if the necessary resources will be provided to construct the facility; and if she will make a statement on the matter. [28252/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The provision of health centres to meet the needs of local communities and the prioritising of such centres within its functional area is a matter for the relevant health board or the Eastern Regional Health Authority in the first instance. In the case of Borrisokane, County Tipperary, this responsibility rests with the Mid-Western Health Board.

My Department is aware of a proposal for a health centre in Borrisokane. However, the Mid-Western Health Board has not afforded a high enough priority for this proposal to be considered in the current year and no funding has been committed for this project to date.

#### Departmental Programmes.

145. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the details of children's playgrounds funded through the National Children's Office to date; if she intends to increase funding for children's playgrounds in 2005; the number of applications; the amounts granted; the areas grant aided in north Tipperary; and if she will make a statement on the matter. [28253/04]

**Minister of State at the Department of Health and Children (Mr. B. Lenihan):** Ready, Steady, Play: A National Play Policy, published on 8 March 2004, provides a framework for the development of public play facilities in Ireland,

with the overall aim of ensuring that children have access to a range of quality play opportunities to enrich their childhood.

At the launch of the policy, as the Minister of State with special responsibility for children, I announced details of the local authority playground grants scheme. The purpose of the scheme, which is being jointly administered by the National Children's Office, NCO, and the Department of the Environment, Heritage and Local Government, is to enhance the provision of publicly provided playgrounds around the country through the development of new and refurbishment of existing playgrounds.

A total of 33 applications for funding were received under the scheme, which requires the city or county council to provide matching funding. Some 32 applications have been approved. The 32 new or refurbished playgrounds to be developed under this scheme will represent a substantial increase in the overall numbers of playgrounds in Ireland. A full list of the grants approved under this scheme are set out in appendix 1. Under the scheme, the grants are payable in arrears by the Department of the Environment, Heritage and Local Government and it is expected that the playgrounds will be completed in late 2004 or early 2005. A grant of €47,000 has been approved to Tipperary North County Council for a playground in Loughgalla, Thurles.

Under the RAPID playground grants scheme, funding of €3 million, €1.5 million from the Department of Community, Rural and Gaeltacht Affairs and €1.5 million from the Department of Health and Children, is being provided in 2004 to support the development of new or refurbishment of existing playgrounds in RAPID areas. Each strand I RAPID area will receive a total allocation of €72,000 and each strand II RAPID area will receive a total allocation of €60,000. The local authority in consultation with the relevant area implementation team selected the project(s) to be supported. All 45 applications for funding were successful and this will result in playgrounds being built in some of the most disadvantaged areas in the country, at the locations set out in appendix 2. There are no RAPID designated areas in north Tipperary and therefore no allocations for funding have been made under this scheme.

No decision regarding funding for playgrounds in 2005 has been made at this time. The Deputy may wish to note that while the NCO, which is fully funded by my Department, has an overall role in supporting implementation of the national play policy, individual Departments retain responsibility for implementation of actions falling within their remit. In the context of playgrounds, the Department of the Environment, Heritage and Local Government has lead responsibility for this area.

## Appendix 1.

Grants approved under the local authority playground grants scheme by location.

No.	Local Authority	Location of Playground	Amount Approved
			€
1	Carlow County Council	Leighlinbridge	40,000
2	Cavan County Council	Ballyjamesduff	50,000
3	Clare County Council	Cloughleigh, Ennis	50,000
4	Cork City Council	Loughmahon Park	70,000
5	Cork County Council	Charleville	42,000
6	Donegal County Council	Donegal Town	50,000
7	Dublin City Council	Johnstown Park	88,000
8	Dún Laoghaire Rathdown County Council	Cabinteely	84,000
9	Fingal County Council	Millennium Park, Blanchardstown	140,000
10	Galway City Council	Castlepark	64,000
11	Galway County Council	Loughrea	100,000
12	Kerry County Council	Ballybunion	80,000
13	Kildare County Council	Kildare Town	72,000
14	Laois County Council	Portarlinton	65,000
15	Leitrim County Council	Mohill	41,000
16	Limerick City Council	Shelbourne Park	89,000
17	Longford County Council	Granard	49,000
18	Louth County Council	Dundalk	72,000
19	Mayo County Council	Ballyhaunis	60,000
20	Meath County Council	Athboy	50,000
21	Monaghan County Council	Newbliss Village	17,000
22	Offaly County Council	Tullamore	70,000
23	Roscommon County Council	Loughnaneane Park	90,000
24	Sligo County Council	Dramore West	54,000
25	South Dublin County Council	Tymon Park	115,000
26	Tipperary (NR) County Council	Loughtagalla, Thurles	47,000
27	Tipperary (SR) County Council	Fair Green, Carrick-On-Suir	63,000
28	Waterford City Council	Williamstown	80,000
29	Waterford County Council	Tallow	40,000
30	Westmeath County Council	Kinnegad	40,000
31	Wexford County Council	Enniscorthy	45,000
32	Wicklow County Council	Kilmacanogue	57,000

Total Government funding under the local authority playground grants scheme: €2,074,000.

## Appendix 2.

Grants approved under the RAPID playground grants scheme by location.

## RAPID — STRAND 1

Area	Department CRGA	Department Health & Children
	€	€
<i>Dublin City Council</i>		
Dublin South West Inner City (Canals & Kimmage/Crumlin)	36,000	36,000
Dublin South Inner City	36,000	36,000
Dublin North West Inner City	36,000	36,000
Dublin North East Inner City	36,000	36,000
Dublin South East Inner City	36,000	36,000
Finglas	36,000	36,000
Dublin Northside (Darndale/Belcamp)	36,000	36,000
Dublin Ballymun	36,000	36,000



Area	Department CRGA	Department Health & Children
	€	€
<i>Fingal County Council</i>		
Blanchardstown	36,000	36,000
<i>South Dublin County Council</i>		
Tallaght — Killinarden	36,000	36,000
Tallaght — Fettercairn	36,000	36,000
Tallaght — Jobstown	36,000	36,000
Clondalkin	36,000	36,000
<i>Dún Laoghaire-Rathdown</i>		
Dún Laoghaire	36,000	36,000
<i>Wicklow County Council</i>		
Bray	36,000	36,000
<i>Louth County Council</i>		
Dundalk	36,000	36,000
Drogheda	36,000	36,000
<i>Cork City Council</i>		
Knocknaheeney/Churchfield	36,000	36,000
Fairhill/Garranabraher/Farranree	36,000	36,000
Blackpool/The Glen/Mayfield	36,000	36,000
Togher/Mahon	36,000	36,000
<i>Limerick City Council</i>		
Ballynanty/Kileely	36,000	36,000
Kings Island	36,000	36,000
South Limerick City	36,000	36,000
<i>Waterford City Council</i>		
Waterford	36,000	36,000

Total RAPID STRAND 1: €1,800,000.

#### RAPID — STRAND 2

Area	Department CRGA	Department Health & Children
	€	€
<i>Westmeath County Council</i>		
Athlone	30,000	30,000
<i>Kildare County Council</i>		
Athy	30,000	30,000
<i>Galway County Council</i>		
Ballinasloe	30,000	30,000
Tuam	30,000	30,000
<i>Cavan County Council</i>		
Cavan	30,000	30,000
<i>South Tipperary County Council</i>		
Carrick-on-Suir	30,000	30,000
Clonmel	30,000	30,000
Tipperary	30,000	30,000
<i>Carlow County Council</i>		
Carlow	30,000	30,000
<i>Clare County Council</i>		
Ennis	30,000	30,000
<i>Galway City Council</i>		
Galway	30,000	30,000

Area	Department CRGA	Department Health & Children
	€	€
<i>Kilkenny County Council</i> Kilkenny	30,000	30,000
<i>Longford County Council</i> Longford	30,000	30,000
<i>Cork County Council</i> Mallow Youghal	30,000 30,000	30,000 30,000
<i>Meath County Council</i> Navan	30,000	30,000
<i>Wexford County Council</i> New Ross Wexford	30,000 30,000	30,000 30,000
<i>Sligo County Council</i> Sligo	30,000	30,000
<i>Kerry County Council</i> Tralee	30,000	30,000

Total RAPID STRAND 2: €1,200,000.

Overall RAPID playground grants scheme total: €3,000,000.

### Health Board Services.

146. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children if two additional hours home help will be provided for a person (details supplied) in County Waterford; and if she will make a statement on the matter. [28294/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** As the Deputy will be aware, the provision of health services in County Waterford is, in the first instance, the responsibility of the South Eastern 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.

### Departmental Programmes.

147. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children the amount of funding which has been allocated to the RAPID scheme from her Department's budget since the commencement of the scheme; and if she will make a statement on the matter. [28373/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** 2004 is the first year in which designated funding for RAPID in the health sector became available. In the context of the RAPID leverage fund, the Department of Health and Children is making €2 million available, over the period 2004-05, to match €2 million being provided by the Department of Community, Rural and Gaeltacht Affairs from that fund for projects in the health sector.

In addition, the Department of Health and Children is making €1.5 million of its capital budget in 2004 available to the Department of Community, Rural and Gaeltacht Affairs for play

projects as a follow up to the publication by the National Children's Office of Ready, Steady, Play: A National Play Policy.

In addition to the above amounts specifically designated for RAPID, the Department of Health and Children, in the letters of determination in 2003 and 2004, requested health boards to prioritise projects in RAPID areas, within available resources.

### Services for People with Disabilities.

148. **Mr. Carey** asked the Tánaiste and Minister for Health and Children the reason it has not been possible for the relevant health board to provide suitable day services for a person (details supplied) in Dublin 11; and if she will make a statement on the matter. [28399/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** Responsibility for the provision of funding for services, including day services, for persons with intellectual disability and those with autism in the Dublin 11 area is a matter, in the first instance, for the Eastern Regional Health Authority.

My Department has asked the regional chief executive of the authority to investigate the matter and reply directly to the Deputy.

### Health Board Services.

149. **Dr. Upton** asked the Tánaiste and Minister for Health and Children if she will address the urgent needs of a home help organisation (details supplied). [28418/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** As the Deputy will be aware, the provision of health services in the Rialto area is, in the first instance, the responsibility of the

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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 directly to her as a matter of urgency.

### **Hospital Staff.**

150. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if public hospitals will be allowed to offer incentives and flexibility to nurses in order to retain numbers. [28434/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** The recruitment and retention of adequate numbers of nursing staff has been a concern of this Government for some time. A number of substantial measures have been introduced in recent years which offer incentives and flexibility to nurses.

The Government has invested in nurse training at both undergraduate and post-registration level. The number of nursing training places has been increased by 70% since 1998 to 1,640 from 2002 onwards. Nursing is an attractive career option for school leaver and mature code applicants alike. This is evident from the number of applicants for such courses. For example, there were 8,300 CAO applications for 1,640 places in the autumn 2004 intake. This is most encouraging, given that there is an ever increasing array of attractive alternatives provided by our third level education system. My Department also funds a comprehensive range of financial supports for nurses pursuing part-time degrees and specialist courses, including back-to-practice courses.

The promotional structure within nursing, including the introduction of a clinical career pathway, has been substantially improved on foot of the recommendations of the commission on nursing and the 1999 nurses' pay settlement. The National Council for the Professional Development of Nursing and Midwifery is charged with establishing guidelines for specialist posts. To date, the council has accredited 1,600 clinical nurse specialists and advanced nurse practitioners.

A further measure to attract nurses into the public system was the introduction of paid overtime in 1998. Previously they had been given time off in lieu and the introduction of payment represents a further significant financial incentive for nurses.

A scheme of flexible working arrangements for nurses and midwives was introduced by my Department in February 2001. Under the scheme, individual nurses and midwives may apply to work between eight and 39 hours per week on a permanent, part-time basis. The figure of 33,969 whole-time equivalent nurses working in the health service translates into 40,081 individual nurses. Of these, 9,655 job-share or work other atypical patterns. Thus, almost one quarter of the

nursing workforce avails of family friendly work practices.

The recruitment and retention measures introduced by the Government in recent years have led to a substantial increase in the number of nurses working in the health service and a consequent reduction in the number of vacancies. In 1998, there were 26,612 whole-time equivalent nurses employed in the public health system. By the end of June 2004 this figure had reached 33,969. This is an increase of over 7,350 during the period or 27.6%. The vacancy rate of 1.92% at 30 June 2004 compares to a rate of 4.3% at September 2000.

I am confident that the extensive range of measures I have outlined, including the substantial increase in training places, the more effective utilisation of professional skills of nurses and midwives, in addition to the close monitoring and assessment of the situation on an ongoing basis, will continue to prove effective in addressing the nursing workforce needs of the health services.

### **Hospital Services.**

151. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if more funding will be allocated for the accident and emergency departments in hospitals. [28435/04]

**Tánaiste and Minister for Health and Children (Ms Harney):** I have previously said that the delivery of accident and emergency services will be an area for particular attention during my term as Minister for Health and Children. I intend to identify the particular pressure points within the health system that affect the efficient delivery of emergency services and to address them in the context of the Estimates process.

152. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Mayo is on a waiting list for a cataract operation; if so, the length of time they have been on the list; and when they can expect to be called. [28447/04]

**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 in regard to this case and to reply directly to the Deputy.

### **Health Board Services.**

153. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Kildare currently in respite care in Maynooth Community Hospital, Maynooth, County Kildare, could have their length of stay extended for a further four weeks; and if she will make a statement on the matter. [28472/04]



**Tánaiste and Minister for Health and Children (Ms Harney):** As the Deputy will be aware, the provision of health services in the Naas 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.

#### Medical Cards.

154. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position in regard to persons in receipt of widow's pension who are working for a small number of hours, in many cases for therapeutic reasons, or who have been on community employment schemes and are now in receipt of a minimal amount of social welfare on their stamps; if there is a policy that allows them to keep their medical cards for three years after starting work; if, in view of the fact that they have contributed to the State for a number of years, they can keep their medical cards; and if she will make a statement on the matter. [28484/04]

**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. Other than persons aged 70 years and over who are automatically entitled to 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 for themselves and/or their dependants without undue hardship. The chief executive officers of the boards/authority are currently reviewing numerous issues, including assessment of income, in the administration of the medical card scheme, and I understand that their findings and recommendations will be available in the near future.

Income guidelines are drawn up each year by the health board/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, and the next increase is due by the end of this year.

In regard to the retention of medical cards on re-entering employment, as part of budget 1996, the then Government announced that persons who have been unemployed for at least one year shall retain their medical cards after entering employment. Persons on the live register for at least one year who take up paid insurable employment were deemed to meet the criteria for retaining their medical cards for three years. The provision also covers participants on approved schemes applicable to the long-term unemployed,

including back to work allowance, BTWA, community employment, jobstart, job initiative, partnership and community group initiative and development courses such as workplace and vocational training opportunities scheme, VTOS. The purpose of the budget provision was to remove disincentives to labour force participation by long-term unemployed persons.

The retention of medical card eligibility is approved for a period of three years when a person or the spouse of a person who has been unemployed for a minimum of one year takes up employment. In this context, time spent on the live register, approved schemes or courses for the long-term unemployed is treated as an unemployed period.

Furthermore, it is the case that increases in social welfare rates in recent years have given rise to a situation where such rates may exceed the income guidelines for a medical card. Accordingly, my Department has written to the chairman of the Chief Executive Officers' Group on a number of occasions asking that he advise the CEOs of the concern that medical card holders should not be disadvantaged by virtue of increases in social welfare payments announced in the budget. They were asked to ensure that increases in social welfare payments do not lead to medical card holders losing their medical cards by reference to the income guidelines and to make every effort to ensure that both medical card holders and applicants are made fully aware that increases in social welfare payments will not disadvantage them when applying to hold or retain a medical card.

For those who do not qualify for a medical card a number of schemes provide assistance towards the cost of medication. Under the long-term illness scheme, persons suffering from a number of conditions can obtain the drugs and medicines required for the treatment of that condition free of charges. Under the drug payments scheme, a person and his or her dependants will not have to pay more than €78 in any calendar month for approved prescribed drugs and medicines.

Health board chief executive officers have discretion in regard to the issuing of 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, on an individual case by case basis, that a person's financial needs arising from medical or social 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.

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

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the extension will be decided having regard to the prevailing budgetary position.

The health strategy includes a series of initiatives to clarify and expand the existing arrangements for eligibility for health services, including recommendations arising from the review of the medical card scheme carried out by the health board CEOs under the PPF which include: streamlining applications and improving the standardisation of the medical card applications process to ensure better fairness and transparency; providing clearer information to people about how and where to apply for medical cards; and proactively seeking out those who should have medical cards to ensure they have access to the services that are available.

In addition, 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 Properties.

155. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 144 of 3 November 2004, when the group examining potential uses of a property (details supplied) and its lands in County Carlow was set up; the members of the group; the terms of reference of the group; the date the report is expected. [28737/04]

**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** As stated in my reply of 3 November 2004, the working group mentioned by the Deputy was set up by the South Eastern Health Board. My Department has asked the chief executive officer of the board to reply directly to the Deputy on the matter.

### Flood Relief.

156. **Mr. J. O'Keeffe** asked the Minister for Finance if householders and owners of premises in towns in west Cork badly affected by recent flooding, in particular, in Clonakilty and Bantry, will be covered by the proposed compensation scheme; and the details of such a scheme. [28240/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Government has approved the establishment of a humanitarian aid scheme to relieve hardship arising from flooding of people's homes as a result of severe rainfall over several days during the last week of October 2004. The Irish Red Cross has been appointed to administer the scheme on the ground. My officials in the Office of Public Works met last week with the IRC to finalise arrangements for the scheme and advertising of the scheme in both the national and local media has commenced. The closing date for receipt of applications is 24 November 2004.

The scheme applies to homes but not to businesses. It is emphasised that the scheme is humanitarian and is designed to relieve hardship

and is, therefore, not compensation for losses. Eligibility criteria for assistance will be in line with previous aid schemes, namely death, serious injury, damage to home or extreme hardship. The scheme applies countrywide.

### Heritage Sites.

157. **Mr. McGuinness** asked the Minister for Finance the amount spent on the restoration work at Kells Priory, Kells, County Kilkenny, in each of the past four years; if there is an overall plan of works; the cost of same; and if he will make a statement on the matter. [28241/04]

**Minister of State at the Department of Finance (Mr. Parlon):** A total allocation of €690,000 has been provided under the National Development Plan 2000-2006 for conservation works at Kells Priory. Expenditure on the project to the end of October 2004 is €366,483, which is broken down as follows:

	€
2001	18,918
2002	29,472
2003	186,300
2004	131,793

The project comprises essential conservation and safety works, which will permit increased public access to the site and will continue until the end of 2006.

### Water and Sewerage Schemes.

158. **Mr. McGuinness** asked the Minister for Finance the systems in place to treat waste water and sewage at Cahir Castle and the Rock of Cashel; if there are treatment systems at these and all other heritage sites which meet the required standards; if a survey of each site has been carried out to ensure that each complies with best practice in this area; and if he will make a statement on the matter. [28242/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The staff toilets and public toilets at Cahir Castle and the staff toilets at the Rock of Cashel are connected to the local municipal sewers. The public toilets at the Rock of Cashel are operated by Cashel Town Council.

With regard to the other heritage sites in the care of the Office of Public Works, where staff toilets or public toilets are provided, they are connected to the relevant local authority sewerage system or have treatment systems installed. A survey of the existing facilities and their requirements under the current legislative framework is in progress.

### Disabled Drivers.

159. **Mr. English** asked the Minister for Finance the reason tax relief for disabled drivers will not extend to persons with the use of only one

arm or hand in view of the fact that vehicles have to be specially adapted; if he intends to review the criteria in general for persons to become eligible; and if he will make a statement on the matter. [28244/04]

**Minister for Finance (Mr. Cowen):** The disabled drivers and disabled passengers tax concessions scheme is open to people with disabilities who meet the specified criteria and have obtained a primary medical certificate to that effect. The senior area medical officer attached to the relevant local health board is responsible for both the medical assessment and the issue of the medical certificate.

The medical criteria for the purposes of the tax concessions under this scheme are set out in the disabled drivers and disabled passengers, tax concessions, regulations 1994. Six different types of disablement are listed under the regulations and a qualifying person must satisfy one or more of them. The six types of disablement are persons who are wholly or almost wholly without the use of both legs; persons who are wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs; persons without both hands or without both arms; persons without one or both legs; persons wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg; and persons having the medical condition of dwarfism who have serious difficulties of movement of the lower limbs.

An individual who qualifies under the medical criteria as set out above is issued with a primary medical certificate. Possession of a primary medical certificate qualifies the holder for remission or repayment of vehicle registration tax, VRT, plus a repayment of value added tax, VAT, on the purchase of the vehicle, plus a repayment of VAT on the cost of adaptation of the vehicle. Repayment of the excise duty on fuel used in the motor vehicle and exemption from annual road tax to local authorities are also allowed.

An interdepartmental review group was established to review the disabled drivers' and disabled passengers' tax concessions scheme. The group examined all aspects of the scheme, including the qualifying medical criteria. The report was published on my Department's website in early July and copies have been placed in the Oireachtas Library. As agreed by Government in June, I will consider the report on an ongoing basis in the overall budgetary context, having regard to the existing and prospective cost of the scheme.

#### **Flood Relief.**

160. **Mr. N. O'Keeffe** asked the Minister for Finance if he will investigate the serious flooding that occurred in areas (details supplied) in County Cork in recent days; if his attention has been drawn to the severe hardship which was imposed on residents during this storm; if humanitarian aid will be available to help the per-

sons affected during this very stressful time; and if a survey will be carried out of the areas affected with a view to having remedial works and flood protection work put in place as soon as possible. [28311/04]

**Minister of State at the Department of Finance (Mr. Parlon):** Preliminary reports from Cork County Council suggest that approximately 50 homes and 20 business premises were flooded in Youghal following the severe rainfall in the last days of October. Indications from the council also suggest that approximately six homes flooded in Cobh town while approximately six homes in the Bellvelly Bridge area were affected as well.

Last week, the Government approved a humanitarian aid package to relieve hardship arising from the flooding of people's homes. The purpose of the scheme is to provide humanitarian assistance to relieve hardship and not to provide compensation for losses. My officials have met the Irish Red Cross Society, IRCS, which will implement the scheme. Details of the scheme were agreed and they were published in the national press at the weekend. They will also be published in the local press this week. The closing date for receipt of applications under the scheme is 24 November 2004. The IRCS has considerable experience in this area, having previously implemented a number of such schemes in the past for the OPW, and I have every confidence that applications will be dealt with in a compassionate, impartial and timely manner.

Last month the Government approved the recommendations of the flood policy review group. This confirms the lead role of the OPW in taking a strategic approach to flood management in the future and working in co-operation with the relevant local authorities. Following the recent flooding, OPW will seek initial assessments of the situation in both the city and county areas of Cork. These assessments will be considered by OPW under new prioritisation criteria, currently being developed by OPW, for all flood relief works, as recommended by the flood policy review group.

#### **Departmental Programmes.**

161. **Mr. McGinley** asked the Minister for Finance the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28374/04]

**Minister for Finance (Mr. Cowen):** The programme for revitalising areas by planning, investment and development relates to the co-ordination of relevant activities in disadvantaged areas. No plans submitted under this programme relate to activities carried on by my Department. As such, no funding for these programmes is provided through my Department's Vote.



### Special Savings Incentive Scheme.

162. **Ms Burton** asked the Minister for Finance the number of maturing SSIA accounts; the amounts estimated to be paid out each month; and the average payout per maturing account per month. [28416/04]

**Minister for Finance (Mr. Cowen):** The SSIA scheme opened on 1 May 2001 and entry to it closed on 30 April 2002. The accounts are due to mature between May 2006 and April 2007 at the end of the five year period. I am informed by the Revenue Commissioners that, based on the analysis of the 2003 returns furnished by all qualifying savings managers, the total number of active accounts at 31 December 2003 was 1,113,880. The cumulative gross value of subscriptions and associated tax credits to end 2003 was €5.52 billion. This gross figure is inclusive of €57 million in respect of funds that have been withdrawn from accounts, funds in accounts that have been ceased and funds in accounts that have matured, that is, where the account holder died, during the years 2001 to 2003.

I do not wish to speculate on the amounts estimated to be paid out on maturation of the scheme in 2006 and 2007, as the scheme does not commence to mature for another one and a half years and a number of variables is involved. These include participants withdrawing from the scheme or varying their monthly contributions between now and the end of the scheme; the eventual accrued investment return; and the eventual amount of exit tax to be received at the end.

### Decentralisation Programme.

163. **Ms B. Moynihan-Cronin** asked the Minister for Finance if a site has been acquired for the decentralisation of the Department of Arts, Sport and Tourism in Killarney, County Kerry; if so, the location of the site; and if he will make a statement on the matter. [28417/04]

**Minister of State at the Department of Finance (Mr. Parlon):** The Office of Public Works has identified a number of potentially suitable sites in Killarney. The detailed evaluation process is at an advanced stage and preliminary acquisition negotiations are in hand.

### Tax Code.

164. **Ms Burton** asked the Minister for Finance the information available to him on the cost to the Exchequer in terms of tax foregone of tax reliefs (details supplied). [28443/04]

165. **Ms Burton** asked the Minister for Finance the annual cost to the Exchequer in terms of tax foregone of tax reliefs (details supplied). [28444/04]

166. **Ms Burton** asked the Minister for Finance the cost to the Exchequer in terms of tax foregone of tax reliefs (details supplied). [28445/04]

167. **Ms Burton** asked the Minister for Finance the cost to the Exchequer in terms of tax foregone of tax reliefs (details supplied). [28446/04]

**Minister for Finance (Mr. Cowen):** I propose to take Questions Nos. 164 to 167, inclusive, together.

Claims for most of the reliefs mentioned in the question are aggregated in tax returns with other claims. They do not distinguish between the reliefs claimed in respect of different schemes. Accordingly, the specific information on costs is not available. The various capital allowance schemes in question represent only part of the overall amounts for capital allowances claimed annually, the bulk of which is made up of ordinary business capital expenses and depreciation.

As part of ongoing commitments to improve the quality of information available on the costs of tax expenditures generally, the Revenue Commissioners are introducing a number of changes to certain tax forms, which will yield additional information regarding the cost of reliefs. Provisions were included in the Finance Act 2004 to underpin these changes. This will provide better data in this area and enable fuller estimates of the tax foregone to be made over time.

With regard to tax relief on retirement for certain sportspersons, this scheme was introduced relatively recently. I am informed by the Revenue Commissioners that statistics are, therefore, not available that would enable the information requested to be provided. Taxpayers claiming the relief have been requested to indicate their participation in their annual returns of income forms. Even with this information, it will be some time before comprehensive statistics are available.

With regard to the scheme for approved share options, which is also relatively new, I am informed by the Revenue Commissioners that statistics are not available which would enable the information requested to be provided. I am informed by the Revenue Commissioners that the most recent relevant information available on savings related share option schemes relates to the income tax year 2003 for which the cost to the Exchequer is estimated at €4.9 million. These figures are based on the level of returns received to date and are subject to adjustment on receipt of further or amended returns.

As regards employee share ownership trusts, the only relevant information available relates to the costs to companies of establishing and contributing to trusts which are allowable as deductions against profits for corporation tax purposes. Figures available to date from 1999-2000 onwards indicate that the cost of corporation tax foregone in respect of such expenditure incurred by companies could be up to a total of €32 million.

The Finance Act 2003 requires that returns of income must be made for chargeable periods commencing on or after 1 January 2004 for profits arising from commercially managed woodlands and stallion and greyhound stud fees. Information

regarding the cost of these reliefs as a result of the introduction of this new requirement will become available in spring 2006.

168. **Mr. Durkan** asked the Minister for Finance when the tax free allowance will issue to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [28470/04]

**Minister for Finance (Mr. Cowen):** I am advised by the Revenue Commissioners that arrangements were made to issue a certificate of tax credits and standard rate cut off point to the person mentioned by the Deputy before a copy of the parliamentary question was received by the commissioners. The Revenue Commissioners examined the matter again on receipt of the parliamentary question and a further amended certificate of tax credits and standard rate cut off point will issue to the taxpayer in the coming days, incorporating an adjustment to assess the correct amount of taxable social welfare income.

#### Telecommunications Services.

169. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources the progress that has been made in the provision of broadband access; when broadband access will be made available at locations (details supplied); if there are plans to bring broadband to other areas in Tipperary; and if he will make a statement on the matter. [28234/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by ComReg, the Commission for Communications Regulation. Recognising that the private sector companies have been slow to invest in the provision of the necessary infrastructure in many areas, the Government set aside an indicative €200 million under the national development plan for infrastructure investment under the regional broadband programme that will enable the provision of broadband services by the private sector.

Under the first phase of the programme 26 metropolitan area networks, MANs, are being built in association with the local authorities. The MANs are being managed for the State on an open-access basis by E-Net, who have been awarded the services concession contract. Under the second phase of the programme, MANs are being built in 92 towns with a population of 1,500 and over. Grant agreements with the local authorities are being drawn up in respect of the first 44 and work is expected to begin by the end of the year.

Nenagh is included in the next phase of the rollout and calls for proposals in respect of a further 50 towns, including Roscrea, Templemore and Borrisoleigh, will issue in the New Year. Full

details of the broadband rollout programme can be found on my Department's website, [www.dcmnr.gov.ie](http://www.dcmnr.gov.ie), and full details of the service providers offering broadband services in County Tipperary may be found on [www.broadband.gov.ie](http://www.broadband.gov.ie).

#### Post Office Network.

170. **Mr. Healy** asked the Minister for Communications, Marine and Natural Resources if he will make arrangements for the automation of post offices at Grange, Clonmel, Newcastle, Clonoulty, Rossmore and Hollyford, County Tipperary, to ensure the continuation of vibrant village communities and to stop the closure by stealth and starvation of resources of these village post offices; and if he will make a statement on the matter. [28277/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** Regarding the automation of the post office network, An Post bears a statutory obligation to be financially self sufficient and to conduct its affairs in such a manner as to minimise costs to its customers. The company's programme of automation for certain post offices was completed in 1997. It is, therefore, only in exceptional circumstances such as an existing automated office closing and its equipment being transferred to a suitable neighbouring location which transacts significant volumes of welfare business that offices are automated. The automated network accounts for over 95% of An Post's counter business. This level of automated coverage is considered by An Post to be extremely comprehensive by any objective standard.

Given the minimal business volumes and small customer base of the remaining non-automated post offices and the prohibitively high costs, both capital and ongoing, of automating them, An Post advises me that it has no plans to increase the number of automated offices. That decision is entirely a commercial operational matter for the company.

The Government is committed to a viable and widespread rural post office network. However, consideration must be given to the current climate in which An Post is operating, bearing in mind the serious operational losses the company has suffered and the measures that need to be implemented if the company is to reverse its current situation.

#### Port Development.

171. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if he will quantify the significant capacity shortfall identified by his Department at the national ports conference at Kinsale on 24 September 2004; the capacity shortfall by reference to each of the commercial ports operating in the State; his measures for dealing with this shortfall over the medium

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term; and if he will make a statement on the matter. [28300/04]

172. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if there is an urgent need for increased capacity at commercial ports here in the context of evidence of capacity shortfall; his views on the way in which such capacity deficits can be addressed; his further views on the period within which capacity can be increased; and if he will make a statement on the matter. [28301/04]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):** I propose to take Questions Nos. 171 and 172 together.

My Department has drafted a comprehensive ports policy statement, which, subject to Government approval, I intend to publish in the near future. One of the major policy areas addressed by the policy statement will be how to meet the predicted deficit in seaport capacity.

My Department has commissioned independent consultants, Baxter Eadie Limited, to prepare a series of reports on seaport capacity and future projected capacity needs. Earlier this year, Baxter Eadie Limited prepared a desk study update in order to identify the effect Ireland's changing economic circumstances has had on projected capacity needs at the seaports. The study takes into account current economic growth projections and looks at capacity up to 2014.

Looking to 2014, the study found that traffic is expected to grow by 16.2 million tonnes, 35% more than the tonnage handled in 2003, while growth in capacity over the same period is projected at a low level, approximately 1% over the period. These projections are based on known changes which have full approval for implementation and do not include other plans for infrastructure improvements. A capacity shortfall of 12.2 million tonnes is projected by 2014. The consultants state the situation warrants decisions and further action to avoid increasing delays and congestion in ports, particularly for unit load cargos. My Department recognises that the study by Baxter Eadie Limited is necessarily an inexact exercise, the implications of which will need to be checked against experience in each of the ports.

The Deputy has asked for details of the projected capacity shortfall by reference to each of the commercial ports. However, I do not intend to release details relating to individual ports, as the work by Baxter Eadie Limited is based, in part, on commercially sensitive information provided in confidence by the ports. In the context of the ports policy statement, I will recommend to the Government that a policy framework should be put in place to ensure capacity needs are identified, planned and progressed in a co-ordinated manner.

### Departmental Programmes.

173. **Mr. McGinley** asked the Minister for Communications, Marine and Natural Resources the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28375/04]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** The RAPID programme is designed to ensure priority is given under national development plan schemes administered by Departments and State agencies to certain disadvantaged areas. There is no specific funding within my Department's budget in respect of the RAPID programme. However, projects which are prioritised under the RAPID programme and which are the subject of applications under NDP schemes administered by my Department would be eligible for funding for such schemes provided within my Department's budget.

It has not been possible in the time available to identify and assemble all the relevant information as requested by the Deputy. Information on projects which are of relevance to my Department is being collated in conjunction with Area Development Management Ltd., ADM, and the State agencies under the aegis of my Department and will be forwarded to the Deputy as early as possible.

### Fisheries Protection.

174. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources if a survey has been carried out in regard to fishing stocks on the Barrow River; the results of such a survey; the results in regard to the salmon stock; the funding available to angling clubs to restock the river; and if he will make a statement on the matter. [28414/04]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):** Under the Fisheries Acts, primary responsibility for the conservation, protection and management of inland fisheries stocks rests with the local fisheries board, in this case the Southern Regional Fisheries Board. I am advised by the chief executive officer of the board that a report was commissioned by the board in 2001 on Angling Along the Barrow Navigation, which recorded a total of 510 salmon over the 17 km of river surveyed. The chief executive officer also advises that the board carried out a fish stock assessment on the River Barrow in 2002. Both of these reports were made widely available by the board at the time and I have asked the chief executive officer to ensure copies are forwarded to the Deputy as soon as possible.

I am further advised by the chief executive officer that in 2004 the Southern Regional Fisheries Board, in co-operation with the Central Fisheries Board, has been facilitating a lamprey sur-



vey of the River Barrow and a survey of fish stocks affected by the ESB station at Great Island. According to him, these survey results are being compiled and are expected to be issued in early 2005.

I am informed by the chief executive officer that the Southern Regional Fisheries Board urges restraint with restocking programmes that could damage or impair native species on the River Barrow. The board considers that there is no evidence that a salmon restocking programme is needed for the River Barrow.

#### **Suicide Incidence.**

175. **Mr. Neville** asked the Minister for Foreign Affairs if he has raised with the UK authorities the issue of suicides of Irish persons in the United Kingdom since 1999; the number of persons who died by suicide; and the prisons at which these took place. [28312/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** My Department, through the Irish ambassador in London, made strong representations to the prison authorities in London following the deaths of seven people, of Irish nationality or of Irish descent, 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.

The review team published its findings, known as the Heavens report, in June 2003. 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 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 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. 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 the relatives and friends of the people involved to discuss the findings of the report.

Since the report's publication, the embassy has not been notified of further deaths of Irish citizens in HMP Brixton but I assure the Deputy that my Department, through the embassy, will continue to monitor the situation closely.

#### **Departmental Programmes.**

176. **Mr. McGinley** asked the Minister for Foreign Affairs the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28376/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** The RAPID programme is a focused initiative by Government to frontload national development plan funding and improve the delivery of services in the 45 most disadvantaged areas in the country. As no proposals from the areas in question have fallen within the remit of the Department of Foreign Affairs, there has been no funding allocated by my Department under this programme.

#### **Common Travel Area.**

177. **Mr. Durkan** asked the Minister for Foreign Affairs if he has received a response directly or through the Irish Embassy in London from the Foreign Office or the Home Office, relating to the detention of an Irish singer-songwriter who was detained at Holyhead under the Prevention of Terrorism Act 2000; if he has received reassurances in line with his request; if an apology has been offered; if an agreement has been reached regarding such matters in the future; and if he will make a statement on the matter. [28426/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** The Home Office responded on 1 November to the initial complaint made through the Irish Embassy, London. This response has been passed to the Irish citizen in question, whom my officials met on 9 November. As the Deputy will understand, citizens have a right to expect that the substance of their communication with my Department on such matters will be maintained in confidence and therefore, against this background, I will not comment further on the detail of the case at this stage.

This case and the issues it gives rise to regarding the operation of the Terrorism Act 2000 and its effects on Irish citizens moving within the common travel area are matters of ongoing discussion and consideration between my Department, our embassy in London and the British authorities.

#### **Foreign Conflicts.**

178. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will use his power and influence to advance the case for a Palestinian state. [28436/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** The Government believes that the best way to bring about a Palestinian state is through a peaceful solution to the Israel-Palestine conflict. The Government, together with our EU partners, has consistently worked for a negotiated end to the conflict, leading to a viable, contiguous, sovereign and independent Palestinian state existing side by

[Mr. D. Ahern.]  
side in peace with Israel. As Minister for Foreign Affairs, I will work resolutely for this end.

The Government has expressed its position in the UN and in other international fora, most recently through my predecessor's address to the UN General Assembly on 22 September 2004, as well as during our time on the Security Council.

At the European Council on 5 November, which I attended with the Taoiseach, the EU reaffirmed its commitment to the two state solution as laid out in the quartet road map and stated its objective of relaunching a meaningful political process of negotiations. In particular, the Government strongly supports the Council's decision to endorse a short-term programme of action in the fields of security, reforms, elections and the economy which was proposed by High Representative Solana, and the Council's invitation to the high representative to conduct consultations with the parties and the quartet on how these political objectives can be realised, with a view to placing these proposals within a broader political perspective.

#### **Diplomatic Relations.**

179. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will develop the relationship between the Cuban people and Ireland. [28437/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** Relations between Ireland and Cuba have developed in recent years, particularly since the establishment of diplomatic relations in 1999. Our ambassador in Mexico City is accredited to Cuba. In 2001, Cuba established a resident embassy in Dublin, headed at *chargé d'affaires* level and with its ambassador to Ireland resident in London. The *chargé d'affaires* has been extremely active in seeking to promote links between the two countries based, *inter alia*, on people to people contact and cultural activities. Many Irish people have visited Cuba in recent years. I welcome these developments and would certainly wish to see the bilateral relationship between Ireland and Cuba develop further.

As regards the US economic embargo on Cuba, the Government, in common with our partners in the European Union, believes that it seriously hampers the economic development of Cuba and negatively affects all of its people. We reject unilateral measures against Cuba which are contrary to commonly accepted rules of international trade. On 28 October 2004 in the United Nations General Assembly, Ireland and our EU partners again voted in favour of the annual Cuban tabled resolution, entitled the Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

Unfortunately, the ongoing large scale violation of human rights in Cuba and the unacceptable attitude of the Cuban Government towards the resident EU embassies in Havana are

a serious impediment to the further development of relations with Cuba and its people. Large numbers of prisoners of conscience are still in detention in Cuba and its government continues to refuse to co-operate fully with the personal representative of the High Commissioner for Human Rights. A recent report by the NGO, Reporters without Borders, ranked Cuba in second last place worldwide for press freedom.

On 14 June 2004, during the Irish Presidency of the EU, the General Affairs and External Relations Council reaffirmed the validity of the 1996 common position on Cuba, following the fourteenth evaluation of that position, and reiterated that constructive engagement remains the basis of the EU's policy towards Cuba. The Council also emphasised the importance which the Union attaches to dialogue in order to produce tangible results in the political, economic and civil rights and co-operation spheres, and made clear that the EU remains open to resuming such dialogue with Cuba.

The above remains the position of the Government and of our EU partners. Finally, I again urge the Cuban Government to release prisoners of conscience and to respect internationally acknowledged principles and practices in relations with EU missions in Havana so that dialogue can be resumed. I have no doubt but that such steps by the Cuban Government would impact positively on the next evaluation of the EU common position on Cuba.

#### **Colombia Three.**

180. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding persons (details supplied); and if and when they will be returned safely to Ireland. [28438/04]

**Minister for Foreign Affairs (Mr. D. Ahern):** As the Deputy will be aware, following the decision in the case by Judge Acosta on 26 April 2004, the Office of the Prosecutor General in Colombia lodged an appeal against the verdict which acquitted the three men on the principal charge of providing training for terrorists. That appeal is currently being considered by a panel of judges and their decision is awaited.

Pending the outcome of the appeal, the three men have left the prison in Bogotá. However, the appeal judges ruled that they must remain in Colombia until the appeal is decided. In a letter to the Taoiseach last July, in response to the representations made by the Taoiseach at his meeting with President Uribe on 29 May in Guadalajara, the president indicated that he was hopeful of an early decision in the appeal but he also emphasised that he could not guarantee this because of the independence of the judiciary in Colombia.

In the past week, I have written to Foreign Minister Barco to again stress to her the importance of an early decision in the appeal. When she met my predecessor at the United Nations in New York last September, she indicated that she

shared our wish for an early decision and, while emphasising the independence of the courts in Colombia, was hopeful that the appeal would be concluded some time in the autumn.

### Sports Capital Programme.

181. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism if there are grants or funding available for a golf club to develop existing facilities and to protect current boundaries; and if he will make a statement on the matter. [28256/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** The national lottery funded sports capital programme administered by my Department allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis. Under the 2004 sports capital programme I allocated €61 million in respect of 738 projects.

Applications under the programme are assessed in accordance with a very detailed set of guidelines, terms and conditions. While it is open to golf clubs to apply for funding under the programme in respect of the development of facilities, funding for golf clubs would not generally be regarded as a priority under the programme and no golf club benefited under the 2004 programme. I will make an announcement shortly about the timetable for submission of applications for grants under the 2005 sports capital programme.

From a tourism perspective, the only source of grant support generally available for the development of tourism capital projects is the tourism product development scheme. This scheme, which is funded under the European regional development fund, supports investment in tourism product over the period of the National Development Plan 2000-06 and is administered by Fáilte Ireland.

### Departmental Programmes.

182. **Mr. McGinley** asked the Minister for Arts, Sport and Tourism the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28377/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** There is no specific funding available in my Department for distribution under the revitalising areas through planning, investment and development, RAPID, programme. Targeted areas are, however, prioritised for investment and development under the national lottery funded sports capital programme, which is administered by my Department. The programme allocates funding to sporting and community organisations at local, regional and national level throughout the country towards the provision of sport and recreational facilities.

One of the programme's four stated main objectives is the prioritisation of the needs of disadvantaged areas in the provision of facilities. Prior to 2003, disadvantaged areas under the programme were those, which were designated by Government for special support through the regional operational programmes of the national development plan, that is, areas supported by area partnership companies as designated by Area Development Management, ADM, Limited. RAPID areas came within this definition but were not classified or designated separately for the sports capital programme.

For the 2003 sports capital programme, following consultation with the Department of Community, Rural and Gaeltacht Affairs, it was decided disadvantaged areas under the programme would be those designated by Government for special support through the schemes administered by the Department, namely RAPID 1, RAPID 2, local drugs task force areas and CLÁR. Applications located in such areas received priority in the assessment process, provided that they met the basic eligibility criteria for the programme as highlighted in the guidelines, terms and conditions of the programme. Applications from RAPID areas which were eligible for assessment and which were endorsed by their local area implementation team, AIT, received greater priority in the assessment than other applications, even other disadvantaged ones.

A total of €7.6 million was allocated to 71 projects located in RAPID areas under the 2003 sports capital programme, while, under the 2004 programme, for which the same disadvantaged designation was used, a total of €10.5 million was allocated to 100 projects. In addition, under the 2004 sports capital programme, those projects allocated grants which were located in RAPID areas and endorsed by their AIT received additional top-up funding from my colleague the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, amounting to €2.2 million. The improved targeting of RAPID projects under the sports capital programme is regularly praised by the RAPID national monitoring committee.

Under the local authority swimming pool programme, which is also administered by my Department, the funding allocated to swimming pool projects located in RAPID areas since the inception of the RAPID programme in 2001 is as follows:

	€
Ballinasloe	3,809,214
Ballymun, Dublin	3,809,214
Churchfield, Cork City	3,809,214
Drogheda	3,809,214
Finglas, Dublin	3,809,214
Tralee Aquadome	86,400
Tralee Sports Centre	3,809,214



	€
Clonmel	1,641,934
Tuam	3,809,214
Youghal	3,809,214
Total paid to date	32,202,046

### Tourism Promotion.

183. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the meetings he has had with Tourism Ireland and the national sporting bodies in regard to the selection of Ireland as a venue for international events; and if he will make a statement on the matter. [28400/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** Since taking up office, I have not had specific meetings with representatives of the national sporting bodies or the State tourism agencies in regard to the selection of Ireland as a venue for international events.

Fáilte Ireland's international sports tourism initiative was launched in January 2000 with a view to supporting efforts to attract major international sporting events with tourism potential to Ireland. Hosting major international sporting events has the potential to both enhance the image of Ireland as a desirable holiday destination and at the same time to generate tourism revenue as a consequence of the valuable exposure provided by media and television coverage associated with the sponsorship of such events. The administration of the initiative is a day to day matter for Fáilte Ireland.

### Air Services.

184. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of meetings he has had with the Minister for Transport about the call by the national tourism strategy group in regard to the fast turnaround facilities at Dublin Airport; and if he will make a statement on the matter. [28404/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** I outlined for the House, in response to Parliamentary Question No 25435/04 on 20 October 2004, the approach that is being taken to address the recommendation of the tourism policy review group on fast turnaround facilities at Dublin Airport.

As the Deputy is aware, ministerial responsibility for aviation matters rests with my colleague, the Minister for Transport, who has asked the new Dublin Airport Authority, which took office on 1 October 2004, to give priority to addressing capacity requirements at Dublin Airport, including providing additional facilities for the fast turnaround of aircraft.

I have kept in contact with the Minister for Transport about the transport recommendations contained in the report and, in that context, it is my intention to contact the new Minister for

Transport to discuss these issues in the near future.

### Arts Funding.

185. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of theatres and art centres opened by local authorities and funded by the capital grants section of his Department in each of the past three years; and if he will make a statement on the matter. [28405/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** My Department's ACCESS scheme provides for capital grant aid to 44 arts and culture projects around the country, including 17 which are directly promoted by local authorities. These grants were approved in 2001. One of these projects has drawn down its full grant allocation and another five are at the final stage of grant draw down. The remaining projects are at differing stages of completion. The opening of these facilities is a matter for each local authority.

### Film Industry Development.

186. **Mr. Wall** asked the Minister for Arts, Sport and Tourism his plans to visit the US to meet with officials of the major film companies; when the visit is planned; the companies he will meet; and if he will make a statement on the matter. [28407/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** I intend to visit the United States early in 2005 to meet with key players in the film industry there, in order to promote Ireland as a location for film production. Details have not been decided as yet but decisions regarding the nature and content of the visit will be taken in close consultation with the Irish Film Board.

187. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the funding allocated for the development of home based film productions in each of the past three years; and if he will make a statement on the matter. [28408/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** The Irish Film Board, funded by my Department but independent of it on an operational basis, is responsible on a day to day basis for promoting the Irish film sector. The amounts made available to the board for the support of film projects over the past three years were as follows: 2002 — €12.265 million; 2003 — €10.768 million; and 2004 — €11.845 million.

188. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the discussions he has had in the past six months with his EU counterparts regarding the development of the film industry in the EU; the proposals resulting from such meetings; and if he will make a statement on the matter. [28409/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** I chaired the European Union

Council formation on education, youth and culture on 27 May 2004. At that meeting there was an exchange of views on the relevant elements of a communication from the Commission, Making Citizenship Work: fostering European culture and diversity through programmes for youth, culture, audiovisual and civic participation.

Since then, the Commission has presented a proposal for a decision of the European Parliament and of the Council concerning a new programme of support for the European audiovisual sector for 2007 to 2013. The audiovisual working group, which operates under the auspices of the Council of Ministers of Education, Youth and Culture, including the audiovisual area, has been discussing this proposal. Under the Dutch Presidency since July this year, five meetings of this group have been held. This proposal will be discussed at the forthcoming ministerial Council of 16 November.

### **Sport and Recreational Development.**

189. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of meetings he has had with the Olympic Council of Ireland since the Athens Olympics; the results of such meetings; and if he will make a statement on the matter. [28410/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** I have had no formal meeting with the Olympic Council of Ireland since the Athens Olympics, although I had discussions with the President of the Olympic Council of Ireland relating to the performance of the Irish team at the Athens Olympics.

As the Deputy is aware, the Irish Sports Council, as the statutory agency for the promotion and development of sport in Ireland, is responsible, in partnership with both the Olympic Council of Ireland, the Paralympic Council of Ireland, and the relevant national governing bodies of sport, for all matters relating to the preparation and participation of Irish competitors at the Olympic and Paralympic Games.

The Irish Sports Council has initiated a review of Team Ireland's participation in this year's Olympic and Paralympic Games. The review involves questionnaires, one-to-one meetings with the athletes, support personnel, coaches and performance directors. The aim of the review is to produce an objective assessment of the preparation and performance of the Irish teams at the Athens Olympic and Paralympic Games in 2004, identifying the strengths and weaknesses of all aspects of the programmes throughout the four year cycle, with a view to making recommendations regarding the development of a programme for Beijing in 2008.

Wharton Consulting, a leading consultancy firm based in Britain, is conducting the review under the direction of a steering committee established by the Irish Sports Council and on which my Department is represented. The Olympic Council of Ireland and the Paralympic Council of

Ireland are also represented on this committee. Wharton Consulting was selected by the Irish Sports Council following a public tender process and has considerable experience working with sporting organisations in England, including Sport England. The review is due for completion by 1 December 2004 and it is the intention of the Irish Sports Council to publish the report in due course.

190. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the meetings he has had or proposes to have with the FAI in regard to its difficulties; the results of such meetings; and if he will make a statement on the matter. [28411/04]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** In response to the recent developments within the Football Association of Ireland which resulted in the departure of the chief executive officer of the association, I requested officials of the FAI to meet with me at my office on 3 November 2004 to brief me on developments.

At the meeting, I reiterated to the FAI officials in attendance that the Government looks to the association to become a dependable, effective and efficient organisation capable of accepting and discharging its responsibilities with regard to projects to which the Government has committed substantial support from public funds. These include the redevelopment of Lansdowne Road stadium, the development of a sports campus at Abbotstown, funding under the sports capital programme for soccer clubs at national, regional and local levels and the funding provided to the association by the Irish Sports Council.

I fully support the delivery of the reform agenda mapped out in the Genesis report and I have indicated to the FAI that the positions of chief executive and director of finance and administration as outlined in the Genesis report should be publicly advertised by the end of this year. In addition, I have appointed my own representative to the joint Irish Sports Council-FAI liaison group which is overseeing the reform process. I have also asked the FAI to maintain regular contact with me and my Department on all matters affecting the development of the association.

### **Departmental Programmes.**

191. **Mr. McGinley** asked the Minister for Enterprise, Trade and Employment the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28378/04]

**Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):** My Department's contribution to the RAPID programme has been delivered mainly through the prioritisation of existing FÁS programmes. Support provided by FÁS has been pri-

[Mr. Killeen.]

marily through FÁS community services, where the community employment programme is the major element and where RAPID areas continue to be prioritised, FÁS employment services, the local employment services, and FÁS training services.

The RAPID concept is to co-ordinate the functions of different agencies. It has not attracted departmental funding *per se*. However, in 2004 the estimated value of the FÁS community employment activities associated with RAPID areas and which are funded from FÁS existing resources will be in the region of €60 million.

#### Site Acquisitions.

192. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment if he, the IDA and the local authority will investigate the possible purchase of a section of land for a sports club (details supplied) in County Kildare. [28424/04]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** The management of IDA Ireland's industrial property portfolio is a day to day operational matter for the agency and not one in which I have a direct function.

From inquiries I have made of the agency I understand that IDA Ireland agreed in principle to sell a 2.5 hectare site at Monasterevin, County Kildare, to Kildare County Council in April 2003. The site is part of a transaction involving the disposal of IDA lands at Kildare Town, Monasterevin and Castledermot.

The transaction was approved by the IDA Ireland board on the basis that the council would use the land to encourage industrial development activities in line with the agency's statutory remit. As discussions are ongoing between the agency and the county council, it would be inappropriate for me to comment further.

#### Employment Legislation.

193. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment the position regarding a person (details supplied) employed by an Irish subsidiary of a company in regard to employment legislation; and if he will make a statement on the matter. [28733/04]

**Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):** It would appear from the information supplied with the question, that the person concerned is a posted worker within the meaning of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services.

Under this directive a posted worker is a worker who, for a limited period, carries out his or her work in the territory of a member state other than the state in which he normally works. The directive applies, *inter alia*, to undertakings

that post workers to an establishment or to an undertaking owned by the group in the territory of a member state, provided there is an employment relationship between the undertaking making the posting and the worker during the period of posting.

The above directive was transposed into Irish law by section 20 of the Protection of Employees (Part-Time Work) Act 2001. The result of this transposition is that posted workers such as the person concerned are covered by all employee protection legislation on the Statute Book in the State.

Even if the person concerned is not a posted worker, he or she would still be covered by all employee protection legislation, because section 20 of the Protection of Employees (Part-Time Work) Act 2001 also provides that all such legislation applies to a person, irrespective of his or her nationality or place of residence, who (i) has entered into a contract of employment that provides for his or her being employed in the State, and (ii) works in the State under a contract of employment.

*Question No. 194 answered with Question No. 91.*

#### Social Welfare Benefits.

195. **Mr. English** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Meath is being penalised in the one-parent family payment for rental income that is not being received by them; and if he will make a statement on the matter. [28255/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The person concerned is currently in receipt of one parent family, widowed person's, payment at the weekly rate of €82.30 and a child dependent allowance payment of €19.30 per week.

One parent family payment is a means tested payment and all income is assessable as means. When assessing a person's means, account must be taken of any savings, investments, property or income which the person may have. It was decided on 3 May 2002 that the person concerned was entitled to a reduced rate one parent family, widowed person's, payment, based on means of €60 per week derived from the letting of a premises adjacent to his family home. This decision was subsequently appealed and the deciding officer's decision was upheld by an appeals officer in November of 2002.

Representations were subsequently received from the Deputy in March of 2004 to the effect that the person concerned was not in receipt of rental income from the premises, as his son was now in receipt of the relevant income.

However, where a person deprives himself of income, in order to qualify for an increase in payment, the legislation provides that the income foregone continues to be assessed as means. Following further investigation by a local officer, the



application for an increase was disallowed by a deciding officer on 23 October 2004, as the income from the premises continues to be assessed as means. The person concerned was notified of this decision and of his right of appeal.

Under social welfare legislation, decisions on claims are 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.**

196. **Mr. Kirk** asked the Minister for Social and Family Affairs if he will consider introducing a voluntary social insurance scheme for disability benefit for persons who have spent the bulk of their working life as employees and who move to self employment status; and if he will make a statement on the matter. [28264/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The social insurance system in Ireland is generally based on compulsory paid PRSI contributions which establish entitlement to a range of contingency based payments. The contributions to be paid are determined by reference to the nature of work.

Employees and their employers generally pay contributions at PRSI class A and self employed workers pay class S contributions. The contribution paid can determine the range of benefits and pensions to which contributors can build up entitlement.

Self employed workers have been compulsorily insurable under the Social Welfare Acts since 1988 and, subject to their having sufficient contributions, they are eligible for the following payments: widow's or widower's contributory pension; orphan's contributory allowance; old age contributory pension; maternity benefit; adoptive benefit; and bereavement grant. When social insurance for the self employed was introduced, coverage for short-term insurance based contingencies including sickness were excluded, given the difficulties of applying these to self-employed workers and the financial implications associated with this.

The range of benefits to which different groups of workers may establish entitlement reflects the risks associated with the nature of their work and this is reflected in the rate of contributions payable. Self employed workers pay PRSI class S contributions at a rate of 3% and are potentially eligible for a narrower range of benefits than employees who, together with their employers, are potentially liable for a total contribution of 14.05%, which is payable at PRSI class A. An extension of short-term benefits to self employed contributors, as well as having significant administrative implications, would necessitate an increase in the rate of PRSI class S contribution to fund it.

It might be noted that where employees move into self employment they may retain entitlement to short term benefits, such as disability benefit,

for a period up to two years after their employment status has changed. This reflects the manner in which qualification for social insurance benefits is calculated. Providing the required number of contributions were paid in the governing contribution year, which is the second last complete tax year before a benefit is claimed, and all other qualification conditions are fulfilled, a person can maintain their entitlement to short-term benefits for the initial period of self employment. In this way a self employed worker, who previously worked as an employee, is cushioned against the risk of illness during the early periods of self employment.

The social insurance system contains provisions for voluntary contributions so as to maintain coverage for some long-term benefits. A worker who is under the age of 66 years who ceases to be covered by compulsory PRSI may opt to become a voluntary contributor, provided certain conditions are satisfied.

Voluntary contributions continue to provide cover for certain long-term benefits such as pensions. These contributions do not, however, give cover for other short term benefits such as unemployment, disability or treatment benefit reflecting their voluntary nature and the rate at which they are collected.

There are no plans at present to extend short-term benefits to self employed persons. Any such proposal would have both administrative and financial implications and would have to be considered in a budgetary context.

### **Social Welfare Benefits.**

197. **Mr. O'Shea** asked the Minister for Social and Family Affairs if he will rescind the terms of office notice 02/04 of 28 January 2004, job initiative, secondary benefits, in order that persons on the minimum payment for the jobs initiative scheme can qualify for the fuel and smokeless fuel allowances; and if he will make a statement on the matter. [28274/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The job initiative programme is an initiative which is administered by FÁS, under the aegis of the Department of Enterprise Trade and Employment. Participants on the job initiative programme may qualify for payment of the fuel and smokeless fuel allowances subject to a weekly gross household income limit of €317.43 per week. In calculating the household income, account is taken of PRSI contributions and reasonable travelling expenses incurred.

The minimum payment to job initiative participants was increased to €318.40 from 1 January 2004, thereby taking it above the limit for continued payment of the fuel allowance. The income limit of €317.43 is kept under review and any changes would have to be considered in a budgetary context.

*Question No. 198 withdrawn.*

199. **Mr. Ring** asked the Minister for Social and Family Affairs the position regarding the carer's allowance application submitted by a person (details supplied) in County Mayo; and when they can expect to receive approval for it. [28449/04]

**Minister for Social and Family Affairs (Mr. Brennan):** The person concerned applied for carer's allowance on 8 October 2004. An interim decision issued to her on 29 October, 2004 refusing her application on the grounds that full-time care and attention was not required in this case. She has been afforded the opportunity to submit to my Department any further medical evidence for review. A formal decision will then be made and she will be notified directly of the outcome.

Under social welfare legislation, decisions on 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.

#### International Agreements.

200. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of countries with which Ireland currently has bilateral social welfare agreements; and if he will make a statement on the matter. [28457/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Ireland has concluded bilateral social security agreements with seven countries, namely, Austria, Australia, Canada, New Zealand, the United Kingdom, the USA and Switzerland. Ireland also entered into a bilateral understanding with Quebec on 1 October 1994. All of these agreements are currently in operation. A further agreement has been negotiated with the Republic of Korea and full ratification of this agreement is expected shortly.

The main purpose of these agreements is to protect the social security pension rights of workers who have worked both in Ireland and the other country to which the agreements apply. The bilateral agreements mainly provide for the adding together of periods of insurance and, where appropriate, periods treated as equivalent to periods of insurance completed in Ireland and the other country involved, for the purposes of calculating and awarding pensions. These pensions can also be paid to those residing in the territory of the other country.

#### Social Welfare Benefits.

201. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will give favourable consideration to increasing family income supplement; and if he will make a statement on the matter. [28458/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Family income supplement, FIS, is designed to provide cash support for employees on low earnings with families and thereby pre-

serve the incentive to remain in employment in circumstances where the employee might only be marginally better off than if he or she were claiming other social welfare payments.

The range of improvements to the family income supplement scheme instituted in recent years, including the assessment of FIS on the basis of net rather than gross income and the progressive increases in the income limits, have made it easier for lower income households to qualify under the scheme.

Budget 2004 provided for further increases in the FIS income limits with effect from January 2004. These increases raised the weekly income limits by €28 at each point, adding an extra €16.80 to the payments of most existing FIS recipients. The minimum FIS weekly payment was also increased by €7 from €13 to €20. The average weekly payment now stands at €76.83 per week, with a total of 14,040 families receiving a supplement under the scheme.

The question of further improvements to the income thresholds is a matter for consideration in a budgetary context, having regard to available resources and Government commitments.

#### Pension Provisions.

202. **Mr. Durkan** asked the Minister for Social and Family Affairs the extent to which he intends to increase pensions for widows and widowers in 2005; and if he will make a statement on the matter. [28459/04]

**Minister for Social and Family Affairs (Mr. Brennan):** In recent years, the Government has, apart from significant increases in rates of payments, introduced a number of specific measures to benefit widows and widowers. In 2000, the widowed parent grant was introduced to provide additional assistance to those with dependent children in the difficult time following a bereavement. The grant is currently valued at €2,700 and is paid in addition to the usual after death payments.

Increases in the rates of child benefit are also of benefit to widows and widowers with children. Since 1997, the monthly rates of child benefit have been increased dramatically. Since April, child benefit payments are €131.60 per month for each of the first and second children and €165.30 per month for the third and subsequent children.

With regard to those who are over 66 years of age, the Government had committed to bringing their rate of payment into line with that of the old age contributory pension. This was achieved through a series of special increases in recent budgets and the process was completed in budget 2004. The maximum rate of both old age and widow's and widower's contributory pension is now €167.30 per week. This group of widows and widowers is also benefiting from the changes in the free schemes announced over a number of budgets.

Under these arrangements, all persons aged over 70 years of age are now entitled to the full

range of schemes regardless of their means or household composition. The provisions for widows and widowers under the social welfare code will be kept under review in a budgetary context.

*Question No. 203 answered with Question No. 86.*

*Questions Nos. 204 and 205 answered with Question No. 82.*

*Question No. 206 answered with Question No. 97.*

### Social Welfare Code.

207. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will consider extending the free schemes to younger widows or widowers; and if he will make a statement on the matter. [28464/04]

**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 years 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 years 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. A range of proposals, including that of 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.

### Social Welfare Benefits.

208. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of persons on back to work allowance in each of the past three years; the extent to which he will improve the scheme in 2005; and if he will make a statement on the matter. [28465/04]

**Minister for Social and Family Affairs (Mr. Brennan):** 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, namely, the back to work enterprise allowance for self employment and the back to work allowance for employees.

The number of recipients at the end of the years 2001, 2002 and 2003 are shown in the tabular statement following:

	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

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 has 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, therefore, 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 budget 2004, the qualifying period for access to the self-employed strand of the scheme was reduced to three years.

From March 2004, persons in receipt of unemployment benefit or assistance accessing the self employed strand of the scheme only require three years on their unemployment payment to qualify for participation in the scheme. I will continue to monitor the scheme to ensure that it continues to assist those furthest from the labour market to gain a foothold into sustainable employment or self-employment and will therefore keep the scheme under review.



209. **Mr. Durkan** asked the Minister for Social and Family Affairs the extent to which ophthalmic and dental benefits are readily accessible to those with the required contributions; and if he will make a statement on the matter. [28466/04]

**Minister for Social and Family Affairs (Mr. Brennan):** Dental and optical benefit is provided to insured workers through panels of dentists and opticians who enter into agreements with my Department to provide treatments under the scheme on a contract basis and at fees specified in the agreements. There are 1,329 dentists on the dental panel and 355 opticians on the optical panel. Under these arrangements and with limited exceptions, treatments are provided to the patients either free of charge or at a reduced fee and the Department pays the balance of the cost directly to the dentist or optician at the agreed rates.

Access to optical and dental benefit is readily available to insured people and their dependent spouses who satisfy the contribution conditions. Both optical and dental panellists can contact my Department using a lo-call service, on behalf of the insured person, and obtain immediate confirmation regarding a person's entitlement to treatment benefits. The panellist can also contact my Department by fax and a reply will be given within 24 hours. If the person has the required contributions, treatment can commence immediately.

Some panellists continue to seek written approval prior to commencing treatment. A written decision issues in these cases within three weeks to the insured person and the panellist. My Department is anxious to develop and improve its communication services to customers and to minimise waiting times wherever possible. In this regard the use of modern technology such as e-mail and Internet services are currently being examined as additional methods of communication. If the Deputy is aware of any particular difficulties, I would be glad to look into them.

#### **Driving Tests.**

210. **Mr. Noonan** asked the Minister for Transport if he intends recruiting driving testers; the number of testers he intends employing and the period of employment; the qualifications he will require of applicants; and if he will make a statement on the matter. [28310/04]

**Minister for Transport (Mr. Cullen):** There are seven driver tester vacancies and one contract driver tester vacancy at present. My Department is in discussions with the Department of Finance with a view to filling all existing vacancies in this area definitively. We hope to fill seven of these posts on a permanent basis and this will in turn necessitate the employment of additional driver testers on contract.

The qualifications and skills required of applicants include a good general education; a satisfactory knowledge of the rules of the road, road pro-

cedures and the law relating to road traffic in so far as it concerns the driver of a mechanically propelled vehicle; at least five years' satisfactory driving experience within the last seven years; a general understanding of the working of mechanically propelled vehicles; report writing skills with particular reference to accuracy, clarity and conciseness; a clean driving licence, other than a provisional licence, valid in the State on the day of the test; and excellent interpersonal skills, including the ability to communicate clearly both orally and in writing and the capacity to remain calm and courteous in dealing with applicants.

#### **Public Transport.**

211. **Ms O. Mitchell** asked the Minister for Transport the details of all subsidies received by State public transport providers, specifically Irish Rail, Bus Éireann and Dublin Bus; the details of the average cost per journey resulting from these subsidies; and if he will make a statement on the matter. [28293/04]

**Minister for Transport (Mr. Cullen):** Exchequer subvention of €244.98 million was paid to CIE in 2003. The allocation of this amount between the three companies by the CIE board was as follows: Irish Rail, €168.257 million; Bus Éireann, €22.856 million; and Dublin Bus, €53.867 million. I understand from CIE that in 2003, the average subvention per passenger journey for Bus Átha Cliath was €0.36, for Iarnród Éireann was €4.6 and for Bus Éireann it was €0.47.

#### **Departmental Programmes.**

212. **Mr. McGinley** asked the Minister for Transport the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28380/04]

**Minister for Transport (Mr. Cullen):** As the Deputy is aware, there is no specific separate funding allocated to the RAPID programme. The RAPID programme is aimed at prioritising national development plan funding to various disadvantaged communities in large urban areas. Under the scheme, Bus Éireann introduced a new route in Cork city, the southern orbital bus service. The Department has provided funding of €735,000 to date towards the project as follows: 2002, €288,000; 2003, €235,000; and 2004 €212,000.

#### **Inland Waterways.**

213. **Mr. Wall** asked the Minister for Community, Rural and Gaeltacht Affairs the grants available to provide landing jetties, piers or similar facilities in order to permit the development of river and canal boating facilities from his Department; and if he will make a statement on the matter. [28413/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Waterways Ireland, co-sponsored by my Department and the Department of Culture, Arts and Leisure in Northern Ireland is one of the six North-South implementation bodies established under the British-Irish Agreement Act 1999. It is charged with the management, maintenance, development and restoration of the inland navigable waterway system throughout the island, principally for recreational purposes.

While Waterways Ireland itself undertakes the provision of facilities such as landing jetties and piers in order to permit the development of river and canal boating facilities, it does not offer grants to other groups or organisations for such purposes.

#### **Community Development.**

214. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to allow for inflation and additional costs arising from national wage agreements when allocating funding to the community partnerships; and if he will make a statement on the matter. [28265/04]

215. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to restore the 19.07% reduction in funding from his Department to community partnership in the years 2002 to 2004; and if he will make a statement on the matter. [28266/04]

216. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to provide adequate resources and to introduce multi-annual funding into the community partnership sector; and if he will make a statement on the matter. [28267/04]

217. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals for the extension of the local development social inclusion programme in view of the fact that disadvantage is a pervasive issue; and if he will make a statement on the matter. [28268/04]

218. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his views on the community partnerships as a primary channel for tackling disadvantage in the future; and if he will make a statement on the matter. [28269/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I propose to take Questions Nos. 214, 215, 216, 217 and 218 together.

The local development social inclusion programme is managed by Area Development Management Ltd., ADM, on behalf of my Department. Following the appraisal of the plans submitted by the groups, funding for programme and administration costs is allocated to community partnerships by ADM, in the context of funding available from my Department each year. As the Deputy will be aware, Government Departments operate on the basis of funds voted annually by the Dáil. It is therefore not possible

to enter into multi-annual budgeting arrangements.

While there was a reduction in the funding available for this programme in the last two years, it should be noted that the community partnerships did not experience the full extent of these reductions. In 2003, the community partnerships experienced budget reductions of between 4% and 6%. Allocations for community partnerships for 2004 compared with 2003 were reduced on average by 5%. I wish to again acknowledge the work being done by community partnerships in addressing disadvantage in their areas. There are no formal plans to extend the remit of the programme at this time.

#### **Departmental Programmes.**

219. **Mr. McGinley** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28381/04]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Proposals from RAPID plans relevant to my Department fall to be considered under the community development programme, funding for local drugs task forces, LDTF, and the young people's facilities and services fund, YPFSF. Six new community development projects in RAPID areas were prioritised since the commencement of the programme. Projects in Bluebell, Dolphin House, Inchicore, Merchants Quay-Ushers Quay, Longford town and Tipperary each received a renewable one-year contract for funding of €60,000. Approximately €3.6 million was allocated to specific projects from RAPID plans from funding available to my Department for local drugs task forces and the young people's facilities and services fund, YPFSF. A further amount of €1 million was also allocated under the premises initiative for a community drugs project.

However, it should be noted that the allocations relate only to allocations to specific projects from RAPID plans. My Department also has responsibility for the work of the 14 local drugs task forces. These were established in the areas experiencing the worst levels of drug misuse, particularly heroin, and many of them have RAPID areas within them. Over €80 million has been allocated to the task forces to implement their two rounds of local action plans. A further €12.8m 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

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and activities and divert them away from the dangers of substance misuse. RAPID communities located in these areas would benefit from this funding.

There are also currently over 100 CDP projects in RAPID areas that are receiving in excess of €9 million funding from my Department in 2004. Money is also spent under the LDSIP programme in RAPID. As the borders of the partnership are not coterminous with those of the RAPID area, it would be impossible to quantify the exact spend in RAPID areas.

This year, I secured additional dedicated funding of €4.5 million to support small-scale localised actions in RAPID areas through co-funding with the relevant Department or agency and I announced details of a number of co-funded schemes earlier this year. Funding totalling €2 million was allocated to RAPID areas under the local authority housing estate enhancement scheme, which is co-funded by my Department and the local authorities. Under the RAPID playgrounds scheme, which my Department co-funds with the Department of Health and Children, a total of €3 million was allocated to RAPID areas. In addition, my Department has provided top-up funding of €2.2 million to successful projects in RAPID areas that were endorsed by the area implementation teams under the sports capital programme 2004, which is administered by the Department of Arts, Sport and Tourism.

The Deputy should also note that since the establishment of the RAPID programme, my Department has provided approximately €5 million by way of support to the local areas in the preparation and implementation of their plans and administration costs associated with the support team in ADM.

#### **Housing Aid for the Elderly.**

220. **Mr. Wall** asked the Minister for Community, Rural and Gaeltacht Affairs the number of applications for the alarms for the elderly scheme received in his Department by Kildare residents for each of the past three years; if he has satisfied himself with the system of notification of the scheme for applicants; the period of time spent in processing applications; if he will report on the availability of suitable personnel to install the schemes; the funding that has been allocated to the scheme for each of the past three years; the funding that has been allocated for the advertising of the scheme; and if he will make a statement on the matter. [28412/04]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern):** Voluntary groups from County Kildare submitted applications on behalf of 654 individuals since 2002 under the scheme of community supports for older people. This figure comprises 186 individuals in 2002, 170 in 2003 and 298 in 2004. A total of €2.7 million was allocated to the

scheme for the country as a whole in 2002, €2.9 million in 2003 and €2.4 million in 2004.

The scheme is advertised each year in the national daily and regional newspapers and is also advertised on my Department's website. Advertising costs for the scheme this year totalled €72,762. Contact details of interested parties are also entered on a database throughout the year and the scheme details are sent by mail shot to all those on the database once the grant scheme is officially launched. This year almost 500 groups and individuals were included in the mail shot.

The 2004 scheme of community support for older people was advertised nationwide on 29 July 2004 with a closing date of 13 September 2004. It is intended to notify the successful applicants in December.

The selection of suppliers and installers of equipment funded under the scheme is a matter for the voluntary-community groups concerned.

#### **Rural Environment Protection Scheme.**

221. **Mr. English** asked the Minister for Agriculture and Food if a concession can be made in the case of a person (details supplied) in County Meath; and if she will make a statement on the matter. [28233/04]

**Minister for Agriculture and Food (Mary Coughlan):** A penalty was imposed on the person named because he did not submit an amended plan within the permitted time. He appealed the decision but the penalty was upheld by the agriculture appeals office, which is statutorily independent of my Department. The consequences of any actions by a REPS planner are a matter between the farmer concerned and the planner.

#### **Grant Payments.**

222. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a ewe premium grant has not been awarded to a person (details supplied) in County Galway; and if she will make a statement on the matter. [28271/04]

**Minister for Agriculture and Food (Mary Coughlan):** This decision has been appealed to the agriculture appeals office. Appeals require individual examination and are dealt with in the order in which they are received. This appeal was received on 4 October 2004 and has been assigned to an appeals officer for examination.

The appeals office has been in contact with the appellant to arrange the oral hearing that he requested. It is not expected that there will be any undue delay in dealing with this case.

223. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a suckler cow grant has been withheld from a person (details supplied) in County Galway. [28272/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named applied for premium on nine animals under the 2003 suckler cow



premium scheme. Payments of €1613.88 and €403.47 issued to him on 16 October 2003 and 26 March 2004, respectively. These represent payment in full for the animals applied on. The person named is not an applicant under the 2004 suckler cow premium scheme.

224. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a suckler cow grant for 2004 has been withheld from a person (details supplied) in County Galway. [28273/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named applied for premium on 18 animals under the 2004 suckler cow premium scheme. While processing the application it was found that according to CMMS records two animals bearing tag numbers HBKJ0043K and 181895360318 were not in the ownership and possession of the herdowner on 5 April 2004, that being the date of his application. They moved into his herd on 16 April 2004 only.

The herdowner was contacted in June 2004 regarding this matter and was requested to forward any information or documentation on these animals that would assist the Department in processing his claim further. In the absence of a satisfactory reply, a decision was taken to reject the animals from his claim and to refuse payment of 2004 suckler cow premium. He was notified of this on 21 October 2004 and was given 21 days in which to seek to have this decision reviewed. There has been no reply to date to that notification.

225. **Mr. P. Breen** asked the Minister for Agriculture and Food when a provisional entitlement statement will be issued to a person (details supplied) in County Clare; and if she will make a statement on the matter. [28299/04]

**Minister for Agriculture and Food (Mary Coughlan):** The person named has submitted an application for consideration under the new entrant/inheritance measure of the single payment scheme. Processing of applications under the new entrant/inheritance measure of the scheme is ongoing and the person named will be notified shortly of the decision on his application.

#### **Milk Quota.**

226. **Mr. Naughten** asked the Minister for Agriculture and Food the reason for the delay in replying to correspondence (details supplied) forwarded to her office; when a reply will be issued; and if she will make a statement on the matter. [28304/04]

**Minister for Agriculture and Food (Mary Coughlan):** The correspondence referred to by the Deputy concerns representations made by him on behalf of an individual milk producer who incurred a super levy liability in the quota year ended on 31 March 2004.

EU and national regulations on the milk quota system specify that, where the national quota is

exceeded, the overrun must be shared between those producers who contributed to the excess. The regulations do not provide for exceptions in individual cases and therefore it is not open to me to intervene in these cases.

The amount of levy payable in individual cases can, of course, be reduced by the distribution of unused quota, flexi milk, resulting from other producers not filling their individual quotas. This distribution is done on the basis of objective criteria.

My Department on a regular basis throughout the year publishes estimates of milk deliveries and the extent to which these are under or over the national quota and advises producers to keep in close touch with their co-ops/dairies in this matter.

A reply in the case concerned has been issued to the Deputy.

#### **Live Exports.**

227. **Mr. Healy-Rae** asked the Minister for Agriculture and Food if farmers and exporters of live cattle will have the right to access markets in continental Europe in view of the fact that a ferry service (details supplied) between Rosslare and Cherbourg will be ending in December 2004; and if she will make a statement on the matter. [28305/04]

**Minister for Agriculture and Food (Mary Coughlan):** My Department's function relating to the transport of livestock by sea is to approve vessels based on statutory requirements regarding the protection of animal welfare. The actual provision of such services is a commercial matter.

Approval for the carriage of livestock on roll-on roll-off vessels is considered on a case by case basis, having regard to the characteristics of the individual vessel, whereas there are specific statutory requirements which apply across the board where dedicated livestock vessels are concerned. Within this framework, my Department has approved 18 dedicated livestock vessels and three roll-on roll-off vessels for the carriage of cattle since 1995 and works closely with applicant companies for approval to ensure that the conditions aboard such vessels are consistent with national and EU animal welfare requirements. Indeed, officials of my Department met with a prospective service provider last week on this matter.

The live export trade provides a valuable outlet for categories of younger animals and a degree of competition, thereby sustaining prices. My Department will continue to discharge its responsibilities in the live trade by ensuring that any such applications are dealt with in a thorough, professional and efficient manner and that our animal health status continues to allow producers to have access to markets in the EU and elsewhere.

The Government's consistent position regarding live exports has been that they provide a vital and legitimate market outlet for the livestock sector. The role of the Government in the promotion

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and preservation of any commercial trade is to create an environment in which it can be carried on in an economic and sustainable manner and which allows it to make the maximum possible contribution to the national economy. In the case of live exports, the preservation of the animal health status of the country, the international reputation of its veterinary certification services and the existence and application of a framework, which ensures that good standards and welfare considerations are taken into account, are all key elements. In each of these areas, our record is exemplary. Ultimately, the transport of live animals is a commercial matter and there are sufficient numbers of approved vessels to provide a service if the commercial demand exists.

### Grant Payments.

228. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will be awarded ewe premium. [28734/04]

**Minister for Agriculture and Food (Mary Coughlan):** Under the 2004 ewe/supplementary premium scheme the person named qualified for payment of €2,100 in respect of 75 ewes.

However, under the 2003 scheme he applied on 115 ewes. Following an inspection of his flock only 75 ewes were found leaving a shortfall of 40. Under the scheme if the difference between the number of absent ewes and the number of ewes found eligible exceeded 50% no premium could be paid for 2003. In addition, an amount equal to the amount that would have been due on the number of absent ewes had to be offset against the 2004 ewe premium. The amount was €1,170.40 in this case and, when offset against the 2004 premium of €2,100, leaves a balance of €929.96 payable for 2004. This amount will be paid shortly.

### Residency Permits.

229. **Mr. Crowe** asked the Minister for Justice, Equality and Law Reform if a letter will be submitted to Fingal County Council outlining the status of persons (details supplied) in Dublin 3. [28254/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The persons in question were initially granted permission to remain in the State in October 2001, based on parentage of an Irish born child. It is normal practice for the immigration division of my Department to issue letters relating to the status of non-nationals in the State. However it would only be issued on request. To date, no request for such a letter has been received from either the persons in question or Fingal County Council.

### Closed Circuit Television Systems.

230. **Mr. Kenny** asked the Minister for Justice,

Equality and Law Reform if he has received an application from Ballina Town Council, County Mayo, in respect of the provision of closed circuit television cameras; the number of towns in which such systems currently apply; the expenditure involved in the provision of these particular schemes; if an analysis was carried out by him on their success or otherwise; and if he will make a statement on the matter. [28275/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that the Garda CCTV advisory committee — established by the Garda Commissioner to advise on all matters relating to CCTV systems — has not received an application from Ballina Town Council for the installation of a Garda CCTV system. However, the advisory committee has received an application for a Garda CCTV system in Ballina from the chief superintendent, Mayo division. This application is being considered along with applications from other cities and towns throughout the country.

Garda CCTV systems, as aids to policing, have been introduced, to date in the following areas: Bray, Dublin city — south central, Dublin city — north central, Dundalk, Dún Laoghaire, Cork city, Limerick city and Tralee. A total of €4.881 million, including VAT, has been expended since 1997 on the supply, installation and commissioning of the above systems. In addition to the above, the following 13 locations throughout the country are set to receive town centre CCTV systems, on a phased basis, subject to the availability of funds: Athlone, Ballyfermot, Carlow, Castlebar, Clondalkin, Clonmel, Ennis, Finglas, Galway, Kilkenny, Sligo, Tallaght and Waterford.

Installation of the CCTV systems is of necessity a detailed, complex and lengthy process. The Garda authorities are giving careful consideration to a restructuring of the manner in which these Garda CCTV systems go to tender, with a view to delivering the implementation of these CCTV systems in a faster, more efficient and cost effective manner.

On the query about the success of CCTV systems, I am informed by the Garda authorities that the Garda research unit carried out an internal evaluation of the CCTV systems in Dublin and Tralee in 1999. While the evaluation identified potential benefits of CCTV — such as reduced crime and disorder, increased detections, improved public feelings of safety, more effective deployment of police resources and improved court processing, guilty pleas — the evidence of that particular evaluation was not fully conclusive. This was mainly due to methodological difficulties, such as data limitations and a difficulty in isolating CCTV effects from other influences.

The Garda research unit is currently evaluating the effects of CCTV in three locations: Dún Laoghaire, Dundalk and Galway/Salthill. The main focus of this evaluation is on crime and detection levels before and after camera installation. Crime and detection levels are also being

examined in Blackrock, County Dublin, and in Drogheda — neither of which have Garda CCTV systems — to assess general trends and possible crime displacement. Research findings will not be available for some time, as the evaluation involves the comparison of data for the 12 month periods before and after camera installation.

I am further informed that two other projects are currently underway. The Garda annual policing plan 2004 has committed the research unit to carrying out a review of the cost and benefit of extending CCTV systems to all areas with a population in excess of 7,000. In addition, the Garda annual policing plan 2003 provided for the assessment of the proactive use of CCTV systems as a means of gathering criminal intelligence. It is anticipated that both projects will be completed later this year.

### **Citizenship Applications.**

231. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation on behalf of a person (details supplied) will be completed; and if he will make a statement on the matter. [28283/04]

**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 6 July 2004. The average processing time for such applications is currently 24 months and it is likely, therefore, that the application of the individual concerned will be finalised in or around July 2006. I will inform both the applicant and the Deputy as soon as I have reached a decision on the application.

### **Child Care Act.**

232. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Questions Nos. 80, 124 and 138 of 3 November 2004, the circumstances which would amount to a parental failure of duty towards children; if such circumstances have occurred; if so, the number of such occurrences; the way in which State authorities respond in those circumstances; and if he will make a statement on the matter. [28285/04]

233. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Questions Nos. 80, 124 and 138 of 3 November 2004, the number of occasions on which he has given a direction to a parent to bring a child out of Ireland; the grounds for such a direction; if the children in question were born here and are citizens of Ireland; the statutory or other basis in law for the issue of such directions; and if he will make a statement on the matter. [28286/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I propose to take Questions Nos. 232 and 233 together.

The failure of duty by parents towards their children in any particular circumstances and the action to be taken in such cases to protect the

welfare of the children involved are matters for the relevant health board under the Child Care Act 1991 and not for the Minister for Justice, Equality and Law Reform. Consequently, my Department does not have any statistics on such occurrences and the actions taken in such cases.

Irish born children who are Irish citizens cannot be deported so the question of their involuntary removal from the State does not arise. Notwithstanding the expectation that non-national parents being deported will voluntarily take their Irish born children with them, there are no circumstances in which I can direct such Irish children to leave the State: I have neither the power nor the desire to make such a direction. Further, I will not interfere with a decision arrived at in good faith by a non-national parent being deported who decides to leave the Irish child behind, having made arrangements that the parent considers suitable for the care of the child.

### **Grant Payments.**

234. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the position regarding an application (details supplied) for a group in County Donegal; and if he will make a statement on the matter. [28296/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I understand that a capital grant application for more than €750,000 was submitted by the group to my Department some time ago. 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 amounting to more than €120 million and 997 applications for staffing grant assistance totalling €103 million. Almost €45 million has been allocated for quality projects. Much of the remaining current funding is required for ongoing supports to groups providing child care services to disadvantaged families to enable them to participate in employment, education and training opportunities.

A list of outstanding capital applications is now being finalised and my Department will be writing to the applicants in early December. In the interim, it would be premature to comment further on this capital grant application.



### Departmental Programmes.

235. **Mr. McGinley** asked the Minister for Justice, Equality and Law Reform the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28383/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The RAPID, revitalising areas by planning, investment and development, programme targets the most concentrated areas of disadvantage in the State by ensuring that priority attention is given to these areas by Departments and State agencies dealing with disadvantage and local development in the widest sense.

The RAPID programme selected 45 target areas in cities and towns for priority investment and frontloading of funding under the National Development Plan 2000 — 2006, NDP. No dedicated departmental financial allocations have been established to provide potential funding for RAPID proposals as such. However, my Department decides on approving funding for RAPID proposals within the context of existing allocations across Votes under my Department's remit. Particular priority is given to RAPID proposals which fall within the functional areas financed by the NDP.

Information on the funding provided by my Department under the RAPID programme is as follows. The Equal Opportunities Childcare Programme 2000 — 2006 under the NDP has contributed significantly to the provision of child care in RAPID areas. The funding committed under the equal opportunities child care programme includes the provision of more than €45 million in funding to child care services operating in RAPID areas, and of this an amount of approximately €18 million has been allocated to proposals submitted directly through the RAPID programme. These supports include the development of new child care places, supports towards the staffing costs of services and supports to organisations which support the quality ethos in Irish child care, which would impact on many of the services located in RAPID areas. As a programme which receives substantial funding from the European Social Fund, the equal opportunities child care programme has a focus on labour market participation and on breaking the cycle of disadvantage through employment or education and training in preparation for employment.

Funding of €3.3 million, under the NDP, has been allocated by my Department under phase 1 of the equality for women measure to 18 projects located in or adjacent to RAPID areas. Phase II of the measure will fund a number of strands of activity including one strand focused on women living in communities which face particular economic disadvantage. Under the RAPID strand, €7 million has been earmarked to fund projects which address the needs of women living in designated RAPID areas. The closing date for applications under this strand was 15 October 2004 and these applications are in the process of being

evaluated. My Department expects that the initial drawdown of grants will occur early next year.

Since the commencement of the RAPID programme capital funding of €355,165 has been allocated by my Department in respect of proposals submitted through the RAPID programme for two probation and welfare projects. In addition, current funding of just over €7 million has been allocated by my Department in 2004 to 36 probation and welfare projects located in or adjacent to RAPID areas.

Garda youth diversion projects are community based, multi-agency crime prevention initiatives which seek to divert young people from becoming involved — or further involved — in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development, promote civic responsibility and improve prospects of employability. My Department currently funds 64 Garda youth diversion projects and seven mainstreamed local drugs task force projects. The funding allocation for the projects for 2004 is €5.318 million. A total of 51 of these projects are located in 32 of the 45 RAPID areas. Expenditure on the projects to date in 2004 in RAPID areas amounts to approximately €3.2 million.

As part of the RAPID programme the Garda Síochána has also allocated a number of community gardaí to specific RAPID areas, initiated new neighbourhood watch schemes and assisted in the provision of a community bus.

### Garda Investigations.

236. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of unsolved murders in 2004; and if he will make a statement on the matter. [28442/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that the number of murders recorded to date in 2004 is 30. The number of these murders which remain undetected is seven. However, these figures are provisional and, as such, are subject to validation and liable to change.

### Legal Costs.

237. **Mr. R. Bruton** asked the Minister for Justice, Equality and Law Reform if he has undertaken a study of the conveyancing cost here compared with other EU countries both in respect of initial purchases and in respect of top-up mortgages or mortgage switching; if he has satisfied himself that the legal costs imposed are justified and are not unnecessarily inhibiting competition; and if he will make a statement on the matter. [28448/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** No such study has been undertaken by my Department. However, my Department has undertaken an ambitious joint project with the Law Reform Commission with a view to reforming and modernising our land law and conveyancing law. The aims of the joint project will be to: simplify land and conveyancing law and improve its presentation to make it more easily understood and accessible for practitioners

and the public alike; update the law to accommodate changing social, demographic and economic needs, including new forms of property ownership; and make the conveyancing of property easier and faster with a view to reducing burdensome costs and delays.

On 28 October, I launched a Law Reform Commission consultation paper entitled, *Reform and Modernisation of Land Law and Conveyancing Law*, which contains more than 90 draft recommendations designed to update and streamline this important area of law. Publication of the paper completes the first stage of the project and it is being followed by the consultation stage, which will run until 31 December. The third stage will involve the drafting of a Bill, or Bills, to give legislative effect to recommendations for reform.

It is my intention to introduce proposals for draft legislation to give effect to the commission's final recommendations next year. The new legislation will repeal approximately 150 pre-1922 statutes — the earliest of which date back to the 13th century — and replace them with a modern law of property that will meet the needs of the 21st century. The ultimate objective of this project is to facilitate the introduction of an electronic conveyancing system as soon as possible.

#### Road Traffic Offences.

238. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the progress to date in addressing the long delays between motorists being observed breaking the speed limit or other road traffic offences which merit penalty points and the awarding against them of those points; and if he will make a statement on the matter. [28450/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** Section 5 of the Road Traffic Act 2002 deals with the notification to licence holders of the endorsement of penalty points. This aspect of the system is a matter for the Minister for Transport rather than the Garda Síochána.

I am aware that some people have experienced delays. However, as the Deputy will appreciate, the penalty points system is currently operating on a semi-manual basis. The fixed charge processing system, FCPS, will address this issue. FCPS provides for the computerisation of the Garda element of penalty points processing and also provides for the outsourcing of the collection of payments. A pilot system has been operational in the Dublin and Louth-Meath areas since 30 June 2004 and will be rolled out to the Dublin metropolitan region from 22 November 2004. Thereafter, nationwide rollout of the system is dependent on the enactment of the Road Traffic Bill 2004, which will provide, *inter alia*, for the collection of payments by a service provider. The system will be rolled out nationwide as quickly as possible after the enactment of the requisite legislation.

Where persons do not pay the fixed charge relating to penalty point offences within the time limits set out in the Road Traffic Act 2002 the matter must be brought before the District Court.

In Dublin the waiting time for the hearing of these cases can be up to six months from the date a person is charged or from the date of receipt of application for a summons to the first court hearing date. This is due to the large volume of cases coming before the Dublin courts. In the provincial District Courts there is generally no delay in cases receiving hearing dates with the exception of Cork city District Court where there is a waiting time of two to two and a half months.

The Courts Service electronically transmits to the Department of the Environment, Heritage and Local Government an interface file once every week, setting out the full details of each court case heard to which penalty points apply. However, to allow time for appeals to be lodged and for all data to be entered and verified on the courts criminal case tracking system, the Courts Service allows at least 28 days from the date on which the penalty is imposed by the court before sending this information to the Department of the Environment, Heritage and Local Government.

The benefits of the considerable advances in road safety achieved in the period since the introduction of penalty points outweigh the regrettable delays resulting from the operation of the interim manual system. I am satisfied that the role played by the Garda Síochána to date in the introduction and ongoing enforcement of the penalty points has been vital in the progress made.

#### Garda Deployment.

239. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform his practical measures to deal with anti-social behaviour in the Clontarf, Raheny and Coolock Garda districts; and if he will make a statement on the matter. [28423/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I am informed by the Garda authorities that gardaí from Raheny, Clontarf and Coolock Garda stations regularly police these areas by both foot and mobile patrols. Additional supporting patrols are provided by divisional units and the detective branch. Community gardaí are assigned to these areas and they have an excellent rapport with the local community.

The current policing plans in the area are predicated on the prevention of public order offences, the prevention of crime, including crimes of violence against persons and crimes against property, and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy is, and will continue to be, central to the delivery of a policing service to the area in question.

There are also two Garda youth diversion projects in the area, the YAK — Youth Action Kilmore — project and the Woodale project. These projects are community based, multi-agency crime prevention initiatives which seek to divert young persons from becoming involved — or further involved — in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development, promote civic

[Mr. McDowell.]

responsibility and improve long-term employability prospects. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda/community relations.

#### **Garda Investigations.**

240. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position regarding the case of a person (details supplied); if he will review the details of this case; and if he will make a statement on the matter. [28485/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** Following an investigation, a file on the matter was submitted to the Director of Public Prosecutions who directed that a prosecution be preferred against the person in question. On 18 April 2004 the person concerned was reported missing. Extensive searches to locate the person have been conducted without success to date and investigations are ongoing.

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 gardaí 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 a particular person should be prosecuted and for what criminal offence is the responsibility of the DPP. The director, 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. In the circumstances it would, therefore, be inappropriate for me to comment further on this case.

#### **Garda Equipment.**

241. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the health concerns regarding the low level electro-magnetic fields from the Tetra radio system in the UK; and if he will fully investigate the health concerns surrounding this prior to considering adopting such a system for use by the gardaí. [28738/04]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** A pilot Tetra system utilising Tetra digital radio technology has been in operation in the Dublin north central division and the traffic section in Dublin Castle since February 2002. I have been informed by the Garda authorities that they, through their office of Garda medical director, in conjunction with an independent engineering company, assessed the possible adverse effects on human health when using Tetra technology. Having sourced and examined numerous worldwide studies on this subject the conclusion was that measured levels of exposure from Tetra base stations, hand portables and mobile units were well below the levels permitted by the International Commission for Non-Ionising Radiation Protection, ICNIRP, guidelines.

#### **Residential Institutions Redress Scheme.**

242. **Mr. J. Higgins** asked the Minister for Education and Science the reason a school (details supplied) was not covered by the Residential Institutions Redress Board Act 2002; and if she will make a statement on the matter. [28284/04]

**Minister for Education and Science (Ms Hanafin):** At present 128 institutions are listed on the Schedule to the Residential Institutions Redress Act and I have recently received the approval of both Houses to include a further 13 to this Schedule. For an institution to be added to the Schedule it is first necessary to establish that it is an institution in which children were placed and resident and in respect of which the State had a regulatory or inspection function.

It was not possible when the Act was passing through the Houses, or when I was considering what institutions should be included on the forthcoming Order, to have inquiries completed on all of the institutions that had been brought to my Department's attention. The institution referred to by the Deputy was one of those institutions in respect of which inquiries had not been completed.

My Department is liaising with the Department of Health and Children and other interested parties on those institutions and further consideration will be given to their inclusion in the Schedule when this process is finalised.

#### **Third Level Courses.**

243. **Mr. F. McGrath** asked the Minister for Education and Science if she will consider putting in place a deal with the training schools at the Royal College of Surgeons in Ireland and the NUI Galway in order to provide additional places for Irish students from October 2005. [28431/04]

244. **Mr. F. McGrath** asked the Minister for Education and Science if she will work closely with the Minister for Health and Children to significantly lower the points requirement from 580 to 500 for persons who undertake to work for a number of years within the public health system. [28432/04]

245. **Mr. F. McGrath** asked the Minister for Education and Science if places in medical schools here which are currently being sold to non-EU citizens will be opened up to Irish and EU residents. [28433/04]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 243 to 245, inclusive, together.

As the Deputy may be aware, on 24 September 2003, the Ministers for Education and Science and Health and Children announced details of the membership and terms of reference for a working group on undergraduate medical education and training which has been jointly established to make recommendations on the organisation and delivery of high quality training for doctors in Ireland. The group, which draws on broad representation from medical academia, university, hospital and health board management and Government officials, was set up to



examine and make recommendations on a range of aspects of medical education and training in Ireland. This includes the areas of course curriculum, teaching methods, interdisciplinary work and other issues relating to the organisation and delivery of undergraduate medical education and training.

The working group was asked to consider and provide advice on issues arising from a Higher Education Authority, HEA, report which recommended a move to all graduate entry for medicine and other health science disciplines. On foot of this the group has recently presented interim recommendations for significant reform of the entry mechanism to medical education. These recommendations include the introduction of a multi-streamed model of entry to medicine, comprising undergraduate and graduate entry methods, with leaving certificate performance no longer the sole selection method for entry at undergraduate level.

In this regard, it is proposed that selection for entry to undergraduate medicine would be based on two measures. Anyone opting for medicine who achieves 450 leaving certificate points would be eligible for consideration, with places to be allocated on the basis of performance on a separate entry test. These recommendations are a very welcome attempt to address the tremendous pressures that are being placed on students in the second level system as a result of the extremely high leaving certificate points required for entry to medicine and certain other disciplines.

The potential exists for extending the proposed selection approach to other high points disciplines down the road. It is important that the significant implementation issues associated with this proposed change are carefully attended to. I am currently considering the composition and terms of reference of an implementation group for this purpose and intend to bring forward proposals shortly on this front.

I anticipate that the full report of the working group on undergraduate medical education and training will become available in early 2005 and it is my intention to consider the broad range of recommendations that are expected in tandem with my colleague, the Tánaiste and Minister for Health and Children. The question of increasing the numbers of medical places in line with projected health service requirements will be progressed in this context.

### Pension Provisions.

246. **Mr. English** asked the Minister for Education and Science the reason spouses of female teachers are discriminated against under the payment of *ex gratia* spouse's and children pensions, which are only payable to spouses of male teachers; if she intends to redress this situation; and if she will make a statement on the matter. [28235/04]

**Minister for Education and Science (Ms Hanafin):** The *ex gratia* pension scheme to provide pensions for widows of male teachers on a non-contributory basis was introduced in 1969. It applies to widows of teachers where the deceased

teacher had retired on pension or died in service before the introduction, from 23 July 1968, of the contributory scheme. Similar *ex gratia* schemes were introduced throughout the public service at that time. No corresponding *ex-gratia* scheme was introduced for the widowers of deceased female teachers in the public service nor was a contributory scheme introduced to provide benefits on the death of female public servants until the 1980s. I have requested my officials to review the operation of the *ex gratia* pension scheme and to communicate directly with the Deputy on the matter.

### School Staffing.

247. **Mr. Morgan** asked the Minister for Education and Science when a special needs assistant applied for in October 2003 will be provided to a person (details supplied) in County Louth; if an assessment has been carried out on this person; and when a reply will be forthcoming. [28236/04]

**Minister for Education and Science (Ms Hanafin):** I can confirm that an application for a special needs assistant has been received for the pupil in question. This is being reviewed in the context of the resources available to the school.

### Special Educational Needs.

248. **Mr. McGuinness** asked the Minister for Education and Science if she will review the method applied in the allocation of special needs teachers to primary schools; if she will examine, in particular, the case put forward by persons (details supplied); and if she will make a statement on the matter. [28237/04]

**Minister for Education and Science (Ms Hanafin):** As the Deputy will be aware, the proposed new system for resource teacher allocation involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs — borderline mild and mild general learning disability and specific learning disability — and those with learning support needs, that is, functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

The proposed allocation mechanism is as follows: in the most disadvantaged schools, as per the urban dimension of Giving Children an Even Break, a teacher of pupils with special educational needs will be allocated for every 80 pupils to cater for the subset of pupils with higher incidence special needs; in all boys schools, the ratio will be one teacher for every 140 pupils; in mixed schools, or all girls schools with an enrolment of greater than 30% boys, one for every 150 pupils; and in all girls schools, including schools with mixed junior classes but with 30% or less boys overall, one for every 200 pupils.

In addition, all schools will be able to apply for separate specific allocations in respect of pupils with lower incidence disabilities. The rationale for the different pupil teacher ratios in boys' — 140:1 — and girls' — 200:1 — schools is twofold — international literature on the incidence of dis-

[Ms Hanafin.] ability indicates that, across all disability types, there is a greater incidence in boys than in girls and international and national surveys of literacy and numeracy have found that these difficulties are more common among boys than girls. The rationale for the level of support proposed for schools in areas of urban disadvantage is that evidence shows that there is a significantly higher incidence of literacy and numeracy difficulties in urban disadvantaged compared to other schools, including those in areas of rural disadvantage.

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 regardless of gender of pupil or status of school. I am conscious of difficulties that could arise with the revised model, particularly for children in small and rural schools, if it were implemented as currently proposed. The proposed system is intended to improve and streamline the special education resource teacher allocation process. The model will obviate the need for cumbersome individual applications, while at the same time ensure that pupils currently in receipt of service continue to receive the level of support appropriate to their needs. In that context, the additional posts being put in place represent a very significant investment to ensure the success of the measure.

Nonetheless, I am conscious of difficulties that could arise with the model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly, I will review the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review will involve consultation with educational interests and the National Council for Special Education before it is implemented next year.

### **Schools Building Projects.**

249. **Mr. Lowry** asked the Minister for Education and Science the north Tipperary primary and post-primary schools she proposes to place on the building programme of 2005; and if she will make a statement on the matter. [28246/04]

**Minister for Education and Science (Ms Hanafin):** Officials in the school planning section of my Department are currently undertaking 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. All schools, including those in north Tipperary, which have an application with my Department for building works are being considered as part of this review.

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.

### **Schools Refurbishment.**

250. **Mr. Lowry** asked the Minister for Education and Science if she intends to provide funding for the refurbishment and replacement of windows at a convent (details supplied) in County Tipperary; and if she will make a statement on the matter. [28247/04]

**Minister for Education and Science (Ms Hanafin):** The management authority of the school to which the Deputy refers has made an application for replacement windows under the summer works scheme 2005, for which the closing date was 5 November 2004. All applications for the 2005 scheme will be considered in the school planning section of the Department and it is planned to publish the list of successful applicants in January 2005.

An application for refurbishment of the school 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 under the 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.

### **Schools Building Projects.**

251. **Mr. Lowry** asked the Minister for Education and Science the position regarding a school (details supplied); if the project will proceed to design stage shortly; and if she will make a statement on the matter. [28248/04]

**Minister for Education and Science (Ms Hanafin):** The application for a new school building 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.

### **Special Educational Needs.**

252. **Mr. Stagg** asked the Minister for Education and Science if she has received correspon-

dence from a person (details supplied) in County Kildare regarding the provision of primary education for their child; if everything possible will be done to ensure that a place is found for the child in question without delay; and if she will make a statement on the matter. [28263/04]

**Minister for Education and Science (Ms Hanafin):** I wish to inform the Deputy that my officials have been in contact with the parent, school authorities and inspectorate on a number of occasions concerning a school placement for the child in question. I understand that the parent is arranging to furnish the relevant professional reports to my Department.

Meanwhile, the parent has submitted an application for home tuition as an interim arrangement until a school place is sourced. This application will be considered in the context of the professional reports referred to above.

### Third Level Building Projects.

253. **Ms O'Sullivan** asked the Minister for Education and Science if there is a sum in the order of €20 million from the capital third level budget 2004 due to the review carried out which suspended expenditure under that heading; if she will sanction the release of these funds for capital projects prioritised in the Kelly report, particularly for a college (details supplied) in County Limerick; and if she will make a statement on the matter. [28278/04]

**Minister for Education and Science (Ms Hanafin):** An amount of €20 million has been provided in the 2004 estimates for capital expenditure in institutions designated under the Higher Education Authority. The report of the capital review and prioritisation working group on the future capital needs in the higher education sector, the Kelly report, was published recently. This report sets out a strategy to meet the future capital needs of the third level sector and identifies an overall estimated Exchequer requirement of almost €1.9 billion capital funding for the sector over a ten year period.

Major capital projects at the institution referred to by the Deputy have been included in the recommendations contained in the Kelly report. The recommendations and the proposed phasing of funding in the report are currently under consideration and I will determine my response to them in the context of the multi-annual capital allocations for the education sector which form part of the Estimates and budgetary process. Funding available in the current year will be factored into any decisions that I will take in that regard.

### School Placement.

254. **Mr. Morgan** asked the Minister for Education and Science the reason no place can be found for a person (details supplied) in County Louth; and the measures which can be employed to ensure this person's education. [28289/04]

**Minister for Education and Science (Ms Hanafin):** Officials of my Department have con-

tacted the National Educational Welfare Board about the child referred to by the Deputy. The board was not previously aware of this case. The educational welfare officer for the area will contact the child's parents and assist them to secure a school place for their daughter.

Section 29 of the Education Act 1998 provides parents with a process of appeal to the Secretary General of my Department where a board of management of a school or a person acting on its behalf refuses to enrol a student. Where an appeal under section 29 is upheld, the Secretary General may direct a school to enrol a pupil. An educational welfare officer can assist parents in submitting an appeal under section 29 of the Education Act 1998.

### Pupil-Teacher Ratio.

255. **Ms O'Sullivan** asked the Minister for Education and Science the county breakdown of the number of primary schools with class sizes of 20 to 29, 30 to 39 and 40 and over; and if she will provide this information in tabular form. [28290/04]

**Minister for Education and Science (Ms Hanafin):** The information requested is being compiled within my Department and I have made arrangements for my officials to forward it directly to the Deputy.

### Grant Payments.

256. **Ms Cooper-Flynn** asked the Minister for Education and Science the reason grants and schemes are available to a primary school (details supplied) in County Mayo to carry out repairs to its school buildings; and if it is possible for an official to visit the school and advise its board of management regarding the grant most suitable for the school. [28291/04]

**Minister for Education and Science (Ms Hanafin):** My Department funds a number of schemes through which school building repair projects can be addressed. All national schools receive annual funding under the grant scheme for minor works to national school properties which came into operation in January 1997. The replacement of windows, roof repairs, re-surfacing of school yards, re-painting and re-decorating qualify as improvements to school buildings and grounds and come within the scope of minor works covered by the grant. The summer works scheme provides capital grants for necessary small scale works which can be planned and delivered during the summer months. Applications are considered under the terms and conditions of the scheme and the closing date for their receipt for 2005 was 5 November 2004.

While the school referred to by the Deputy has not submitted an application for funding under the 2005 scheme, it is open to its management authority to apply for funding for key priority works under the 2006 scheme. Details of a streamlined application process for schools requiring temporary school accommodation for September 2005 were published some time ago and a circular outlining the summer works



[Ms Hanafin.] scheme and temporary accommodation application processes was issued to all schools. As in the case of the summer works scheme, the closing date for receipt of applications for temporary accommodation for 2005 was 5 November 2004.

Where the board of management considers that the scope of remedial works required at a school is too extensive to be carried out under the summer works scheme and the school does not require additional temporary accommodation for 2005, it is open to the management authority to make application for inclusion in the school building programme. This can be done by completing the application form FLE, application for grant aid for major capital works for national schools. Application forms and further details on the schemes outlined are available from the school planning section of my Department in Tullamore and on the Department's website at [www.education.ie](http://www.education.ie).

On the availability of advice on the schemes available, officials of my Department's school planning section will be pleased to discuss with the chairman of the board of management or principal of the school the selection of the most appropriate funding application mechanism for the works required. The school's local inspector will also be able to assist in this context. The Deputy will appreciate that in the context of available resources, it is not possible for the school planning section to visit prospective applicants at the application stage. If required, a visit can be undertaken at the more appropriate assessment stage of the application process.

#### College Closure.

257. **Mr. Healy** asked the Minister for Education and Science if she will consider the decision to close a college (details supplied) in County Dublin and implement the recommendations of the consultants and advisers to keep the college open and to forge links with one of the Dublin based universities; and if she will make a statement on the matter. [28292/04]

**Minister for Education and Science (Ms Hanafin):** The decision to close the college arose in the context of the determination by the trustees that personnel and financial considerations meant they were no longer in a position to fulfil their role. Following discussions between the trustees and my Department, it was agreed that a consultant would be appointed to meet relevant parties and prepare a report on the options for the college's future. The consultant's report was thoroughly examined in my Department and the options set out for my predecessor's consideration.

Having carefully considered all of them and having taken into account other factors such as the national spatial strategy, relevant costs in a time of financial constraint, a Government decision to restrict public service numbers, the need to secure value for money and a better allocation of resources, Deputy Noel Dempsey decided they were best served by the closure of the college and the designation of St. Angela's

College, Sligo, as the sole centre for the training of home economics teachers.

It was agreed that the closure of the college would be phased over three academic years to facilitate students currently enrolled to complete their studies without moving location and to ensure that there was an adequate transition period for staff. On that basis, there has been no intake of first year students to the college for the 2004-05 year. Instead, these students are now in St. Angela's College. Officials from my Department have already met with the trustees and management authorities of the college to discuss necessary practical arrangements including those relating to the position of the college staff. In addition, a senior official from my Department and I met recently with the board of governors and students of St. Catherine's College to further discuss, among other things, the necessary practical arrangements on the closure. I have no plans to reconsider the decision to close the college.

#### Schools Building Projects.

258. **Mr. Kenny** asked the Minister for Education and Science if she has received an application for provision of a sports hall at Davitt College, Castlebar; the date on which this proposal was received; if she has examined the proposal involved; and if she will make a statement on the matter. [28295/04]

**Minister for Education and Science (Ms Hanafin):** In March 1996, my Department received an application from County Mayo VEC for a physical education hall at Davitt College, Castlebar, County Mayo. The project is at advanced architectural planning stage and my Department's officials have received a combined stage 4 and 5 detail design and bill of quantities submission from the VEC.

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, including the one at Davitt College, 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 projects will be considered in the context of the programme from 2005. 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.

#### Departmental Programmes.

259. **Mr. McGinley** asked the Minister for Education and Science the amount of funding which has been allocated to the RAPID scheme from her Department's budget since the commencement of the scheme; and if she will make a statement on the matter. [28384/04]

**Minister for Education and Science (Ms Hanafin):** Expenditure under the RAPID programme comes from within my Department's overall budget under a variety of headings. I will

arrange to forward details for the period in question to the Deputy.

### School Staffing.

260. **Mr. Hayes** asked the Minister for Education and Science when a person (details supplied) in County Tipperary will be allocated resource teaching support. [28422/04]

**Minister for Education and Science (Ms Hanafin):** I have arranged for my officials to investigate the matter referred to by the Deputy and contact will be made with the school in question in this regard. Arrangements will be made to advise the Deputy of the outcome in due course.

### Disadvantaged Status.

261. **Ms Enright** asked the Minister for Education and Science the number of primary and secondary schools in the State; the number designated as being disadvantaged; the criteria for so designating these schools; and if she will make a statement on the matter. [28419/04]

**Minister for Education and Science (Ms Hanafin):** There are a total of 3,283 primary and 746 post primary schools in the State. Of these, 312 primary and 203 post-primary schools are designated disadvantaged.

A number of socioeconomic indicators were used for the selection of schools under this scheme, such as the proportion of pupils at entry whose family resided in local authority housing, flats or in non-permanent accommodation, held medical cards and those in receipt of unemployment benefit or assistance. Giving Children an Even Break, which was introduced in 2001, subsumes the previous process of designation of primary schools that serve areas of educational disadvantage and my Department's approach is now refined to ensure that the individual "at risk" pupils are targeted. Rather than the old method of designating additional schools, my Department now provides support that is commensurate with the levels of concentration in schools of pupils with characteristics that are associated with educational disadvantage and early school leaving.

Primary schools participating in Giving Children an Even Break are in receipt of a range of additional supports, including teacher posts and other non-teaching supports to be targeted at disadvantaged pupils. The additional supports to be provided reflect the level of concentration of pupils from educationally disadvantaged backgrounds in each school invited to participate in the programme.

These levels of disadvantage were established as a result of a comprehensive survey of primary schools carried out by the Educational Research Centre in March-April 2000 at the request of my Department. Over 2,300 primary schools identified as having pupils enrolled with characteristics of disadvantage are participating in Giving Children an Even Break. Any school in which there is at least one pupil which satisfied any of

the criteria associated with socioeconomic disadvantage is entitled to additional resources under Giving Children an Even Break scheme. Resources are allocated to schools on a sliding scale and schools with greater proportions of pupils from disadvantaged backgrounds are allocated proportionally more resources than those with fewer numbers of such pupils.

### Primary Education.

262. **Ms Enright** asked the Minister for Education and Science the number of persons who completed their primary education for each of the most recent five years for which figures are available; and if she will make a statement on the matter. [28425/04]

**Minister for Education and Science (Ms Hanafin):** The information requested by the Deputy is set out below.

Pupils Leaving Primary Education

	Number
1998/99	58,845
1999/00	56,632
2000/01	54,142
2001/02	54,477
2002/03	55,224

These figures refer to the overall number of leavers from primary education in the 12 months preceding each primary census. Pupils in special education and pupils who emigrated are not included in the above figures.

This information is not broken down by standard and therefore, at present, it is not possible to determine exactly the number of children who have completed primary level education. This is one of the main reasons why my Department is developing an individualised primary database to replace the current, school level, census of primary schools. This new primary database will allow us to track the progress of students through primary education and to monitor their transition from primary to second level education.

### Youthreach Programme.

263. **Ms Enright** asked the Minister for Education and Science the funding made available to youthreach for each of the past three years; the number of persons involved in youthreach programmes for each of the past three years; the extent of child care facilities available at youthreach locations; and if she will make a statement on the matter. [28427/04]

**Minister for Education and Science (Ms Hanafin):** The youthreach programme is an inter-departmental initiative for unemployed young people, generally aged between 15 and 20 years who left school early without qualifications. The programme is delivered in out of school settings in four networks, including youthreach centres

[Ms Hanafin.]

managed by the vocational education committees and funded by my Department. Funding for the VEC youthreach programme and the number of trainees in the programme in each of the past three years is set out below.

Youthreach Funding	Number of Youthreach Trainees	At 31st December
€28.947m	2,641	2001
€37.457m	2,859	2002
€37.229m	2,653	2003

In addition, my Department provides funding to VECs annually to assist towards the child care expenses of participants in youthreach, Traveller training centre programmes and VTOS, the vocational training opportunities scheme. The local administration of child care assistance is a matter for individual VECs. The grant is intended as a contribution towards costs.

The financial provision for child care assistance for participants on youthreach and other specified programmes in the further education sector in the years 2001, 2002 and 2003 was €3.123 million, €4.736 million and €4.821 million respectively.

#### **Pupil-Teacher Ratio.**

264. **Ms Enright** asked the Minister for Education and Science the ratio of teachers to pupils in career guidance and counselling services at second level; and if she will make a statement on the matter. [28428/04]

**Minister for Education and Science (Ms Hanafin):** Under current arrangements, my Department makes a specific ex-quota allocation of teaching posts in respect of guidance to schools in the second level system. In the case of schools in the free education scheme, the level of allocation ranges from eight hours per week in the case of schools with enrolments below 200 pupils to 44 hours per week — that is, two whole-time posts — in the case of schools with an enrolment of 1,000 pupils or more.

In addition to allocations based on enrolments, 50 whole-time equivalent guidance counselling posts were allocated in the 2001-02 school year under the guidance enhancement initiative. The focus of this initiative was to enhance the provision of guidance to young people at risk, to improve links between schools and the world of work and to improve the take-up of science subjects.

My predecessor recently announced an extension of the guidance enhancement initiative for a further two years and also created an additional 30 guidance posts under this initiative from the commencement of the current school year. This decision reflects the high priority given to guidance by my Department.

#### **Educational Disadvantage.**

265. **Mr. F. McGrath** asked the Minister for Education and Science if educational disadvantage will be an important part of future proposals; and if she will make a statement on the matter. [28439/04]

**Minister for Education and Science (Ms Hanafin):** Tackling educational disadvantage is one of my key priorities as Minister for Education and Science. My approach to addressing this issue is set in the context of the Government's National Action Plan Against Poverty and Social Exclusion 2003-2005, known as NAPs/incl, and the latest partnership agreement, Sustaining Progress, which contains a special initiative focused on literacy, numeracy and early school leavers.

A key focus of education policy is to prioritise investment in favour of those most at risk and to optimise access, participation and outcomes at every level of the system for disadvantaged groups.

Some €540 million is being provided by my Department in 2004 for programmes specifically designed to tackle educational disadvantage in accordance with the strategies outlined in the NAPs/incl and Sustaining Progress. This includes provision for programmes at pre-school, primary and post-primary levels, as well as for the youth sector, further education measures and programmes designed to broaden access to third level for students from disadvantaged backgrounds. This direct expenditure on educational disadvantage represents an increase of over €80 million on the 2003 provision and nearly 8.5% of the net education budget for 2004.

My Department is finalising an overall review of its educational disadvantage programmes with a view to building on what has been achieved to date, adopting a more systematic, targeted and integrated approach and strengthening the capacity of the system to meet the educational needs of disadvantaged children and young people. My priority as Minister for Education and Science will be to continue targeting resources at those areas and people most in need.

#### **Schools Building Projects.**

266. **Mr. Wall** asked the Minister for Education and Science when stage 3 of architectural planning for a school (details supplied) in County Kildare will be completed; the timescale for the overall completion of the school; when she will provide the necessary funding to permit the school to be commenced; and if she will make a statement on the matter. [28487/04]

**Minister for Education and Science (Ms Hanafin):** The building project for the school referred to by the Deputy is at an early stage of architectural planning. It has a band 2 rating. Officials of my Department recently contacted the school's design team and the response to the issues raised is awaited.



My officials are nearing completion of a review of all projects that did not proceed to construction as part of the 2004 schools 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 projects will be considered in the context of the programme from 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.

### **Educational Disadvantage.**

267. **Ms Enright** asked the Minister for Education and Science the number of primary and secondary pupils that receive a school meal each day; and if she will make a statement on the matter. [28714/04]

**Minister for Education and Science (Ms Hanafin):** My colleague, the Minister for Social and Family Affairs, administers the school meals scheme, which aims to supplement the nutritional intake of pupils from disadvantaged backgrounds in order to allow them to fulfil their potential within the educational system and also to reduce the risk of early school leaving.

Under this scheme in 2003, school meals were provided in 729 primary and post-primary schools, encompassing approximately 76,000 pupils, at a cost of €3.3 million. Increased provision of €6 million is being made available to support the school meals scheme in 2004. Officials in my Department are co-operating with the Department of Social and Family Affairs on an ongoing basis with a view to further expanding the number of schools participating in the scheme, as well as ensuring that available resources are targeted at those pupils most in need.

### **Site Acquisitions.**

268. **Mr. Wall** asked the Minister for Education and Science the position regarding the acquisition of a site for a school at Castledermot, County Kildare, for primary education; and if she will make a statement on the matter. [28715/04]

**Minister for Education and Science (Ms Hanafin):** The property management of the OPW, which acts on behalf of my Department regarding site acquisitions generally, is currently exploring the possibility of acquiring a site for a new school at Castledermot, County Kildare. Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's web-

site when the relevant acquisitions have been completed.

### **Special Educational Needs.**

269. **Mr. Wall** asked the Minister for Education and Science if she has satisfied herself with the new method of allocation of special education needs teachers; her views on whether the proposals will cause gender imbalance; the action she will take to overcome the problems; and if she will make a statement on the matter. [28720/04]

**Minister for Education and Science (Ms Hanafin):** As the Deputy will be aware, the proposed new system for resource teacher allocation involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs, borderline mild and mild general learning disability and specific learning disability, and those with learning support needs, that is, functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

The proposed allocation mechanism is as follows. In the most disadvantaged schools, as per the urban dimension of Giving Children an Even Break, a teacher of pupils with special educational needs will be allocated for every 80 pupils to cater for the subset of pupils with higher incidence special needs. In all boys schools, the ratio will be one teacher for every 140 pupils. In mixed schools, or all girls schools with an enrolment of greater than 30% boys, the ratio will be one teacher for every 150 pupils. In all girls schools, including schools with mixed junior classes but with 30% or less boys overall, the ratio will be one teacher for every 200 pupils. In addition, all schools will be able to apply for separate specific allocations in respect of pupils with lower incidence disabilities.

The rationale for the different pupil teacher ratios in boys of 140:1 and girls of 200:1 schools is twofold. International literature on the incidence of disability indicates that, across all disability types, there is a greater incidence in boys than in girls. International and national surveys of literacy and numeracy have found that these difficulties are more common among boys than girls. The rationale for the level of support proposed for schools in areas of urban disadvantage is that evidence shows that there is a significantly higher incidence of literacy and numeracy difficulties in urban disadvantaged compared to other schools, including those in areas of rural disadvantage. 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 regardless of gender of pupil or status of school.

[Ms Hanafin.]

I am conscious of difficulties that could arise with the revised model, particularly for children in small and rural schools, if it were implemented as currently proposed. The proposed system is intended to improve and streamline the special education resource teacher allocation process. The model will obviate the need for cumbersome individual applications, while at the same time ensure that pupils currently in receipt of service continue to receive the level of support appropriate to their needs. In that context, the additional posts being put in place represent a very significant investment to ensure the success of the measure.

Nonetheless, I am conscious of difficulties that could arise with the model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly, I will be reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review will involve consultation with educational interests and the National Council for Special Education before it is implemented next year.

#### School Funding.

270. **Dr. Upton** asked the Minister for Education and Science the reason a school (details supplied) in Dublin 8 has not received payment outstanding since 2002. [28721/04]

**Minister for Education and Science (Ms Hanafin):** Some 36 local drugs task force projects were transferred to my Department in January 2001 with annual funding of €2.58 million and included a project based in the school referred to by the Deputy.

The project received the first moiety of its 2002 financial allocation in August 2002. The second moiety was due to be paid before the end of 2002 subject to the receipt of a claim from the school in the normal way confirming that the first moiety had been expended. Unfortunately, the claim was not received until January 2003 at which stage the money had been refunded to the Exchequer at end of December 2002 in accordance with Government accounting procedures.

My Department has been made aware of the outstanding payment and is endeavouring to put the school in funds in this regard before the end of 2004. The school has been put in funds in respect of the 2003 and 2004 claims for the project.

#### School Staffing.

271. **Mr. Cuffe** asked the Minister for Education and Science the number of chaplains who are employees of and are employed directly or indirectly out of moneys provided by the Exchequer in institutes of technology, teacher

training colleges, constituent colleges of the National University of Ireland, other recognised colleges of the National University of Ireland, Trinity College, Dublin, Dublin City University and the University of Limerick; and the estimate of the aggregate current annualised payroll cost in each category. [28722/04]

**Minister for Education and Science (Ms Hanafin):** The provision of a chaplaincy service is a matter for individual third level institutions and I understand that most institutions provide such a service. This service could be provided by either the appointment of a chaplain as a member of staff of the relevant institution or by the provision by the diocese or other appropriate body of a chaplaincy service by way of a contract for services.

My Department does not have details of the numbers employed or of the cost of these services. I am arranging to have this information collected and forwarded directly to the Deputy.

#### Special Educational Needs.

272. **Mr. Gregory** asked the Minister for Education and Science, further to Parliamentary Question No. 233 of 6 October 2004, when the national council will become operational; when children with learning disabilities transfer from one educational institute to another, the arrangements that are in place to ensure that the latter links into a central database to inform itself of the details of the child's disability; the provision that is being made to assist children with basic dyslexia but no other learning or behavioural difficulties; and the training that is available for parents of dyslexic children. [28723/04]

**Minister for Education and Science (Ms Hanafin):** The National Council for Special Education has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order, 2003.

The process of agreeing protocols for the transfer of specific functions and future operating procedures is ongoing between my Department and the council. I understand, also, that the council expects to occupy its permanent headquarters within the next number of weeks and this move will enable the council to consider how it will develop information systems. The council has employed a number of special education needs organisers, SENOs. At present the SENOs are undergoing induction training and are making preliminary contact with schools in their areas.

There is currently no central database available in my Department of children with special educational needs, SEN, including those with dyslexia. The arrangement has been that, when a pupil with SEN transfers to another school, responsibility rests with the latter school to apply

to my Department for the necessary supports if these cannot be provided from within the school's existing capacity. However, once the council becomes operational, it is envisaged that the relevant SENO will be involved in planning the long-term education provision for each pupil with SEN in their area.

My Department has provided annual funding of €63,500 to the Dyslexia Association of Ireland since 1999. This funding has helped the association to operate an information service for members and the public. In addition, it has assisted in meeting the costs associated with the attendance of some children from disadvantaged backgrounds at workshops and programmes organised by the association. Children with dyslexia have, up to now, generally been catered for on an integrated basis in mainstream primary schools where they can be supported by the learning support teacher service or the resource teacher service. At present, there are approximately 2,600 resource teachers and 1,500 learning support teachers in the primary system. The total cost of these services is in the region of €180 million annually.

Where the condition of a pupil with dyslexia is of a more serious nature, provision can be made in one of the four special schools or 23 special classes attached to mainstream primary schools and dedicated to the needs of children with dyslexia. All special schools and special classes for such children operate at a reduced pupil teacher ratio of 9:1. My Department also provides funding to schools for the purchase of specialised equipment, such as computer hardware and software, to assist pupils with SEN, including those with dyslexia, where recommended by relevant professionals.

The Deputy may be aware that my Department has recently developed a new system of allocation of teaching support for pupils with higher incidence SEN, such as borderline mild and mild general learning disability and dyslexia, and those with learning support needs. The new arrangements will involve a general allocation to all primary schools to cater for such pupils. It will also allow for individual allocations in respect of pupils with lower incidence SEN. An additional 350 teaching posts are being provided to facilitate the introduction of the new system in September 2005.

#### School Staffing.

273. **Mr. F. McGrath** asked the Minister for Education and Science if a school (details supplied) in Dublin 7 is about to lose a resource teaching position; and if she will make a statement on the matter. [28731/04]

**Minister for Education and Science (Ms Hanafin):** I am conscious of difficulties that could arise with the proposed model for allocating

resource teachers to primary schools, particularly for children in small and rural schools, if it were implemented as currently 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 currently 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.

#### School Curriculum.

274. **Ms Enright** asked the Minister for Education and Science the number of persons opting to take the leaving certificate applied course for each of the past five years; the number of schools in the State at which this course is offered; and if she will make a statement on the matter. [28739/04]

**Minister for Education and Science (Ms Hanafin):** The leaving certificate applied programme was developed by the National Council for Curriculum and Assessment. This programme is part of the expanded senior cycle provision designed to cater for the diversity of participants' needs.

The programme was introduced in 1996 and has proven to be a most successful option as evidenced by the increasing number of pupils availing of it. There has also been a substantial increase in the number of schools providing this programme to facilitate the interest being expressed by candidates wishing to pursue it.

The statistical data relating to the number of pupils taking the leaving certificate applied programme in second level schools is as follows:

1998/1999 school year	66,890 pupils	183 schools
1999/2000 school year	273 pupils	204 schools
2000/2001 school year	7,193 pupils	222 schools
2001/2002 school year	7,495 pupils	236 schools
2002/2003 school year	7,977 pupils	254 schools

#### School Enrolments.

275. **Ms Enright** asked the Minister for Education and Science the number of persons who started their secondary education for each of the most recent five years for which figures are available. [28740/04]



**Minister for Education and Science (Ms Hanafin):** The information requested by the Deputy is set out below. It should be noted that the figures provided relate to the number of pupils in year one of the junior cycle programme.

School Year	Number of Pupils
1998/1999	61,682
1999/2000	61,230
2000/2001	59,660
2001/2002	56,674
2002/2003	56,825

#### Departmental Programmes.

276. **Mr. McGinley** asked the Minister for Defence the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28385/04]

**Minister for Defence (Mr. O'Dea):** My Department has no function in the RAPID programme and allocates no funding to it.

#### Register of Electors.

277. **Mr. English** asked the Minister for the Environment, Heritage and Local Government his views on whether a ten day period is sufficient time given to a person to reply to a local authority letter proposing to omit them from the register of electors in view of the fact that the person may be away on business or on holidays; and if he will make a statement on the matter. [28238/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I am satisfied that the ten day period within which a person must respond to a registration authority proposing to remove their name from the draft register is reasonable, taking account of the need to ensure that the register is as accurate as possible and of the responsibilities placed on the authority in this regard. In any event, such a person would have a further opportunity to examine the draft register, when published, and bring any inaccuracies to the attention of the authority at that stage.

#### Local Authority Staff.

278. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the contracts of heritage officers employed with local authorities will begin to expire at the end of 2004; if he has plans to ensure that these posts will be maintained; and if he will make a statement on the matter. [28279/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to the reply to Question No. 386 of 9 November 2004. I

understand that 17 of the 24 heritage officers are employed on a contract basis and that the majority of contracts are due to expire between 2005 and 2007.

#### Flood Relief.

279. **Mr. Howlin** asked the Minister for the Environment, Heritage and Local Government if, in view of the recent flooding and the likelihood of an area of the country being vulnerable to repeated flooding, there are grants available to local authorities to provide for flow bar protection systems for domestic dwellings; and if he will make a statement on the matter. [28288/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department has not in the past granted financial assistance to local authorities in respect of flood protection measures for domestic dwellings. I am aware, however, that some authorities, including Wexford County Council, have made provision for innovative assistance to householders in vulnerable areas.

#### Proposed Legislation.

280. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if it is proposed that new legislation will be introduced to provide a framework for the development of infrastructure projects of national importance; the types of projects that will be considered as part of this new legislation; the timescale for the introduction of the legislation; and if he will make a statement on the matter. [28303/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to the reply to Parliamentary Question No. 115 of 4 November 2004.

#### Departmental Programmes.

281. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government the amount of funding which has been allocated to the RAPID scheme from his Department's budget since the commencement of the scheme; and if he will make a statement on the matter. [28386/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Details of funding allocated to projects under the RAPID programme by my Department are set out in the following table. A number of other RAPID projects are also under active consideration or have been approved in principle by my Department or local authorities, as appropriate. In addition to RAPID projects, public agencies, including local authorities, are already providing a wide range of services in all RAPID areas. My Department has also met the salary costs of the local co-ordinators for each RAPID area. A total of €5.8 million has been expended to date in this regard.

RAPID area (Strand I)	Project no	Subject	Report / Position
Cork — Blackpool/The Glen/ Mayfield	CKBG008	Waste & Recycling — Bring Facilities	Approved for grant assistance under the waste management capital grants scheme — total allocation (incl. CKFG053) of €107,000.
Cork — Blackpool/The Glen/ Mayfield	CKBG011	Estate Management Mediation Service	Funding of €42,500 in total approved for this, together with projects CKFG 17, CKKC16c & CKTM 28
Cork — Blackpool/The Glen/Mayfield	CKBG035	Glen Regeneration Phase 2 & 3	€18.2 million approved for phase 1. Work underway and expected to be completed in early 2004. Proposals awaited from the city council in respect of phases 2 and 3.
Cork — Fairhill/ Garranabraher/Farranree	CKFG017	Estate Management — Mediation Service	Funding of €42,500 in total approved for this, together with projects CKBG 11, CKKC16c & CKTM 28
Cork — Fairhill/ Garranabraher/Farranree	CKFG051	Civic Amenity Site — northside	Funding of €365,000 approved for a site in Blackpool to service north Cork City area, under the Waste Management Capital Grants Scheme.
Cork — Fairhill/ Garranabraher/Farranree	CKFG053	Improved availability of Bring Site	Approved for grant assistance under the Waste Management Capital Grants Scheme — total allocation (incl. CKFG 08) of €107,000.
Cork — Fairhill/ Garranabraher/Farranree	CKFG055	Farranree Housing Project for the Elderly	Under the Capital Assistance Scheme, €6,957,213 was approved towards the provision of 39 units of accommodation by Farranree Sheltered Housing Ltd. on 2.12.03
Cork — Knocknaheeny/ Churchfield	CKKC007c	Cork CC Area Housing Office	Office fully staffed and opened for business 02/10/02 — approved funding of €177,763 paid
Cork — Knocknaheeny/ Churchfield	CKKC016c	Estate Management — Mediation Service	Funding of €42,500 in total approved for this, together with projects CKBG 11, CKFG 17 & CKTM 28
Cork — Knocknaheeny/ Churchfield	CKKC018d	Knocknaheeny Regeneration Plan	Funding of €2.05 million provided under Remedial works scheme for window/door replacement in Blocks A, B and C. Revised design plans for Block D are under examination by the Department.
Cork — Knocknaheeny/ Churchfield	CKKC019d	Knocknaheeny Regeneration Block D	
Cork — Togher/ Mahon	CKTM004	Togher Community Services Centre Budget cost approved for sum of €390,000 issued 25th June 2004.	
Cork — Togher/ Mahon	CKTM028	Estate Management Mediation Services	Funding of €42,500 in total approved for this, together with projects CKBG 11, CKFG 17 & CKKC16c
Ballymun	DUBBALSOC/01	Social Supports Initiative	Funding of €65,047 approved.
Finglas	DUBFING011	Traveller Community Centre at Avila Park	Approved as part of 6 house scheme Avila Park Phase iv. The Community Centre is part of an overall scheme to provide additional housing at Avila Park. Approved budget €530,922.
Northeast Inner City	DUBNEIC001	Improvements flat complexes	D/EHLG is currently funding redevelopment work to a number of flat complexes in the inner city involving part demolition, new build and regeneration. €123m in total (1999 prices) provided over the period 1999-2003
South West Inner City (Canals)	DUBSW027	Supporting the Regeneration process in St. Michael's Estate	Demolition works approved at an estimated cost of €764,000.
South West Inner City (Canals)	DUBSW028	Supporting the Regeneration process in Fatima Mansions	Demolition works approved at an estimated cost of €670,000.
Dún Laoghaire/Rathdown	DRDUNL034	Redevelop the housing stock at Laurel Avenue	Funding of €13.41million approved.

RAPID area (Strand I)	Project no	Subject	Report / Position
Limerick — Kings Island	LIMKI 048	Establishment Anti-social unit	Housing Management Initiative grant approved on 31 May 2004 for funding up to €21,600 in respect of salary of an anti-social behaviour official.
Limerick — Southside	LKS029	Phase II and III O'Malley Park Remedial work Scheme	Phase 1 completed. Approval to proceed to tender for Phase 2 issued July 03. Dedicated Project Officers are being recruited to implement the regeneration plan. The estimated cost for phase 1 & 2 is €17.5m
Clondalkin	SDCLON017	Environmental Improvements Prog — Establish and maintain a Recycling Centre (6 bottle & can banks)	Provision of 13 Bring Centres in SDubCoCo area approved under the Waste Management Capital Grants Scheme — total allocation €48,000.
Clondalkin	SDCLON019	To implement the Traveller Accommodation Programme in Kishogue	Tender Approved, expected to start 2005. Approved budget €5,131,310.
Clondalkin	SDCLON020	To implement the Traveller Accommodation Programme in Lynche's Lane	Approved to go to tender. Approved budget €500,000.
Clondalkin	SDCLON023	In-fill housing prog — increase housing availability & decrease sites of anti-social behaviour	Two schemes are underway at an estimated cost of €5.9m.
Clondalkin	SDCLON025	To enhance the funding available for the LA housing refurbishment programme in Shancastle & Greenfort	Approval has been conveyed to South Dublin County Council to proceed to a first phase of 100 houses in Shancastle and Greenfort under the Remedial Works Scheme at an estimated cost of almost €2.8 million. Work has already commenced on a number of houses.
Clondalkin	SDCLON026	To enhance the funding available for the LA housing refurbishment programme in Moorfield	Has been approved for Remedial Works Scheme funding. Budget of €3.2m approved.
Tallaght	SDTALL030	Refurbishment of Cushlawn Est. Killinarden	Approval has been conveyed to South Dublin County Council to proceed to a first phase of 100 houses in Cushlawn Estate under the Remedial Works Scheme at an estimated cost of almost €2.8 million. Work has already commenced on a number of houses.
Tallaght	SDTALL033	Provision of Traveller Accommodation — Kiltipper	Completed June 2004. Approved budget €1,120,000.
Tallaght	SDTALL035	Provision of Traveller Accommodation — Belgard	Under construction. Approved budget €2,478,220
Tallaght	SDTALL036	Extend existing Traveller Accommodation in Brookfield	Tender Approved August 2004. Approved budget €1,414,703.
Tallaght	SDTALL040 SDTALL046 SDTALL048	Environmental Awareness Campaign, Killinarden, Jobstown and Fettercairn.	In 2003 €20,000 was allocated from the Department together with €5,000 matching funding from South Dublin County Council to a scaled down environmental awareness programme incorporating the three designated areas of Killinarden, Jobstown and Fettercairn. The programme of environmental awareness activities will be undertaken by Dublin South County Council environmental awareness officer.
Drogheda	LTHDRO008	Estate Management Training (residents), Home management training (homemakers), Environmental Awareness Involving schools/youth and community, House Maintenance Course	Housing Management Initiative grant approved for an Estate Management Officer and various training initiatives. Funding of €32,576 paid.



RAPID area (Strand I)	Project no	Subject	Report / Position
Drogheda	LTHDRO18	Remedial Housing works scheme	Approval given. Council considering tenders for a pilot phase of 37 houses. Work has started on the construction of 16 old persons' dwellings at St. Finians Park. Funding of €1,918,103 allocated.
Waterford	—	Refurbishment scheme at Clonard Park, Ballybeg	Refurbishment scheme at Ballybeg involves the general refurbishment of some 215 dwellings. A Pilot project was approved in November 2001 for 14 dwellings. Approval issued Feb 04 to accept tender for a further 66 houses. Cost for Pilot Phase and Phase 2 estimated at €5.3m.
Waterford	—	Development of an integrated action plan for Larchfield/Lisduggan	Funding for the appointment of an Estates Officer with responsibility for the development of an integrated action plan for Larchfield/Lisduggan was approved under the Housing Management Initiatives Grants scheme. €28,021 in full and final payment 13.11.03.
Waterford	WATFC033	Community Facilities — Manor St. John.	The Department has indicated its commitment to providing funding of €0.5 million for the refurbishment of the Community Facility at Manor St. John. It is understood that there is a Childcare Facility on this site.
Waterford	—	Provision for Water and Drainage Infrastructure — Kilbarry Development Area	Contract Documents are awaited in the Department. The Local Authority is currently re-examining local requirements in advance of submitting Contract Documents for approval. Estimated cost €2.6m.
Waterford	—	Link Road to centre of Ballybeg	Waterford City Council has been allocated €1.063 million in respect of the Ballybeg Link Road. €532,928 was paid to the City Council in 2003 and €530,072 has been allocated in 2004.
Waterford	WATFC035	Larchville/Lisduggan Area Plan	Manor St. John — New Housing. The Department has funded the construction of 47 houses for Manor St. John and the Scheme was completed in 2003 at a cost of over €5 million.
Bray	WKBRA003	Estate Management Development Officer for Bray	Funding of €38,700 for the appointment of an Estate Development Officer and tenants/staff training approved. Project is now completed.
Bray	WKBRA004 WKBRA005	Audit of Housing Stock in RAPID Area	Funding of €25,000 paid October 2003. Project is now completed.

RAPID Area (Strand II)	Project no	Subject	Report / Position
Carlow	CW CRLW 014	Housing Management Initiative	Department has received a housing management initiative grant application from Carlow County Council (& Carlow Town Council) for funding under the 2003 Scheme. Funding up to €45,330 approved in Aug 2003.
Cavan	CN CAVN 002	Construction of Social Housing — Fair Green	Approval has issued to the Council to provide 4 apartments and 6 houses at Fair Green Hill, Cavan. The scheme is scheduled to be completed in 2004. Funding of €1.2million approved.
Cavan	CN CAVN 003	Construction of Social Housing — Tullacmongan	Construction of 18 houses was completed in July, 2004 at an estimated cost of €1.9m.
Cavan	CN CAVN 007	Construction of Central Library and Heritage Centre	Total grant-aid approved for this project is €4,742,495. Project under construction.
Cavan	CN CAVN 008	Construction of Housing at Mount St. Francis — Stage II	Under Construction. Approved budget €1,140,170.

RAPID Area (Strand II)	Project no	Subject	Report / Position
Mallow	CK MALL 014	Estate Management — Powerscourt	Funding of up to €23,000 approved. Fully paid Aug 2003.
Youghal	CK YOUG 008	Remedial Works Scheme — Raheen Park	Works have been approved under the Remedial Works Scheme Approval of Tender and Budget cost of €137,087 issued March 04
Youghal	CK YOUG 029	Estate Management — Greencloyne & Chestnut Drive	Funding up to €46,000 approved in Aug 2003 under Housing Management Initiative Grant Scheme 2003.
Mallow	CK MALL 038	Gouldshill/Town Council Local Agenda Environment Partnership Fund.	This project received €1,250 from the Department's Local Agenda 21 Environmental Partnership Fund in 2003 (€2,500 with local authority co-financing). A further grant of €7,680 was awarded on 10.03.04.
Youghal	CK YOUG 046	Local Agenda 21 Partnership Fund — Reduce Youghal's Waste Initiative	This project has received €1,250 from the Department's Local Agenda 21 Environmental Partnership Fund in 2003 (€2,500 with local authority co-financing). The LA21EPF Funding has been received. Applications for further funding for this project were invited in November 2003. A further grant of €5,000 was awarded on 11.12.03
Galway	GY GLWY 012	Refurbishment of Walter Macken Flats (96 no. dwellings)	Construction work on the refurbishment works to 96 dwellings at Walter Macken Flats, Galway has commenced. The refurbishment works include the replacement of the existing flat roof, the installation of central heating, plumbing, rewiring, internal refurbishment and upgrading of the general environment of the estate. Funding of €6.3million has been approved.
Galway	GY GLWY 013	Refurbishment of 44 no. maisonettes at Mervue	Approval has been given to the City Council to accept a tender for the refurbishment works to 44 maisonettes at New Mervue, Galway. The refurbishment works include the installation of central heating, rewiring, smoke alarms, internal refurbishment and upgrading of the general environment of the estate. Funding of €1.4million approved.
Galway	GY GLWY 014	Housing Development at Merlin Park, Ballybane; construction of 114 houses	This development is a mix of local authority, voluntary and affordable units. The final Phase 1, Stage 3 has recently been completed at an estimated cost of €4.3m. 62 local authority houses have already been completed in Stages 1 and 2. The estimated cost of the scheme is €11.27m.
Galway	GY GLWY 015	Proposed construction of 268 new dwellings at Merlin Park	Work has commenced on the 1st phase of 52 houses at an estimated cost of €6.2m.
Galway	GY GLWY 016	Ballybane Neighbourhood Centre	The Department is providing funding of €250,000 to Galway City Council under the One Stop Shop Programme towards this development. Construction commenced. Expected completion of library and medical centre, end 2004.
Galway	GY GLWY 017	Refurbishment of 24 no. local authority houses at St. Finbarr's Tce, Bohermore	Designated for funding under the Remedial Works Scheme. Approval issued to the City Council in June, 2004 for a tender for a pilot phase of 24 houses at an estimated cost of €3.8m.
Galway	GY GLWY 018	Housing Management Initiative Grant, Ballinfoile	Funding of up to €45,600 approved under the Housing Management Initiative Grant scheme in 2002. €30,600 paid in 2003.

RAPID Area (Strand II)	Project no	Subject	Report / Position
Galway	GY GLWY 019	Construction of 236 no. units at Bóthar na gCóiste, Ballinfoile	This scheme includes local authority, voluntary and affordable houses — all 126 local authority units are now completed. The total estimated cost of the scheme is €34.5m.
Galway	GY GLWY 020	Construction of 19 no. social housing scheme for elderly people and people with disabilities at Sandyvale, Ballinfoile	This scheme was completed in 2003 at a cost of €2.3m.
Galway	GY GLWY 021	Westside Housing Inclusion Project	Funding of up to €39,161 approved under the Housing Management Initiative Grant scheme in 2002. €28,639 paid in 2003.
Galway	GY GLWY 022	Westside Bris Project	Paid €8,800 in Dec 2003.
Galway	GY GLWY 025	Library at Westside	Library officially opened 23.1.04. Grant aid totalling €2,085,751 was allocated in March 2002. €1,815,321 paid to October 2004. €24,015 due for payment November 2004.
Galway	GY GLWY 028	Construction of three group units at Bóthar na gCóiste	This scheme was recently completed at a cost of €560,000.
Tralee	KY TRAL 016	Earth Education Project	Grant of €19,020 was awarded in March 2004 in respect 2003 application.
Athy	KE ATHY 008	Remedial Works Scheme at Townspark and Carbury Park	An allocation of €100,000 has been made to Athy Town Council in 2004 for the scheme. Departmental approval issued in July 04 to enable the Council seek tenders for the project.
Athy	KE ATHY 009	Employment of Tenant Liaison Officer	Funding up to €31,750 approved in Aug 2003 under the Housing Management Initiative Grant Scheme 2003. €28,800 paid in Nov 2003.
Kilkenny	KY KLKY 027	Ossory Park Remedial Scheme	Work on pilot phase of 16 houses currently underway for completion by end of 2004. The estimated cost of the pilot phase is €1.2million. Detailed plans and costings awaited from the Council for Phase 2.
Longford	LDLGFD 026	Housing Management Initiative	Funding of up to €16,000 approved in Aug 2003 under the Housing Management Initiative Grant scheme 2003
Clonmel	ST CLON 005	Estate Management Initiative	An application has been received for funding under Housing Management Initiative Grant scheme 2003. €30,600 paid in Sept 2003.
Tipperary	ST TIPP 001	Housing Management Initiative, Tipperary Town	Funding of up to €7,500 approved. €7,500 paid in 2003.
Carrick-on-Suir	ST CKSR 010	Ballylynch Renewal Programme	Works have been approved under the Remedial Works Scheme and approval to proceed to tender stage with a pilot scheme of 10 houses was issued Oct 03. In May 04 approval was given for phase 1A of the scheme which involves the provision of central heating in 73 LA owned houses and the replacement of doors and windows in both the rented and privately owned homes. Under the terms of the RWS private householders must pay 50% of the cost of works. The estimated cost of the pilot phase and phase 1a is €2m.
Athlone	WM ATHL 005	Redevelopment of St. Mel's Terrace	Grant aid of €50,000 has been approved under the Local Authorities PPP Fund, for a feasibility study to examine the redevelopment of St. Mels Terrace, using a Public Private Partnership approach. The study was completed in June 2004.



RAPID Area (Strand II)	Project no	Subject	Report / Position
Athlone	WM ATHL 006	Athlone Civic Amenity Facility	Grant assistance of €860,703 approved (2003) for this project under the Waste Management Capital Grants Scheme.
New Ross	WD NEWR 007	Tenant Participation Officer	€41,400 approved May 2004 (€31,400 salary, €10,000 support costs).
New Ross	WD NEWR 017	Construction of a Waste Water Treatment Plant and interceptor sewer	Scheduled to commence construction late 2005 — Water Services Investment Programme 2004-2006. Estimated Cost is €13.5m.
Wexford	WD WEXF 026	Tenant Liaison Officer	Funding up to €38,195 was approved in Aug 2003 under the Housing Management Initiative Grant scheme 2003
Wexford	WD WEXF 028	Local Agenda 21	Grant of €12,500 awarded in February 04.

### Registration of Quarries.

282. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the position in regard to the registration of quarries; if local authorities have a complete register or are required to have such within a specific period; and if he will make a statement on the matter. [28475/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Section 261 of the Planning and Development Act 2000, which will enable planning authorities to better regulate the operation of quarries in their area both by providing them with comprehensive information on such quarries and increasing their powers of control over quarrying operations, was commenced with effect from 28 April 2004. Section 261 introduces a once off system of registration for all quarries, except those for which planning permission was granted in the last five years. Under the registration system, quarry operators must supply full details of their operations to the planning authority, including information on the area of the quarry, the material being extracted, the hours of operation, and the traffic, noise and dust generated by the quarry. This information must be supplied within a year, that is, by 27 April 2005.

My Department has issued guidelines on quarries and ancillary activities to planning authorities, to assist with the implementation of section 261.

### Road Network.

283. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the position in regard to the archaeological investigation at Ardriagh, Athy, County Kildare; the cost of the investigation to date; the estimated total cost; the possible completion date of the works; when it will be feasible to complete the very necessary road improvements in the general area of the site. [28735/04]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The road scheme referred to is being undertaken by Kildare County Council and funded by my Department under the EU co-financed specific improvement grants scheme. To date, a total of €1,131,747 has been paid to Kildare County Council in respect of the scheme.

I understand the archaeological elements of the scheme turned out to be more complex than anticipated. In the light of this, it is now a matter for the county council to consider how it wishes to proceed, including a redesign of the scheme to minimise the impact on the archaeology.