



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 12 April 2005.

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*Dé Máirt, 12 Aibreán 2005.
Tuesday, 12 April 2005.*

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

Paidir.

Prayer

Ceisteanna — Questions.

Constitutional Referenda.

1. **Caoimhghín Ó Caoláin** asked the Taoiseach the constitutional referenda he plans for 2005; and if he will make a statement on the matter. [3693/05]

2. **Mr. Rabbitte** asked the Taoiseach if the Government has plans for the holding of constitutional referenda during 2005; and if he will make a statement on the matter. [4633/05]

3. **Mr. Rabbitte** asked the Taoiseach the progress with regard to the implementation of the recommendations of the Oireachtas All-Party Committee on the Constitution; and if he will make a statement on the matter. [4634/05]

4. **Mr. Kenny** asked the Taoiseach if he intends holding a constitutional referendum in 2005; and if he will make a statement on the matter. [4636/05]

5. **Mr. Sargent** asked the Taoiseach the constitutional referendums the Government intends to

hold in 2005; and if he will make a statement on the matter. [5703/05]

6. **Mr. J. Higgins** asked the Taoiseach if he plans to hold constitutional referenda during 2005. [6516/05]

The Taoiseach: I propose to take Questions Nos. 1 to 6, inclusive, together.

There are no specific plans at present to hold any referenda during 2005. The treaty to establish a constitution for Europe was signed at a ceremony in Rome on 29 October 2004. Member states of the EU must have completed their ratification processes by 1 November 2006. As the Deputies will be aware, I have indicated my intention to hold a referendum on the matter.

The Government has acted on most of the key recommendations which have emanated from the All-Party Committee on the Constitution. In all, this and the previous Government have brought forward ten referenda. The Government will avail of appropriate opportunities to take forward further recommendations of the all-party committee. The complexities involved in holding a referendum require that careful consideration be given to the frequency with which referenda can

[The Taoiseach.]
realistically be held and the significance of the issues in question.

Caoimhghín Ó Caoláin: Fáiltím roimh an Taoiseach tar éis an sos. I welcome the Taoiseach back by giving him an assurance. If the electorate votes in favour of the proposed EU constitution in a referendum and, as the Taoiseach as indicated perhaps it may not be this year, I assure him that although my arguments will not have won I will not call for a second referendum. Will the Taoiseach reciprocate that assurance? Will he assure the House that in the event of the electorate rejecting the EU constitution in referendum that he will not again present the arguments in a second referendum? That would be a fair exchange at the outset of this term and I hope the Taoiseach will reciprocate the assurance I have given him.

If the referendum on the EU Constitution is not to be held in 2005 when is it proposed to hold it? Is it possible that the Taoiseach will hold off so it can be held in tandem with an early general election in 2006? We are all interested to hear what he has to say on that.

Will the Taoiseach ensure there is full access to information on the text of the EU constitution? I understand we are talking about 564 pages of text but I do not want that to sound prohibitive. Will the Taoiseach outline the steps he proposes to take to ensure full and fair access to all the relevant information in the document? Has he noted the steps the Spanish Government has taken in the lead up to its referendum? What measures does he and the Government propose to take? Will he give an assurance to the House and the electorate that a fair and balanced executive summary will be available, that it will not be the peddling of one line of argument but that all the pros and cons will be outlined in a fair and equitable way?

The website of the Department of Foreign Affairs says there is a publicly accessible fund for promoting information about the EU constitution. Will the Taoiseach assure the House the fund will be available to all sides in the argument and not to promote only one view on this important debate that has yet to get under way?

The Taoiseach: As I stated there is no Government decision on the matter yet but the referendum has to take place before 1 November 2006. Preparations are already under way. Work on the legislation is under way. A Bill will come before the House sooner rather than later. The Referendum Commission will then put forward the balanced arguments as per the procedures. An explanatory document on the EU constitution has already been circulated. Work on a White Paper is well advanced. The EU constitution is available either from the Department of Foreign Affairs or the European Commission on demand. It is already on a number of websites. The Government is actively engaged in ensuring

people understand the contents and significance of the constitution. I note what the Deputy said in the context of the referendum being defeated. Naturally I want to see it passed. There is no other plan. Ultimately, it has to be passed in all countries. Last year the European Council laid down procedures in regard to the issues that have to be dealt with close to 1 November 2006. The Government will do all it can, as will the website of the Department of Foreign Affairs, to ensure all the information is available. Nobody has any interest other than to explain the information and the details of what is a significant document for the people to understand.

Caoimhghín Ó Caoláin: Will the Taoiseach assure the House—

Mr. Quinn: Arising from the question will the Taoiseach confirm that it is desirable to have the Referendum Commission established as soon as possible to address the issues raised by Deputy Ó Caoláin and others that there should be full, objective information available to as many citizens as wish to participate in obtaining that information? Will he agree that following that desirable objective it is necessary for the legislation to be initiated sooner rather than later in this House? Given that it is a constitutional referendum Bill it is required to be moved in this House rather than the other House. If that Bill was moved between now and June it would enable the commission to be established for the preparation of information and for factual objective documentation to be prepared in a format that maximises the transfer of information and minimises the delivery of confusion which happened in the past with some referenda.

I am aware that a referenda will be held on 29 May in France and in the Netherlands in June. Notwithstanding the prospects for those referenda, will the Taoiseach agree we should bring forward the legislation sooner rather than later for deliberation by this House and that the Referendum Commission should be established without delay? It is a matter for the Government to decide the appropriate time for a referendum to be held to ratify the European Union Constitution which is a good thing and which brings together the existing five referenda and five treaties which we have ratified.

The Taoiseach: I agree with all the points made by the Deputy. The sooner the House deals with the legislation the better and, if possible, I would like to complete it. The establishment of the commission is crucial and that depends on the legislation. The information can then be dealt with in the manner outlined by the Deputy, with which I agree. A decision on the date for the referendum can then be decided.

An explanatory leaflet on the European constitution is available in public offices and places. Commissioner Wallström made it clear during a recent visit a few weeks ago that the European

Union would make the text of the European constitution available on demand through its offices. I accept that not many people will wish to read the entire text of the constitution but they may wish to read the White Paper and explanatory memoranda and consider the objective case made. In particular they should study the importance of the charter on fundamental rights because that will ultimately confer rights on the citizens which they have not been given under similar treaties. Other than that, everything else is similar to the position in the treaties already ratified.

Mr. Kenny: Is the Taoiseach aware that a recent Eurobarometer research indicated — I do not know whether we can believe this — that 45% of Irish people had never heard of the existence of the EU constitution, never mind be aware of its content? If there is any relevance or truth in that report, it is obviously very serious. I ask the Taoiseach to outline the steps the Government intends to take on this matter.

Is the Taoiseach concerned that, in his Government's consideration of the timing of the referendum, there will obviously be a very strong Eurosceptic lobby from elements of the UK media which would be contrary to the general perception here of the importance of the European Union and the constitution? What is the Taoiseach's view on that matter? Will the Taoiseach take this into account in the Government's consideration of the timing of the referendum?

The All-Party Committee on the Constitution discussed the matter of Northern Ireland representation in the Oireachtas. What agreement was reached on this by the Government last year? Before the talks broke down, was an agreed proposition put to the Northern Ireland parties in respect of such representation? If so, did it involve representation and speaking rights in this Chamber or at committee meetings outside the Chamber? If such a development is part of a package of Dáil reform, there seems to have been little discussion about it. Will the Taoiseach outline what elements of a proposal were put to the Northern Ireland parties in respect of representation in the Dáil and Seanad and at committees?

The Taoiseach: The periodical Eurobarometer polls indicate a high level of support in Ireland for the European constitution. However, it is clear that a job must be done to ensure all citizens are informed. We have already published an explanatory guide to the constitution and will publish a White Paper. The Referendum Commission, which will be established shortly, will be given the resources to ensure that accurate and factual information is made available.

I do not wish to comment on figures, some of which are contradictory and depend on the manner in which questions are put. However, there is strong support for the constitution among those who express an interest. The 480-page constitution is a bulky document and the costs involved

in producing a copy for every voter may not be necessary. It is available for those who wish to acquire it and is posted on the website. As on previous occasions, the Government will bring forward a White Paper and resources will be provided to the Referendum Commission. After that it is for people to make the objective case for the constitution. There is a strong benefit for this country in supporting it and I will make that case in every way I can.

Referenda on the constitution are taking place in many EU states and each will have its own debate in this regard. Those who espouse a Eurosceptic view have targeted this country on previous occasions in recent years through media vehicles and otherwise. At least on this occasion such persons will be able to vote on the matter in their own country. We will not interfere in the debate in other states and we hope Eurosceptics will allow the Irish people to make their own decisions.

The discussion on Northern Ireland representation in the Oireachtas has been ongoing for some years. The proposals we brought forward last December emanated from the discussions that took place as part of the search for a comprehensive agreement. This was in a spirit consistent with the constitutional principles underlying the agreement and the conclusions of the All-Party Committee on the Constitution. I said at that time I would consult with party leaders with a view to establishing a mechanism whereby MPs elected in Northern Ireland constituencies could make an input into the deliberations of the Dáil with regard to Northern Ireland and the Good Friday Agreement. I made it clear that any proposals that might be agreed by the Oireachtas would not involve the granting of any rights or privileges.

Regarding Seanad reform, I said I would support the holding of a referendum before a general election to increase membership to allow Northern representation. Such representation has been taking place for many years on an *ad hoc* basis. The appointment of such Senators would be done in consultation with party leaders in Northern Ireland and in such a way as to represent, where possible, a cross-section of public opinion. They were the two proposals. One was made about the Dáil and the other about the Seanad.

I also said that, in the context of a comprehensive agreement, I would ask the Leader of the Seanad to discuss with the parties taking the necessary procedural steps to facilitate allowing MEPs elected here and in Northern Ireland to speak in the Seanad on periodic debates on EU matters. I cannot say at this stage when we might get around to advancing any of these proposals because they were all based on the comprehensive agreement.

Mr. Sargent: I have a number of questions, most of which could be answered with a "Yes" or "No". Given the Progressive Democrats' declar-

[Mr. Sargent.]
 ation that electronic voting was expensive, undemocratic and unworkable, is it now the view of the Government that electronic voting will not be used in any constitutional referenda? Can we look forward to a referendum without the complication or controversy of electronic voting?

Is the Taoiseach prepared to accept that the EU constitution cannot be accepted if the French reject it? As he stated, all countries need to ratify it. Is that the *de facto* position? It is certainly indicated in polls but we await the real poll.

Although the Taoiseach said the White Paper is well advanced, will he state the month, if not the day, when it will be produced? As Deputy Kenny said, there is a need for information. Will the Taoiseach listen to the Referendum Commission on this occasion? In the past it has been very dissatisfied over its being established so late in the day. Will the commission be established at such a time as to afford us the best opportunity to impress the reality of the constitution on the public mind?

Is it envisaged that another referendum or election will take place on the day set for the referendum on the EU constitution? Has the Taoiseach considered the legal arguments that the Irish Constitution may need to be amended to allow the EU battle groups, for example, to operate? Article 15.6 of Bunreacht na hÉireann states clearly that it is for the Oireachtas alone to raise or maintain a military or armed force. If other countries are involved in raising an armed force that is to train in Ireland, for example, a constitutional issue will have to be addressed. Has this been reflected upon and, if so, has there been any outcome? Will there be a referendum on the compliance of the battle groups with the Constitution?

The Taoiseach: The question on the Referendum Commission being able to commence its work will be addressed when the referendum Bill is brought before the House. It is intended to introduce it as soon as possible. This is in everyone's interest and will allow us to proceed with the debate and associated issues. It is the obligation of each member state to pass and ratify the EU constitution. Regardless of what other countries do, we have an obligation to deal with the matter ourselves. It is not for us to be watching what other countries are doing. Obviously we should take an interest but we have an obligation to try to ratify the constitution before 1 November 2006. This obligation was imposed on us when we agreed to the constitution. Our task is to ratify it and not to comment on what other countries are involved in.

It is obvious that the sooner we deal with matters in this House, the longer the Referendum Commission will have to deal with the issue. I agree with the Deputy's remark on the timeframe. We have already said we will provide the resources then people can see the facts. The Minister for Defence said that the issue of the battle

groups is being considered to see whether it requires legislation or raises any constitutional issues. He will clarify that when the examination is finished.

When the Government decides on the date it will consider whether there are other issues to deal with. It is no use speculating but while at the time other issues may arise I do not know of any.

Mr. Sargent: We are speculating. The Taoiseach is answering.

The Taoiseach: I do not want to speculate on what decision we might make in the future. People ask me to put through some more of the issues with which the constitutional review group has dealt, on the basis that we cannot have costly referenda every month. Perhaps it makes sense to put them together but there is no particular proposal.

Mr. Cowen: Then we will speculate on Deputy Sargent's position on the constitution.

Mr. Kenny: Has the Government discussed the question of discrimination against women in the home? The Irish Human Rights Commission called for a referendum on the deletion of Article 41.2 of the Constitution. The All-Party Oireachtas Committee on the Constitution recommended the deletion of the article and its replacement with a different form of wording to the effect that the State would recognise that family life gives society a support without which the common good cannot be achieved, and that the State endeavour to support persons caring for others within the home.

Has the Government considered the implications of that and has it contacted the Irish Human Rights Commission? Does the Government intend to hold a referendum on this other proposal, if accepted, on the same date as the referendum on the EU constitution?

What is the position on a referendum on the controversy surrounding the price of building land? Will there be such a referendum or has the Government considered that?

The Taoiseach: The All-Party Oireachtas Committee on the Constitution is carrying out a study of the family and children issue and any referendum will arise out of its report when completed. That will cover any other issues the committee has examined already in that area.

The committee said we do not require a constitutional amendment on the building land issue. The Minister for the Environment, Heritage and Local Government is bringing forward a collective package based on the proposal of the All-Party Committee on the Constitution and the PricewaterhouseCoopers and NESC reports. The Minister will bring forward proposals in the coming weeks.

Mr. Rabbitte: Did the Taoiseach answer the question about what will happen if the indications

in France are borne out on the day of the referendum?

Mr. Sargent: He ignores questions.

Mr. Rabbitte: Will we proceed in any event? How many reports has the All-Party Oireachtas Committee on the Constitution issued and how many parts of these have been implemented?

The Taoiseach: In regard to France, the Netherlands and several other countries holding referenda we have an obligation to pass the European constitution here. In November 2006 the European Council will examine the position. If 90% of countries ratify the constitution by then it will decide on how to proceed. The outcome is not influenced by what happens in any one country. We have an obligation to fulfil and the European Council will make its judgment in November 2006. I would like all countries to pass it, particularly France, which is an important member of the European Union but that does not influence our work.

The All-Party Oireachtas Committee on the Constitution has produced nine reports dealing with various issues, many of which have been implemented. We have a good record on the recommendations. Most of the significant proposals have been acted upon, for example, issues regarding the death penalty, judicial oversight — although the Dáil did not pass that — abortion and local government recognition. Many of the other recommendations did not require constitutional amendments but we dealt with the important matter of the scrutiny of EU business. Many other matters are under consideration in Departments. When we get an opportunity, we try to include them in the reports. The All-Party Committee on the Constitution is currently working on issues relating to children and the family.

Mr. Rabbitte: I would like to pursue with the Taoiseach the question of the price of building land. Today Davy Stockbrokers predicted another boom year, which at least is different from the usual economists' reports which, whenever there is a threat to the price of building land, state the prices of houses will tail off next year and that increases will be in line with inflation. We have been hearing this for approximately seven years but it has not happened. Given the Taoiseach has discovered what we on this side of the House told him, namely, that a constitutional amendment was never necessary, and that he has been assured of that by the All-Party Committee on the Constitution, what action, if any, does he intend to take on the question of building land?

The Taoiseach: Whatever about outside economists' reports on building land, over the last number of years we have proved the capacity in the country to build a record number of houses. The rate of price increase significantly reduced as

we dealt with the issues of supply and demand, which is significant.

The All-Party Committee on the Constitution report did not find that a constitutional amendment is necessary to allow for a reform of the existing system of compulsory land purchase. However, it suggested that the wording of the Constitution in this area could be improved. That also sounds like an economist's report. There has been the NESC report, PricewaterhouseCoopers report and the All-Party Committee on the Constitution report. The Minister is bringing forward proposals on what further steps are necessary in this area, which I hope will happen in the next few weeks.

Mr. Morgan: My hearing must be getting worse because I did not hear the Taoiseach's answer to Deputy Ó Caoláin's question on whether he will hold a second referendum in the event of the first one yielding a no vote. Perhaps he can clarify that matter.

Mr. B. Lenihan: The Deputy should hang his head in shame.

An Ceann Comhairle: Deputy Morgan without interruption, please.

Mr. Morgan: The French might do the job anyway. Has the Taoiseach plans to hold a referendum this year or next year on the issue of a right to housing? Will he hold such a referendum in order to ensure such a fundamental right is available to the people of this State?

The Taoiseach: We have a responsibility to hold a referendum in this country and to try to have it passed, which is what we are endeavouring to do. I will not speculate on anything else.

Caoimhghín Ó Caoláin: The Taoiseach is keeping his options open.

The Taoiseach: There is no other plan. The European constitution includes fundamental rights for citizens. It specifies what is already included in the treaties that people have passed democratically. I do not understand how people can be fundamentally opposed to what has already been passed by way of democratic referendum. There is no change involved in the constitution.

Aengus Ó Snodaigh: There are changes.

An Ceann Comhairle: The Taoiseach without interruption.

The Taoiseach: The people have already voted on these issues. The only aspect which is new is the fundamental rights issue. This gives people the right to protect themselves against either governments or institutions where they believe their rights are being withheld. That is the only change involved in the constitution.

Aengus Ó Snodaigh: The Taoiseach is hoping—

The Taoiseach: If the Deputy is against fundamental rights for people, that is fair enough. He is entitled to be opposed to human rights and other fundamental rights for people.

Caoimhghín Ó Caoláin: Is that the information that will be supplied?

The Taoiseach: I am just giving the factual position of what is in the constitution.

(Interruptions).

Mr. Morgan: I asked about people's right to housing.

The Taoiseach: The Government's concern is building sufficient houses. For the first time, we are close to meeting the demand for housing.

Mr. Morgan: There are enough reports to build a house.

Aengus Ó Snodaigh: The majority of Irish people believe this Government has abandoned the policy of neutrality and that it only exists in name. Will the Taoiseach bring the issue of Irish neutrality before the public in a referendum? Will the Government propose any changes to sections 1 to 3 of Article 29 of the 1937 Constitution or to the so-called triple lock?

Mr. Cowen: We are not going to war.

The Taoiseach: The Seville declaration was built into the second Nice treaty. Protections with regard to this issue were clearly put forward to the Irish people. They are absolutely clear. The entire European Council, and subsequently the Irish people, agreed to them. This is the position on which people will be asked to vote again. There is no danger to Irish neutrality in any of this. We will continue to engage in the Petersberg Tasks with regard to peacekeeping and other issues as we have successfully done over the past 40 years.

Mr. Rabbitte: I wish to return to the issue of the price of building land. The Taoiseach described the problem and told us about the various reports that have been produced. He also told us about the all-party committee. The Taoiseach's analysis is much closer to my own than one might think from reading the newspapers. However, there is a difference when it comes to taking action. What does the Government propose to do to address the price of building land after all these reports and all party committees?

The Taoiseach: As I stated earlier, the Minister for the Environment, Heritage and Local Government, Deputy Roche, will shortly bring

forward a detailed paper on the Government's next set of initiatives. We brought forward many initiatives over recent years, which is why the supply of housing in this country has increased from a stagnant 20,000 to 25,000 homes to the current figure of 75,000. From the examination of these reports over the past year or so, there are a number of other useful initiatives, including affordable housing, and these will shortly be brought forward.

An Ceann Comhairle: We are going outside the scope of the questions. Deputy Sargent has been waiting and we are running out of time.

Mr. Sargent: I do not mind.

Mr. Rabbitte: I have two questions and I did not intrude in any way.

An Ceann Comhairle: I appreciate that, but the Deputy has asked four or five supplementary questions.

Mr. Rabbitte: The purpose of asking questions is to get answers.

An Ceann Comhairle: The Deputy must stay within the confines of the six questions before the House.

Mr. Rabbitte: Can the Taoiseach name one of the initiatives that will be in the Minister's paper?

An Ceann Comhairle: That does not arise out of these questions.

Mr. Rabbitte: Of course it does.

An Ceann Comhairle: These questions specifically relate to the Constitution. Questions relating to other matters should be raised with another Minister in a different manner. Deputy Sargent has been patiently waiting for the past 15 minutes.

Mr. Sargent: I am very happy to do so.

Mr. Rabbitte: This question relates to the Oireachtas All-Party Committee on the Constitution. It is a critical question regarding the price of land. Will the Taoiseach tell the House one measure that the Government will carry out? It is a simple question.

The Taoiseach: I have already stated that arising from the reports we will bring forward another set of proposals. They must go through Government, so I will not announce them here. I can tell the House of the measures we have taken to date.

Mr. Rabbitte: I know about all of that.

The Taoiseach: I am not going to announce a Government decision before we have considered it.

Mr. Rabbitte: The Government is fantastic. Can the Taoiseach tell me of one measure?

Mr. Cowen: The Deputy wants to be in Government but he cannot.

The Taoiseach: Deputy Rabbitte wants to be ahead of a Government decision.

Mr. Rabbitte: The Taoiseach has spent four years talking about the issue, but he cannot tell me of one Government measure.

An Ceann Comhairle: Deputy Rabbitte should allow Deputy Sargent to ask a question.

Mr. Kenny: The Minister of State at the Department of Transport, Deputy Callely, announced a €16 billion programme recently without the Minister knowing of it.

Mr. Sargent: I am seeking clarity on the range of answers given by the Taoiseach, particularly with regard to the European treaty. I took it to be the case, as stated by the Taoiseach, that every member state would need to approve the treaty for it to be fully accepted by the European Union. He mentioned that if 90% approval could be garnered the next stage could be planned. I would like some clarity on that because it seems that if the Irish, the French or the people of any other member state were on their own in rejecting the treaty that would not make a whit of difference; ratification of the treaty would proceed based on the 90% approval rate the Taoiseach mentioned. Will he clarify what he means by saying that a meeting would take place to plan the next stage if there was 90% approval of the treaty? Is 100% no longer the requirement for it to be fully acceptable?

The Taoiseach: I thought the Deputy knew what was agreed at the time of consideration of the constitution. It was agreed that every country must ratify the constitution.

Mr. Sargent: That is what I thought was agreed.

The Taoiseach: If, on 1 November 2006, 90% of member states have ratified the treaty, the European Council would discuss the position. There is no commitment as to what it would do but it would discuss the position.

Mr. Sargent: It would have a chat about it.

The Taoiseach: It would then have to decide what to do. It was left open to see what would happen on that date; there will be a discussion on it. I assume that if only 50% of the member states have ratified it by that stage there would not be much point in having a discussion on it. That is

why a figure was inserted — there was no reason other than that.

Mr. Cowen: If the Deputy's party could conclude its discussions on it that would help.

Mr. Sargent: There is democracy on this side of the House.

Mr. Cowen: Is the Deputy in favour of the constitution?

Caoimhghín Ó Caoláin: What is the Taoiseach's view of the appropriateness of members of the European Commission involving themselves in a debate on either side in the event of a referendum being called? Our Commissioner, Charlie McCreevy, a former Minister, has already signalled his intention to do so in regard to a referendum on the European constitution. Is it not the case that unelected highly paid EU civil servants should not be directly involved in organising and directing public opinion—

Mr. B. Lenihan: He was elected by the Parliament.

Caoimhghín Ó Caoláin: —on matters of such import at the heart of the EU?

The Taoiseach: Some 30 groups participated in the convention on the European constitution, one of which was the Commission. It had representatives at the convention. The Commission signed up to the constitution. It had a major impact on the convention all the way through. I would expect the European Commission, which was part of the convention, would support its own constitution document in which it was fully involved.

As the Deputy will be aware, Commissioners actively involve themselves in such campaigns in countries throughout Europe. I would be glad to see the European Commissioners stand up for a document in which they were involved in negotiating. I would be disappointed if they did not do that.

An Ceann Comhairle: That concludes Taoiseach's questions.

Priority Questions.

Security Industry.

62. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the steps he took prior to 30 March 2005 to bring an end to the activities of gangs which have been robbing security vans and ATMs over the past 12 months; the directions he has given to the Garda Commissioner in this regard; the resources which he allocated for this purpose alone; and if he will make a statement on the matter. [11198/05]

63. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the progress which has been made in the Garda investigation into two robberies of security vans in Dublin during March 2005 in which more than €4 million was taken; the total amount taken in raids on security vans during 2002, 2003, 2004 and to date in 2005; the number of such cases in which charges have been laid; if he is satisfied that the Garda has sufficient resources to deal with this plague of robberies and to bring those responsible to justice; the matters discussed at his meeting with representatives of the security industry on 31 March 2005; the reason he has opted to give the security industry four months to improve security rather than implement the powers to set standards under the Private Security Services Act 2004; and if he will make a statement on the matter. [10942/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 62 and 63 together.

I am informed by the Garda authorities that the robberies referred to by the Deputies are the subject of ongoing investigations. I understand the Garda authorities have set up an incident room at Santry Garda station to investigate the two robberies of security vans in Dublin during the month of March and an extensive investigation is under way.

The available information regarding the total amount taken in raids on security vans and the number of such cases in which charges have been laid relates to 2004 and 2005 to date. With regard to 2004, approximately €3.4 million was taken in raids on security vans. Six people are before the courts in relation to these raids. I am further informed that since the beginning of 2005 approximately €5 million has been taken in raids on security vans and that three people are before the courts charged in relation to these raids.

In regard to action taken before the recent robberies, as the Deputies are probably aware, Operation Delivery was initiated in June 2004 in direct response to the increase in robberies of cash in transit in the Dublin area. The operation is under the control of a detective superintendent in the national bureau of criminal investigation. Among the activities undertaken are profiling and targeting of suspects; searching of premises associated with suspects; disruption of activities of suspects; surveillance of suspects; liaising with cash in transit companies; and intelligence gathering and analysis.

Operations have resulted in the arrest and charging of a number of suspects and the recovery of a number of firearms. The numbers of robberies of cash in transit have continued to decrease since the operation was established in June 2004. In the first three months of 2004 there were 12 robberies involving security vans compared with seven in the first three months of this year. While this represents a decrease of 40% in incidents, as Deputies will be quick to point out, there was an increase in the amount of cash taken quarter on quarter.

I am assured by the Commissioner that the necessary resources are being directed towards the containment and detection of such serious criminal activity. On Thursday, 31 March, following the armed robbery of a Brinks Allied security van early on 30 March at Artane when approximately €1.9 million was stolen, I met representatives of the main banks, An Post, the Central Bank and the major cash in transit service providers. I was accompanied by the Garda Commissioner, Mr. Noel Conroy, and the chief executive of the Private Security Authority, Ms Geraldine Larkin.

Many of the participants at the meeting, who are central to the movement of currency in the State, have been meeting as a forum since November 2004. The terms of reference of the forum are to co-ordinate the sharing and gathering of information on the security of delivery and collection of cash to bank branches and ATMs; identify strategic issues and promote best practice for the transmission and storage of cash; and develop an agreed code of practice.

At the meeting, I emphasised the massive social implications of these robberies when millions of euro find their way into the hands of organised crime gangs. Such robberies threaten the integrity and security of civil society. I informed the participants that the Government must ensure that proper procedures and standards are in place to combat the threat to security employees, their families and the public and that measures would have to be taken to ensure that the highest standards would be established and adhered to in cash escorts and cash holding centres.

I indicated my preference for voluntary agreement on a code of practice that would see the industry operating to the highest international standards. The forum has been considering such a draft code of practice since November 2004. If such agreement on a code of practice cannot be adopted voluntarily within the next 120 days, I indicated that I would have no choice but to regulate to ensure that standards are raised. However, my preference remains that key players acting in partnership voluntarily agree to act in the interests of their industry, their employees and the public. Agreement, if and when achieved, will represent the first time that the main stakeholders have committed themselves to operating to agreed standards of procedure and equipment.

In tandem with this, the Private Security Authority has a statutory responsibility to license companies operating in this area. The authority has decided to commence work on the development of a national standard in parallel with the work of the forum. The standard will form the basis of statutory licensing of cash in transit companies. As the authority is independent, I do not want to prejudge its deliberations on this matter. However, I would hope that if the voluntary code of practice is of a sufficiently high standard and concluded within the timeframe of the authority's work, it could form the basis of the national stan-

dard that would be required for the issuance of a licence. My officials are closely monitoring the 120-day period and activity in the area.

Mr. J. O’Keeffe: I compliment the off-duty garda who foiled an armed robbery within the past 24 hours. While I do not have his name, we should acknowledge the exemplary courage shown on this occasion and I hope he is recovering from his injuries.

It is easy for us to criticise the Minister and we have many grounds for doing so. I point to the substantial number of robberies when compared with 1998, the first year in office of the previous Government, when for the entire year only 61 armed robberies took place. Is the Minister not alarmed at the large number of robberies? Even in the figures he published yesterday, robberies from the establishment or the institutions or robberies of cash and goods in transit number 370 in the first quarter alone as opposed to 61 armed robberies in 1998, the first year of the previous Government. Figures reported indicate that 17 gangs are involved. How many gangs are involved in these robberies, including the IRA and related gangs?

What steps are being taken to address the problem? The Minister referred to Operation Delivery and the first quarter reflected a reduction from 21 to 12 in robberies of goods in transit. On the other hand, the number of robberies of institutions increased significantly, from 282 to 358. Would it be helpful to adopt a process initiated in Canada and change the law to criminalise gangs and make it an offence to be a gang member? If so, what are the Minister’s proposals in this regard?

On a technical level, are security vans equipped with global positioning systems, GPS, and if so, why is it difficult to track them? I understand there has never been a robbery of goods in transport accompanied by a military escort? Who makes decisions on escorts? Why do the military and Garda Síochána not provide greater cover? If there is to be a concerted effort to end this type of armed robbery, surely action is necessary on all the areas I have raised, notwithstanding the general requirement to allocate more manpower and technological resources to the Garda Síochána, which I do not propose to address in detail at this stage.

Mr. F. McGrath: The Minister should do his job.

Mr. McDowell: I will deal first with the Deputy’s final point regarding escorts. The Garda provides a considerable number of non-military escorts in any given week. More than 600 movements of cash are escorted by gardaí so it is not the case that one must see a jeep and Garda cars travelling beside a vehicle to conclude that an escort is in operation. Many cash transits are escorted with little public profile. For obvious reasons, I do not wish to address in detail the

criteria for escorting cash but they are worked out in consultation with the security industry and its chief customers.

The Deputy asked if I am alarmed by recent events. Most certainly I am alarmed and I have made it clear to the industry that if it does not get its act together, I will do so for it and impose from the outside standards with which it must comply.

The Deputy asked about global positioning systems. Some of the participants have GPS in their vehicles while others do not, which is a clear case of underinvestment. Some of the participants use much more sophisticated vans for some transactions than for others and, again, there is major room for investment in this regard. As the Deputy can well imagine, there is also room for using proper strong boxes, perhaps carrying independent GPS, with a capacity to destroy the contents if they are interfered with and of such a design that the transit staff cannot, under any circumstances, either under duress or otherwise, open them and with codes provided only to the recipients upon delivery. There are many other technical standards which could be introduced.

I explained to the security industry and I am happy to state now that I am unwilling to have the banks drive a race to the bottom in terms of standards. Security company employees are entitled to a decent wage rather than the bare minimum, decent conditions of work and equipment of the kind I described, which would safeguard them. The banks in question must face up to the fact that they must pay for additional standards. I will not tolerate a race to the bottom on standards when the result would be that society will be impoverished and anti-social elements enriched. I made this so clear I was perhaps unusually blunt.

Mr. F. McGrath: The Minister should have done so two years ago.

Mr. J. O’Keeffe: Why is he only doing so now when he has been in office for three years?

Mr. McDowell: I will conclude to allow the Deputy to speak. I wanted to get across the message that the industry has had a forum in place for some time and that, from what I gather—

Mr. F. McGrath: The Minister has been too busy sending snatch squads into schools.

An Ceann Comhairle: Allow the Minister to continue without interruption, please. The 12 minutes allotted for these questions have already been used by the Minister and Deputy Jim O’Keeffe. As Deputy Costello has yet to speak, I ask the Minister to be brief.

Mr. J. O’Keeffe: Why is he only moving now?

Mr. McDowell: I am not only moving now. As I told the Deputy, but he did not listen, a forum was convened by the Garda in 2004. I told him

[Mr. McDowell.] exactly what happened, including the failures. He knows full well what happened last month when I called in representatives of the industry. It is not a matter of me only acting now. Operation Delivery has been in operation and has had success since June 2004.

Mr. F. McGrath: The Minister should focus on his job.

Mr. Costello: We need more than bluff and bluster from the Minister on this issue. We have heard a great deal of it in the House and on the media and perhaps we can now get some facts. The Minister had no difficulty identifying the culprits in a recent major bank robbery in Northern Ireland. In addition, in reply to a question from the media on what he intended to do about this issue he stated he would revoke the licences of the security industry. Suddenly, however, he realised the security companies did not have licences because he had not licensed them as he did not enact legislation in sufficient time to do so. What is the current position?

The Minister cannot allow any sector of the security industry to be self-regulatory now that legislation is in place and the Private Security Authority has been established. He cannot give the industry four months to get its house in order. The legislation prescribes and mandates that the Private Security Authority, established under law, provides standards and training—

An Ceann Comhairle: The Deputy must ask a question.

Mr. Costello: —for all sectors of the security industry and that statutory guidelines must be introduced with the consent of the Minister. Has this been done? Is the reason he is allowing the industry four months that he has not got around to doing this?

Mr. McDowell: As the Deputy is aware, last year I asked him and Deputy Jim O’Keeffe to assist me in pushing the private security services legislation through the Houses to ensure it would take effect. The Private Security Authority is independent and decides its own rate of progress. As the Deputy is aware, it does not take direction from me on this matter. It is not true that I ever suggested I would revoke anybody’s licence.

Mr. Costello: It was widely reported in the media.

Mr. McDowell: The Deputy asked whether I am in a position to identify the culprits in a robbery, as I had been with regard to another robbery. While I am not in a position at this stage to reveal to the House the state of Garda investigations, they are well advanced on one of the robberies and good progress is being made on the more recent robbery. It would be wrong of me to satisfy the Deputy’s desire for facts and figures

by putting into the public domain the names of suspects in these operations.

Mr. J. O’Keeffe: How many gangs are there?

Mr. McDowell: There are a number of them.

Mr. Costello: On a question of a fact, as there is no self-regulation—

An Ceann Comhairle: We have spent 15 minutes on these questions and must conclude.

Garda Investigations.

64. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the reason he is awaiting a further report into the Grangegorman murders from the Garda authorities; and if he will make a statement on the matter. [10507/05]

Mr. McDowell: I thank Deputy Gregory for tabling this question. Deputies will be aware of the main facts of this distressing case. Sylvia Shiels and Mary Callinan were brutally murdered on the night of 6-7 March 1997. In July of that year the late Mr. Dean Lyons made an apparently full confession to investigating Garda officers of his alleged guilt in the double murder. Following consultation between the Garda and the Office of the Director of Public Prosecutions, he was charged with one of the murders at Grangegorman. In August 1997 another person, whom I cannot name in the House, was arrested and detained during the investigation of another double murder and made a confession regarding the Grangegorman murders. As a result of the admissions made by the second person, the Garda Commissioner appointed an assistant commissioner to review all available evidence regarding these murders.

The Garda authorities state that this investigation indicated that Mr. Lyons did not commit the murders in question. Following completion of this review, a report was submitted by the assistant commissioner to the Director of Public Prosecutions. In April 1998, after consideration of the report, the DPP decided that criminal proceedings against Mr. Lyons be discontinued. In July 1999, Mr. Lyons presented a signed and witnessed statement denying any involvement in the Grangegorman murders.

As the House is aware, when the DPP decides not to prosecute in a particular case, the reasons for the decision are given to the Chief State Solicitor and the investigating gardaí. However, the director has stated that it is his policy not to disclose this information otherwise. The prosecution of alleged offences is the responsibility of the DPP alone. He is independent in the exercise of his functions and it would therefore not be appropriate to intervene or comment on his decisions.

On 24 February, the Garda Síochána press office published a notice on behalf of the Garda Commissioner in a number of newspapers which stated that the Garda was satisfied that Dean Lyons had no participation in the murders and

that it appreciated the embarrassment suffered by his family as a result of criminal charges preferred against him and subsequently withdrawn. It regretted and apologised to the family of Mr. Lyons for any embarrassment caused.

In recent days, I have received a comprehensive up-to-date report which I requested from the Garda authorities on all matters arising in this case. The report is a detailed one and is accompanied by a large volume of associated papers. I have also previously indicated to the House my reservations regarding a public inquiry into this case. The death of Dean Lyons has obvious implications for the effectiveness of such an inquiry. I must also be mindful that the criminal investigation into the two murders is not closed. In particular, a forensic "cold case" review is being conducted by the Garda on exhibits and samples to see if there is forensic material to support a prosecution against the other person. This has led to the re-examination of a large number of such exhibits and samples. The outcome of this review could lead to charges being made in future, and I am sure the House will appreciate that I cannot prejudice that decision.

Nevertheless, taking all these factors into consideration, I accept that there are understandable grounds for concern that Dean Lyons made an apparently inculpatory statement in this case. This is why, having taken the representations made by a number of Deputies, including Deputy Gregory, into account, I have decided in principle to refer the Garda papers in the case to outside counsel with a view to examining how Mr. Lyons came to make the confession and what lessons can be learned from that occurrence in an effort to ensure that something similar does not happen again in future. I expect to have the terms of reference for the examination finalised and a person to carry it out chosen shortly.

Mr. Gregory: Will the Minister state if it is clear from the reports made available to him by the Garda that in the written statement taken by gardaí from Dean Lyons, there were specific details, including the murder weapon, that could only have been known to gardaí themselves and to the murderer? These details of the case have been in the public arena for the last five years. I have raised the case with the Minister since he became Minister for Justice, Equality and Law Reform and he has prevaricated until now. Is it not a critical issue that a statement which was neither videotaped nor audiotaped but gave precise details of the murder weapon and scene was taken from Dean Lyons who was later shown to be innocent? Is it not the case that serious implications arise from this? Surely the Minister agrees that this fact alone necessitates a full public inquiry. He has stated that he will refer this case to counsel. What is the nature of the inquiry he will ask the counsel carry out? Will it be public, open and transparent or yet another private inquiry into the details of the case?

Mr. McDowell: To clarify matters for the Deputy, I will ask the counsel to go through the considerable volume of documentation which was furnished to my office, together with a report, by the Commissioner last Thursday. I have no doubt that this is a grave issue. I agree with the Deputy that the serious issue in question is whether the alleged inculpatory statement made without any form of recording contains detail which could only have been supplied to Mr. Lyons by his interrogators. This is the crucial issue. Rather than relying on what has appeared in the newspapers, I wish to have a person in whose judgment I have confidence to go through all the material, establish what substance there may be to that grave issue and report to me. I will then report to the House whether an inquiry is necessary.

If an inquiry is necessary, there are a number of possibilities. One, which I have already mentioned, is the appointment under the Dublin Police Act 1924 of a person to carry out a sworn inquiry and provide me with a report. This is one of several possibilities, but I do not wish to rule any out. However, I agree that the grave implications to which Deputy Gregory referred are the point of interest and public concern. I am taking steps to evaluate what steps I should take on foot of the issues raised by this inquiry.

Mr. Gregory: Several points arise from the Minister's reply. If it is shown to be the case that these details, which could not have been known to Dean Lyons, were in his statement, will the Minister arrange a full public inquiry or some other form of inquiry so that this is brought out into the open? The Minister is aware that the sister of one of the victims and Dean Lyons's father have continually called for a full public inquiry. Given the length of time that has elapsed and the prevarications that have surrounded the case from the very beginning, they are entitled to it.

Mr. McDowell: I do not wish to speculate about what I will be advised by the independent counsel regarding this matter. However, I accept it is a serious issue. I presume the Deputy would not ask the question if it were not a serious issue. I will report back to the House when I have the material available to me.

Mr. Costello: The Opposition does not ask questions that are not serious.

Mr. Gregory: I take it that under the Dublin Police Act 1924, the Minister will not appoint a garda?

An Leas-Cheann Comhairle: We must proceed to Question No. 65.

Prison Building Programme.

65. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform if he is satisfied that the acquisition of 150 acres of land at

[Mr. J. O'Keeffe.]

Thornton Hall at a cost of €200,000 per acre represents good value for the taxpayer; his views on whether the sale of the 238-acre Grange farm four miles away at a cost of €26,000 per acre, the established market value for agricultural land in this area, shows that he paid €26 million too much for Thornton Hall; if he will reconsider the purchase; and if he will make a statement on the matter. [11199/05]

Mr. McDowell: I am satisfied that the purchase of the 150-acre site at Thornton Hall in County Dublin will prove to be excellent value for money for the taxpayer and I have no intention of reconsidering the purchase. To put it in perspective, a survey carried out on behalf of the Office of Public Works in 2001 estimated the cost of refurbishing the 20-acre Mountjoy site at €336 million. At today's prices, it would cost in the region of €418 million. With regard to the purchase price of the Thornton Hall site, I have received no advice from the OPW or the agents retained to advise on the matter that the price paid was in any way exorbitant. The Deputy can point to a particular site several miles away which is cheaper than Thornton Hall. Equally I would be able to point to many sites a few miles away which would be much dearer but that does not prove anything. Not all sites are suitable for a development of the type envisaged.

We were looking for a site that was suitable for the development of a major prison facility with sufficient open space for the proper recreation of prisoners, especially young offenders if they were to be sited there, to serve the Dublin area. Advertisements were placed in the national media inviting owners to put forward sites for consideration. All sites were examined on the basis of carefully prepared objective criteria. The site that met the necessary requirements and proved to be best value was selected.

The other site referred to by the Deputy was not offered to the Irish Prison Service as part of the formal selection process. In any event, I have been advised by the prison service that although a formal assessment was not carried out on the site, it would not have been considered acceptable from a number of important perspectives such as location, access and egress.

Mr. J. O'Keeffe: Does the Minister accept that, at €200,000 an acre, he has purchased the dearest farm in Europe? Does he accept that this figure is eight times the market value per acre for a farm of that size? Does he agree the market value of the Grange farm was settled by a public auction? As he must be aware from his legal days, this is the true criterion of market value. I am not talking about suitability for a particular purpose, but about market value for agricultural land. The Minister was buying unzoned farm land. References in his committee report regarding land that was offered at a much higher price are not surprising as development land is bound to be offered at higher price.

Does the Minister agree this deal represented extremely bad value for the taxpayer and that the decision to buy the farm was hasty, panicky and completed without half of the committee having examined the farm? The deal was first brought before the committee on 18 January, immediately agreed and approved by the Minister and announced the following week. This is a crazy way to conduct business by a member of a party that prides itself on being a watchdog regarding public finances.

Is the Minister aware that it is now extremely likely that Thornton Hall, which he purchased so quickly, may be designated an architectural conservation area? Is he aware that the local heritage association has produced a major report, which has been in gestation for the past two years, which confirms that this is a major heritage area, as evidenced by hill forts, ring forts, ecclesiastical enclosures, churches, a castle, a castle moat, a stone cross site, medieval settlements, ancient roadways, a Cromwellian battle site and an execution site? This last site is possibly the only part that is appropriate. Is the Minister not aware that it is very likely, arising from this report, that Thornton Hall and the adjoining area will be classified as an architectural conservation area by Fingal County Council and thus become off-limits to building development? How will the Minister retrieve the €26 million out of €30 million that he wasted on the purchase of a farm if he cannot build on the site?

Mr. McDowell: The process was not rushed and took a considerable length of time.

Mr. J. O'Keeffe: I am talking about the process relating to this farm.

Mr. McDowell: The Deputy is well aware that a great number of locations in Dublin and adjoining counties were considered so the decision was not rushed. The Office of Public Works and the expert auctioneers and valuers who were advising it did not make a mistake of the kind the Deputy is suggesting and did not buy a pig in a poke. When the institution is built the Deputy will be the first to recognise that this site was the right place to build and has the right scale. He will also realise that the other farm to which he referred would be completely unsuitable. I ask the Deputy to ask the neighbours of that other farm for their views if he still has doubts about the matter.

This site was inspected for any features of archaeological or cultural significance and none was found. It was interesting to hear the Deputy speak about the many interesting features of the site as I do not believe it has any. We will find out in the fullness of time who is right on this issue. The Deputy used very careful language when he said the area contained these features. He did not say the site I bought had any of these features. I am not aware of the existence of ring forts, monastic remains or similar features on the land in question.

Mr. J. O’Keeffe: The area has these features.

Mr. McDowell: If the Deputy was referring to features in the locality, he may well be right but I venture to suggest that the Office of Public Works was careful to have the land it was purchasing inspected and no such features were apparent to it.

Deportation Orders.

66. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if there are plans to review the procedures used for the issuing and execution of deportation orders, in view of his decision to revoke the deportation order in respect of Mr. Olukunle Elukanlo; if the file in respect of this case had been read by him prior to the signing of a deportation order; if files in general are read by him prior to signing deportation orders; and if he will make a statement on the matter. [10943/05]

Mr. McDowell: In my statement to the Dáil during the Adjournment Debate on Tuesday, 22 March 2005, I dealt with the deportation of the person concerned. In my statement during the Adjournment Debate in Seanad Éireann on Thursday, 24 March 2005, I dealt with the basis of my decision to allow the person to return. The proposal put to me to deport this person was made in the belief of the proposing immigration service official that the order, when made, would not be implemented before June 2005, when the young man in question would be able to sit the leaving certificate examination for which he had been studying at Palmerstown Community School since September 2002.

As is usual regarding persons in respect of whom deportation orders have been made, this person was instructed to present himself to the Garda National Immigration Bureau on 3 March 2005. He did not do so and, consequently, was classified as an evader. He subsequently presented himself at the Garda National Immigration Bureau on the day of a deportation flight rather than on the earlier date specified in the letter sent to him. Consequently, he was arrested as an evader and deported. The officials involved in the deportation were acting in good faith. The assumption that he would not be deported before June 2005 was not acted on. While the deportation was authorised, its actual timing was unfortunate and I believed that to leave matters as they were was inappropriate.

It is important to understand the general procedures that apply to the execution of deportation orders. The execution of every deportation order made by me is an operational order by An Garda Síochána. It is the Garda’s duty to enforce such orders in accordance with the law and it has never been my or my predecessors’ practice to assume a direct role in operational matters for a good reason. Under the laws enshrined in the Immigration Act 1999, a person who is the subject of a deportation order is under a legal obli-

gation to leave the State. However, compliance with the law in this regard is minimal and enforcement is necessary if the integrity of the asylum and immigration system is to be maintained. As the Supreme Court has acknowledged, failed asylum seekers do not have a right to remain in the State but these people are not snatched arbitrarily or suddenly off the streets. Before I make a deportation order, the person in question is given three options. He or she can leave the State voluntarily, consent to the making of a deportation order or make representations within 15 days as to why he or she should be allowed to remain in the State. Assistance regarding voluntary departure is underpinned by special programmes established in co-operation with IOM. For three years, up to 31 December 2004, 1,879 voluntary returns have been accommodated by IOM in the Department of Justice, Equality and Law Reform. Regarding all files submitted to me containing recommendations for deportation, it is plainly necessary for officials to collate and summarise all relevant information in order to present it in a coherent and consistent format for me to consider. Almost without exception, this involves a summary of all available information on the facts, as set out in section 3(6) of the Immigration Act and in consideration of the *refoulement* issues and/or other significant issues relating to the case. A recommendation is then made to me by an officer at a grade not lower than assistant principal.

Additional information not given on the floor of the House

The entire file is then submitted to my office for a decision. It is brought from Burgh Quay to my office at St. Stephen’s Green for that purpose. The volume of such files can be understood from the fact since January 2001, in the region of 10,200 deportation orders have been signed by me or my predecessor. During 2004, the number of individual cases varied from ten to 20 on each working day. This is a direct result of the Government’s overall asylum processing strategies and the commitment of resources to this area and is likely to continue to increase in scale.

Deputies should be aware that litigation by way of judicial review proceedings is a regular consequence of deportation cases, with 361 such cases live at present.

In view of the volume of the deportation files it is clearly unrealistic to think it possible for me or any other Minister for Justice, Equality and Law Reform to remember the precise details of every individual case. While, I have no recollection of reading the particular file to which the Deputy refers, my general practice is, in some cases, to read and consider the summary and, in other exceptional cases, to read and consider the entire file.

The approach outlined above is the only realistic way of dealing with the volume of cases fairly and efficiently and is in accordance with the Carltona principle which recognises that the

[Mr. McDowell.]

whole system of departmental organisation and administration is based on the view that Ministers, being responsible to Parliament, will ensure that important duties are committed to experienced officials. In every case, I sign the deportation order and the order is made by the Minister as a matter of law. This approach is typical of that taken in Common Law countries where ministerial decisions are made in accordance with the Carltona principle.

Finally, I refer briefly to our asylum determination process. Some commentators have referred to the fact that asylum determinations take a considerable period of time to complete and that large numbers of people are in the asylum process for a long duration. This is no longer true. Huge progress has been made in the area of asylum processing over recent years following the huge investment by the Government in this area. The progress made to date is illustrated by both the general reduction in processing timescales in the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal and the substantial reduction in the number of asylum applications on hands.

In terms of timescales, a new accelerated process has been introduced for prioritised asylum applications with a first instance decision provided by ORAC within an average of 13 working days and an appeal on the papers, where applicable, provided in some six working days by the RAT. At present prioritised cases comprise some 54% of all applications.

In relation to cases on hand, only 900 cases are in the asylum system for more than six months. This can be contrasted with the fact that there were some 6,500 cases over six months in the system in September 2001 and that some 25,000 asylum applications have been received in total in the State since January 2002. We can be justifiably proud of this result.

As I mentioned earlier, the Government has made a huge investment in this area and this expenditure ranges across several Departments.

Overall, in the region of €375 million was spent on asylum related services in 2004, a small proportion which also relates to services provided for other non-nationals. This figure was compiled following consultations with range of Departments and offices which provide services to asylum seekers, namely, the Department of Justice, Equality and Law Reform, including the Office of the Refugee Applications Commissioner, the Refugee Appeals Tribunal, the Reception and Integration Agency and the Refugee Legal Service, the Departments of Social and Family Affairs, Health and Children, Education and Science, the Office of Public Works and the Office of the Chief State Solicitor.

This scale of investment leaves us with an asylum determination system which compares with the best in the world in terms of fairness, decision making, determination, structure and support services. It is also worth pointing out that it still

remains a fact that over 90% of the applicants for asylum, after been through a system which is highly regarded internationally, including by the UNHCR, are found not to be in need of international protection.

Mr. Costello: I thank the Minister for supplying me with all of this information but I would like him to answer my question. I asked him whether he is going to review the procedures used in issuing an execution of a deportation order, which he did not answer, and whether he had read the file himself prior to signing the deportation order regarding Mr. Olukunle Elukanlo. I also asked him whether in general files are read by him prior to signing deportation orders. I did not receive answers to any of those questions.

Would the Minister agree the process has become a debacle where he has been forced to do a U-turn regarding his oft-stated position that he would create precedents if he was to make any exceptions to his ruling? He has now very publicly and blatantly done a U-turn on this issue. What is the position regarding deportation orders now that the Minister has done this U-turn? We have people in Athlone, Monaghan and various other parts of the country who are looking for similar treatment to this young man.

Does the Minister agree it is not sufficient to say he issued a deportation order in the belief that the immigration service would not deport the young man before his examinations? Are members of the immigration service supposed to be mind readers? How were they to know that the Minister did not expect this young man to be deported before his examinations? Did the file contain anything that made it clear that he was not to be deported before his examinations? The Minister should let us know if it did. If the file did make it clear, the deportation would have breached the order that was issued.

Mr. McDowell: If I had sufficient time, I would have said that the files are brought to my office for consideration, with a summary attached to each file. The volume of such files can be understood from the fact that since January 2001, 10,200 deportation orders have been signed by me or my predecessor. In 2004, the number of individual cases varied from ten to 20 on each working day, which is the result of the Government's overall asylum processing strategies and the commitment of resources to the area. This is likely to increase in scale.

In light of the volume of deportations filed, it is unrealistic to think it possible that I or any other Minister for Justice, Equality and Law Reform could remember the precise details of every case. While I have no recollection of reading the file to which the Deputy refers, my general practice is to read and consider the summary of some cases or to read and consider the entire file in exceptional cases. The approach I have outlined is the only realistic way of dealing with the volume of cases fairly and efficiently. This is in accordance

with the Carltona principle which recognises that the system of departmental organisation and administration is based on the view that Ministers responsible to Parliament will ensure that important duties are committed to experienced officials. The deportation order in every case is signed and made by the Minister as a matter of law. This approach is typical of those taken in common law countries where ministerial decisions are made in accordance with the Carltona principle.

The Deputy asked whether this will set a precedent for other cases. It will not. In this case, the proposing immigration officer noted in the file his expectation that the young man would be able to finish his leaving certificate and then leave. The subsequent sequence of events that happened was unlikely in that he did not attend an interview to inform him of this expectation when he was requested to and was marked as an evader. Once he was classified as such, he subsequently appeared on the day a flight was leaving and other officials who acted in good faith but were unaware of the expectations of the first official decided to arrest and deport him.

It was harsh to stand over his deportation under these circumstances. On consideration, I publicly said that I must take personal responsibility for these decisions. I make no apology for saying this but the other cases to which the Deputy refers have nothing to do with this particular sequence of highly unlikely and unpredictable events or their results.

Entire families come to Ireland seeking protection as refugees and apply for asylum. When they fail, they must be deported. The Deputy has advanced in this House that, where children are in education, the question of their deportations should be deferred until their education is finished.

Mr. Costello: Their secondary education.

Mr. McDowell: Deputy Costello made this suggestion but if I were to follow his misconceived advice, 50% of the people involved would be able to avoid deportation according to the figures that are available to me.

Mr. Costello: That is not true.

Mr. McDowell: There is another point that is of significance to this discussion. The cost of providing asylum services across several Departments in 2004 was €370 million. Of asylum seekers, 90% are not found to be entitled to protection from the State. There is a considerable amount of money and deployment of resources by the State. I intend to enforce the law and wish the Deputies to know that the people back me in my stance on this matter.

Mr. Costello: Will the Minister refrain from sending gardaí into classrooms within which youngsters are studying? Does he recognise that

any non-nationals entitled to education here can only have this entitlement until they complete their second level education, otherwise it would not be free? The people we are speaking of would not be able to afford it. This is what I referred to and not education to third level as the Minister has indicated. Does the Minister admit that he only reads the summaries of many of the files that are placed on his desk?

Mr. McDowell: No. Between ten and 20 files per day on average are brought to my attention for decisions. Nearly all of them are summarised and it is my general practice to rely on the summary while having the entire file available to me in my office. I examine all the material in a minority of cases, some of which have files that are six inches thick, whenever I am in doubt or there is a particular matter raised.

The Deputy has raised this issue again, so I will reiterate that I am speaking about primary and secondary education. If I had a system wherein people with children of an age to be in primary or secondary education would be effectively immune from deportation until both educational cycles were completed, 50% of family asylum-seeking groups in Ireland would be exempt from deportation. This is not a practical—

Mr. Costello: That is not true.

Mr. McDowell: It is true. These are the figures that have been made available to me.

Mr. Costello: Will the Minister show me the figures?

An Leas-Cheann Comhairle: We must proceed.

Mr. McDowell: I asked for these figures and I was told by officials in my Department—

Mr. Costello: The majority of the asylum seekers are dealt with under the category of Irish-born children, which the Minister is speaking about. He is effectively giving an amnesty to 20,000 people in this context. The others are a proportionately small number.

Mr. McDowell: That is not the case.

Mr. Costello: It is the case.

Mr. McDowell: As I promised the House in the face of a measure of scepticism, I am dealing in a generous and humane way with all parents of Irish-born children. Approximately 18,000 applications to reside in the State on the basis of parentage of an Irish-born child were made before the deadline of 31 March under the relevant scheme and that approximately 3,000 of that number have been granted leave to remain.

Mr. Costello: That is where the children are.

Mr. McDowell: The Deputy contradicts me but he is on the wrong ground. Of the family groups who seek asylum here and all of whose children are afforded education by the State, approximately 50% would be immune from deportation for up to ten years were I to accept the Deputy's point that all questions of deportation should be deferred until all the family's children have completed the two educational cycles. I am not willing to do this.

Mr. Costello: Will the Minister show me the figures?

Mr. McDowell: It is grossly irrational to expect a Minister for Justice, Equality and Law Reform to accept this as a way to conduct immigration policy.

Other Questions.

Garda Equipment.

67. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform the reason Garda recruits are required to pay €400 for their uniforms; and if he will make a statement on the matter. [10865/05]

Mr. McDowell: I have been informed by the Garda that Deputy Gormley is wrong in this matter. Student gardaí are not required to pay for their uniforms. However, a notice is sent to students instructing them to bring a formal suit, two pairs of black regulation shoes of solid leather construction of a plain type, a track suit, two gym singlets, two pairs of shorts, gym shoes, a gym kit bag, four pairs of white gym socks, a swimsuit or swimming trunks of a navy colour, one pair of flip-flops, a duvet quilt, a pillow and various other items. Most of these items are available from the academy in Templemore and students are required to pay a cost of €400 for items three to ten. This may be the source of the Deputy's misinformation.

Mr. J. O'Keeffe: To be kitted out.

Mr. McDowell: It is not the case the students pay for their uniforms. These are accoutrements and a part of the training process for which most students in any third level institution would be asked to pay.

Mr. Cuffe: I am delighted that the recruits are so well kitted. It shames some of us to hear of the contents of their own kitbags. It is my understanding that it is a requirement to pay a sum of money for the uniform but that it remains the property of the Garda Síochána at all times. Will the Minister clarify whether the items he has mentioned or the uniform remain the property of the Garda Síochána or himself?

Mr. McDowell: I am not in a position to say whether I own Garda uniforms or whether the individual members do, but I have a feeling I do.

I do not know the answer to that question and I will not mislead the Deputy. What the Deputy and I would generally refer to as "Garda uniform", that is, tunics, caps, trousers, skirts and so on, is not required to be paid for by individual members of the Garda Síochána.

Mr. Cuffe: I am delighted to hear that. I compliment the Minister on his decision to grant leave to remain to 3,000 individuals. I applaud him on what I consider a humane decision in that instance.

Mr. J. O'Keeffe: It is not often we get the opportunity to discuss the uniform of the Garda Síochána but as it has been mentioned I wish to ask the Minister how long it has been since the uniform was redesigned. Is there any question of a redesign at present? Is it an issue that is looked at generally from the point of view of comfort, efficiency and so on, particularly bearing in mind the large number of women gardaí?

Mr. McDowell: We will not be gender discriminatory in regard to this issue. There has been an ongoing redesign of the Garda uniform. Since I have been appointed Minister, zip-up jackets have been supplied as part of the uniform to individual members and various aspects of Garda equipment have been redesigned and modernised. It is not the case that it has been left in some frozen condition for a long time. There have been a number of changes in recent years, some of which have been modelled in public and referred to in the media.

The trend has been towards more comfortable but reasonably impressive looking attire suitable for modern use. It is difficult to remember back to the old, stiff collared tunics and so on, with which I grew up. Getting in and out of cars with such a uniform was, undoubtedly, a difficulty. The modern uniform available to members of the Garda Síochána is designed by a process which involves consultation with the affected ranks.

Human Rights Issues.

68. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform his views on the recent findings of the Garda human rights audit report which contained serious criticism of the force; the steps being taken to deal with the shortcomings identified; and if he will make a statement on the matter. [10775/05]

Mr. McDowell: Following from a Council of Europe programme in 1997 entitled, Policing & Human Rights, 1997-2000, the Garda Síochána established a human rights office and a human rights working group in 1999. The human rights working group, on behalf of the Garda Commissioner, commissioned Ionann Management

Consultants to carry out a human rights audit of the Garda Síochána. This extensive work was conducted during 2003-04 and the audit has been finalised.

I take this opportunity to congratulate the Commissioner for commissioning the human rights audit and for publishing the audit which identifies certain significant shortcomings in respect of the force in an open and transparent manner. In response to the findings and recommendations of the consultants, the Commissioner is drafting a comprehensive Garda action plan to respond, in particular, to the shortcomings the report identified.

The action plan can be summed up by saying that it will put human rights to the fore in all aspects of the management and operation of the Garda Síochána. Assistant Commissioner, Nacie Rice, head of human resource management, has been given specific responsibility to monitor, oversee and ensure the implementation of all aspects of the report. I understand that at a recent management seminar at the Garda College in Templemore, senior officers at chief superintendent and Commissioner rank received an extensive briefing on the audit and the action plan which will arise out of it.

The Garda Síochána Bill, which is before the House, places emphasis on the importance of upholding human rights in the performance by the Garda Síochána of its functions. The Bill also provides for a revised form of declaration for persons joining the force, which specifically refers to the need to have regard for human rights in carrying out policing duties. I have also made provision in this Bill for the establishment of a code of ethics for the Garda Síochána. The purpose of the code of ethics will be to lay down standards of conduct and practice for members.

Mr. Costello: I, too, welcome the fact the Commissioner has accepted all 15 recommendations and has agreed to take action to implement them. Let us be clear on what the independent human rights audit found. It found that procedures and operating practices within the Garda force can lead to institutional racism, particularly in relation to Nigerians, Travellers and Muslims. What will the Minister do? He is responsible for legislation covering the Garda Síochána, and the Garda Síochána Bill is before the House. Has the Minister studied these recommendations? Has he considered the need for some change in the structures in the Garda Síochána? For example, recommendations were made in respect of a police authority which would allow a greater level of monitoring of the operation of the police. It is not good enough to leave it to the Commissioner to implement recommendations. What about training and education? The Garda Síochána Bill is notably devoid of reference to those areas. I would like to know about the Minister's responsibility rather than what the Commissioner will do.

Mr. McDowell: I appreciate that the Deputy welcomes the transparency with which the Commissioner acted in this matter. I can make the action plan available to the Deputy. He will see that each of the issues raised in the report is addressed and responsibility for and a method for dealing with them are identified in the Garda action plan. I back the Commissioner 100% in implementing that action plan.

As Minister, I can set the legislative context within which the Commissioner can act. The Garda Síochána Bill is very strong and clear on this issue. There will be an ethics package for gardaí which they will have to live up to. There will have to be an emphasis on human rights in their training which does not simply end when they leave Templemore. Each member of the Garda Síochána will be required to effectively take an oath to uphold human rights. The action plan combined with that new legislative framework and the fact that there will be annual reports and directives from the Government will adequately cover this matter. I have full confidence that the Commissioner will deal with this issue in a perfectly adequate way, especially in view of the way he has dealt with it to date. He will have my full backing in everything he does.

Prisons Building Programme.

69. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the position with regard to plans to construct a new prison at Thornton Hall, County Dublin; if a contract has been signed for the purchase of the site; the estimated cost of the project; when he expects construction to begin; when he expects the project to be completed; if his Department or the Prison Service has met local residents to hear their concerns; and if he will make a statement on the matter. [10777/05]

Mr. McDowell: A contract has been signed for the purchase of the site and plans are being formulated regarding the development of the site. These will be made available in conjunction with the statutory planning process. In accordance with the Department of Finance regulations, the Prison Service is preparing a business case regarding the development for submission to the Government. It is intended that construction of the prison development will commence in late 2006. The cost of the project will be determined following a procurement process in line with EU directives and public procurement guidelines. It would be inappropriate for me to give an indication in regard to costs at this stage as this would be commercially sensitive information which might affect the tendering process. One meeting has been held between officials of the Prison Service and a group of representatives from the local primary school. There will be a process of consultation with the local community as soon as outline plans for the new development are drawn up.

Mr. Costello: That is not quite what the Minister told us the last time I tabled a question on this matter. He told me he was agreeable to meet the residents but that they had not taken him up on his offer. He now tells me that officials met representatives of a local primary school and that some time in the future there might be a meeting with the local community. Is it not a fact that the Minister has refused to meet the local residents' association and the local community which is questioning the approach he is taking in regard to many aspects of this development? Will the Minister meet the local community?

What is his response to Dublin City Council when one considers that some months ago, when he brought forward the proposal to close Mountjoy Prison, he had a notice posted on the gate of the prison stating that no official of the city council should be allowed past the portals to conduct any survey of the features of the prison? Will that notice be shredded given that the Office of Public Works made a submission on behalf of the Minister and that Dublin City Council rejected it out of hand, and that it has every intention of examining the architectural, historical, cultural and heritage aspects of the prison with a view to seeing what needs to be preserved? Can I take it the Minister will co-operate with the legal planning authority and the local authority?

Mr. McDowell: The Deputy can be totally assured I will comply with my legal obligations. It should go on the record that the Deputy is pursuing his own policy which is to keep Mountjoy where it is.

Mr. Costello: Will the Minister answer the question? I ask him not to mind my policy. Let us hear about his policy.

Mr. McDowell: Will the Deputy please stop interrupting me? I am answering his question. It should be clearly understood that we are hearing that Mountjoy Prison is a heritage site and that the Deputy wants to keep it as it is. I am not prepared to have modern penology and the rehabilitation of prisoners carried out in a museum. If the Deputy has some ulterior motive to keep Mountjoy Prison in its present location and to make bogus arguments about retaining it as a campus, I do not accept them. Mountjoy is not suitable as a major prison and must be replaced. That view is supported by the governor, Mr. Lonergan, and by every independent person who has toured the prison. There is no reason to rebuild on the site because, as I indicated in an earlier reply to the Deputy, it would cost over €400 million to rebuild a prison on the Mountjoy site. Even in that context, the biggest prison in Ireland would be unusable for a major portion of the construction period. I am not going down that road.

I want to make it clear to everyone who will listen that I am going ahead with the relocation of Mountjoy Prison from a city centre site to a

site on the outskirts of Dublin and I have purchased a site for that purpose. The intention is that there will be recreational spaces, open spaces, decent buildings and decent facilities for the prison officers to work and the prisoners to exist.

Mr. Costello: That is the reason the Minister closed down three prisons.

Mr. McDowell: I intend to develop a campus in north county Dublin for the purpose and I intend not to be deflected by people who produce notions of fairy ring forts in north county Dublin or architectural details of interest in city centre Dublin. I will not be deflected by all this guff. The people of Ireland deserve that prisoners in Mountjoy should be imprisoned in humane circumstances. We must have drug free prisons. We cannot have a situation where drugs are catapulted over the walls. We must have circumstances where prisoners, especially the younger prisoners, can play a little football. Humane facilities will have to be available. The constant campaign to derail the relocation of Mountjoy will not succeed.

Mr. Costello: I wish to ask a brief supplementary question. I asked two questions and the Minister had a side-swipe at one in regard to Dublin City Council. Will he allow the officials into Mountjoy Prison given that he refused to allow them in previously? My second question was whether he would meet the residents of Thornton Hall area. On the last occasion the Minister told me that an offer was made but that they refused to accept it. Will the Minister meet them?

Mr. McDowell: I will explain the position. My Department offered to meet the residents but they did not take up that offer.

Mr. Costello: No.

Mr. McDowell: Since then we have had two letters, one from a firm of solicitors, whose services have since been disposed of, and another from a different firm of solicitors clearly making it obvious to my Department that the residents envisage the commencement of a legal action to restrain the building of the prison at Thornton Hall. I will not have a meeting if its purpose is to dredge for information to sustain a legal action to frustrate the project. I want to make that clear.

Mr. Costello: Will the Minister answer the question?

Mr. McDowell: When proposals are sufficiently developed to consult local residents I will certainly ensure they are consulted and that their viewpoint is listened to in regard to the construction of a prison on that site.

Mr. J. O'Keeffe: My main interest is in safeguarding the taxpayer. I have raised the issue of the €26 million wasted on the purchase of a site when it should have been acquired for approximately €4 million. Has the Minister taken lightly the local heritage report? Has he considered the possibility that an architectural conservation area order may be made by Fingal County Council? My understanding is that most members of the council are in favour of making such an order. Will the Minister accept it could have a serious impact on his plans if such an order is made? It is obvious he has not read the report. I am aware of the report but I have not read it in detail. If the site has, say, architectural significance of the order of the Céide Fields would that change the position? Would it mean the Minister would be left with a bad bargain on behalf of the taxpayer?

Mr. McDowell: This site does not have the architectural significance of the Céide Fields.

Mr. J. O'Keeffe: How does the Minister know? Has he read the report?

Mr. McDowell: It is remarkable that the opponents of the removal of Mountjoy Prison from a city centre location, which is grotesquely over-crowded and unsuitable, including the members of Dublin City Council, to whom Deputy Costello is well connected, have argued that it should be kept in its present location because they want to make it a conservation area in Dublin.

An Ceann Comhairle: The time for questions has concluded.

Mr. McDowell: There is huge opposition to any change in Ireland. I am fascinated by the fact that it all ends up as a heritage argument for leaving it in its present location and for not putting it anywhere else.

Mr. J. O'Keeffe: There will be other chapters on this matter.

Written Answers follow Adjournment Debate.

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 Crawford — the need for a reappraisal of the structure being administered for the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994; (2) Deputy Pat Breen — that the Minister address the erosion of Ennis as an industrial base and that he immediately renew an industrial investment programme for Ennis; (3) Deputy Burton — the crisis in primary school places in the Dublin 5 area with children failing to be offered a primary school place for September 2005; (4) Deputy Healy — the

need for the Minister to reverse the ongoing cut-backs on FÁS community employment schemes and to reverse the three year cap on these schemes; (5) Deputy Ó Snodaigh — the urgent need for a full public inquiry into the murder of an Irish public representative, Donegal county councillor, Eddie Fullerton; (6) Deputy Connolly — the proposed closure of the Teagasc office in Bailieborough, County Cavan; (7) Deputy Cowley — if the Minister for Education and Science has yet reached a decision on the allocation of a permanent site for a school in Westport, County Mayo; (8) Deputy Deenihan — the threatened withdrawal of Garda personnel from Castleisland Garda station, County Kerry, by July if no progress is made in acquiring a site for a new building in the town; and (9) Deputy Neville — construction of a new national school at Kilfinane, County Limerick.

The matters raised by Deputies Crawford, Burton, Cowley and Neville have been selected for discussion.

Leaders' Questions.

Mr. Kenny: Today Irish nurses commenced their latest campaign to highlight the disgraceful scenes at accident and emergency departments around the country. At the Mater Hospital, Cork University Hospital and Roscommon General Hospital nurses were forced on to the streets to protest during their lunch break about the continuously bad situation in accident and emergency units. Their demands are not unreasonable. Like the rest of the people, they want an accident and emergency service that meets the needs of society. They want an end to hundreds of patients on trolleys in hospital corridors throughout the length and breadth of the country. Last week there were 404 patients on trolleys in hospitals throughout the country, today there are 350 patients on trolleys. Every few months the Government gives us a whole new raft of solutions to deal with the problem.

The Tánaiste, who has been in the Department of Health and Children for six months, building on the seven and a half years of prior service by the Government, has announced another ten-point plan, which is supposed to sort out this business. Will the Taoiseach give the House any reason to believe this plan will work where no others have worked? Will he give a definite time-frame as to when this ten-point plan will be implemented? Will he tell us what has happened to the accident and emergency agreement drawn up on the last occasion when the 2002 work stoppages took place to highlight the overcrowding in hospitals which has worsened since then? When will the additional acute and non-acute beds and primary care units promised by the Government in 2001 and 2002, which will only offer the long-term solution to this crisis, be provided? There are repeated incidences of people who leave their beds or trolleys in hospital corridors to use the toilet or to go outside for a smoke only to find

[Mr. Kenny.]

when they return that their bed has been taken. This is truly disgraceful. In a country rolling in money it is sad to have the nurses of Ireland out on the streets again in an effort to deal with a problem to which the Government committed itself to solving over the past eight years.

The Taoiseach: As I have stated before, for one reason or another, accident and emergency facilities are not up to scratch but it is not the situation in all hospitals. New accident and emergency departments have been opened in hospitals such as St. James's Hospital and Blanchardstown but problems still exist in a number of hospitals.

Deputy Kenny asked me to state the present position. Approximately 3,300 people a day are treated in accident and emergency departments which is 1.2 million a year. The Tánaiste's ten point plan is a dedicated funding of an additional €80 million this year. The Government is confident that this plan has already achieved results in some hospitals but not in all. For example, the special home care packages to allow people to leave hospital are to help those who require better facilities at home and cannot leave hospital until these are provided. The first of the 500 step-down places are now being provided by the private sector. This is important as it releases acute beds in general hospitals. Nursing home places for long-term stay will soon be contracted. Several hundred beds need to be outsourced and this is under negotiation. Site visits to determine the suitability of facilities will be completed at the end of this week.

The GP out of hours service is operational in most parts of the country but not on the north side of Dublin. However, 150 north side GPs have now indicated they are prepared to work an out of hours co-operative and this will have an impact. It is the case that there is no GP service after 5 p.m. and people have no alternative but to go to accident and emergency units. Progress has been made in discussions with private hospitals to provide additional access to MRI and CT scans in order to reduce waiting times. This is important and it is happening now. The Health Service Executive is putting in place a permanent system of audit inspection for cleanliness in acute hospitals and which was previously identified by Tallaght, Beaumont and St. Vincent's hospitals. The new St. Vincent's Hospital will open shortly. Tallaght, Beaumont and St. Vincent's hospitals are working to install new acute medical units and a number of other medical initiatives are being taken. These units are being funded by the €80 million funding announced by the Tánaiste. Others are already in place as I announced previously.

I acknowledge the frustration of the nursing staff in hospitals in particular. The accident and emergency consultants are now in place but some further work remains to be done because the difficulty is that accident and emergency consultants leave at 6 p.m. and the busiest time is after 6 p.m.

This is an industrial relations issue that will need to be negotiated. The Tánaiste is involved in this matter. It would be very helpful to the service if the accident and emergency consultants were in place. These are some of the issues.

Mr. Kenny: The Taoiseach has not changed. He referred to the figure of 3,300 people. This is very much less than it was seven years ago. The position is that the Government is unable to deal now with a lesser number than there was seven years ago. The Department closed contracted beds 18 months ago and is now opening up contracted beds as if this was a brand new initiative. In those years the health budget has doubled but the Government is still unable to deal with this element of the crisis. Why is it that today I hear reports of businessmen ringing up radio stations offering money to buy prefab units for hospitals? People are phoning radio shows to give their views about how the problem should be sorted out. The Government is almost eight years in office and the situation is much worse than it was when it took office. The Taoiseach in his reply may refer to the ten point plan and the millions of euro.

What is the Taoiseach's personal view of how to deal with the hundreds of drunks who turn up every weekend in accident and emergency units, with nothing more wrong with them than that they are completely out of their minds with drink? They upset nurses, doctors and other patients who have rights that are being infringed. Has the Taoiseach a view as to how the drunken community in accident and emergency units at weekends should be treated and dealt with?

The Taoiseach: The numbers attending accident and emergency units have risen considerably over the past number of years.

Mr. Bruton: That is not true. The Taoiseach should quote figures.

The Taoiseach: There are reasons for this. Like me, Deputy Bruton is also a representative of the north side of Dublin. In the past there was a very good GP out of hours service. However if several hundred doctors decide to stop work at 5.30 p.m., which they are entitled to do, there is no alternative for people but to go to the accident and emergency department. It was not so in the past because a few years ago every community on the north side had a clinic. It is to be welcomed that the GPs have decided to work an out of hours service.

It is accepted that several hundred people occupying acute beds cannot go home for one reason or another and alternative beds must be found for them, which is what we are doing. It is not a question that they were always there. Step-down beds are not available. People are living longer—

Mr. Kenny: It is an admission of failure.

The Taoiseach: —and for one reason or another they cannot go home. In the past such people were able to go home but that is not the case now and step-down facilities must be used which puts much pressure on the system.

I will give my personal view in answer to Deputy Kenny's question about the drunks. The ambulance crews and those who bring such people to accident and emergency departments both at weekends and other times, have no alternative but to bring them. The difficulty is trying to provide separate facilities for them in accident and emergency units in order to protect old people and others who may never have been in an accident and emergency unit before. Some units are able to do this but most units cannot. This is particularly the case in the Mater Hospital in Dublin because the facilities are old and separation cannot be made. This creates much hardship for the staff and also for elderly patients who have never experienced such behaviour. However, these people cannot be denied treatment for many medical and legal reasons and this creates great pressure.

Mr. Rabbitte: I refer to the scandal originally revealed to the House by Deputy Joe Higgins, namely the disgraceful exploitation of a large number of workers employed by Gama Construction Ireland Limited. In the last intervention by the Taoiseach he accused Deputy Joe Higgins of not having complied with or produced the information to the investigation. We all now know that this is not true even though the report has been enjoined by the company. The facts are in the public domain. The Tánaiste, in keeping with the PD mantra, went to Turkey to recruit Gama Construction for public sector contracts in this country. Gama Construction were given public sector contracts which provided for the going rate in the building industry to be paid to their workers. The quality of work is not an issue. Far from introducing competition into the domestic market, Gama Construction was disgracefully undercutting Irish and EU employers and workers and siphoning off the greater part of the workers' wages to Finansbank in Holland.

What action is the Government prepared to take as a matter of urgency to secure for these workers in this jurisdiction their rights and entitlements under the registered agreement for the building industry? The difference between €2.20 per hour, which is what the workers are paid as the general operative rate, and the construction industry rate of €12.96 is deposited in Finansbank Holland which in turn transferred it to a finance company called Ryder Investments. The bank has control over that money. What the workers need by this weekend is a clear statement from that bank of their entitlements. Is the Taoiseach prepared to instruct the Irish ambassador to take whatever measures are necessary, in co-operation with his opposite number in Holland, to secure the minimal entitlement of these workers, that is, a statement of their rights and

entitlements which they can examine over the weekend?

The Taoiseach: There are many issues to consider in respect of this matter but lest I forget I will answer the Deputy's specific question at the end of his contribution. We are looking for not only a statement but access to the records so we can ensure the workers' rights and moneys are secured. The Government will use the offices of the ambassador and others to secure the money.

Prior to the allegations made by Deputy Joe Higgins in February — two sets of allegations were made — with which I have no difficulty and we dealt with them the last day in the House, reassurances were given by Gama's auditors and legal advisers that workers were in receipt of the proper rates, and they were accepted by the CIF, SIPTU and BATU at the time. Following Deputy Higgins's complaints, I assured him in the House that I would ask the Minister for Enterprise, Trade and Employment, Deputy Martin, to seek the involvement of the inspectors in this matter and to draw up a report. That was the approach agreed in the House and it has been undertaken. The Minister received the inspector's report on 6 April. He informed me that he fully accepts the recommendations in the report, which need to be addressed by his Department and the Revenue Commissioners, the Garda Síochána and the other regulatory bodies, from which the Minister has sought and demanded support. The Government wishes to publish the report as soon as possible but is prevented from doing so by the High Court proceedings initiated by Gama. Our objective is to ensure all Gama workers, both Turkish and Irish, are given their full entitlements and that their terms and conditions of employment are according to the law and are fully implemented.

There are other issues to consider such as repatriation. The Minister met representatives of ICTU, SIPTU and the CIF today and intends to meet Gama delegates this week or early next week to discuss implementation of the recommendations of the inspector's report.

Mr. Rabbitte: I agree there are many issues outside the question I put to the Taoiseach, such as that these workers in the main worked 84 hours per week but the moneys deposited in Finansbank Holland cover 48-hour weeks at the standard rate. Almost as much more is owed to the workers because hours worked in excess of the 48-hour week should be payable at overtime and weekend rates. There are questions about enforcement, the deduction of taxes in this jurisdiction and so on. These issues are for another day, as is the disgraceful state of enforcement. The Tánaiste sat atop this mess for three years while preaching competition. Other building employers made representations to her about being undercut and so on but nothing happened. I am not filled with joy that she has been replaced by Deputy Martin as Minister for Enterprise,

[Mr. Rabbitte.]

Trade and Employment because he has a record of turning not one but two blind eyes to such difficulties.

It is helpful that the Taoiseach will have access to records and so on. However, the workers' immediate demand is simple. Will the document which Deputy Joe Higgins was able to obtain for the four workers who accompanied him to Finansbank Holland, clearly setting out their entitlements, be secured for each worker, through the good offices of the Irish ambassador if necessary?

The Taoiseach: All the issues that arise in this matter are being worked on. Departmental officials have been in touch with officials in Finansbank Holland to seek that information for each worker. This will ensure the individuals get the money to which they are entitled. We believe we can get those records.

Mr. J. Higgins: Were it not for the hard work of the Socialist Party in the Tallaght area and the opportunity afforded me by Independent Deputies to raise the position of the Gama workers, the company would not have been outed. How could such a vile machine of shocking exploitation be transferred intact from the Middle East by Gama to Irish sites and how could the company get away with this exploitation for four and a half years? It is inconceivable that prestigious projects, including two ESB power stations, could be constructed without senior personnel noticing that workers never got a single wage slip. If there is some excuse in regard to wages, the slave regime of 80 hours per week with no stop for rain and cold could not have been invisible. This is not even to raise the depraved morality of Irish professionals who continuously and at a significant price whited the sepulchre of Gama and the rottenness within that company.

This State is deeply shamed that fathers who came here to support their families, leaving spouses and young children behind, and brothers and sons who came to work for their families' welfare should be most criminally abused, exploited and duped in the course of construction of the Celtic tiger infrastructure. I invite the Taoiseach to look members of the Turkish delegation in the public gallery in the eye when he gives his response and tell them that Irish people do not condone and are ashamed of the abuse they have suffered.

Last year alone, €9 million of workers' wages was deposited secretly and duplicitously in Finansbank Holland — it may hold €30 million in workers' funds in total. When I arrived unannounced at the bank with four ex-workers, we were supplied within 20 minutes with full statements detailing the moneys deposited in each worker's account. These were the documents which had not been furnished to a single worker in the course of three years.

The Minister for Enterprise, Trade and Employment, Deputy Martin, has taken action in

this matter and hopes to meet the workers tomorrow. Likewise, the Minister for Foreign Affairs, Deputy Dermot Ahern, has been helpful in accessing these documents. However, will the Taoiseach guarantee through the intervention of the State that by this weekend there will be a full statement for each worker in Gama so that next week they can sign the documents to allow them access their accounts and have the money sent to their families or otherwise dispose of it as they desire?

Mr. Healy: Hear, hear.

The Taoiseach: I appreciate Deputy Higgins's remarks about the work of both Ministers. It is the intention to get the statement as quickly as possible. However, I do not know if we will have it by this weekend. The Minister may have more information in this regard when he meets the workers tomorrow — he will meet Gama representatives later in the week.

Deputy Higgins asked me to address the Gama workers in the gallery. It is our intention to ensure that they receive their full rights and that Gama fully satisfies the obligations it owes to them. We are in direct contact in regard to securing the papers and believe we will receive full cooperation in this regard. The estimates of the departmental inspectors indicate the moneys involved may be even greater than the figures mentioned by the Deputy, although I cannot be certain about that. We will do everything we can to ensure the rights and money are secured and that we see this issue through.

I cannot answer the Deputy's first question. When these issues were raised — as they were — assurances were made by Gama Construction, its auditors and legal advisers that workers were in receipt of proper pay rates. They were made not only to the secretariat or Government inspectorate but also to the CIF, SIPTU and BATU. Those assurances at that time were accepted but, as we found out, what was stated is not the case. The inspector's report has shown this and the facts will be put forward as soon as possible, as soon as we can deal with the legal position.

Mr. J. Higgins: "As soon as possible" is not good enough. The men in question are destitute. They got paid a maximum of €250 in cash four weeks ago and they have to be given the bus fare to come into town. That is how desperate they are. This is an incredible scandal by any stretch of the imagination. It is simple to address this and I have made a proposal to the Minister in that regard. Executives of Finansbank Holland should come to Dublin with all the information so workers can have access to it. Alternatively, each worker could sign a statement — this could be done tonight — which I or another representative of the workers could take to Holland on Friday. The bank could then give us statements for the accounts, as authorised by the workers, and we could bring these back. The workers would then

have a further document to sign and would get their money within ten days of it being submitted to the bank. That is what we need. I need that assurance for these workers by this weekend.

There are other issues.

An Ceann Comhairle: The Deputy's minute has concluded.

Mr. J. Higgins: Incredibly, some contract workers with Gama Construction were not the beneficiaries of Finansbank Holland. They worked an 84-hour week for €800 per month. There is nothing provided for them. We must find the funds for those workers and, as Deputy Rabbitte stated, we must find the wages for the 84-hour weeks that were stolen from them.

Gama Construction has still not supplied a legal payslip to any worker. The company must be banged around the place by the Government to ensure that it complies immediately with trade union rates of pay and conditions and respects human and workers' rights. An end must be brought to this regime of exploitation and intimidation which has made the company a fortune, but at enormous—

An Ceann Comhairle: The Deputy should give way.

Mr. J. Higgins: —human expense to its workers.

Mr. F. McGrath: Hear, hear.

An Ceann Comhairle: Silence in the Visitors Gallery, please.

The Taoiseach: I have already said there is to be a meeting tomorrow with the workers. Deputy Joe Higgins said he will be attending. It is important that we try to resolve the issues at that meeting.

Our legal view is that the accounts belong to the workers and therefore there is no way the banking authorities can withhold them. Our officials have stated that position and we hope they ensure the issues are addressed as quickly as possible. I cannot guarantee that the bank will make the accounts available. However, they are the accounts of the workers and the same criteria apply to them as to anyone else's account. If an account is one's own, how can it be withheld? That is our legal view. We do not believe the banking authorities can withhold the accounts and I do not believe they will.

On all the other matters, the labour inspectors in this area have done a very good job.

Mr. J. Higgins: I agree.

The Taoiseach: I compliment them on their very comprehensive report. It contains very good recommendations, which the Minister fully accepts. We will work on this. The Minister announced today a substantial increase in the

number of staff of the inspectorate. Following this matter, we need further people to work in other areas. The Minister has announced a 50% increase in staff, which will be very helpful in this regard.

On Deputy Joe Higgins's point about the report, as soon as the High Court proceedings initiated thereon are dealt with, we can issue the full report.

Not only will the Minister meet the workers tomorrow but he will also meet Gama Construction before the weekend. On the basis of the Deputy having raised this issue and the work that has been done by the inspectorate, we should be in a position to ensure the workers' rights are fully secured.

We did not discuss the issues raised by Deputies Rabbitte and Joe Higgins today. There is obviously a large number of questions associated with all the issues we have not discussed today and these must also be considered. I accept the issue at hand concerns trying to get the workers' money and what they badly need as quickly as possible. All the other issues are addressed in the report and the Minister is fully involved in dealing with them.

Request 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. I will call Deputies in the order in which they submitted their notices to my office.

Mr. P. Breen: I seek the adjournment of the Dáil under Standing Order 31 to debate the following matter of extreme importance: the need for the Minister for Enterprise, Trade and Employment to address immediately the erosion of Ennis as an industrial base given the announcement last week that Microsemi Ireland Limited would close with the loss of 131 jobs; the need for the Minister to renew immediately an industrial investment programme for Ennis because of the lack of major investment in the town over the past 15 years and the danger of Ennis becoming a dormitory town.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter of national importance: the ongoing cutbacks in FÁS community employment schemes, involving the loss of jobs, the closure of schemes and damage to the fabric of community life. I urge the Minister to remove immediately the three-year cap on these schemes and to make a statement on the matter.

Caoimhghín Ó Caoláin: I seek the adjournment of the Dáil under Standing Order 31 to discuss the following urgent matter of national importance: the continuing deterioration in our public hospital services, including the ongoing crisis in

[Caoimhghín Ó Caoláin.]

accident and emergency units, the shortage of acute hospital beds and the shortage of nursing staff, as highlighted by the series of protest actions at hospitals throughout the State, beginning today and organised by the Irish Nurses Organisation.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter of public concern: the necessity for legislation to be brought forward to reform the work permit system in light of the litany of revelations of exploitation of migrant workers which have come to public attention in recent weeks, including the cases of the Gama Construction workers, the farm labourers in the south east and the Philippino woman employed by Irish Ferries.

Ms Murphy: I seek the adjournment of the Dáil under Standing Order 31 to debate the undermining of local democracy. The Fianna Fáil and Labour Party members of Leixlip Town Council co-opted a Fianna Fáil member to fill the casual vacancy which arose following my election to the Dáil. Voters have clearly requested an independent mandate but this has not been respected.

Mr. F. McGrath: They stole a seat.

Mr. O'Dowd: I seek the adjournment of the Dáil under Standing Order 31 to debate the following matter of national importance: the move by the European Commission to take legal action against the Irish Government for its failure to implement EU health and environmental regulations.

An Ceann Comhairle: I call on Deputy Ferris.

Ms Lynch: Níl sé ann.

Dr. Cowley: I seek the adjournment of the Dáil under Standing Order 31 to debate the following matter of major national importance: the failure of Government to establish a statutory registration system for alternative practitioners, and also the failure to amend the Coroners Act, which resulted in a paltry fine of €6.35 for non-attendance at a coroner's court; and, in view on the case of Mineke Kamper, at whose hands two people died, the need for urgent action.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to debate the following specific matter of public interest requiring urgent consideration: the need for a full public inquiry into the murder of an Irish public representative, Donegal County Councillor Eddie Fullerton, particularly given the evidence of collusion by British security forces in the case, the serious flaws in the original Garda investigation, including the failure to question suspects and a key witness, and the lack of PSNI co-operation with the present reinvestigation.

Mr. Connolly: I wish to propose the adjournment of Dáil Éireann under Standing Order 31 to discuss the following matter of urgent public and national concern, namely, the lack of consumer legislation to regulate the activities of companies advertising competitions and promotions that entice people to call premium rate phone lines at rates in excess of €2.40 per minute to claim illusory rewards, and to call on the Government to widen the powers of Regtel to introduce sanctions for companies involved in breaches of Regtel's code of practice.

Mr. J. Breen: I request the adjournment of Dáil Éireann under Standing Order 31 to discuss a matter of extreme local and national importance, namely, the failure of the Minister for Enterprise, Trade and Employment to obey a Court Order of 3 December 2004. As it appears the Minister is in contempt of court will the Taoiseach explain to the House what action he will take on this matter?

Mr. Howlin: Maybe the Taoiseach should call in the Captain of the Guard.

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

Order of Business.

The Taoiseach: It is proposed to take No. 8, the Revised Estimate for Public Service, Vote 17 back from committee; No. 9, motion re the death of His Holiness Pope John Paul II; No. 16, the Disability Bill 2004 — Second Stage (resumed); and No.17, the Land Bill 2004 [*Seanad*] — Second Stage (resumed). It is proposed notwithstanding anything in Standing Orders that No. 8 shall be decided without debate and any division demanded thereon should be taken forthwith; No. 9 shall be taken today and proceedings thereon shall, if not previously concluded, be brought to conclusion after one hour and the following arrangements shall apply: opening speeches by the Taoiseach, the Minister for Justice, Equality and Law Reform and the main spokespersons for the Fine Gael Party, the Labour Party, the Green Party, Sinn Féin and the Independents, who shall be called upon in that order, shall not exceed five minutes in each case. The speech of each other Member called upon shall not exceed five minutes in each case and Members may share time. Private Members' business shall be No. 45, motion re cancer screening programmes.

An Ceann Comhairle: There are two proposals to put to the House. Is proposal No. 1, dealing with No. 8, re Revised Estimate for public services 2005, agreed?

Mr. Sargent: This relates to the decentralisation programme. It is not acceptable to us if this is going to become a pattern of runaway costs for

decentralisation based on a flawed policy and lack of thought.

An Ceann Comhairle: Specific questions should be addressed to the line Minister.

Mr. Sargent: I am opposed to it becoming a habit and pattern that we have Revised Estimates to give more money to the decentralisation programme. We were originally told it would cost a certain amount but it now looks like being a run-away cost. Will the Taoiseach tell us whether this will be a pattern or is it a one-off occurrence?

An Ceann Comhairle: This does not arise.

The Taoiseach: The Office of the Commission of Public Service Appointments was set up with effect from 19 October last year following the enactment of the Public Service Management (Recruitment and Appointments) Act 2004. Having passed the Bill and set up the commission we needed €215,000 to pay the people employed there.

An Ceann Comhairle: Is the proposal agreed? Agreed.

Is the proposal for dealing with No. 9, motion re the death of His Holiness Pope John Paul II agreed? Agreed.

Mr. Rabbitte: When will the long-promised Employment Permits Bill come before the House? This is the eighth successive Dáil term for which it has been promised.

The Taoiseach: I am assured it will be in this session.

Mr. Bruton: In regard to the Coroners Bill, an extraordinary situation arose recently in which a coroner who sought to have a witness attend could impose a penalty of only €6 for non-attendance. The Minister for Justice, Equality and Law Reform was very quick to move and say he would amend this Bill yet it appears to languish on the Government's third list of priorities. What is the Government's intention in regard to this Bill? Has it been listed in the order of priority of the Government and will we see that soon?

The Taoiseach: We need to provide a formula for the Coroners Bill which is over 40 years old. The heads of the Bill are expected in the coming weeks but the Bill will probably not be enacted until next year.

Mr. Sargent: It is interesting to look at the list of promised legislation just published, particularly the date given for the charities regulation Bill. Is this Bill likely to be published in the term of this Government or of any Fianna Fáil-led Government? I have laid a bet to the effect that it will not be published under Fianna Fáil. Is my money safe?

An Ceann Comhairle: We cannot discuss the Deputy's betting habits.

Mr. Sargent: It is interesting. The Taoiseach needs to respond given that his party is engaged in charitable fundraising for itself.

The Taoiseach: The Bill is due next year but it is substantial and has many headings.

Mr. Boyle: It was due for this year.

The Taoiseach: It will involve revision of statute law and restatement in addition to the legislative reform provisions. Work is proceeding as speedily as possible. The Department is giving it priority but it is a large and complex Bill covering a great deal of old legislation. Hopefully it will be ready at the end of this year and will be taken in the House next year.

Mr. Sargent: It has been waiting 15 years.

The Taoiseach: I do not know how long it has been waiting but it is not a simple Bill. It should be in the House next year.

Mr. Crawford: With regard to the electricity Bill there is a major problem in that people are waiting 12 months for power to be provided in their homes. Will there be a debate in the House to establish whether that can be rectified?

On 22 April the Minister for Agriculture and Food must reach agreement on the Nitrates Directive. Can the Taoiseach intervene? Otherwise poultry and pig farmers—

An Ceann Comhairle: The Deputy's second question does not arise.

Mr. Crawford: Can we debate it in the House?

An Ceann Comhairle: That does not arise.

Mr. Crawford: It will arise anyway.

The Taoiseach: The revised heads of the electricity Bill are being prepared and the legislation is listed for next year.

Mr. Gilmore: This morning I met a family which is paying 60% of its net monthly income on rent. When will we have a debate on the outstanding reports on housing, the report of the All-Party Oireachtas Committee on the Constitution dealing with building land, the NESC, ESRI, Goodbody reports and the review on housing policy published by the Department of the Environment, Heritage and Local Government?

The Taoiseach: I answered Deputy Rabbitte on this question at Question Time today. I said the Minister for the Environment, Heritage and Local Government will bring forward a comprehensive report on these matters. It would probably be better to wait for that report.

Mr. Gilmore: We waited for the NESC report.

Mr. Howlin: That was the answer we received last year. We must wait for another report.

The Taoiseach: I was trying to be helpful to the Deputy. I answered that question earlier this afternoon.

Mr. Gilmore: I would like to know the answer.

An Ceann Comhairle: The Deputy's question does not arise on the Order of Business.

Mr. Gilmore: It does arise.

An Ceann Comhairle: The Deputy may ask a question about debates in this House. Unless a debate is promised—

Mr. Stagg: It was promised.

Mr. Gilmore: I have been asking about this debate for the past year. Last year the Taoiseach promised we would have the debate when the NESC report was published.

Mr. Howlin: There is no point asking questions if they are not answered.

An Ceann Comhairle: The question is not appropriate to the Order of Business.

Mr. Gilmore: It is appropriate.

An Ceann Comhairle: Questions appropriate to the Order of Business are on promised legislation or promised debates.

Mr. Gilmore: This debate has been promised and I want to know when it will take place.

The Taoiseach: I tried to answer the Deputy but he interrupted me five seconds into my reply. I will repeat it. The Deputy is correct, three reports have been published to which the Government's response is due shortly. I have no difficulty in holding a debate before then but it would be more useful to wait until we have the reports which are due in a few weeks. We can have the debate before the release of the report but it would be more meaningful to wait for the report.

Caoimhghín Ó Caoláin: In the first legislative programme of this Dáil in 2002, it was committed that the nurses and midwives Bill would be published in 2003. In the last legislative programme, publication was expected this year. However, in the legislative programme circularised this morning, we note that it is not possible to indicate when the Bill will be published. The nurses and midwives Bill is very important legislation.

An Ceann Comhairle: The Taoiseach on the legislation.

Caoimhghín Ó Caoláin: There is a crisis in nursing provision in this State. There appears to be more than just a crisis in nursing; there is a crisis in Government in terms of addressing the legislative programme in regard to nurses and midwives.

An Ceann Comhairle: We cannot debate the Second Stage of the Bill now.

The Taoiseach: The heads of the Bill are due to be completed in the next number of months. In the normal course of events, it will be next year before we see the Bill.

Caoimhghín Ó Caoláin: In the answer the Taoiseach has given, it appears to be a shambles—

An Ceann Comhairle: Deputy Ó Caoláin, obey the Chair, please.

Mr. Gormley: On promised legislation, will the Taoiseach tell the House why there is a delay until 2006 in introducing the strategic national infrastructure Bill? Has it anything to do with the dispute on incineration? Will the infrastructure include sewage treatment plants that do not work and stink people out of it?

The Taoiseach: The Bill is being redrafted. I do not know if it will be ready for the autumn session or early next year.

Mr. Gormley: Why?

Estimates for Public Services 2005.

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I move the following Revised Estimate:

Vote 17 — Office of the Commission for Public Service Appointments (Revised)

That a sum not exceeding €967,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December 2005 for the salaries and expenses of the Office of the Commission for Public Service Appointments.

Vote put and agreed to.

Death of His Holiness Pope John Paul II: Motion.

The Taoiseach: I move:

That, as a tribute of respect to the memory of His Holiness Pope John Paul II, Dáil Éireann sends an expression of its profound sadness and sympathy on the death of The Holy Father to His Eminence Cardinal Ratzinger, Dean of the College of Cardinals.

It was an honour and privilege for me to attend the funeral of the late Holy Father as part of the national delegation led by President McAleese, in the company of the Tánaiste and Deputy Kenny as Leader of the Opposition. The sadness we have all felt at his passing has been lightened somewhat by the widespread celebration of his life and his achievements which we have witnessed around the world since his death.

The widespread sorrow at his passing and the unprecedented attendance at his funeral reflected the scale of his impact on the world of our time. In part, this reflected his long reign in the See of Peter, his personal charisma, tireless travel around the world, the depth of his wisdom and the clarity of his teaching, his forgiveness for his would-be assassin, his dignity in old age and infirmity and, above all, his capacity to connect with people of all ages, but especially with young people. Arguably, he was seen in person by more people than anyone else in history. In these encounters, he affirmed the good in people and challenged us all to live out that goodness. One obituary read as follows:

His is a heroic record. Here was one of the greatest men of the age. His principled stance, ethical leadership and evident holiness won respect and admiration, even from his enemies and critics.

On his election, he told the church and the world, "Do not be afraid". He demonstrated his own fearlessness in addressing the challenges of the age. He did so with a profound sense of history, not least the history of his own nation. He was convinced, and lived the conviction, that history had a purpose, which was revealed in the act of redemption. That conviction inspired him to preach the centrality of the dignity of the human person. In turn, he saw that dignity as the basis for moral power in the face of unjust and oppressive systems. Nowhere was that demonstrated more than in his decisive contribution to the collapse of communism and the liberation of his beloved Poland and the neighbouring societies.

The reintegration of Europe was a cherished objective. He was particularly gratified by the accession of Poland and the other member states on 1 May 2004. With its Christian tradition, he saw Europe as offering great hope to the world well beyond the boundaries of the Continent. He was equally clear-sighted about the challenges to be met, not least in responding to materialism and aggressive secularism.

His, however, was a global vision. This was reflected, in part, in his firm if sometimes critical commitment to the multilateral approach to dealing with world problems, especially through the United Nations. His determination to establish good relations with the Jewish people reflected his historic sense of the injustice they suffered, not only at the hands of Christians and not least in his own country, and under Nazi occupation in his own home region. Equally, his engagement with other faith traditions, especially Islam,

showed that his respect for human dignity and for the right relations between people extended across all boundaries. In his life and action, he demonstrated that, far from being inevitable, a clash of civilisations would be a great evil and could be averted. In this he was surely offering a profound service to the world.

He, of course, will forever hold a special place in Irish hearts for his historic visit to Ireland so early in his term as Pope. We all have our own personal memories of the visit. Above all, I recall his moving words of passionate pleading uttered in Drogheda to persuade those engaged in violence in Ireland to find a new and more human way of pursuing their objectives. I have no doubt this moving appeal played no small part in the development of the framework for peace on this island, the completion of which was of such continuing concern to him, as he expressed to the Minister for Foreign Affairs, Deputy Ahern, when he met him last November. His historical perspective led him to pay homage at Clonmacnoise to the Irish saints and missionaries who evangelised Europe, and their thousands of successors in the modern era who have served the church and their communities around the world.

Many have called for Pope John Paul II to be known as the Great. Many also look forward to his early canonisation. Others have pointed to areas of contradiction in his life and work, not least within the life of his own church. All that he did, however, he did in total service to his God, his church and the whole of humanity. He demonstrated conclusively that those who believe religious faith has no part to play in modern society, unlike earlier societies, are wrong. They fail to read the signs of the times. On the contrary, he demonstrated the liberating power of religious belief and practice. He demonstrated the hunger for spirituality and the response to authentic spiritual leadership to be found around the world, among young and old, even when the ideals which are preached cannot always be met.

Above all, he touched the lives and hearts of millions by his willingness to give, and to keep giving, in his work, his preaching, his life and, finally, in his suffering until there was nothing left to give. Many of us will at this time be thinking of and praying for Cardinal Desmond Connell and his brother Cardinals as they face into the difficult task of choosing a successor to this remarkable man. Pope John Paul II has gone to his rest, and the rewards of those who have run the race and who have kept the faith. Ar dheis Dé go raibh a anam uasal.

Minister for Justice, Equality and Law Reform (Mr. McDowell): On behalf of the Progressive Democrats, I wish to join with the Taoiseach in his tribute to Pope John Paul II. I want to reflect for one moment on the breadth of his vision and his personal experience. As a young man, his mother died and he was left in the guardianship of his father and was dedicated to Our Lady in a particular personal way. He became a loyal son

[Mr. McDowell.]

of the church in Poland at a time when that country was going through a mortal crisis. He saw his country invaded by the two great forces of totalitarianism at the time. He saw it being dismembered and must have seen all about him the naked evil of what can go wrong when people lose their moral compass and lose all contact with the higher things in life and the values by which we all hope to live. He saw terrible cruelty all around him. He must have felt despair for his country, of which he was so proud, as it was dismembered in front of his eyes.

Notwithstanding that, he became a priest in the Catholic Church. He stayed with his church in circumstances where it was the subject of huge oppression for many years. The wonderful thing about his life is that he showed eventually that by sticking to what he believed in, and by mobilising other people to follow his example, the power of ordinary people's convictions and sense of what is right and wrong could endure one tyranny and overthrow a second tyranny.

As the Taoiseach said, he was an enthusiast for the creation of a Europe which is free from war. Not only that, his great project was that Europe should be a Continent in pursuit of the ideals by which he himself lived. Not everyone agreed with everything he said, but that is not the point. Everyone was struck by the fact that he constantly stood by his own personal beliefs.

As the Taoiseach noted, in a world in which some people have come to view greed and the absence of values as the hallmarks of our time, the Pope showed a completely different side to humanity in the past few years. The reaction of the world to his passing and the way in which he faced his final illness underlines the strength of human spirit against all forms of adversity.

He came to this country in 1979, one year into his pontificate. He performed an act of humility on his arrival to a country by kneeling down and kissing the soil to demonstrate to the people his sense of their dignity and pride in their land. He went on his knees for a second time in Drogheda to plead with the Irish people and anybody tempted to resort to violence to abandon violence and take the path of peace. He pointed out that while they might claim to be in pursuit of justice, he too sought justice but that violence was always subversive and destructive. We have all recently had the opportunity to reflect on these words. They have never been so true and everybody in this House would hold the view that this message, ignored for more than a quarter of a century, still speaks to us today.

On behalf of the Progressive Democrats, I join the Taoiseach in paying tribute to this wonderful human being and the strength of his spirit. Everybody in this House will endorse the thought: *Ar dheis Dé go raibh an am uasal*.

Mr. Kenny: I support the motion proposed by the Taoiseach. World leaders gathered in Rome last Friday for the burial of the Pope and to pay

tribute to a remarkable man who was a poet, actor, mystic, jet-setter, philosopher, anti-war campaigner, human rights activist and evangelist. He meant more to humanity than any other individual in the history of mankind. His university friends once pinned a note on his desk which read "Apprentice Saint". Last Friday's call of *Santo Subito* may yet be granted for one described as approaching the papacy with the constitution of a horse and the energy of a freight train.

I was deeply privileged and moved to be part of the Irish delegation at the funeral of Pope John Paul II, history's most public and spiritual leader. He brought the gospel not only to the furthest edges of Catholicism and Christendom but also to the birthplaces of Buddhism, Islam, Hinduism and Judaism. He brought it to the heartland of secularism and materialism and even to the bastion of communism for 40 years. He went head to head with Stalinists for what he referred to as the soul of Poland.

Pope John Paul II was a charismatic and controversial figure. However, even those who rejected his conservatism might praise his authenticity. Much has been said and will be said about the exterior of his 26-year pontificate which may yet be one of the most consequential through his advocacy of the poor, commitment to peace, challenge to communism and secularism, public promotion of spirituality in countries where religion was punishable and rehabilitation of Galileo into the church.

The interior dimension of his papacy was also important. The immense, profoundly spiritual aspect of the life of Pope John Paul II and his soul's journey touched and inspired millions throughout the world. In the days before and after his death, millions began to think about the transcendent aspect of who we are, of finding a sense of life and meaning, about our own soul's journey, the nature of human suffering and our higher selves. We seldom get an opportunity to consider such matters privately, never mind collectively, on such a global scale and in such a material world. It has been extremely good and helpful for a large swathe of humankind to get a sense of who we are as part of a global family. We have been able to step off the treadmill of day-to-day living and think and express ourselves in a remarkable and extraordinary way, both publicly and privately.

For Pope John Paul II the challenge of life existed in the gap between who we are and who we ought to be. Even if we were not totally preoccupied by this, it made us think beyond the habitual and banal at least once over the past two weeks. We should be grateful for that alone.

He urged politicians to have courage, hold our heads up and deal with the great challenges of humanity as identified by him on 10 January: life, food, freedom and peace. World politicians could pay the most fitting tribute, perhaps, by nominating him for a posthumous Nobel peace prize.

Pope John Paul II liked to watch the sunrise, even when ill. Some years ago, having broken his

thigh, he shuffled noisily into a room full of bishops. It was business as usual. Manoeuvring himself into place, he muttered, "*Epper si muove* — And yet it moves." These were the words spoken by Galileo to the Inquisition after he was sentenced to life in prison for the heretical assertion that the Earth moves around the sun. The Pope's spokesman, Joaquin Novarro-Valls, said that in the end his soul dragged his body. That was clear at his funeral last Friday. His soul still moves.

Ireland was one of the first countries Pope John Paul II chose to visit, and Knock was the goal of that journey. He set goals in his life and, more than anybody else of whom I have ever known, he exited this mortal world having delivered fully on his life's commitments. He left behind goals for politicians to follow and attempt to achieve, and we should do our utmost to do so.

I share the sentiments expressed by the Taoiseach and the Minister for Justice, Equality and Law Reform on the death of Pope John Paul II. Ar dheis Dé go raibh a anam usal.

Mr. Rabbitte: On behalf of the Labour Party I extend our sympathy and regret on the death of Pope John Paul II. His death marks the end for a truly remarkable leader. He was not only the leader of the Catholic Church but also a most influential figure in world affairs.

He was the most dominant figure in the religious life of the world's Catholics for more than a quarter of a century and also played a highly influential role in general world affairs. I am also glad to have had the privilege of meeting him some years ago.

The spontaneous and unprecedented outpouring of grief in Rome, Poland and throughout the world was testimony to the way in which he touched the lives of many. There are few great historical figures whose passing has had such a deeply personal and emotional impact. In our modern world, only Nelson Mandela will be as widely mourned when his time comes. Perhaps only Mikhail Gorbachev has had such a deep and lasting an impact in tackling oppression and on the world around him.

Pope John Paul II transformed the image of the papacy. In a clear recognition of the demands of the modern era, he brought the papacy to the people and possibly travelled more than any other world leader in history, taking a message to the people in the most direct way. In doing so, he left an indelible imprint, not just on matters of faith and morals but also on world affairs. His influence and that of his office on issues of peace and justice throughout the world grew in each year of his reign.

The Pope held strong and sometimes controversial views on religious matters. In calm reflection, many will acknowledge that his unbending stance on issue such as contraception contributed little to the struggle against AIDS and HIV in Africa. The role of women was never enhanced in his church. The institution stumbled many times

before finally coming to terms, if it has, with the issue of sexual abuse.

Pope John Paul II was undoubtedly an authoritarian figure whose convictions left him unable to tolerate dissent, which meant that he was unable to respond to the movement for justice in South America, and this led to the stifling of liberation theology. However, nobody was ever in any doubt as to the strength and vigour of these convictions. For example, he will also be remembered as a strong opponent of war, a proponent of peace and a powerful advocate for the world's poor. His unremitting opposition to the death penalty, for instance, will not always have sat comfortably with some of those who came to mourn his passing.

For many in this country, as the Taoiseach said, the most enduring image of the Pope's reign will be his visit to Ireland in 1979, which left such a lasting impression on an entire generation of Irish people. Remembering the strong and charismatic figure who came to Ireland all those years ago, it is all the more poignant that the final years of the Pope's life were marked by his courageous and dignified battle against painful and debilitating illness. Many in the church will look forward with hope to an era of change but that will not diminish the lasting reference, respect and affection with which Pope John Paul II will be remembered.

Mr. Sargent: On behalf of the Green Party, Comhaontas Glas, I pay tribute and respect to the late Pope John Paul II who, as mentioned by previous speakers, was well known as a man of peace, opposing not only the violence of paramilitarism in Northern Ireland but also the bombing of Iraq and many other so-called legitimate wars. He was a man of reconciliation, and for that he has left a valuable legacy, reaching out to cultures and other religious traditions worldwide. As a man of forgiveness, he made many people sit up and take note when he embraced his would-be assassin. It is somewhat poignant that the day he died was the day after the 37th anniversary of the assassination of Martin Luther King, another world figure and renowned man of peace.

As also a man of justice in opposing greed and selfishness, many have commented on the need for his legacy to be emulated and to live on, but all too few have mentioned the strong, forthright words he said at the beginning of 2001 and at other times when he called and pleaded for an ecological conversion. It is clear that he meant his words to be taken seriously. He said:

. . . if we scan the regions of our planet, we immediately see that humanity has disappointed God's expectations. Man, especially in our time, has without hesitation devastated wooded plains and valleys, polluted waters, disfigured the earth's habitat, made the air unbreathable, disturbed the hydrogeological and atmospheric spheres and turned luxuriant areas into deserts and undertaken forms of unrestrained industrialisation, humiliating

[Mr. Sargent.]

the . . . garden of the universe to use the image of Dante Alighieri.

He also said:

We must therefore encourage and support the ‘ecological conversion’ that in recent decades has made humanity more sensitive to the catastrophe to which it has been heading. Man is no longer the Creator’s ‘steward’, but an autonomous despot, who is finally beginning to understand that he must stop at the edge of the abyss.

In 2001 in his pamphlet, *God made Man the Steward of Creation*, he made a plea which needs to be repeated and taken on board with the other legacies he left us. I thank God for people like Fr. Seán McDonagh who have championed those words and sentiments, as well as for Pope John Paul II. The Pope was not deaf to the cry of the earth but it appears that all too often the people to whom he was speaking overlooked it because it was too uncomfortable to take on board what he was saying.

Nuair a bhí me ag an aifreann i bPáirc an Fhionnuisce i 1979, ba léir go raibh meas ag an bPápa ar gach sórt cultúir agus ar theangacha éagsúla, mar labhair sé as Gaeilge chomh maith le Béarla ar an ócáid sin — agus ar ócáidí eile nuair a bhí sé ar cuairt in Éirinn. Tá sé antábhachtach go léirimidne an meas céanna ar na rudaí a dúirt sé agus ní amháin ar na rudaí ar mian linn a thuiscint agus a chloisint. Ar dheis Dé go raibh a anam uasal.

Caoimhghín Ó Caoláin: Ba mhór an chailliúint do dhaoine ar fud na hÉireann agus ar fud na cruinne bás an Phápa Eoin Pól II. The death of Pope John Paul II was a cause of sorrow to people throughout Ireland and the world. He was the leader of the Catholic Church from 1978 and he spent his long life in the service of that church and the promotion of inter-faith relations. He was a man of deep faith. He had a strong personality and he made a deep impression on people individually and collectively. His intelligence, integrity and spirituality were clear to all, as were his courage and determination in the face of the long and very debilitating illness he suffered in the last years of his life.

The early life experience of Karol Wojtyła in Nazi-occupied Poland was hugely important in shaping his outlook and deepening his faith. It also meant that many people throughout the world felt a special affinity with him. It was no coincidence that he was recognised by people of the Jewish faith as the pontiff who did most to advance reconciliation and to make amends on behalf of the Catholic Church for the persecution of Jews over many centuries. His act of forgiveness of the man who tried to assassinate him was also of great significance and, more recently, his call for the cancellation of Third World debt and his opposition to the imperialist war in Iraq were widely welcomed.

For many in the Catholic Church, the undoubted personal integrity, spirituality and leadership qualities of the late Pope cannot obscure the deep division among Catholics over doctrine, over the governance of the church. This is neither the time nor the place to go into those issues which are primarily the concern of members of the Catholic Church, but some of these matters have major social consequences which are of wider concern.

The ban on contraception and divorce, imposed by the State and based on Catholic doctrine, undoubtedly contributed very significantly to the second-class status of women. The church strongly opposed the lifting of those bans. The opposition of the Catholic Church to contraception is undoubtedly an obstacle to the fight against HIV-AIDS throughout the world today. On these issues the late pontiff was conservative and they will continue to be hugely challenging issues for his successor, as will the failure of Rome to deal justly with the scandal of widespread child abuse by clergy and the blind eye that was turned to it for decades.

The Pope’s visit to Drogheda has been recalled many times since his death. We have heard again of his appeal to those whom he called men and women engaged in violence. It is presumed that the main author of that section of the pontiff’s speech was the then Bishop of Down and Connor, Cathal Daly, who proved incapable of condemning the violence of the British state with the vehemence he reserved for others. I will conclude with another passage from the speech delivered by Pope John Paul II, which is also worthy of remembering. I nDroichead Átha, dúirt sé:

Every human being has inalienable rights that must be respected. Each human community — ethnic, historical, cultural or religious — has rights which must be respected. Peace is threatened every time one of . . . [those] rights is violated. The moral law, guardian of human rights, protector of the dignity of man, cannot be set aside by any person or group, or by the State itself, for any cause, not even for security or in the interests of law and order. The Law of God stands in judgment over all reasons of State.

As long as injustice exists in any of the areas that touch upon the dignity of the human person, be it in the political, social or economic field, be it in the cultural or religious sphere, true peace will not exist. The causes of inequalities must be identified through a courageous and objective evaluation, and they must be eliminated so that every person can develop and grow in the full measure of his or her humanity.

I wholeheartedly endorse the motion before the House. Ar lámh dheis Dé go raibh a anam dílis.

Mr. Connolly: I wish to share time with Deputy James Breen.

An Ceann Comhairle: That is agreed.

Mr. Connolly: I support the motion proposed by the Taoiseach. Pope John Paul II was one of the foremost figures of the 20th, or of any, century yet he was a humble giant, particularly in his final years of infirmity. He reached the highest stature when he could not raise his head, lift his arm or address his people, particularly in his final appearances at his Vatican apartment window. He faced down dictators throughout the world and drew immense cheering crowds around the world in places as far apart as Manila, Manchester, Boston and Bombay.

From the day of his election in October 1978, Pope John Paul II led the Catholic Church with strength and clarity, firm in his faith and boundless in his compassion. With a reign of more than 26 years, making him the third longest serving pope in the history of the world after St. Peter and Pius IX, it is likely that more than half the world's population can barely recall any other pope. This pope was open, accessible and spontaneous in his gestures, frequently brushing away his security guards as he reached out to the people, particularly the disabled.

He was courageous and not afraid to tackle power head on by standing in solidarity with the people of his native Poland in their quest for political freedom. He changed the course of history and helped bring an end to the Cold War through his support for the Polish Solidarity movement, which started the landslide that wiped out communism in eastern Europe and eventually in the former Soviet Union. He brought it about in a non-violent revolution without bloodshed, confounding the conservatives who counselled violent confrontation and first strikes that would have cost the lives of millions.

His voice, weakened by illness, was nevertheless at its strongest and most forceful against the Iraq war. He repeatedly called on the world's rich to share their wealth with the poor. He urged the young to take care of the old and the healthy to take care of the sick. He decried what he saw as the culture of death, particularly the tragedy of abortion and the death penalty. He was a prophet of peace and justice, especially in the Middle East and the Third World, balancing his concern for Palestinian rights with his condemnation of terror.

Mr. J. Breen: I support the motion. Pope John Paul II will be sadly missed by millions of people throughout the world. During his life he offered people a sense of dignity and humanity that represents the human face of the Catholic Church. He appealed to both young and old and his method was one of simple honesty. In his many visits to different countries he was always seen as a likeable man with a sense of dignity and respect. People were touched that he chose to visit them and his willingness to leave the Vatican and travel throughout the world made him a universal figure

and allowed the Catholic Church to be seen as a global church.

Embracing millions of people from different cultures and backgrounds, he also possessed a great sense of humour as evidenced on many occasions which showed us that he was one of us, a man of the people with feelings just like ours. It was this honest expression of feelings that appealed to people and I respect him for that. When the Pope came to Ireland, I was in Galway with young people from Kilnamona youth club. It was an honour to be there to see the wonderful outpouring of emotion and real love for this man. His message to the young people of Ireland was simple. He told them he loved them, which was an honest and genuine message. This was really appreciated by young people who are so seldom treated with such respect in the public domain. Young people are not fools and they appreciate honesty as a quality in people.

The Pope was also not afraid to be honest on issues of faith, which were sometimes unpopular. He was not trying to win any popularity contest. He spoke with the same honesty on such issues and was thereby respected. His honesty allowed the Pope to communicate well with young people and to gain their trust and admiration. He earned their respect in a way that many adults find very difficult. To have earned the respect of so many young people was an amazing feat.

Pope John Paul II showed by his actions and words that young people were a vital part of society and the Church. Their continued involvement is both necessary and desirable. During his life the Pope gave a great example to us by his honesty and humility. He showed us how to respect others, not only by his words but also by his deeds. He reached out to many people of different faiths with the same warmth he showed in Galway. He was certainly a man of the people and he will be fondly remembered by millions for many years to come. Ar dheis Dé go raibh a anam dílis.

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): I join the other Members of the House in supporting the motion. The Pope was a man who was respected worldwide not only because he professed the beliefs of the Catholic Church, which was his duty, but also because he was willing to listen to people of other religions, including other Christians, Muslims and Jews as well as those of no religion. This was based on his living out the two great commandments of Christianity: love of God and love of one's neighbour. Those two commandments that he professed in action as well as in word formed the basis of his greatness. Ar dheis Dé go raibh a anam dílis.

Mr. Hogan: With the death of Pope John Paul II, we have lost one of the greatest world leaders of our time. From his first day as Pope when he referred to having come from a far country to the day of his burial last Friday, he made a huge

[Mr. Hogan.]

impact not only on religious matters but also on world affairs. Earlier this year, readers of the *Financial Times* voted him the most influential figure on the European stage. In the past 12 months a UK poll rated him as among the three most admired living people in the world, ranking him alongside Nelson Mandela and Bill Clinton. Few events in the world and particularly a funeral could lead the world to such a standstill as the people of all faiths and none paid their tributes to this great man last week. Countless world events were either postponed or changed to facilitate and mark his passing.

As the Minister for Justice, Equality and Law Reform said, his background is interesting. He worked in the Polish coalmines to earn the fees for a university education. He witnessed the invasion of his native Poland by Hitler which sparked off a war that was to affect the entire world. He witnessed one in six of his fellow countrymen facing a violent death in the following six years. He witnessed the takeover of his country by a communist regime. He experienced the effect nazism and communism had on the dignity of the human person. All of this along with his undoubted Christian faith moulded him into the type of leader the world came to admire greatly. His impact on world affairs was extraordinary. He is rightly credited with assisting in the fall in communism and the collapse of the Berlin Wall.

While his influence on every country he visited cannot be measured in any quantitative sense, his impact was enormous. During his visit to this country in 1979, Pope John Paul II made a huge impact. Other speakers have indicated the remarkable esteem and outpouring of emotion that greeted the first visit of a pope to this country. However, the full impact of his visit has yet to be realised. His plea on bended knee in Drogheda to the men of violence to adopt peaceful means has yet to be fully answered. His words continue to have resonance today. In seeking an end to violence and criminality, the Government recently invoked his 1979 plea. Perhaps now is the time for strong leadership as epitomised in Pope John Paul II and to take control of the peace process, end ambiguity and appeasement and let the men of violence know the game is up. There can be no greater way for Members of this House to honour the late pope than by showing this type of leadership and ridding the country of the men of violence once and for all.

He appealed to both conservatives and liberals, to one with his heart and to one with his head. Regardless of whether one agreed with him, he was resolute and strong. People knew where they stood with him. I am sure his tenure as pope will continue to have an impact on religious and world affairs for many years to come. He deserves our gratitude and respect.

Ms O'Donnell: I am grateful for the opportunity to contribute to these expressions of sorrow and appreciation on the death of Pope John

Paul II. As a champion and advocate of human rights and human dignity for the duration of his papacy, Pope John Paul II sought and achieved radical change throughout the world, including in some of the most difficult places and especially in his beloved Poland, throughout eastern Europe and in South America and Africa. The world has lost a true hero who personified all that is wonderful in the human condition. While I disagreed with the Pope on certain issues such as contraception and the role of women in the church — their absence from ministering the church diminishes the institution — he held his views sincerely and one must respect them.

As late as last year, when it was obvious his health was failing badly, the Pope continued to urge the world to help those most in need. In so doing, he proclaimed the essential message of Christianity and the church's true mission of eradicating the scourge of hunger and chronic underdevelopment in the world. He prayed that God would "sustain the efforts of the international community aimed at justice and solid development." This, he stated, was the path which could guarantee to the world a future of peace, a view frequently cited by United Nations Secretary General, Kofi Annan, who points out that eradicating global poverty is not only a matter of charity but also of enlightened self-interest. This is an area in which we can best honour the Pope's legacy. While words of tribute are well justified, those with the privilege of political office should act in areas under our responsibility.

Tonight, around the world, more than 800 million people will go to bed hungry. Approximately 3 billion people have no clean water or sanitation, while half the population of Africa lives in extreme poverty on less than one dollar per day. Deputies will agree that in a world of unprecedented plenty this is an unconscionable and reversible position. Every day, 15,000 people in Africa die from preventable and treatable diseases.

I and many other Deputies have seen at first hand the tremendous work being done by Irish and other international aid workers in Africa and elsewhere. Funding from the Irish Government and other rich countries makes a considerable difference to the lives of millions in the developing world, particularly in Africa where needs are greatest. Once one has seen suffering abated, hunger sated and fear give way to hope as a result of aid funding and education programmes, it is impossible to turn away. Once one has seen the scale of unmet needs and become aware that lives are saved by intervention, action becomes not a political choice but a moral imperative.

This House and the Government, in our full senses, made a solemn commitment to the international community to double the Irish aid budget to 0.7% of GNP within a timeframe which has, sadly, been allowed to slip. There could be no stronger testament to the deceased Pope than for Ireland to hold to our firm commitment to the developing world and urge others in the rich

world to reach the millennium development goals to which all rich countries signed up to mark the millennium.

John Paul II demanded of the church leadership in helping the oppressed of the world. Last February, in one of his last addresses, he told the world diplomatic community that providing food and ending hunger is one of the greatest challenges facing humanity today. Irish people, with our memory of the great famine, have a particular identification with the catastrophe of mass hunger and famine and an onerous responsibility to give world leadership in this area. That would be a fitting memory to our beloved Pope. May he rest in peace.

Mr. Kehoe: I am grateful for the opportunity to pay tribute to Pope John Paul II, known as John Paul the Great. I offer my sympathies to his brother priests and other brothers and sisters in religious life. As a young person, I recognise the respect in which our late pontiff was held. He is the only Pope of whom many young people aged under 35 years have memories and, as the first Pope to visit this country, he will always have a special place in the hearts of Irish people. It is a special thought that Ireland was among the first countries he visited and a large number of Irish people travelled to Rome last week to attend his funeral mass when Cardinal Ratzinger's homily caught the heart of people across the world.

It is with sadness that we lost Pope John Paul II given his great leadership skills described by Deputy O'Donnell. I will always remember the simple words he spoke in Galway during a special mass for young people when he said: "Young people of Ireland, I love you."

Last Wednesday night I attended a mass in my Wexford constituency lead by the Bishop of Ferns, Dr. Eamon Walsh. He spoke of the Pope's visits to various countries across the world. The special and simple message he offered at every venue in each country will always live in the memories of those present.

On the evening the Pope passed away, I listened as Bishop John Magee, who spent many years with John Paul II, said that among the first words the Pope will hear when he approaches the gates of heaven for his eternal reward will be "Well done, good and faithful servant", a fitting description of the late Pontiff. I hope the Catholic Church will canonise Pope John Paul II in the coming years. I extend my condolences to his brother priests, bishops and cardinals and send prayers and good wishes to the College of Cardinals in electing a new Pope in the coming weeks.

Mr. O'Connor: I strongly support the motion and, like my colleagues, have personal memories of Pope John Paul II. I often think of the fateful autumn night in 1978, the year of three Popes, when the Polish Primate entered the Vatican. We could hear the bureaucrats in the Vatican say "enough" but the Pope proved that night and over the subsequent 26 years that he would not

be dictated to and went about his business following the Lord's path as he saw fit.

Visiting Rome in April 1979 I had an opportunity to see the Pope at an audience. Later, I was an archbishop's corps volunteer at the Apostolic Nunciature on the Navan Road when he visited Ireland. Having seen him on the Saturday and Sunday of the visit, we were woken early on the Monday morning to meet him, with some firemen, before his departure for Maynooth. I have often talked about the experience. I was struck by his presence and how he responded to people. People have reacted to his death in an amazing way. I was particularly impressed by many of the tributes paid to him this evening and compliment the Taoiseach and other speakers on their remarks. Archbishop Diarmuid Martin's words on television on the night of the Pope's death also struck a chord.

Deputies have made both negative and positive comments about the Pope. It must be remembered, however, that he was an 84 year old man who was regarded in church circles as an arch conservative, yet his death caused a huge outpouring of sympathy, particularly among young people.

I happened to be in Poland last week and was present for a mass attended by 150,000 in Warsaw on Friday. I spent Saturday, my birthday, in Krakow where I attended a concert in the evening to commemorate the Pope. I also had the opportunity of going a couple of times to the Curia house where he lived as the cardinal archbishop. One had to be impressed and touched to see the emotion evident, particularly of young people. I was glad to come home with recollections of the outpouring of grief from young people and the emotion felt on the streets of Krakow. I saw the Pope as a very positive influence on the world. In common with other Members and the Taoiseach, I wish Cardinal Desmond Connell well as he goes about the business of choosing a successor. That will not be easy.

Cecilia Keaveney: I appreciate the fact that Deputy O'Connor has shared his time. I wish to lend my voice to those of the other Members. When this man was elected Pope, I was relatively young and many of us latched on to the fact that he had been a goalkeeper. It struck a chord with young people that this most important man was human. As time has passed, his incredible connection to youth has come to the fore. It was best seen last week, when even in his dying moments, his strongest connection was to young people. It has already been noted that for my generation and succeeding generations, he is the only Pope that can be remembered or that was ever known.

I was in the Philippines last week, and every moment of all the news channels was dedicated to his declining condition and to the events following his death. I have never seen such interest shown in an issue as there was to his health. There was a certain miraculousness about the fact

[Cecilia Keaveney.]

that throughout the world, everyone tuning in had the same interest in this very important man. As other Members have stated, many people met the Pope. I had the honour and privilege of shaking his hand in 1990 in the Vatican. It made an impression that has stayed with me. He wished for Ireland to be at peace and I hope that his wish will be granted and we will continue to move towards the peace he envisaged for us when he visited us so many years ago. I congratulate the missionaries from Ireland throughout the world who have done us proud.

All over the world, including the Philippines, people have the same impression of this strong resolute man. As everyone has stated, whether one shared his views, one knew where one stood with him. In many ways, it is an important characteristic to know where one stands with someone. I do not know how he will be replaced or how his successor will fill his shoes. The cardinals have a difficult job ahead of them. This man has made his mark with the young and old alike which was a vital characteristic that will be difficult to replace. We wish those who will follow the procedure to install John Paul's replacement well. He visited Ireland and many other parts of the world. He made his mark everywhere and it will be difficult to replace him.

Mr. S. Ryan: I am not afraid to say, as a practising Catholic, that I am pleased and honoured to have this opportunity to express my personal sadness and sympathy on the death of Pope John Paul II. During the last days of his life and up to his burial, the eyes of the world were focused on Rome via the media. It brought the death of a truly remarkable man into houses throughout the world. His critics will say that he was a conservative person. His opposition to abortion has been raised time and again as if to say that by virtue of that opposition, he was conservative. I am delighted to share his view on that issue. He was opposed to war, the death penalty and poverty, and in favour of human rights. He was opposed to communism and capitalism in its raw form. In this context, he was a person who stood up for his rights and for what he felt was his role in this world.

I appreciated that he said things as they were and people understood him. The Catholic Church has gone through a very difficult period in recent times, not only in Ireland but in America and other countries, because of sex scandals and abuses. His recent death and the outpouring of grief from many people in this and every other country in the world underlines the fact that people are looking for leadership. It would speak volumes if some of the leaders who were present at his funeral Mass took on board Pope John Paul II's teachings and writings. There is much in them for world leaders to express and implement. If they did so in a humane way, the world would be a better place in which to live for many people who now live in poverty, despite the fact that

there is so much wealth available. He has set an example for us all. May he rest in peace.

Question put and agreed to.

Members rose.

Estimates for Public Services 2005: Message from Select Committee.

An Leas-Cheann Comhairle: The Select Committee on Finance and the Public Service has completed its consideration of the following Revised Estimates for public services for the service of the year ending 31 December 2005: Votes 1, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17 and 18.

Disability Bill 2004: Second Stage (Resumed).

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

Mr. McCormack: The stop-start manner in which Second Stage of this Bill is being debated leaves much to be desired. It is being taken piecemeal, which is akin to treating the matter with contempt. I hope this is not a deliberate attempt by the Government to dilute the issue and further frustrate the campaign for a proper rights-based Bill. Why did the Government get it so wrong? It was obliged to withdraw the 2001 Bill and it then introduced this Bill. Why did it not listen to the valid case put forward by the support groups for people with disabilities? That puzzles me greatly. Moreover, the manner in which the debate on this Bill is being conducted is most unsatisfactory. In reality, the Government is treating the Bill and people with disabilities with contempt.

We had a Bill in 2001 before the general election. That Bill was withdrawn because it was so inadequate. The Government then promised in the run up to the general election that a rights-based Bill would be introduced. It took three years to come up with this Bill which falls very short of what is required. The legislation was brought before the House on 4 November 2004. I spoke on it on 22 February 2005 and the debate was interrupted in the middle of my speech. Now the debate has resumed.

It is difficult to make sense of this type of debate. The way this Bill has been handled is farcical. We were promised a rights-based Disability Bill and more money for the disability sector. However, we now receive an excuse of a Disability Bill which has dashed the hopes of people with disabilities. Their hopes were raised only to be dashed by this Bill. The parents of children with disabilities are at their wits' end as a result of the lack of necessary services for their children. This Bill is every bit as inadequate as the previous Bill, which was withdrawn. Does the Government believe it can slip this new Bill through without much fuss because there will be no general election this year?

I and other Deputies have been lobbied extensively about this Bill. I received a letter from a

group of parents in Galway whose children have autism and severe learning difficulties. The children are aged between ten and 11 and receive a respite service at Crannóg in the John Paul Centre in Ballybane. Unfortunately, this service will cease when the children reach the age of 12. In anticipation of this, their parents submitted a plan for respite and residential services to the Brothers of Charity in Tuam in 2002 and have been following up the matter since then. They are being further frustrated in their efforts.

I wish to quote a section from a letter sent by the Brothers of Charity to this group of parents on 25 February 2005:

The level of funding being provided by the Government and the Health Service Executive locally has not allowed in the last few years, and indeed will not in the years ahead allow for the provision of the additional services required. As a service, we are very concerned at the lack of funding available and continue to press locally and the Government about the needs of this group and other groups within our service.

This passage plainly spells out to the Government that services like those provided by the Brothers of Charity can be provided so long as the necessary funding is available. This responsibility lies with the Minister and the Government. It is perfectly acceptable for Opposition Deputies to be lobbied but the responsibility ultimately lies with the Government.

The same lack of funding and services applies in the case of older people with disabilities. When a person with a disability reaches the age of 18, he or she is excluded from the education system. Parents are concerned about what will happen to their children when they die or are unable to care for them.

This Bill falls far short of the rights-based legislation that was promised to people with disabilities. It fails to incorporate many of the core principles and recommendations of *Equal Citizens*, a report published by the disability liaison consultation group in February 2003. This report represents the collective and agreed vision of the disability sector on disability legislation. Given this level of activity, I am very disappointed by the current Bill.

The legislation requires major reconsideration and amendment if it is to vindicate the rights of people with disabilities. The Bill's definition of disability is too narrow and inconsistent with other legislation like the *Equal Status Act 2000*. The definition of disability in that legislation is much more inclusive. The definition in the Disability Bill would exclude many people with disabilities, for example, people with epilepsy, who require services. Under the legislation, people with epilepsy would no longer be considered disabled and would lose their entitlement to services they currently qualify for such as disability allowance, occupational therapy and supported employment. The Bill does not confer a right to

the independent assessment of need and does not adequately address an individual's right to have his or her unmet needs addressed over time, as identified in the independent assessment report.

The appeals system set out in the Bill is excessively complex and cumbersome. Not only would the appeals procedure be difficult and frustrating to navigate, it would also create a great deal of expensive and unnecessary bureaucracy, resulting in resources being diverted from the provision of services. The appeals system should be independent of the Department of Health and Children and the Bill does not stipulate that Departments and public bodies must include people with disabilities in their plans and services with appropriate monitoring and accountability.

There are ten key issues in this Bill from the perspective of the members of the DLCCG. The first is the definition of disability, which is too narrow. The use of such terms as "substantial restriction" and "enduring" and the exclusion of certain conditions and early intervention needs is a matter of concern. The Bill should provide a clear right to an independent assessment of need and for an individual's right to progressivity in their unmet needs identified in their independent assessment report. This should be done annually or whenever there is a change in a person's circumstances. The conveyance system is too complex and needs to be simplified. The appeals system should be independent of the Department of Health and Children and should be sited in another Department. The Bill should provide for a clear ring-fencing of disability specific resources. The Bill must provide for a clear statutory duty on the part of all Departments and public bodies to include people with disabilities in their plans and services with appropriate monitoring and accountability. The definition of public services in the Bill should encompass all public services provided in the public system by statutory or non-statutory bodies. The sectoral plan section of the Bill needs to take the wider needs of people with disabilities into account. For example, the Department of the Environment, Heritage and Local Government has not addressed the housing needs of people with disabilities. The impact of the Disability Bill on section 14 of the *Equal Status Act* needs to be clarified. There should be a review of disability legislation at least within a set period of years. I think the DLCCG mentioned a period of seven to ten years.

The Government will not get away with this Disability Bill because the electorate will not let it forget the cruel and shameful neglect it has shown in its dealings with the disadvantaged. A grave responsibility rests on the Independent Deputies in this House who normally support the Government and Government backbenchers. I heard a number of Government backbenchers during the debate five weeks ago. I heard Deputy Cassidy outline all the faults of the Bill and state at the end of his speech that he would support the Bill on Second Stage. A grave responsibility

[Mr. McCormack.]

rests on those members of the House who genuinely believe that this Bill does not address the needs of people with disabilities.

There are many anomalies in the Bill and so much could have been done to improve the lives of people with disabilities and their families. A particular hobby horse of mine which I have raised on several occasions in the House is a mother caring for a disabled family member who receives the carer's allowance, which is welcome recognition of the year-round work that she does. An anomaly arises if the woman's husband and chief breadwinner dies. She will qualify for the widow's pension and lose her carer's allowance the next week despite continuing to be a full-time carer 365 days of the year. That is cruel. I have asked the previous four Ministers to deal with this issue but I am still being ignored. I will continue to raise it for as long as the people send me back here to do so on their behalf.

The medical assessment of people on domiciliary care allowance must happen every year. Why is that necessary? It is a source of great frustration for the parents and the persons involved. The person's situation will not improve if he or she is assessed. It is a cause of resentment for all concerned and is a waste of time and resources of the Health Service Executive which carries out the assessments. When will this legislation be examined or updated? We have been slow in abandoning the 2001 Bill and introducing this Bill, which will be inevitably passed by the Government.

I wish to raise the issue of the disabled person's grant, which concerns public representatives at all levels. This is a farce because of the limited resources that have been made available to it. For example, I have encountered many cases in County Galway and Galway city in which people with disabilities who are unable to climb stairs due to advancing years or other reasons apply for a downstairs bedroom and bathroom. However, as there is so much red tape, delay and lack of funding for this essential service, the people involved have sometimes passed away before the work is completed. Several people have witnessed these instances and I submitted a parliamentary question on the subject recently.

The Bill addresses the health and education needs of people with disabilities, but they have many other needs, such as housing, transport, employment etc. For example, many people with epilepsy cannot drive due to uncontrolled seizures but are not entitled to a free travel pass unless they are in receipt of disability allowance. If they are capable of working but not driving, they must use public transport, which can be extremely expensive. Why should they not have a free bus pass? In the area of education, people often underperform by as much as two years in comparison to their peers despite having average ability. Most children are not psychologically or educationally assessed even if they experience significant difficulties. Access must be made

available to assessment to evaluate the impact on learning, memory etc. Where seizures disrupt school attendance, supplementary hours such as are provided for some disabled children in home tuition should be considered at another school and not as an alternative.

There are many other aspects of this Bill. I ask the Minister of State why he did not consult the representatives of people with disabilities. Why was the Government so careless, why did it think so little of this? It was aware of the campaign undertaken to have the 2001 Bill withdrawn. Why did it not listen on this occasion to the articulate case put forth by the representatives? It seems that the Government is completely ignoring this case and is only going through the motions of putting this Bill through after raising the hopes of those people with what was promised before the election by the former Minister of State, Deputy Mary Wallace, who was banished to the back benches for her troubles. She promised the people a rights-based Bill but the Government had neither the guts nor the intention to deliver on it.

Mr. Sherlock: I ask the Minister of State to note that I am not speaking for myself, as I have had much consultation with various bodies. So many people are doing such great work that he must take it into consideration.

I refer to Gorey Centre for Independent Living Limited. Its members stated that, though the Taoiseach said that the Disability Bill 2004 would be the best disability legislation in Europe a number of weeks before it was published on 21 September, it is a load of rubbish. Think of this statement coming from those who work with people with disabilities. They said that, for some time, people with disabilities have been calling for a rights-based Bill but instead were given one that was resource-based. One of the only rights in this Bill is what they claim is the "right to know what you already know". It brings disabled persons no closer to the services they need and want. Currently, if resources are not available, one can be refused a service even if it is needed. The same situation will occur with this Bill.

This is not right. If their appraisal is correct, it is a waste of time to pass this legislation as it will change nothing for them. Accordingly, the centre's members state that under this Bill the requirement that public buildings be accessible to people with disabilities will not come into effect until 2015. Think about that. The Bill seems to be based on the medical mode of disability rather than the social needs of disability.

The assessment of the needs of people with disabilities will be conducted by individuals in the Health Service Executive, as was stated previously. Any appeal will be conducted by individuals from the HSE. In essence, it will appeal its own decision. This is not an independent assessment of needs. The assessment should be conducted by a neutral body outside the Department of Health and Children and the HSE, such as FÁS,

and given to the HSE as a statement of needs. If it is appealed, the appeal should be undertaken by an independent organisation. That must be done to give a proper assessment of the needs. The Office of the Director of Equality Investigations is the HSE's main source for these services. The matter should be referred to the Health Service Executive but as it is centered in Dublin, it is out of touch with local needs. I shudder to think of the service that will be provided in the future.

The Cork Centre for Independent Living Limited wrote to me about the national disability strategy and to express its deep concern about the disability legislation as currently proposed. It stated:

We welcome the recent Government announcement of an €894 million multiannual funding package, which will go some way in addressing the historic underfunding of services and supports for people with disabilities. This is an unprecedented and welcome development by Government. While this funding is an important and significant development it is only part of the solution. We believe that, if people with disabilities are to become truly equal citizens in Ireland, this can only be achieved through legislation that ensures, promotes and enforces their status as equal citizens.

In Ireland, people with disabilities have the same rights as everybody else. What we need is to be able to exercise those rights. If the Bill is adapted to provide for specialist services and secure the inclusion of people with disabilities in public policies and services it will vindicate in legislation these rights. People with disabilities will have become equal citizens in Irish society.

That is what this is and what the Bill should be all about. These questions should not have to be raised.

The organisation went on to state:

In our opinion, the Disability Bill, as it stands, falls well short of the commitments given by this Government. In 1997 our current Taoiseach and Tánaiste made a commitment, in the Programme for Government, 'to ensuring that disability is placed where it belongs, on the agenda of every Government Department and public body'. They further stated that: 'our policy is based on the core principles of promoting empowerment through appropriate, accessible and responsive services'.

That does not appear to be happening in this Bill. The organisation further stated:

We welcome these statements and commitments, however they have not been incorporated into the legislation as currently proposed. [We have the evidence of that before us.] The Bill, as produced, fails to meet the expectations of stated Government policy in two key areas, firstly, the way in which it addresses the

specialist service needs of people with disabilities, and secondly, the manner in which it addresses the responsibility on public service policy, planning and delivery to include people with disabilities as equal members of the public. Ensuring that people with disabilities have the specialist support services they need is half the job done. Society must be able to fully include them.

Surely, that is what this Bill is all about, but it falls very much short of that.

The organisation also stated: "Therefore the Bill requires major reconsideration and amendment if it is to vindicate the rights of people with disabilities and to bring the needs of those members of the public who have disabilities into the centre of public policy and service delivery." I quote this letter so the Minister of State will note the points made and make the necessary amendments to this legislation. The Cork Centre for Independent Living looks forward to hearing from the Minister of State and I will also reply to those people. I have had consultations with groups previously.

I come to my own area of north Cork. The Minister of State might have heard of Annes Grove in the Castletownroche area which is a great centre of excellence. I wish to quote from a letter from Patrick Annesley, the person in charge of that section of disability. It has done much with Clúid to provide accommodation in certain areas of north Cork. An accommodation unit will be provided at St. Patrick's in Fermoy shortly and there is one in Mallow. The letter states:

Things are less good elsewhere, however, and so I am also writing to ask for your help in addressing the national deficit, by way of an amendment to the Disability Bill currently before the Oireachtas. The Disability Legislation Consultation Group has identified ten fundamental flaws in the Bill as it stands, and I am listing and enclosing these on a separate sheet. While we would welcome your support on any or all of these issues, I am asking you personally to address two specific points. [The previous speaker referred to the points stated by Mr. Annesley in this regard.]

1. Access to housing and the provision of appropriate levels of supported accommodation are of paramount importance in combating and mitigating mental ill-health, as in other areas of disability. At present there is no coherent policy for meeting accommodation needs, and the Bill fails to address this deficiency.

The Bill should impose a duty on the Department of Health and Children, in conjunction with the Health Service Executive, to assess and quantify present and future accommodation needs. The Bill should also impose on the Department of the Environment a duty to work with the Department of Health and Children, Local Government and other appropriate

[Mr. Sherlock.]

statutory and non-statutory agencies to provide the accommodation to meet those needs.

Unless this is done now, it is likely that accommodation needs will in many areas continue to be met, at best, haphazardly and often not at all.

I am therefore asking you to seek to amend the Bill.

I am using this opportunity to ask the Minister of State to note what has been said and to amend the Bill.

The letter goes on to state:

2. For many people, mental health difficulties are long-term or recurrent but acute illness is intermittent or episodic. The level of disability experienced in such episodes may be extreme and even life-threatening.

It is unjust that episodic disability is at risk of being excluded from the provisions of the Bill. It would be intolerable if a person could access services under the Bill only if he/she had already received a diagnosis of chronic disability. In any individual case, even if a clinician comes to believe that such a diagnosis could be justified, he may equally believe that, in the patient's best interest, such a diagnosis should *not* be given at that time, if ever.

Therefore, I am asking you to seek to have the Bill amended.

Great work is being done by people in every parish. These people have made the effort to put in writing their observations, contentions and objections to much of the Bill. The Disability Bill has been awaited for many years. I hope the Minister of State will take these points into consideration. The great, voluntary effort by people must be recognised by this Government. I look forward to Committee and Report Stages of the Bill and hope amendments will be made by the Government to make it easy to implement. That is what people with disabilities need. I will back any case made in support of people with disabilities.

Mr. P. Breen: I wish to share my time with Deputy Hayes. I appreciate the opportunity to speak on this important Bill which I am sure is being watched closely by all concerned citizens as an indicator of how well the State intends to treat the most vulnerable and those most in need in society. There are 360,000 people with disabilities in this country with many thousands more caring and supporting them every day. Despite this statistic, this group often finds it difficult to have its voice heard by policymakers. I want to help put that right. These thousands of people have struggled to have their voices heard for many years. The House will recall the campaign for disability legislation by the Forum for People with Disabilities began as far back as 1990. Some 12 years later, the Government made a failed attempt to address the need with the 2002 Disability Bill. It was a Bill written in haste and without due consideration for those most affected.

The Government's latest attempt to remedy a situation it should have remedied years ago is before the House. Given that the Government has had 14 years to address concerns and has gone through the failed experience of the 2002 Bill, one would have thought that this Bill would have done the job. Unfortunately, it does not. Comprehensive and adequate legislation to address the needs of the disabled community and incorporating the excellently articulated requirements of their representative groups should include some essential elements such as a right to an independent assessment and services, an independent appeals and complaints procedure, meaningful targets in regard to employment and access to buildings and a wide definition of disability which would include those with mental health problems.

Since 1992, the Government has commissioned and paid for three consultative groups to make recommendations. Their output was the basis for a good disability Bill. However, the Government has ignored the results. While it employs the language in the reports of these groups, it does not employ the substance. The substance of the recommendations of three excellent consultative groups has been ignored.

The Bill does not contain the essential elements I have outlined. It is inadequate and forces disabled people into a bureaucratic nightmare. It forces people to search and scrape for essential services. When individuals like Séamus Green of the National Parents and Siblings Alliance say things such as "We are reasonable people" and "We don't expect miracles", it makes me wonder what world the Government lives in or wants us to live in. Carers, parents and siblings deserve reasonable treatment. Given the work they do day in, day out, they deserve miracles. Disabled people deserve better from the Government and deserve better legislation.

These people should certainly have a right to an independent assessment and, crucially, to services. They should have an independent appeals and complaints procedure. They deserve meaningful targets in regard to employment and access to buildings. There should be a wider definition of disability that would include those with mental health problems.

As legal experts on the subject have argued, there is a fundamental difference between the attitude to equality within European law and that adopted by the Government. The approach taken by the European Union is to enforce equality by means of a legal right not to be discriminated against, harassed or victimised and a right to reasonable accommodation. Should an employer or service provider not comply with the right to equality, the employee or service receiver may seek redress in the courts. The Bill does not deliver these rights to our disabled people. It is not as if the Government did not have the time to get this right. It had plenty of time.

The disability legislation consultative group met the Minister of State at the Department of

Justice, Equality and Law Reform, Deputy Fahey, last year to express its concerns. It also met the Taoiseach and had hoped for a positive response to the reasonable amendments. That group, which represents 597 organisations, said there were fundamental flaws in the Bill, yet the same legislation is before the House.

As with much of Government policy in recent years, the Bill appears to ignore the realities, for example, in my constituency of Clare, with which the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen, is aware. The personal assistant service is vital for people with disabilities. This issue highlights a flaw in the Bill. There are 30 people in Clare who have been assessed for the personal assistant service and are on a waiting list two years later. The Bill will not help those 30 people or their families or any other family in a similar situation.

The Bill may guarantee the right to an assessment, but without rights to services, it is fundamentally flawed. Disabled persons cannot take up work with large employers such as the Army, the Garda or the Naval Service. The 3% employment targets points also to another flaw in the Bill. The definition of disability used to assess how this target is being met is less strict than the general definition in the Bill. Therefore, when the Government is being tested, a condition such as asthma can be considered a disability, but in the general context of the Bill, the disability must be persistent and ongoing. This excludes those in the early stages of conditions, for example, those with multiple sclerosis. It also excludes those with conditions that can seriously disable them. The Government wants it both ways; strict definition in terms of rights and looser definition in terms of assessing whether the 3% employment target has been met.

We had the shocking 50% cutback in the annual budget in the Mid-Western Health Board area for the special respite home purchased for the Brothers of Charity in Ennis. Some of the children need 2:1 staffing levels. The home was unable to provide respite care for the children who need it most. The inadequacies of the system and what it provides for people with disabilities and their carers are obvious and disgraceful. People are at the end of their tether. The position has deteriorated to such a degree that one of my constituents, who is in a wheelchair, resorted to telling the Minister that if it were physically possible, he would chain himself to the railings of Dáil Éireann and stay there until disabled people got the recognition they deserve.

In 1999, a ten-point plan drawn up by groups representing people with disabilities was published in Ennis. The plan, drawn up by the Centre for Independent Living in conjunction with the information age town project, the Central Remedial Clinic and the Disabled People of

Clare, called on the Government to bring forward changes for people with disabilities to achieve full social, civil and political rights. Those are needs and realities for the 360,000 disabled people in Ireland, those in Clare, and their carers, families and siblings. This is what was expected from the legislation. The assessment of the legislation is best carried out by those who will be most affected by it and they have handed down their assessment.

Some time ago, 700 disabled people, their families and carers packed the RDS and Leinster House at a public meeting. They highlighted ten serious flaws and described it as forcing disabled people into a bureaucratic nightmare. Let us take, for example, a disabled person who wishes to make a complaint about service provision. The Bill places four layers of bureaucracy between them and resolution of their complaint and the process can take up to 18 months. This is after years on a waiting list. When it comes to access to buildings, they face more bureaucracy. The Bill places the burden of proving inaccessibility on the disabled person. Any reasonable person can see that placing sole responsibility on the person in this case is wholly unsatisfactory and shameful.

Even if the Minister did not like what he was hearing from the representative groups of persons with disabilities when they made their assessment, the Government should have heeded the views of the Human Rights Commission. The State should set itself to be judged by the highest standards of international law given our economic status and the citizens' desire to see fair treatment for the vulnerable in society. Instead, the President of the Human Rights Commission, Dr. Maurice Manning, said the legislation was defective based on analysis of international law.

Those most affected by the Bill call it flawed while those charged with monitoring rights call it defective. In its current state, the Bill is an insult to disabled persons, their families and carers and is more evidence, if we needed it, of the Government's detachment from the realities of people's lives.

Mr. Hayes: I have pleased to have the opportunity to contribute to the debate. The last Disability Bill was withdrawn because every organisation representing disabled persons opposed it. There was a public outcry that the Government, one of the richest in the world, was failing to give disabled people their entitlements. In examining the record of what has happened in recent years, it is clear that many voluntary organisations became involved in helping the disabled. Were it not for those voluntary organisations, the religious and others, where would the disabled be in society?

I refer to the work of the Tipperary association for the mentally handicapped. It has undertaken fund-raising efforts and set up throughout the

[Mr. Hayes.]

county schools and help centres such as the Moore Haven Centre. This is mirrored in every other constituency. When discussing this Bill we should not be afraid to applaud those people while also taking on board the many issues for which they have lobbied. The disability legislative consultative group has issued a list of ten requests which in its view are not addressed in this Bill. This is a matter for concern and the House should take cognisance of the views of these people.

Those who work in the disability sector must be commended. There is nothing as frustrating as working a system that could and should be improved. I refer to the situation in Australia which provides home support to people with disabilities. I have spoken to a person who worked in Australia and now works in the disability sector in this country. We have much to learn from their system.

The needs of young people with disabilities in schools and the lack of funding by the Department of Education and Science should be of concern to each of us. There is no Member of the Oireachtas who has not been lobbied by individuals and families on behalf of those with disabilities. They come from every part of the country and they are trying to help young people with disabilities.

On the subject of the disabled person's grant, money was expended and wasted on electronic voting. The waiting list for assessment for the grant is at 180 in my constituency. This is deplorable when so much money is available and is being wasted.

Having consulted widely, the Government was true to its word. A long and detailed process of assessing various voluntary organisations and groups took place. Discussions and negotiations were held with Government officials in the hope that their members would receive the recognition and resources required to live a life where equality, independence and choice was as natural for people with disabilities as it is for each of us. Then came the long wait for the publication of the new Bill. This Bill had to be better; the Government had finally recognised that the people, by their nature, wanted to do the right thing for people with disabilities. Having taken such a long time, it was hoped the consultative process had produced a Bill that was better. On publication of the new Bill, it soon became apparent that the consultative process had not led anywhere. Those who had concerns about the delaying tactic were certainly proved right. Had the local and European elections anything to do with that?

The Government chose to ignore the majority of the recommendations made by the various organisations. It is arguable that this Bill is more restrictive than the previous one, although couched in better language. In the final analysis

its main objective is to indemnify the State against any obligation to treat people with disabilities equally. Everything is contingent on a certain amount of resources being made available. The public supports the efforts to make more resources available to those with disabilities.

Assessment will establish the need of every disabled person, but without a direct or binding line to the service statement, all it may do is raise expectations only to find that the resources are not to be made available. This would be very disappointing. A long drawn-out process has been undertaken to assess needs. This Bill should be made more amenable. The views of those who have worked in a voluntary capacity should be heeded because if not, this Bill will go nowhere. It is not the responsibility of the Department of the Environment, Heritage and Local Government to provide for the building of houses for those with disabilities. This should be addressed in the Bill. I appeal to the Government to take on board the views of the bodies and organisations who have made representations. Action is needed now to provide a better quality of life for people with disabilities.

Mr. Howlin: I am privileged to have the opportunity to make a few observations on this important legislation. God knows it is a long time coming but it will have an impact in a substantial and measurable way on the lives of tens of thousands of citizens. It will impact on their carers, families and loved ones and on their quality of life. This cannot be said of much of the legislation that goes through this House. It behoves us to deal with this as the important legislation it is.

I come with the perspective of a former Minister for Health who saw, even in my time, the area of disability coming out of the shadows. I listened to the radio today to the celebrations of the origins of St. Michael's House which happened because somebody put an advertisement in the newspaper for people connected to anyone with a mental disability to come together to see what could be done to support and help them. The prevailing view in this society and probably in every other society for a very long time is that people with disabilities or people who were less able or differently able were a cause for charity. In recent times we have moved beyond that and what is now at stake is the demand for full vindication of the rights of citizens, not tokenisms, sops or charity but a real understanding that differently able people have a right to full citizenship and all that involves.

Campaigning groups have changed the public perspective on disability in recent years. There is more inclusiveness in the approach to education. Now schools do not think of excluding people because they are physically challenged or have an intellectual disability but rather see how that can be overcome to enrich the school environment in total by inclusion, not exclusion and compartmentalisation. Disabled people and differently

abled people are involved in the full gamut of public life as is right and proper. This change in perspective has impacted on planners although there are still too many side-door solutions to access. In general, people expect those who are unsighted or have sight or mobility difficulties to be able to access public buildings and conduct their business. We have not reached those goals but there is an expectation that this should be the case. Nobody argues it should be otherwise.

The most impactful event in recent years to engage and capture the public imagination was the Special Olympics. Each of us is disabled in some way. Those games copperfastened the notion that everyone, regardless of ability, has a right to full participation and, moreover, has great gifts that can bring significant enrichment to society. When I became Minister in the Department of Health and Children there was no accurate measure of the degree of intellectual disability. Groups campaigning for services and supports at that time found there was not even an accurate measure of the volume of need. We proceeded to set up the first register to measure the volume and degree of need accurately. Only when such information is available can one begin to put in place a structured response.

We have come a long way since then. We do not have broad strokes of need where whatever was available, whether day care or full-time residential care, had to be applied for by all because it might be the only care option. There is an understanding in modern times that what is required is the measurement of the specific needs of individuals and the responsibility and obligation of the State to respond to that analysis on a case-by-case basis.

What has been the political response to this development of public opinion in its recognition of the exclusion of some of our citizens from full participation in citizenship? The programme for Government promised legislation based on a commitment to rights:

We will complete consultations on the Disability Bill and will bring the amended Bill through the Oireachtas and include provisions for rights of assessment, appeals, provision and enforcement.

This is the promise the Government freely entered into and made publicly. There is an expectation that what is written into the programme for Government should be delivered.

Instead, there has been a shoddy welshing on this publicly and freely made commitment by the parties in Government. The broad-ranging consultations that were promised were delivered through a process which conveniently dragged on without exposing the Government's real intent until last summer's local and European elections were over. This meant there could be no public judgment on the delivery of the Government's promises. The Government has made a mess of this situation once. After being forced to with-

draw the legislation, one would imagine it would get it right on the second attempt.

Consultations did not involve a two-way system whereby views were taken on board. The National Disability Authority chaired the group set up by the disability advocacy movement to set out the views of that movement on this critical legislation. The disability advocacy groups made extensive representations to the Government, published detailed documents and set out their expectations of rights-based legislation that would provide assessment, provision and enforcement as of right. It is ironic that during this extended period of consultation which ran to two years, the Government was full of praise for the inputs of these groups. On several occasions in this House, the Taoiseach lauded the work of the advocacy groups and did not quibble to any degree with their expectations and proposals. The publication of the Bill represented a sham and a shameful disregard for the broad-ranging consultations and the contributions all those advocacy groups brought to the discussion table.

As part of the consultation process, the disability movement itself changed because it came to accept that rights could not just be laid out with the expectation that they would be delivered the next day. There was an understanding in this dialogue that there would have to be timeframes because all the necessary therapists, support staff and residential and day care facilities could not be provided immediately. All these developments required careful planning over an agreed timeframe and a resource allocation. The advocacy groups brought that understanding to the discussions. There was no short-changing of the Government with an expectation that was unreal. There was an understanding that, in a partnership way, historic change could be brought about and that supports to vindicate people's rights could be introduced over time in a structured, feasible and affordable manner.

The disability movement had the courage to state this in its documents and to put it to its members, including families in urgent need of support, so it could dampen expectations that change could be achieved overnight or that there was any magic-wand solution to providing adequate resources and supports. Advocacy groups would have supported this Bill if it had outlined a set of rights in principle and set out a structure and process to achieve those rights on a planned, focused and individual basis. That would have been reasonable, affordable and morally right. It would also have been the correct approach in terms of keeping faith with the words of the Taoiseach and the promises contained in the programme for Government.

Unfortunately, the Government's response was a Bill that meets nobody's needs except that of the Government itself to pretend to be doing something on this issue. Even the Bill's definition of disability is unclear and too narrow. What is lacking is a principle that should be at the core of the Bill. The required principle is that services

[Mr. Howlin.]
should be provided to allow the vindication of full citizenship as a right.

Debate adjourned.

Private Members' Business.

Cancer Screening Programme: Motion.

Dr. Twomey: I move:

That Dáil Éireann,

recognises that:

- there are approximately 1,700 cases of women with breast cancer each year;
- approximately 640 women die each year from breast cancer;
- cancer screening plays a significant role in reducing deaths from cancer;
- women in the Republic of Ireland are suffering because of the failure of the Government to extend BreastCheck nationally;
- the Government misled the people in the south and west of the country in relation to the timeframe of the roll-out of BreastCheck;
- the failure of the Government to roll out the national cervical screening programme has left numerous women in Ireland go undetected for cervical cancer; and

calls on the Government to immediately roll out BreastCheck and the national cervical screening programme together with a true and accurate timeframe.

I wish to share time with Deputies Hogan, Connaughton, Deenihan, Hayes and Ó Caoláin.

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

Dr. Twomey: This motion concerns two cancers that affect women of all age groups. Breast cancer is more common in women over 50 and women with a strong family history of the disease. Cervical cancer, or cancer of the cervix, which is part of the uterus or womb, has a number of risk factors. These factors include smoking, the incidence of which is increasing among young women, and the human papilloma virus, the incidence of which is also increasing in the female population. The more sexual partners a woman has, the more likely she is to contract cervical cancer. In the treatment of all cancers, time is of the essence and early detection through screening is critically important.

In two years, Fianna Fáil will have been in power for ten years and we will still not have a

nationwide breast cancer screening programme. It is now five years since phase one of the service commenced in the eastern region. It is four years since the publication of the national cancer strategy, which promised that breast and cervical cancer screening would be extended nationwide. In the intervening period, we have had nothing but a litany of announcements that amounted to nothing. The former Minister for Health and Children was well known for the number of press releases he issued. He issued them almost on a daily basis. It is therefore no wonder that patients in the south and west were expecting breast cancer screening in 2005 but, sadly, as we now know, that will not be the case.

Serious questions must be asked about why the roll-out has been delayed so severely. For example, capital funding for the roll-out of BreastCheck was not allocated until 18 months after the Department of Health and Children announced its national extension. Why? Why have BreastCheck's press releases indicated that its understanding of the roll-out timeframe was at odds with that of the Department? This kind of disarray has become increasingly common under the Government. Tragically, the implications of the delay in the roll-out of these services has been under estimated.

One of the former Minister's press statements from February 2003 states:

In relation to the extension to the remaining counties, the Minister said that the Board of BreastCheck has submitted a Business Plan to his Department. A number of key issues have been raised by health boards and health professionals in relation to the national roll out of BreastCheck which need to be addressed in advance of further expansion. I am fully committed to the extension of the programme to the remaining counties in the West and South and I will be meeting with BreastCheck shortly to discuss these issues.

We on this side of the House would dearly like to know what those issues were and the concerns of the professionals and the health boards. In the two years since that announcement, there has been zero movement in regard to BreastCheck and breast screening in the south and west.

Women are being told they will have to wait until 2008 to be screened and treated for breast cancer on an equal basis. In 2008, women in Northern Ireland will celebrate 15 years of breast cancer screening and a reduction of one fifth in deaths from the disease. By that time, because of delays in the roll-out of the programme, hundreds of women in the Republic of Ireland will have lost their lives in their battle against breast cancer. This is not an exaggeration. Hundreds more will have endured devastating and radical surgery to control advanced breast carcinoma. This is terrible.

The late diagnosis of cancer will require more severe chemotherapy for the patients involved and women will suffer the terrible side effects of

the radiotherapy required to bring advanced cancer under control. At the same time, many women will have had their uteruses removed because cancers will have spread before treatment can be given, denying some women the chance to have children. This is because it is often a disease of young women. It will deny some children the chance of having a mother. These are the implications of a delay in the roll-out of a screening programme. Such a programme is taken for granted by our near neighbours in Northern Ireland.

The Government has no idea of the cost to the quality of life of all the women who endure cancer treatment, nor does it know what is entailed. This is the case for all cancer patients but I refer in particular to those who could benefit from two very vital screening programmes that would have been implemented long before now if the Government was really serious about the health service. It is not a question of what we have been reading in the papers for the past six months.

There are changes in our society and behaviour that make the roll-out of cervical cancer screening more urgent than is generally acknowledged. I have already pointed out some of these changes in regard to cervical cancer and the risk factors involved, such as smoking, the human papilloma virus and the number of sexual partners a woman may have. Given the risk factors, screening should begin six months after a woman becomes sexually active. Screening is relatively straightforward and involves a smear test. Thousands of these tests are carried out each year in many general practitioners' surgeries. It is known as opportunistic screening because it is done by general practitioners when they offer the service to patients or when the patients request it from them.

Is it not strange that the smear test, which can be carried out in the general practitioner's surgery by either the general practitioner or practice nurse, has been available for more than two decades in Northern Ireland? It is a good question to ask where we stand in the South. Five years ago, a pilot programme started in the Limerick region but five years later it has made precisely zero progress.

The national cancer strategy itself contains some inequalities which should be addressed and which I have raised before in the House with the Minister. For example, the cancer screening test, the smear test for cervical cancer, is not available to medical card patients or young women on low incomes. Young women are particularly at risk of cervical cancer.

The cavalier attitude of the former Minister for Health and Children and his Minister of State with responsibility for the elderly is reflected in the ageism associated with restricting the planned breast screening services to those aged between 50 and 64 and cervical cancer screening to those aged up to 60.

It is acceptable that there be a starting point for every screening programme but the end point

should be based on the same medical criteria. I would accept the Minister's attaching an age limit to the programme if it was just to get it off the ground in two or three years. However, the age limit is unacceptable given that half the female population has had to wait five years for the programme to reach them. Cervical cancer can be diagnosed after the age of 60 and breast cancer can be diagnosed after 65. The average female lifespan in Ireland is approximately 82 years which should be reflected in any screening programme. Stopping a screening programme 22 years before the average woman may die is ageism.

Unfortunately, the Government has no commitment to any form of primary screening. The piecemeal and incoherent roll-out of a national programme for BreastCheck and cervical screening is a sad reflection on the Government and is leading to a devastating outcome for the women of Ireland.

Fianna Fáil has not only failed to provide cancer screening but it has also failed to provide proper facilities for the treatment of all cancers. It has failed to publish reports, including the radiotherapy report that sat in the Department of Health and Children for almost the full tenure of the former Minister, Deputy Martin. He received the report in 2000 and did not publish it until shortly before he left the Department. He almost made it his trademark to issue reports but cancer screening and treatment services are at Third World standard. This Government can have no excuse for this.

Just over half the population can avail of BreastCheck. It might be important for politicians in whose constituencies there is no BreastCheck facility to see what happens. An appointment for a routine mammogram can take between six and 12 months in an area which does not have access to BreastCheck. I have seen women who missed early diagnosis because the wait for the appointment was too long or because to make an earlier appointment they had to pay for it, and were later diagnosed with breast cancer. These women may not have had palpable lumps but had risk factors.

BreastCheck has made a dramatic improvement in patient care and reducing the morbidity associated with breast cancer. Morbidity refers to the side effects of cancer, for example, swollen arms, losing a breast and all the related psychological problems. Affected women may also die. The Government should take this on board and do something about it immediately. I hope the Government parties will accept the points we make tonight and demand that the Government roll out BreastCheck and the national cervical screening programme and stop the dallying of the past four years.

Mr. Hogan: I thank Deputy Twomey for putting this motion before the House and facilitating a debate on such an important health issue. A great deal of money has been wasted on electronic voting, Abbottstown and Punchestown,

[Mr. Hogan.]

and has been scattered like confetti at election time. Promises have been made yet one of the major issues, the health service and, in particular in the context of this motion, women's health have been taken for granted. In my constituency of Carlow-Kilkenny a roll-out of the BreastCheck programme and the national cervical screening programme was promised but it has not happened.

People took this political promise in good faith before the last general election and it has been thrown back in their faces almost three years later. The Taoiseach, the Minister for Health and Children and local government representatives promised a radiotherapy service for the south east, based at Waterford Regional Hospital, in advance of the 2002 general election, but that has been abandoned and there is no sign of its implementation.

People have taken to the streets in Waterford and the south east to ask for basic facilities for preventative medicine in the form of these two programmes. The failure to implement the programmes shows the low priority the Government assigns to women's health. It is unacceptable when it has significant resources at its disposal that such low priority is given to a modest scheme that would help provide early and accurate diagnosis of cancer in women.

Families worry about health. No family has escaped tragedy of some kind, one of the greatest of which, apart from a sudden death, is the prolonged worry about and fear of cancer, its treatment and the services available. This trauma which women in particular have suffered, for want of the early diagnosis these schemes could provide, indicates the callousness of the Department, the Minister for Health and Children and the Government in general.

The former Minister for Health and Children commissioned many consultancy groups and reports but regrettably took no action. The present Minister seeks to hide behind a commitment to develop cancer services further without indicating the timescale for the implementation of the two programmes. The Government should stop making promises about these schemes. They should implement the programmes promised years ago, particularly before the last general election. I call on them to roll out the BreastCheck programme for my constituents in Carlow-Kilkenny and implement a proper public radiotherapy service for the people of the south east on the campus of Waterford Regional Hospital without delay.

Mr. Connaughton: I congratulate Deputy Twomey on tabling this motion. I am pleased to see the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Batt O'Keeffe, here. As I drove here today I heard an advertisement on the radio extolling the virtues of BreastCheck and inviting women to apply, but it was of no use to the 57,598

women in Connacht, Tipperary North Riding and County Clare. There are no BreastCheck facilities in those areas and there will not be. A total of 150 women aged between 50 and 64 years of age in that cohort of women have the potential to contract the disease. For every subsequent year between 70 and 80 women will be so diagnosed. That is a potential death sentence for those women. Why five years ago were women in an area around Dublin and the midlands given the opportunity to come forward for BreastCheck while those in the rest of the country were sent to the back of the queue? How can that be justified? Women are infuriated by this. If the women about whom I am speaking can pay for a check, they will get it, but what about the thousands of women who cannot pay for it? These women are condemned as second-class citizens.

The Government and the Minister for Health and Children are involved in a PR stunt. They are giving the impression throughout the country that the service is available to everyone. Every now and again, a Minister promotes this idea which everyone knows is very important when women reach that stage in their life. However, the money is not being put into the system. Those involved in the national screening programme and I believe that if funding was made available, every area would be covered within the next year. There is no need to further test the waters in this area. This has been going on since 1998. All the facilities and procedures have been put in place.

The Minister of State is being most unfair to the 57,000 women who live in the area I know best, namely, Connacht, Tipperary North Riding and County Clare. Funding is available to the Minister and the Government to provide this service because Exchequer returns the week before last indicate the Government never had more money at its disposal. It is not good enough to say to that cohort of women, who have reared their families and helped this economy, that they must wait for this service until 2007, 2008, 2009 and God knows how long more. There will be a backlash as a result of this and I am pleased to have had an opportunity to make my views on this important matter known to the Government parties. People are not prepared to gamble with their lives. It would be different if everyone was in a financial position to pay for a breast check, but that is not the case.

It will be interesting tomorrow night to see what Members will do when the Government parties vote on this matter. They will take a different stance from the message they portray when they are in the constituencies throughout the country. We will see the colour of their money when they vote. Many of them are giving the impression that this matter will be solved within the next year, but my understanding is that people in the west, who should be able to have such a check tomorrow morning, cannot expect a free breast check until 2008 or 2009, which is a disgrace.

Mr. Deenihan: It is recognised that the early detection of cancer by screening is one of the strategic areas of cancer prevention. Clinical trials of specific screening methods have been shown to be effective in breast and cervical cancer.

Breast cancer has now overtaken both lung and bowel cancer to become the second most common cancer in Ireland. Women in the Republic are suffering because of the failure to extend BreastCheck nationally. The national breast screening programme commenced in February 2000 and to date it has only been rolled out in very small pockets of the country. We know from our neighbours in Northern Ireland, where the cancer screening programme was rolled out some time ago, that the rate of cancer there is considerably lower than in the South.

I would like to refer specifically to County Kerry. Deputy McManus recently organised a seminar in Tralee which was attended by approximately 250 people. Women in County Kerry are very concerned about their health, and rightly so. The rate of breast cancer in Kerry is among the highest in the country. Treatment in the county is symptomatic because women are only treated when they find a lump or when their GP refers them for a mammogram to Tralee. There are no screening services in the county. As the Minister of State will be aware, if cancer is undetected, it will get larger and spread. However, if it is detected early, it can be treated successfully, and there is less need for mutilating surgery, which is very important for women. Lack of screening services in Kerry is leading to more deaths and more mutilating surgery, which is very distressing for women.

The number of full mastectomies in Kerry is much higher than in the rest of the country. This is another factor which should be considered seriously. Each year, approximately 60 new cases of breast cancer are presented in the county. Given the population of the county the fact that there are no screening services means at least another 30 people do not present themselves for a check. Unfortunately, it is too late for many of these people when their GP becomes suspicious that a lump in the breast could be cancerous.

I appeal to the Minister of State, who comes from the southern area, to use his influence to ensure the current timescale of the end of 2008, when it is expected to have a screening programme in Kerry, is brought forward considerably. There is no doubt that this will be a big issue in the next election. Commitments in this regard were given by the Government. Prior to the last election, the people of Kerry were told that a screening programme would be put in place within two years, but now they must wait for more than six years for such a programme. At the time, a clear commitment was given to the women of Kerry, but it has not been honoured and people are furious. While people may not be affected themselves, they know of women who have died unnecessarily from cancer.

I thank Deputy Twomey for raising this issue. As a medical doctor, he is well aware of the distress and the number of deaths breast cancer causes throughout the country. Deputies from many parts of the country will be aware of people who have died from breast cancer or who have had their breast removed. From discussing the issue with women, we know at first-hand and can relate in the House this evening the stories of women who have breast cancer. I hope the Government will take note of what has been said.

Mr. Hayes: I am pleased to have an opportunity to speak on this important motion. I commend Deputy Twomey for tabling it and bringing his knowledge in the medical field to the House. We as politicians need to be reminded of the urgency of treating cancer and the frightening experience many families have had to endure because of a close relative, neighbour or friend who has suffered from this deadly disease. We have had many reports and consultations. However, if we are worth our salt we should give people the opportunity to have proper breast checks. It is unfair to allow such a situation to arise.

I recently received a note from a 25 year old lady who has found a lump on her breast. She said she will be visiting the doctor in the next few days but she thinks screening should be made available. A close relative had both breasts removed last June. She is 50 years old and her doctor ordered a priority mammogram. She got an appointment for November 2005. Recently, a woman in her fifties, who has worked in nursing since she left school, came to my clinic to get her appointment at a Dublin hospital brought forward. It is deplorable to put people in this situation. We could talk about the issue for hours but this is a deadly disease and the Government should be upfront with people and do something that will help them. They are at a vulnerable stage in their lives.

I represent a constituency formally represented by the late Ms Teresa Ahern who died from cancer. Prior to her death she spoke about the poor state of services. She was complimentary about the hospital she attended but very vocal with regard to what she saw as the problems experienced by people with cancer.

A campaign for improved cancer services is ongoing in the south east. There is no commitment with regard to that. The Government does not take the issue seriously. Money is wasted on an endless list of initiatives such as e-voting. We have a duty and a responsibility. As a member of the Committee of Public Accounts, I see money wasted on a weekly basis. It is deplorable that money is not made available for people with cancer. It affects many people and families, which is why I fully support this motion.

Caoimhghín Ó Caoláin: Ba mhaith liom tacú leis an rún ar son Theachtaí Shinn Féin. This is a timely and important motion which I fully sup-

[Caoimhghín Ó Caoláin.]

port on behalf of Sinn Féin. I thank my Fine Gael colleagues for the opportunity to speak.

The Irish Cancer Society is to be commended for its current campaign which calls for the roll-out of a national cervical cancer screening programme. On the day the Dáil rose for its Easter recess, 23 March, I questioned the Tánaiste and Minister for Health and Children, Deputy Harney, on this issue. In response, she stated she favoured the roll-out of such a national programme. She also stated that she would support cross-Border co-operation in this area. I welcome that and hope she keeps her word. However, the Government amendment to this motion is disappointing in that regard and I cannot support its request for us to have blind faith in the Tánaiste or any other Minister.

I call on the Government to act in accordance with this motion, as tabled by Deputy Twomey. It should also heed the call of the Irish Cancer Society and 24 organisations, including trade unions, professional bodies and women's networks which joined together on 24 February in a unanimous call for a national pre-cancer screening programme.

In 2000, there were 1,090 cases of *in situ* cervical cancer, a pre-cancerous state, 193 cases of invasive cancer and 65 deaths. Comprehensive screening leading to early detection and treatment can dramatically reduce both the development of cancer and the death toll arising from the disease. The Minister should therefore roll-out a screening programme as soon as possible. Screening should be available free of charge to all women over the age of 25. There should not be a ceiling age of 65. We must recognise that women beyond that age are equally entitled to full access and all necessary treatments. There should be a register of women to facilitate such a programme.

The Government will cite the costs of such a programme but the Minister should explore ways in which these can be reduced, including economies of scale. This is where all-Ireland co-operation has a role. The Minister has described such co-operation as a good idea and she should act accordingly.

As stated in the motion, the roll-out of the BreastCheck service has not happened as promised and, as a result, cancer will go on undetected and lives will undoubtedly be lost. According to the National Cancer Registry one in 13 women in Ireland will develop breast cancer and a woman living in Ireland is four times more likely to die from the disease than her European counterparts. These are very worrying statistics and affect every family. Every Member knows the harrowing reality of cancer within their own family, as I do.

By failing to put these programmes in place, the Government is operating a false economy. Comprehensive cancer screening programmes will save massive resources for the health services through early detection and prevention. Above all, it will save women's lives. This must be the key motivation and central focus for each of us.

There is no excuse for failing to deliver on this issue. In the regrettable absence of the Minister's support for the motion, I urge the Minister of State, Deputy Tim O'Malley, to ensure the Minister proceeds with the indications she gave on 23 March. I welcomed them at the time and continue to urge and encourage her in that regard.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I apologise on behalf of the Tánaiste who cannot be here as she has a prior engagement.

I move amendment No. 1:

To delete all words after "Dáil Éireann" and to substitute the following:

"commends the Government for the significant increases in investment in cancer services, in particular the development of services for women with breast cancer and cervical cancer, and supports the Tánaiste and Minister for Health and Children in her commitment to further develop cancer services nationally."

There have been significant increases in investment in cancer services since 1997. In parallel, we have also seen major improvements in cancer across all modalities of care, specifically medical oncology, oncology surgery, radiation oncology and supportive care.

Overall relative survival from cancers increased for men and women between 1995 and 2002. With regard to women, there were increases in survival of the four most common cancers: breast, lung, colorectal and lymphoma. With regard to men, survival improved for almost all cancers, notably for cancer of prostate and stomach, as well as lymphoma and leukaemia. By far the best survival rate for the commonest cancers was for female breast cancer. The overall true risk of developing cancer, allowing for the effects of population changes and ageing, is not increasing for women and is increasing by only 0.6% for men. The true risk of dying from cancer is decreasing by about 1% per annum. We have seen a substantial increase in oncology related activity in hospitals. The number of patients with a diagnosis of cancer rose from 58,000 in 1998 to over 80,000 in 2002. The number of day cases increased by 68% between 1998 and 2002.

International evidence demonstrates the proven efficacy of population-based screening programmes that are effectively managed and meet quality assurance standards. The Tánaiste is fully committed to implementing screening programmes which have proven efficacy in line with best international standards. The European Commission's recommendations on cancer screening were adopted by the European Council in December 2003. These recommendations proposed that screening tests which have demonstrated their efficacy should be seriously considered, and that the decision to implement such programmes should be based on available professional expertise and priority setting for health

care resources in each member state. Population-based screening programmes for breast and cervical cancer have been proven to reduce mortality, with subsequent improvements in population health in terms of survival, morbidity and quality of life. Screening aims to improve survival from cancer, limit morbidity from cancer and improve the quality of life of those who have developed cancer.

I am pleased to have this opportunity to outline the considerable investment that has been made in recent years in the national breast screening programme and the Irish cervical screening programme. I take this opportunity to set out the current position on the development of these services nationally. The extension of the current breast screening programme to the remaining counties in the country is a major priority in the development of cancer services nationally, as is the extension of the pilot cervical screening programme. The Tánaiste has committed to making sure that BreastCheck will be available to women in all parts of the country. I am confident that during 2007 screening will commence in the western and southern counties.

BreastCheck, the national breast screening programme, commenced in the eastern, north-eastern and midland regions in February 2000. Screening is offered free of charge to women in the 50 to 64 age group in these regions. From the commencement of the screening programme to September 2004, 167,000 women were invited for screening and 120,000 women availed of the service. Under the national expansion, all women in the relevant age group will have access to breast screening and follow-up treatment, where appropriate. It is estimated that the cancer detection rate is approximately 7.8 per 1,000 screened and to date over 1,000 cancers have been detected. Screening uptake among eligible women is almost 77%, which is in excess of the 70% required to reach the target of reducing mortality by 20%.

The expansion of the BreastCheck programme to counties Carlow, Kilkenny and Wexford is under way. Screening commenced in Wexford in March 2004. BreastCheck expects to commence screening in Carlow in April this year and screening will follow in County Kilkenny when the first round screening in Carlow is completed. There are approximately 18,000 women in the target age group in the south-eastern area.

The national roll-out of the programme required detailed planning for the development of essential infrastructure to provide for two clinical units, one in Cork and one in Galway. This detailed planning involved considerable work by BreastCheck, University College Hospital, Galway, the South Infirmiry-Victoria Hospital, Cork, and the Department of Health and Children. There are approximately 130,000 women in the target population for screening in the southern and western regions.

The planning of two static clinical units necessitated the establishment of two capital project teams to develop briefs for the construction of

the two units. The former Western Health Board prepared detailed option appraisals for the BreastCheck development at University College Hospital, Galway. The brief proposals, with cost and phasing options, were then submitted to the Department for consideration. After careful evaluation the most appropriate option was selected. The South Infirmiry-Victoria Hospital considered it necessary to commission a site strategy study to ensure the integration of the breast screening service into the present and future developments at the hospital. The Department made a capital grant of €230,000 available for the study to be undertaken by professional architectural, engineering and quantity surveying experts. This study was completed in mid-2004 and brief proposals were submitted to the Department.

After the evaluation of both briefs the Department was in a position to determine the capital funding requirements for the progression of both developments. These requirements were considered in the context of the overall capital investment framework and in September 2004 approval for a capital investment of approximately €21 million was given for the construction of the units. This investment will also provide for the mobile units which will be available to screen women throughout the country.

Subsequently, discussions took place between BreastCheck, the South Infirmiry-Victoria Hospital, the former Western Health Board and the Department in regard to design issues surrounding the development of the static units. In addition, it was decided to relocate and develop the symptomatic breast service back to back with the BreastCheck development at University College Hospital, Galway. In December 2004 the Tánaiste approved additional capital funding of €3 million to support this development.

Capital funding for the facilities at Cork and Galway has been identified under the capital investment framework 2005-09. Funding has also been approved for the relocation and development of the symptomatic breast disease unit at University College Hospital, Galway. This unit will be developed in tandem with the BreastCheck development. The Health Service Executive, in conjunction with the Department, is examining the health capital investment framework with a view to initiating, as quickly as possible, new capital commitments for this and subsequent years.

It is intended to progress the developments at Cork and Galway simultaneously and it is anticipated that the advertisement of the appointment of a design team will be placed in the *EU Journal* shortly. Given the scale of the investment involved, EU tendering procedures will apply. The design construction and commissioning of projects of this nature generally take approximately two and a half years.

Since February 2000, cumulative revenue funding of approximately €60 million and €12 million capital funding has been allocated to support the programme. Additional revenue funding of

[Mr. T. O'Malley.]

€750,000 was provided by the Department in 2005 to further support the national roll-out to counties Wexford, Carlow and Kilkenny.

BreastCheck requires highly skilled specialists working together to ensure best outcomes for patients. A key requirement and dependency for the national roll-out of BreastCheck is the recruitment of a wide range of specialist staff. The largest single requirement in terms of staff numbers is specially trained radiographers who will provide screening services both at the static centres and at mobile clinics.

Until now specialist mammography training for both screening and symptomatic breast services has been undertaken overseas. The Department is supporting the development of a national training centre in mammography to be operated under the auspices of BreastCheck adjacent to its Eccles unit on the campus of the Mater Misericordiae Hospital in Dublin. This facility will greatly enhance our training capacity and enable Ireland's needs to be met here at home. The physical infrastructure for this centre requires an investment of more than €750,000 and BreastCheck is now seeking tenders for this work. The centre will be led by a specialist tutor and will provide training for BreastCheck and symptomatic services. The centre will open at the end of this year and will be in position to support the roll-out of BreastCheck.

Interim proposals regarding a limited screening service through the deployment of some mobile units and the deployment of temporary facilities have been considered by BreastCheck, pending the roll-out of the national breast-screening programme. BreastCheck is primarily a radiological, as opposed to surgical programme, with fewer than eight women per 1,000 requiring surgical interventions. The competence of the radiologist is crucial in the detection of screened cancers.

Radiological quality assurance for breast cancer screening dictates a minimum viable screening throughput of 22,500 mammograms per annum. Based on a 75% uptake this requires an eligible population of 30,000 per annum or 60,000 over two years. The 2002 census shows that the total eligible population in the western region is 57,288 and is 71,888 in the southern region. It would not be possible to quality assure a population-based screening programme for a smaller population than this within quality assurance parameters. BreastCheck has advised the Department that to ensure that a quality assured breast-screening programme is available to all women here, the optimum approach is to work towards the development of the two static clinical units referred to earlier.

The current priority is to progress the roll-out of breast screening to women in the target age group throughout the rest of the country. When the national roll-out of the programme is sufficiently developed and it is assured that quality service is being delivered at national level, consideration will be given to including older women

and continuing screening of women in the programme who have reached 65 years of age. More than 60% of women diagnosed with cancer here are under 65 years of age. However, we have no plans to target women below the age of 50 years. This position is consistent with the report, Development of Services for Symptomatic Breast Disease, which states that clear proof of the value of population screening has up to now been confined to women over the age of 50 years. This is also consistent with the recent recommendations adopted by the European Union, advocating the introduction of cancer-screening programmes, which have demonstrated their efficacy having regard to professional expertise and priority setting for health care resources.

The majority of women diagnosed with breast cancer will be diagnosed and treated outside of the BreastCheck programme. It is necessary therefore that we support both the symptomatic breast disease services and the screening services to ensure that comprehensive breast cancer services are available for all women. The report, Development of Services for Symptomatic Breast Disease, which was published in 2000, recommended the development of new organisational structures for the provision of symptomatic breast disease services to improve the quality of care. It made a number of recommendations based on the requirement of good care, which included the establishment of specialist breast units throughout the country. The report recommended that each unit should be based on a population of 250,000 to 300,000 from which it is expected to identify a minimum of 100 new primary breast cancers per annum. The report concluded that this level of workload is necessary to sustain the collective workload of the multi-disciplinary team involving surgeon, radiologist, pathologist, medical oncologist, radiation oncologist and clinical nurse.

Breast cancer is the individual site-specific cancer, which has received the most investment in recent years and more than €60 million has been made available for development of these services since 2000. The benefit of this investment is reflected in the significant increase in activity, which has occurred with inpatient breast cancer procedures increasing from 1,386 cases in 1997 to 1,812 in 2003, an increase of more than 30%.

The Government is also committed to the national roll-out of a cervical screening programme in line with international best practice. International evidence demonstrates the proven efficacy of programmes that are effectively managed and meet quality assurance standards. Careful planning and consultation with relevant professional and advocacy stakeholders is required before definite policy decisions are made on a national roll-out. The pilot cervical screening programme commenced in October 2000 and is available to eligible women resident in counties Limerick, Clare and Tipperary North. Under the programme cervical screening is being offered, free of charge, to approximately 74,000 women in

the age group 25 to 60, at five-year intervals. Almost 83,000 smears have been processed through the programme.

To December 2003 histology findings relating to pre-cancerous indicators were reported in 747 women screened. Carcinoma was diagnosed in a further five women. The national roll-out of the cervical screening programme is a major undertaking with significant logistical and resource implications. The former Health Board Executive commissioned an international expert in cervical screening to examine the feasibility and implications of a national roll-out of a cervical screening programme. The examination included an evaluation of the pilot programme, quality assurance, laboratory capacity and organisation and the establishment of national governance arrangements. The evaluation of the pilot programme is a key element in informing the development of a high quality cervical screening model for Ireland. The expert's report was published in December 2004. The report reviewed the operation of the pilot programme in the mid-western region and identified improvements that may be needed in the context of a national expansion.

The Department is now consulting the Irish College of General Practitioners, An Bord Altranais, the Academy of Medical Laboratory Science, the Institute of Obstetricians and Gynaecologists of the Royal College of Physicians of Ireland, the faculty of pathology of the Royal College of Physicians of Ireland, the Women's Health Council and the Irish Cancer Society. Consultation with these key stakeholders is well advanced and will be completed in a matter of weeks. The Department has also met representatives of the Well Woman Centres. All the groups consulted so far are fully committed to a national cervical screening programme. Following completion of the consultation process the Department will examine options for the roll-out of a national cervical screening programme.

A key concern for the pilot programme and any future national roll-out was the need to provide a quality service in line with best international standards. In this regard, a national expert advisory group on cervical screening was set up to oversee the implementation and operation of the pilot programme. This group produced quality assurance guidelines for the national cervical screening programme. These guidelines established standards and targets for the main stakeholders involved in the delivery of the screening programme, including GPs or smear-takers, laboratories, colposcopy service and the register office.

Outside of the programme many women present for opportunistic smear tests, the number of which has increased substantially in recent years. Overall, more than 230,000 smear tests were carried out in laboratories throughout the country last year. To meet this increased demand additional cumulative funding of approximately €14.5 million has been provided by the Department since

2002 to enhance laboratory and colposcopy services. This funding has enabled the laboratories to employ additional personnel and purchase new equipment, thereby increasing the volume of activity. These initiatives have resulted in a reduction in waiting times for smear test results.

The programme also supports opportunistic services, particularly in the area of quality assurance and new technology. Additional revenue funding of €1.1 million was allocated to the programme this year to support the introduction of liquid based technology in laboratories where it is not available and support the development of quality assurance and training programmes. The introduction of this technology will result in fewer unsatisfactory slides which require women to come back for repeat smears and will, therefore, substantially improve throughput in the laboratories. It will also enhance the capacity of the laboratories to deal with any expansion of the current cervical screening programme. The transition of the remaining laboratories to new, more effective testing methods are essential preparatory elements in a national roll-out.

With regard to cancer services generally, there has been a cumulative investment of approximately €720 million in the development of appropriate treatment and care services for people with cancer since the implementation of the national cancer strategy commenced in 1997. The key goal of the national cancer strategy 1996 was to achieve a 15% decrease in mortality from cancer in the under 65 year age group in the ten year period from 1994. The Deloitte evaluation of the 1996 national cancer strategy demonstrated that this figure was achieved in 2001, three years ahead of target.

This substantial investment has enabled the funding of 109 additional consultant posts in key areas such as medical oncology, radiology, palliative care, histopathology and haematology. An additional 245 clinical nurse specialists have also been appointed in the cancer services area. This investment includes the sum of €23.5 million, including €11.5 million for radiation oncology services, provided in 2005 to ensure we continue to address increasing demands in cancer services throughout the country.

The Government's policy on radiation oncology is based on the report, The Development of Radiation Oncology Services in Ireland. Considerable investment will be provided for radiation oncology services in the coming years. The central aim is to ensure access by cancer patients throughout the country to high quality radiation oncology in line with best international standards. Significant progress is being made in implementing the report's recommendations.

Immediate developments in Cork and Galway will result in a significant increase in the numbers of patients receiving radiation oncology in the short term. Two additional linear accelerators are being provided at the supra-regional centre at Cork University Hospital at a capital cost of more than €4 million. The first of these linear accelerators

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ators has been installed and the second is expected to be commissioned by the autumn. Last year, approval issued for the appointment of 29 staff for this unit and additional ongoing revenue funding of €3 million to cater for this expansion.

Two additional consultant radiation oncologists will be appointed at Cork University Hospital with sessional commitments to the south-eastern and the mid-western health areas. Cork University Hospital is also in the process of recruiting to fill other key posts required for the commissioning of the new linear accelerators.

The supra-regional centre at University College Hospital Galway commenced treatments for radiotherapy recently. Last year, approval issued for the appointment of 102 staff for this unit, together with ongoing revenue funding of €12 million to cater for this expansion. Approval issued for the appointment of an additional consultant medical oncologist and three consultant radiation oncologists, two of whom have significant sessional commitments to the north-western and mid-western areas. Key staffing is in place and the first two consultant radiation oncologists have taken up their posts.

In addition to revenue funding, approximately €95 million in capital funding has been allocated specifically for the development of cancer related initiatives since 1997. This investment includes €60 million for radiation oncology and €11.9 million for the BreastCheck programme.

Data from the National Cancer Registry shows that the overall survival rate from cancer increased between 1995 and 1997 and between 1998 and 2000, with the five year survival rate from breast cancer increasing from 73% to 79% over the period. This reflects the level of investment made by the Government in cancer services. The developments I outlined in cancer services generally and in both screening programmes are a clear indication of the considerable progress made in addressing the burden of cancer in our community. I am glad of the opportunity to put on record the substantial developments which have taken place and to outline the extensive preparatory work necessary before a national screening programme can be implemented. The Government is fully committed to the extension of both programmes to all women throughout the country.

Ms McManus: I wish to share time with Deputies Moynihan-Cronin, Lynch and O'Sullivan.

I would also like to share my chance of life with them but cannot because I am the only female Labour Party Deputy present who can avail of free breast cancer screening. The reason is that I happen to live in Leinster while my colleagues live in Munster. BreastCheck has been available in County Wicklow where I live for a number of years. I and other women in the county have been called and screened twice under the programme,

while the women of 13 counties are still waiting for their first visit.

For reasons of geography the chance of early detection of breast cancer among women is diminished. Given that early detection means better outcomes, women in the 13 counties in question are being denied the best chance of surviving breast cancer. We have seen significant political and resource investment in cross-Border efforts between North and South arising from the Troubles. There is, however, an east-west divide which can literally be a divide between life and death. An invisible border extends down the middle of Ireland and a form of apartheid persists for those west and south of the line.

Breast cancer screening is an essential and, at times, life-saving service, yet thousands of women are being denied it because they live at the wrong address. Why did this happen and why is it allowed to continue? The answers can be reduced to one simple problem, namely, a lack of willingness on the part of the Government to provide the resources needed to roll out a nationwide service.

The national breast cancer screening programme was started in 2000. The Government, particularly the then Minister for Health and Children, Deputy Martin, set deadlines which it promptly ignored. Initially, the Minister promised a national roll-out for 2002, after which he promised the programme would be extended in 2005, but we are still waiting. Shamefully, the new Minister for Health and Children, Deputy Harney, has set a new deadline of 2007, with no guarantee the programme will be rolled out by that date.

It is important that the Minister for Health and Children understands that women refuse to wait any longer. The Labour Party has been running a campaign in Connacht and Munster to highlight the issue. The latest meeting in the campaign was headed by Deputy Moynihan-Cronin in Tralee and attracted hundreds of women as well as many men. At the recent annual Progressive Democrats Party conference in Cork, the Tánaiste and Minister for Health and Children as well as the Minister of State at the Department of Health and Children, Deputy Tim O'Malley, were met by cancer survivors demanding screening services there.

It is worth noting that a new cancer support group has been established this evening in County Donegal. Women in particular are desperately concerned about the breast cancer statistics whereby women who present late have less chance of surviving breast cancer and a greater chance of being obliged to have a mastectomy. There is also a campaign underway in the south-eastern part of the country regarding radiotherapy services. In various parts of the country, despite the Minister's statements about investment in cancer services, people are organising to ensure the chance of life for themselves and their loved ones is improved by better cancer services.

To put it mildly, it is disturbing that a Government with unprecedented resources available to it seems to believe it is all right to keep women waiting which, as a result, puts their lives at risk. Somehow, this Government has not got around to giving this issue the priority it needs. We understand there are not always simple answers in the provision of cancer services and that choices must be made and standards of excellence must be balanced with accessibility. However, as far as breast cancer screening is concerned, there is no difficulty. Everyone understands the issue and wants to see a nationwide roll-out of the programme. However, time and again, the Government promises the implementation but does not deliver. The wonderful thing about BreastCheck is that it works and is a very fine service. The people working in BreastCheck can take pride in what they are doing. They deliver a high quality service and have been able to reach many of their targets. It is a part of our health system that works well. The problem and shame is that so many women are denied it.

It is also important to observe that while many women might be fearful of coming forward for breast cancer screening, it is an experience that should not engender fear. It is a very professional and accessible service and no woman who qualifies should feel any worry or anxiety about coming forward for breast cancer screening. This is demonstrated by the high numbers of women who come forward where the service is available. There is a twin benefit in screening in that in areas where it takes place, a higher level of awareness and information about breast cancer, how it can be tackled and how women can assist in protecting their own health exists. However, where screening is not available, a lack of information and to a degree, a lack of knowledge persists.

I will defer to my colleagues who are directly affected by the issue as they represent constituents who are denied the service. I represent a county that has the service. I want to support the people and women in particular who are denied access to a screening service to which they are entitled by right, that literally protects lives and would ensure a reduction in the death rate from breast cancer, as we have seen in Northern Ireland, Britain and other countries that have done what this Government should have done but has yet failed to do.

Ms O'Sullivan: I welcome the opportunity to speak on this debate. I speak, as Deputy McManus noted, as a representative of a constituency where breast screening has not been rolled out. If it had been rolled out according to the original timetable which envisaged its introduction in 2005, I would be one of 12,976 women in County Limerick who would be screened this year, the constituency also represented by the Minister of State at the Department of Health and Children, Deputy Tim O'Malley. According to the statistics provided by BreastCheck,

approximately 30 of that 12,976 women could expect to have early detection symptoms, had the implementation in County Limerick proceeded. However, the roll-out of the programme has not taken place and as it appears that we must wait until 2007, we will not be screened and will not know whether we have early symptoms of breast cancer which could be detected by BreastCheck. It is extraordinary that women in the west and south should be obliged to live with this. If the screening programme was in place, we would know if we were safe.

Our lives are as important as the lives of women in other parts of the country and there is a deep anger in this region that the issue has not been given the priority it deserves. Many other issues have been prioritised by this Government in a time of wealth in our Celtic tiger economy. However, despite the fact that this programme was planned and announced many times by the former Minister for Health and Children, Deputy Martin, it has not happened, as Deputy McManus noted. We are now expected to wait until 2007, which is not good enough. It is not good enough for someone like me, with no reason to believe that I might have breast cancer. However, it is particularly unacceptable for women coming from families with a high incidence of cancer, for women who have an internal fear that they might be one of the 30 women who could be detected this year in County Limerick. I speak for County Limerick, as my other colleagues will discuss the statistics in other areas, where if cancers were detected at an early stage, women would have a very good chance of complete recovery. This is how serious the issue is and why people are so angry that the programme has not been rolled out in accordance with the timetable.

We listen to an advertisement on radio featuring Marian Finucane which tells women to be tested, that it is a positive thing with nothing to fear and that early detection is vital. However, at the end of the advertisement, she states that this only applies if one lives in the eastern or midland regions. Women in our region listen to this advertisement and come to us as public representatives to ask why they cannot be included in the screening programme. We listen to it on national radio and yet it is not available to us. On the other hand, people know the statistics from Northern Ireland for example, where breast cancer has been reduced by 20%. We are aware of the statistics and the value of the service but it is not available to us.

The Tánaiste and Minister for Health and Children, Deputy Harney, has been in office for nearly six months. However, she has not seen fit to further this programme to any great extent. As far as I understand, it is a question of resources. There is no reason why the headquarters buildings in Cork and Galway could not have proceeded at this stage, or could not have gone ahead during Deputy Martin's tenure as Minister. It was simply a lack of political will to deploy the resources to ensure that women in our regions are

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screened for breast cancer. This is what is most unacceptable. It is quite clear from reading the reports of BreastCheck that it was willing to proceed and had the internal resources and skills to do so, if given Government resources. Clearly, it was a matter of political decision-making and we will not accept any further delay. It is not sufficient to make announcements every six months or year that the programme will be implemented when it still has not been.

Women in these regions will not be satisfied until we see the screening buildings and programmes up and running and we will no longer tolerate any delay. The campaign referred to by Deputy McManus in which the Labour Party is involved will continue to escalate until such time as we see real progress. Good government is about making decisions that matter to people's lives. Unfortunately, in this case, we do not see good government and we will not tolerate it. We will continue to campaign until such time as BreastCheck is rolled out throughout the country.

Ms B. Moynihan-Cronin: I welcome the opportunity to contribute to this debate. I am amazed at the amendment commending the Government. If anyone from the Government parties attended the public meeting referred to by Deputy McManus in Tralee two weeks ago, which I organised, they would have seen very little commendation for the Government. Hundreds of men and women attended the meeting. Some of them did not understand the issue prior to attending the meeting. However, when they learned about the apartheid-like practices in the area of women's health, they understood that people in the south west are again being treated differently to those on the east coast.

At the meeting, people whose lives have been affected by cancer, particularly breast cancer, spoke publicly about their frustration and outrage at the failure of this Government to extend BreastCheck to Kerry, Cork and the Munster region. What really annoyed them was the fact that the former Minister for Health and Children, Deputy Micheál Martin, had promised that the BreastCheck programme would be extended to the entire country by 2002. We now hear the scheme will only be extended in 2007 or 2008. However, people in Kerry are not prepared to wait any longer for the roll-out of BreastCheck and will mobilise because they have accepted this system from this Government for too long.

A woman who was born in Germany and who spoke at the meeting could not believe that she was denied access to a service simply because she chose to live in County Kerry. It is not only the people of Kerry, Cork and Limerick who are frustrated about the lack of action over BreastCheck. The PRO of BreastCheck is also exasperated with the Government's delay in sanctioning the roll-out of the programme to the rest of the country. He said recently:

We are ready to go but we need approval from the Department of Health and we have not got the go-ahead. Each week that we have no decision from Mary Harney, the later this will happen.

This statement puts the ball in the Government's court. I assure the Minister for State and all his Cabinet colleagues that we will pursue this matter until the extension of BreastCheck is delivered.

What is the Minister for Health and Children saying to the women of my county who rightly ask why they are being discriminated against because of where they live? What makes the lives of these women — and my life — less valuable than the lives of women on the east coast, including my colleague Deputy McManus? It would only cost €25 million to extend the scheme to the rest of the country, which is not a huge amount in the order of things. I ask the Government to take the opportunity tonight to announce the provision of the money to deliver the scheme to the rest of the country because the Minister will rue the day if it does not. Irish women now realise that a form of apartheid exists regarding access to health services and they will not tolerate it anymore.

Ms Lynch: It is interesting to examine the issues this Government considers important — €18 million was allocated for stables for horses without the issue coming before the Cabinet and €56 million was allocated for electronic voting, disregarding the cost of storing the equipment. The overall cost must be approximately €70 million at this stage. Yet this same Government cannot spare €25 million to extend the BreastCheck programme to the entire country. If this had taken place approximately 15 years ago, the Government's reluctance to sanction the release of an amount like that would be understandable. However, it is not understandable given the country's current wealth. The Government is prepared to put the lives of women outside Leinster at risk for a paltry amount of money.

It was not just in 2000 that promises that BreastCheck would be extended to the rest of the country were made. The former Minister for Health and Children, Deputy Martin, made the same promise in 1999 on a local basis. He again announced it in 2002 and 2004. Just before he left office, he again assured us that the programme would be extended in 2007. These dates are significant because they were election years. The former Minister played politics with BreastCheck. The willingness of people in the rest of the country to believe Deputy Martin because he was from Cork always worried me. He did as little in Cork as he did in the rest of the country.

Ministerial promises on the delivery of linear accelerators go back to 1998. A linear accelerator, which is now about to be installed in CUH, is at the end of the pipeline. We hope that there would be many women who would never need to be

treated with a linear accelerator if BreastCheck was rolled out to the Munster area. We will all be using linear accelerators if we have to wait as long for the delivery of promises by the current Minister as we did for those of the previous Minister. I do not think that is a pleasant experience.

Last weekend, the Progressive Democrats had their conference in Cork. The only thing I looked forward to was listening to Deputy Harney's speech, which had to be more entertaining than "Friends", for example. However, I received a telephone call on Wednesday from a woman called Noreen who had never attended the meetings and demonstrations about BreastCheck because she believed the Government's promises and who is now being treated for breast cancer. She told me that she had asked to meet the Minister for Health and Children when she arrived in Cork and planned to give her a letter. However, the Minister was refusing to meet her and she was at a loss as to what to do. She asked for my help and I provided her with assistance. If one looks at the demonstration outside Silver Springs Hotel, it was made up of women who are non-political but who had either been recently diagnosed with, were being treated for or had survived breast cancer. They are articulate women with no political bent who realised very early on that the political will to ensure the early detection of breast cancer in their cases was not present and who are now worried for their daughters. They are worried that their daughters will have to endure what they did. All the Minister has to do is sanction the release of the money to BreastCheck. The site survey has been done, the building is in place and everything needed to run the BreastCheck programme is present. BreastCheck is prepared to roll-out the programme in the morning. The only thing missing is the money.

We received a visit from a Progressive Democrats politician who I will not name and who told us the decision was imminent. She would not specify which decision was imminent. Maybe she meant the decision to extend BreastCheck and that it would be announced tonight. We are all hoping that the decision regarding the money to extend BreastCheck is imminent for the sake of the women of the country.

Debate adjourned.

Adjournment Debate.

Disabled Drivers

Mr. Crawford: I thank the Ceann Comhairle for the opportunity to raise this important issue. I hope the Minister of State has some good news for us at the end of it.

One must ask significant questions about the Government's commitment to the disabled. Why is there so much difficulty for the disabled drivers in getting tax concessions? The Taoiseach and many Ministers attended the launch of the Disability Bill 2004. The Taoiseach stated clearly that millions if not billions of euro were available to

deal with the problems of the disabled, yet on the issue of tax concessions for disabled drivers we are given poor answers to our questions. The delivery of tax concessions is a matter for the Minister for Finance. If the rules are not correct, the Minister and this House have the right to change them.

In case the Minister of State or others believe this is an isolated issue, I wish to bring to the attention of the House a number of different cases. One man living near the N2, which the Minister of State travels from time to time, made an application for a medical certificate, but was turned down. This man's right arm is completely useless. It hangs by his side and cannot be used. His wife was seriously ill at the time and I advised him to apply in her name. Thankfully, it worked. He has since lost his wife and made another application but was told that there was no point as he was previously turned down. We are appealing this case and hope that someone will have common sense on the issue.

Another young man who is the carer of his invalid sister and aged mother applied but because they do not meet the so-called criteria of missing limbs or whatever, the authorities have seen fit to turn him down. For this young man, who lives on a carer's allowance and the benefits of the two social welfare payments for his mother and sister, there is not much spare cash and this certificate would be of much benefit to him.

Another man from my county has been refused the certificate under the 1994 disabled drivers and disabled passengers tax concession scheme. While he retains his right leg he experiences severe problems with it. That he cannot use it is unimportant as far as this scheme is concerned. Another man with a wife and young family suffered a severe stroke and has neither the use of his left leg nor arm. It is unlikely he will regain their use. He has been turned down because he does not meet the criteria. In an attempt to get an answer I submitted a parliamentary question to the Minister for Finance on the matter.

In another case, a young man has very short legs and a full-grown body. However, anyone who sees him can tell there is no way he can drive a normal car. The car must be changed for him. He did not wish to write the word dwarfism on his initial application as he felt it was not right, but I encouraged him to do so. He holds down a first-class job but there is no bus service to the town in which he works. He must have his own car, yet he has been refused.

It does me no good to read out this litany, but that is the situation on the ground. The only answer I received from the Minister, Deputy Cowen—

An Leas-Cheann Comhairle: The Deputy must conclude.

Mr. Crawford: —was that he does not have control over this. There are special rules that a person must be wholly or almost wholly without the use of both legs. The people in some of the cases I have mentioned do not have the use of their limbs. Persons who are wholly without the

[Mr. Crawford.]
use of one of their legs and almost wholly without——

An Leas-Cheann Comhairle: The Deputy should please conclude.

Mr. Crawford: The Minister for Finance's final comment was that he has no function in deciding whether individual certificates are issued either by the area medical officer or the medical board. I accept that, but surely the Minister of State should clarify the situation. Where billions of euro are available to people in these circumstances——

An Leas-Cheann Comhairle: The Deputy has gone over his time.

Mr. Crawford: ——surely it is time to change the regulation.

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I apologise for the Minister for Finance who is unavoidably absent. I am pleased to take this opportunity to clarify matters concerning the disabled drivers and disabled passengers tax concession scheme.

Deputy Crawford has raised two issues that will be addressed, the eligibility criteria for the scheme and the operation of the board of appeals. The disabled drivers and disabled passengers scheme of 1994 provides for certain tax concessions for the purchase and running of a vehicle for persons who meet particular medical criteria relating to physical disability. The tax concessions include remission or replacement of VRT, repayment of VAT on the purchase of the vehicle to be used and a repayment of VAT on the cost of the vehicle's adaptation. Repayment of the excise duty on fuel used in the vehicle and exemption from annual road tax to local authorities are also allowed.

The medical criteria set out in legislation are as follows. The applicant must be wholly or almost wholly without the use of both legs, wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted in movement of the lower limbs, without both hands or without arms, without one or both legs, wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg, or has the medical condition of dwarfism and has serious difficulties of movement of the lower limbs.

It is a fundamental requirement for admission to the scheme that the applicant meets the specified medical criteria and is in possession of a primary medical certificate to that effect, issued by the appropriate senior area medical officer, an official of the local Health Service Executive. I repeat Deputy Crawford's comments that the Minister for Finance has no function in deciding whether individual certificates are issued. Where the issue of the required certificate is refused, this can be appealed to the disabled drivers medical

board of appeal, an independent body whose decision is final.

Mr. Crawford: That is taking the long way.

Mr. Gallagher: I will deal with that. I do not disagree. As the Deputy may be aware, an inter-departmental group reviewed this scheme. It examined all its aspects, including the qualifying medical criteria, the benefits and the appeal process. The report made a number of recommendations that were considered by the Government in June 2004. The report was published on the Department of Finance website in July 2004. The Government decided to implement the recommendations in respect of the board of appeal, which will be addressed separately. On the other recommendations, the Government decided that they would be considered by the Minister for Finance in the annual budgetary process having regard to the existing and prospective cost of the scheme.

The medical board of appeal is regulated by the Disabled Drivers and Disabled Passengers (Tax Concessions) (Amendment) Regulations 2004 and 2005. The 2004 regulations were signed by the Minister for Finance on 23 July 2004 and incorporated the following changes to the previous legislation: first, expansion of the panel of medical practitioners serving on the medical board of appeal from three to five and, second, amendment of the appeals process by introducing a six month waiting period between an appeal and a subsequent application and introducing the requirement for a second application to be certified by a registered medical practitioner to the effect that there has been material disimprovement in the medical condition since the previous application.

These changes were introduced on foot of recommendations of the interdepartmental review group report. They were recommended to improve the operation of the appeals process and enable the backlog of appeals to be tackled. In addition, last week the Minister for Finance brought in further regulations that will allow him to appoint an additional five medical practitioners to the board of appeal, which will now allow for ten medical practitioners to be on the board compared with the situation prior to July of last year when there were only three doctors on the board of appeal.

It is true that the appeals process has not operated effectively but this problem has been comprehensively addressed and the solution is being implemented. The Departments of Finance and Health and Children have been engaged in the process of reconstituting the board following a number of staff changes late last year and a number of administrative issues. Significant progress has been made and it is expected the board will resume its meetings in the National Rehabilitation Hospital shortly. On 14 March, the Minister appointed a new chairperson — senior level doctor — to the board. It is understood a new secretary is being recruited and will be in place shortly.

As a public representative, I appreciate there have been long and inordinate delays. We have all experienced this and it is not acceptable. The Minister has now dealt with this and I hope with the new board, chairman and secretary, this can be expedited.

In respect of the waiting list for an appeal, there are in excess of 600 appellants. The new chairperson of the board has been asked to address the backlog as a priority and the increase in the number of doctors who can participate in appeal hearings will allow for appeals to be heard much more frequently. The necessary new appointments to the board will be made over the coming weeks to facilitate the process of dealing with the waiting list.

These new arrangements being put in place should lead to an improved and streamlined operation of the board of appeal in dealing with appeals for the scheme.

School Accommodation.

Ms Burton: Yet again I raise the issue of school places at primary level in Dublin 15. It is hard to believe the Minister for Education and Science and this Government can act so callously as to deprive small children of a place in primary school. However, this is precisely what the Minister for Education and Science, Deputy Hanafin, and her junior Minister, Deputy Brian Lenihan, are doing in Littlepace, Castaheaney, Ongar, Diswellstown, Tyrellstown and in many other areas of Dublin 15. Parents are being left in limbo as to whether their child will get a place in primary school in September 2005. What is happening is not acceptable in any country least of all in a wealthy country such as Ireland.

The Minister for Education and Science seems to have a callous disregard for the needs of the children of Dublin 15. For Fianna Fáil and the Progressive Democrats, the needs of millionaire property developers seem to come before those of school children and their parents. I have been inundated with complaints from very distressed parents who in good faith put their child's name down in the local school — in some cases, the month their child was born four and a half years ago — expecting to get a place but who have now been told that because of the huge number of children looking for places, their child cannot be accommodated even though they have visited the school every year for four years since the child was born. This is a crisis.

Mary Mother of Hope national school, Littlepace, Dublin 15, has only been able to accept 90 children, that is, three streams of junior infants, while more than 200 children applied for places. More than 100 children have been told to go away and that there is no place for them. St. Patrick's national school, Diswellstown, Castleknock, has only been able to accept 90 junior infants while at the moment, its applications are running between 140 and 160.

The new Castaheaney Educate Together school is also facing an uncertain September. The number of places is oversubscribed. At present the school children are being bussed to Lucan.

The Minister has said she will get a school site but as yet neither she nor her Department have moved to acquire a site. It is getting very late in the year even to put a prefab on a site and get it ready for September. Other primary schools throughout Dublin 15 are inundated with requests from parents for places next September.

The Minister for Education and Science, Fianna Fáil and the Progressive Democrats have allowed the situation with primary school places in Dublin 15 to slide into chaos once more with huge upset being caused to children and parents. Given what we were told the Government learned during the by-elections in Meath and North Kildare about the increased population and all the new building and housing, we thought that something would have been done. I call on the Minister for Education and Science to establish a task force as a matter of urgency to deal with the crisis in school places manifesting itself in the Dublin 15 area and which will be truly dreadful for parents and children come next September.

I hope the Minister of State, Deputy Gallagher, has come to the House with good news rather than more hand-wringing and saying he is sorry but the Government did not know an extra 10,000 houses were being built over the past five years in this school catchment area.

Mr. Gallagher: I apologise to the House and Deputy Burton for the Minister, Deputy Hanafin's, inability to attend. However, on her behalf, I thank the Deputy for raising this matter and for giving me the opportunity to outline the actions being taken by the Department of Education and Science to address the school accommodation needs of the Dublin 15 area in general.

The Minister is fully conscious that the Dublin 15 area is one of the most rapidly developing areas in the country and, as a result, there has been a marked increase in the demand for school places, particularly at primary level. The Department is taking a number of immediate measures to increase the capacity of existing schools in the area concerned along with the development of new schools to meet this growing demand.

A building project at Sacred Heart national school, Huntstown, will increase its capacity to 32 classrooms. This project is nearing completion. In addition, a building project to provide a new school building for Mary Mother of Hope national school is currently on site and should be ready for use this September. To further expand capacity at this school, the Department has approached the school's board of management to discuss the possibility of expanding the school to cater for a four stream intake at junior infant level for next September. This could be achieved by the school expanding to a 32 classroom school or reorganising to form a junior and senior school.

The area in question is also served by Castaheaney Educate Together national school. The Department is currently pursuing the issue of site acquisition for this school and the provision of a permanent school building for it will be prioritised in the Department. It is envisaged

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that the demand for places will be such that this school may need to grow to a 24 classroom school which would facilitate an annual intake of three junior infant classes. In the interim, temporary accommodation will be provided to meet the school's immediate needs for next September.

Recently the Department met the management authorities of St. Patrick's national school, Diswellstown, and St. Francis Xavier junior national school to discuss enrolments for September 2005. Following this meeting, the Department sanctioned provision of a fourth temporary classroom for St. Patrick's which will enable it to offer places to a further 30 children on its waiting list.

The Department also sanctioned provision of two temporary classrooms for St. Patrick's junior national school, Corduff, to cater for the increased demand for junior infant places. An application to establish a new Educate Together primary school in Tyrellstown is under consideration with the new schools' advisory committee and a decision on this will be made in the near future. The Department is confident the implementation of the measures I have outlined will alleviate the demand for pupil places in this rapidly developing area.

As to the political charge that the Minister is callous, any neutral observer will appreciate she is very caring and most anxious to facilitate the many children in this growing and developing area of Dublin 15. I thank the Deputy for raising the matter.

Site Acquisitions.

Dr. Cowley: I am grateful for the opportunity to raise this important matter on the Adjournment. Gaelscoil na Cruaiche has been in existence since 1 September 1995, having commenced with seven pupils. It obtained temporary recognition in 1996 with an enrolment of 30 pupils and the sanctioning of two permanent teaching posts. Since then the school has gone from strength to strength and has moved to three different premises. The date 15 May 2000 was a historic day for the school because it received permanent recognition from the Department of Education and Science. There are almost 200 pupils enrolled in the Gaelscoil and there are nine permanent teachers on the staff. The Gaelscoil has resource and remedial teachers. The board employs ten additional part-time teachers of French, German, music, accordion, flute, sports and dance.

During the past nine years, the Gaelscoil enrolled 30 pupils each September which resulted in the sanctioning of a permanent teaching post in the school each year. If the performance is an indication of the future enrolment it will have a ten-teacher school with well in excess of 200 pupils in 2006. It has a learning atmosphere second to none in which teachers, parents and children co-operate in realising the potential of an all-Ireland national school in Westport.

The problem is that the school is on a temporary site in five prefabricated classrooms and since the lease will soon expire it will have to prepare for another move. The position is desperate because almost 200 pupils and nine teachers

could be out on the road. The school has been expanding and for the school year 2005-06 more than 12 children are booked.

The school has received notice to quit by 2006 and the lease is non-renewable. That means that almost 200 pupils will be on the street in 13 months' time unless alternative accommodation is provided. The reply I received to a question I tabled on the matter in December 2004 was that the OPW was examining the site. The OPW was asked in 2001 to examine the site but it decided in 2004 that it was not successful in finding one. This is a major problem in an area which has an important job to do in the education of children through Gaeilge. This is a matter that requires urgent action.

I am aware of a shocking report on conditions and the health and safety aspects of the school, which was commissioned by the board of management. It paints a terrible picture of dry and wet rot and so on. The five prefabricated buildings were bought second-hand six years ago and are falling apart. Taking into account eviction notices, dry and wet rot and so on, the position is critical. I raised the matter with the Minister for Education and Science in February and was informed that the property management section of the Office of Public Works was exploring the possibility of acquiring a site for the school referred to by me. The Minister was unable to give me more information because of commercial sensitivities. The position is desperate. It appears OPW has to appoint a site, which it has not done so far. I am hoping for some news on that issue.

The OPW has done its final assessment and has told the school this would be ready soon. That was nine weeks ago but yet the school has heard nothing. Nothing has been done about the provision of a school site, the shape of the school to come or the financial allocation, and it has to open on 1 June 2006. The Department has said it cannot do anything until it receives the report from the Office of Public Works. So far there is no sign of the design or planning stages. Can we please have some news on the school as the parents and pupils are desperate? Will almost 200 pupils be out on the street in 13 months' time?

Mr. Gallagher: I thank the Deputy for giving me the opportunity to outline on behalf of the Minister for Education and Science, Deputy Hanafin, the Department's proposals in regard to the provision of a new facility for Gaelscoil na Cruaiche in Westport, County Mayo.

Since the beginning of the year the Minister for Education and Science, Deputy Hanafin, has made a number of announcements relating to the schools building and modernisation programme. This year alone, €270 million will be allocated to primary schools and €223 million to post-primary schools for building works. This represents an increase of 14% on the 2004 allocation.

The programmes supported will include 141 major building projects already on site and more due to go on site in the near future; 122 major school building projects countrywide which will go to tender and construction during 2005 or early 2006; 192 primary schools which have been

invited to take part in the small and rural schools initiative and the devolved scheme for providing additional accommodation; approximately 120 schools which have been given approval to rent temporary premises pending delivery of a permanent solution to their long-term accommodation needs; 43 schools which have been authorised to start architectural planning of their major projects; and 590 schools which were recently given approval to complete essential small scale projects under the summer works scheme.

The new Schools Building and Modernisation Programme 2005-2009 will be underpinned not just by a significant increase in overall funding but also by major improvements in the administration of the funding. Devolving more funding to local level through the summer works scheme and the small and rural schools initiative will allow schools to move ahead more quickly with smaller projects.

Gaelscoil na Cruaiche opened in September 1996 with provisional recognition and was granted permanent recognition in 2000. The school is accommodated in prefabricated classrooms on a three-quarter acre site in the town. The cost of site and classroom rental is grant-aided by the Department of Education and Science at the rate of 95%.

The property management section of the Office of Public Works, which purchases sites for new schools on behalf of the Department, is exploring the possibility of acquiring a site for the school in question. Following a recent advertisement placed by the Office of Public Works, seeking proposals of possible sites, a number of responses have been received. As Deputy Cowley has stated, these sites have been visited and a technical report is being prepared. I shall convey the Deputy's views to the Minister that he is anxious that this be provided as quickly as possible. Of course, when sites are being examined there are commercial sensitivities and the Department is unable to comment further on specific site acquisitions.

I assure the Deputy that the permanent accommodation needs of the school are being addressed as expeditiously as possible but, perhaps, not as quickly as the Deputy, teachers, parents and children would wish. The provision of a permanent building for the school will be progressed in the context of the school buildings and modernisation programme when a site has been acquired.

The Department will continue to grant-aid the use of temporary accommodation at the rate of 95% of the cost pending the delivery of permanent accommodation.

I thank Deputy Cowley for raising the matter. I shall bring his views to the attention of the Minister and the Department at the earliest opportunity.

Schools Building Projects.

Mr. Neville: I thank the Ceann Comhairle for the opportunity to raise an important issue on the conditions for teachers and students at Kilfinane national school, County Limerick. I have been raising this issue for the past six years. There is an increased urgency for the construction of a

new school at Kilfinane. I have seen at first hand the conditions pertaining there, which are continuing to deteriorate, as the school is very old. The promises made some three years ago that a school would be built immediately after the general election should now be honoured.

The report to the INTO made it clear that the facilities at the school are unsatisfactory and have been so for several years. The school is the base for a remedial teacher who is shared among five schools. Her classroom is a cubicle partitioned off a room also used as a staffroom, library and office. The resource teacher works in similar conditions. The disruption is continuous and not conducive to a learning experience. It renders the teacher's job particularly difficult and places the children who learn in that environment at a further disadvantage. There is no indoor PE facilities, no general purpose room and no place for children to leave their gear for outdoor games. The staff is enthusiastic in encouraging the use of computers but with so little space this is extremely difficult. Toilet facilities for staff are inadequate while the outdoor facilities for children are Dickensian. I doubt that the school building would pass examination by the Health and Safety Authority. The school was forced to close for two days recently because of concern for the safety of the children.

It is more than eight years since representations were first made regarding the provision of this school. The feasibility study carried out clearly shows that a new building is the only viable option. A site was acquired for this purpose and the Department of Education and Science commissioned a feasibility study on the site and found it suitable. The staff wants what is best for the children of the parish. They also need practical working conditions to enable them to carry out their professional duties. They have found themselves frustrated over the years. The school has a shared remedial teacher, a full-time resource teacher and a part-time resource teacher. In January 1998 the board of management applied to the Department of Education and Science to carry out structural works on the old school. The Department and the board of management decided that a new school was required. Approval was granted in 2001.

The existing building dates back to 1909. The school is housed in a converted church. It consists of six small classrooms, three of which are only 25 square metres in area. There is a tiny ancillary room used as the library and a tiny office and cloakroom. There is also a small central hall that can be accessed from the classrooms. Part of this hall has had to be sacrificed to accommodate the secretary's office. There is no staffroom and the toilets are situated outdoors. The outdoor playing space is very limited and teachers are concerned for the safety of the children. Three other classrooms measure seven by five metres in area and house classes of between 25 and 30 pupils. Partitions between classrooms are wafer-thin, consisting of narrow timber boards or glass and

[Mr. Neville.]

are not sound-proof which causes difficulties for teaching and learning. The timber floors have begun to sag in many areas due to the building design. Ceilings are very high and temperature extremes are common. The present school is situated on a steep slope, which creates safety problems. There are many unavoidable drops and steps within the site, which are dangerous and always a concern to teachers and parents.

The delay in acquiring the site was claimed as a reason for not providing the school. In November 2002 the site was acquired. The Department knew of the school's problems and the need for a new school back in 1998. There is evidence of dry rot and many of the windows cannot be opened, leading to a lack of ventilation. Sinks are provided in only three of the rooms. There is no staffroom.

Kilfinane is a developing community. In the past three years there have been 220 planning permissions for dwelling houses within a radius of three miles. The projected estimate is for 250 dwellings within the next three years. It is an expanding community in need of a new school, not alone for the present pupils and teachers but for future pupils and teachers.

Mr. Gallagher: I thank the Deputy for raising the matter as it affords me the opportunity to outline to the House the strategy of the Department of Education and Science for capital investment in education projects and to outline the position regarding the application received in the Department for improved accommodation at Kilfinane national school, Kilfinane, County Limerick.

Since the beginning of the year the Minister for Education and Science has made several announcements relating to the schools building and modernisation programme. This year alone, €270 million will be allocated to primary schools and €223 million to post-primary schools for building works. This represents an increase of 14% on the 2004 allocation.

The programmes supported will include 141 major building projects already on site and a further 28 due to commence in the coming weeks; 122 major school building projects country wide which will prepare tenders and move to construction during 2005; 192 primary schools which have been invited to take part in the small and rural schools initiative and the devolved scheme for providing additional accommodation. This scheme is in its infancy but already it is deemed to be very successful. Approximately 120 schools have been given approval to rent temporary premises pending delivery of a permanent solution to their long-term accommodation needs. Forty-three schools have been authorised to start architectural planning of their major projects and

590 schools were recently given approval to complete essential smallscale projects under the summer works scheme. I am pleased to confirm that Kilfinane national school was successful in securing funding under this scheme to carry out essential roof works to part of the school building, at a cost of around €12,000.

Kilfinane national school is a co-educational primary school with a current enrolment of 130 pupils. Enrolments have decreased in recent years, from 162 pupils in the school year 1998-99 to 130 pupils in September 2004 and this downward trend has necessitated a further examination on proposed school size to ensure that any capital funding being provided is appropriate to meet the need. I take note of Deputy Neville's point that Kilfinane is a developing community with 220 planning permissions and increasing to 250 developments within a radius of the village. If this information is not already in the hands of the Department, I will bring it to the attention of the Minister.

Arising from an application for an extension from the school authority in 1998 it has been established that the school, which was constructed in 1909 and is located on a restricted site, is subject to a preservation order. Following a feasibility study it was considered more appropriate to address the needs of the school by way of a new school. The OPW, which acts on behalf of the Department of Education and Science in respect of site acquisitions, was requested to address the issue of site purchase but the diocese decided to purchase the site for the school. I understand the site is now in the ownership of the diocese.

The application for a new school at Kilfinane national school is being reassessed on the basis of the actual size of school to be provided. Once this has been completed the project will be banded in accordance with the published prioritisation criteria with a view to being considered for the appointment of a design team to commence architectural planning of the new school.

The Deputy will be aware that the Department has made a series of announcements in respect of the 2005 school building programme and will make further announcements on projects to go to architectural planning in the course of the year. I thank the Deputy for giving me the opportunity to outline to the House the method used by the Department of Education and Science in determining in an open and transparent way the inclusion of projects in the school building programme and to assure the House that this school and all others will be treated in a fair and equitable manner.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 13 April 2005.

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 6, inclusive, answered orally.

Questions Nos. 7 to 61, inclusive, resubmitted.

Questions Nos. 62 to 69, inclusive, answered orally.

Security Industry.

70. **Ms Lynch** asked the Minister for Justice, Equality and Law Reform the matters discussed at his meeting with representatives of the security industry on 31 March 2005; the reason he has opted to give the security industry four months to improve security rather than implementing the powers to set standards under the Private Security Services Act 2004; and if he will make a statement on the matter. [10771/05]

91. **Dr. Cowley** asked the Minister for Justice, Equality and Law Reform if he will introduce regulations governing the transport of cash by security companies on behalf of banks, which would include mandatory GPS tracking of vehicles, explosive pellet, money marking devices; his views on whether the practice of Garda and Army back up security to banking institutions should be self financing; and if he will make a statement on the matter. [10411/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 70 and 91 together.

I refer the Deputy to my reply to Priority Questions Nos. 62 and 63 of today's date.

In brief, on 31 March last, I met with representatives of the main banks, An Post, the Central Bank and the major cash-in-transit service providers. I convened this meeting in the immediate aftermath of the armed robbery of a security van at Artane early the previous day, with a getaway haul of approximately €1.9 million.

I indicated to the companies involved that my preference would now be agreement on a voluntary code of conduct that would see the industry operating to the highest international standards. This would include using the latest technology available to ensure the safety of the cash, the security employees and the general public alike.

I informed the industry representatives that they had 120 days to reach agreement and to implement a voluntary code. If such an agreement cannot be reached, I indicated that I will legislate to ensure that standards are raised.

It is also important to point out that the newly established Private Security Authority has a statutory responsibility to licence companies operating in the cash-in-transit sector of the security industry. The authority has decided to commence work on the development of a

national standard in parallel with the voluntary programme being carried out by the main banks and service providers. This national standard will form the basis of statutory licensing of cash-in-transit companies. As I have already said, the authority is independent and it is not for me to prejudge its deliberations on this matter. However, I would hope that if the voluntary code of practice is of a sufficiently high standard and concluded within the time frame of the authority's work, it could form the basis of the national standard that would be required for the issuance of a licence.

In relation to the recoupment of costs associated with the provision of armed escorts by the Garda Síochána, following consultations, my Department secured the agreement of the banks to increase their contribution to these costs to €3 million per annum, up from a mere €952,000 in previous years. This €3 million per annum contribution meets, on average, approximately 85% of the costs incurred by the Garda Síochána in providing armed escorts. Further negotiations are being conducted by my Department with the banks with a view to increasing this proportion still further in future years.

With regard to costs incurred by the Defence Forces, although this is a matter for my colleague, the Minister for Defence, I understand that his Department is also in negotiations with the banks to secure a proper recoupment of costs.

Illegal Immigrants.

71. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform the number of migrant workers he estimates are working here illegally; and if he will make a statement on the matter. [6210/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assume that the Deputy's question refers to work which in itself is lawful — in other words, work which an Irish citizen, a citizen of an EEA country or a citizen of Switzerland is entitled generally, as of right, to undertake in this jurisdiction.

There were approximately 88,000 non-EEA or non-Swiss nationals registered with the Garda Síochána as authorised to engage in employment of one sort or another in the first two months of 2005. Consequently, the following analysis covers persons other than those referred to above. Illegal working and illegal immigration are two sides of the same coin and the issue raised by the Deputy covers a spectrum of practical possibilities. This is because persons engaged in illegal employment are either persons who never had permission to remain in the State; persons who had such permission but whose permission has expired; persons who have current permission but who are in breach of a condition of that permission which prohibits employment; persons who have current permission but who are in breach of a condition which only authorises employment of a particular type, for example, for

[Mr. McDowell.]

a designated employer with an employment permit; or students who have current permission but who are in breach of a condition which only authorises part-time employment.

All countries such as ours which have experienced significant economic growth have great difficulty in sizing both their illegal immigrant populations and the extent to which non nationals engage in employment unlawfully. This is because such persons do not manifest their identities to the immigration authorities or, in the alternative, the entire circumstances of their presence in the State — for obvious reasons.

As a result any attempt on my part to put a figure on the number of persons in question would be purely speculative. However, I intend to commission research on the complex topic of illegal migration in the near future.

Garda Recruitment.

72. **Ms O'Sullivan** asked the Minister for Justice, Equality and Law Reform the number of members of the Garda Síochána at the latest date for which figures are available; the number expected to be recruited during 2005; the anticipated membership at the end of 2005; and if he will make a statement on the matter. [10778/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength of the Garda Síochána as at 8 April 2005 was 12,209, all ranks.

The House will be aware that in October 2004, the Government approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

As a basis for implementing this commitment the Commissioner has drawn up a project plan which has three key elements: the recruitment of sufficient additional Garda trainees to achieve the target strength; relocating the in-service training facilities from the Garda College so that the college can concentrate on training recruits; and expanding the facilities at the Garda College.

A new recruitment campaign for the Garda Síochána was launched in November 2004.

It is proposed to induct 1,100 Garda recruits to the Garda college in 2005, consisting of four intakes of 275 recruits. The first of these four intakes, 275, commenced training on the week commencing 7 February 2005. The remaining three intakes of 275 recruits are scheduled to commence training on 3 May 2005, 2 August 2005 and 7 November 2005.

It is estimated that 523 Garda trainees will become attested members of the force in 2005. Current projections indicated that the total

strength of the Garda Síochána as at the 31 of December 2005 will be 12,299, all ranks. Taking into account the projected number of retirements, the new recruitment drive will lead to a combined organisational strength, of both attested gardaí and recruits in training, of 14,000 as early as end 2006.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Garda Deployment.

73. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform the figures and locations for the deployment of Garda mountain bike units; his views on their efficiency to date; and the plans for their future expansion. [10863/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the Garda mountain bike unit was introduced on a pilot basis, on 5 June 2001, in the Tallaght and Raheny Garda districts of the Dublin metropolitan region, DMR. In February 2002, a review conducted by the Garda authorities found that the deployment of Garda personnel on mountain bikes was proven to be successful in tackling and responding to certain types of crimes and offences. Their mobility and versatility is recognised as a method of high visibility crime prevention.

Since that time the Garda mountain bike unit has been expanded both inside and outside the Dublin metropolitan region. The total number of mountain bikes available to the Garda Síochána is 85, of which 55 are allocated to districts within the DMR and 30 are allocated to districts outside the DMR.

I am also informed that the Garda Commissioner has approved the further expansion of the Garda mountain bike unit to Letterkenny Garda station, which will take place later on this month. Further expansion of the mountain bike unit will also take place at other locations, nationally, throughout 2005.

Mountain bike units have been very successful in tackling anti-social disorderly behaviour in local parks and estates and work well in conjunction with other units. Overall, the units have proven to be very successful to date due to their commitment, ability to respond quickly and

effectively and capacity to provide a high visibility presence.

Mountain bike units have made a significant and positive contribution to a proactive approach in tackling crime. Garda management have received very positive feedback from the community in relation to the work of these units.

Youth Services.

74. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform the number of young persons currently involved in Garda youth diversion programmes; the success of these programmes in reducing crime in these communities; the plans he has to expand these programmes to other areas; and if he will make a statement on the matter. [10887/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, there are currently 64 Garda youth diversion projects operating in both urban and rural areas. Approximately 3,150 participants are currently involved in the Garda youth diversion projects.

The Garda youth diversion projects are a crime prevention measure 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 responsibility and improve long-term employability prospects of participants. The type of crime that the projects were set up to address has diminished significantly in their respective areas, as reflected in crime data relating to the areas where the projects are located. There is also evidence of a reduction in anti-social behaviour and an improved quality of life for people in the catchment areas of projects. While this reduction cannot be ascribed entirely to the work of the projects, they have contributed to it. The success of each project is achieved through a close match between local problems and tailored solutions. An evaluation of the projects by the Children's Research Centre TCD, published in 2000 as *The Impact and Effectiveness of the Garda Special Projects*, indicated a positive experience by the young people involved and concluded that the positive impact of the projects overall justifies their retention.

Proposals made by the Garda Síochána to my Department on establishing additional projects are examined within the context of available resources.

Garda Recruitment.

75. **Mr. Wall** asked the Minister for Justice, Equality and Law Reform the number of persons who applied in the recent Garda recruitment drive; the breakdown of applications by gender; the number that sat the examination and the number that passed it; the number that were interviewed; the final number of applicants that were accepted; the number that are now in train-

ing in Templemore; and if he will make a statement on the matter. [10796/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that recruitment to the Garda Síochána is carried out by the Public Appointments Service. However, the Garda authorities have informed me that the total number of applications lodged in respect of the recent Garda recruitment competition was 10,601. In addition, 6,989 applicants sat the exam and 3,761 applicants passed the exam. To date, a total of 765 persons have been called for interview. The Garda authorities have not been provided with details of the gender breakdown of applicants for the competition.

The total number of applicants who will be recruited to the Garda Síochána from the current competition will not be known for some time. Recruitment from this and future competitions will proceed in a manner and at sufficient pace to ensure that the Government target of 14,000 members will be achieved within the timescale I have already outlined.

I am further informed that the total number of student gardaí in training under Phase I, II and III of the student-probationer training programme as at 8 April 2005 was 689.

Deportation Orders.

76. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the basis upon which he has the power to delegate to his officials the power to adjudicate on an application for leave to remain which is made to him; and if he will make a statement on the matter. [10890/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There is a solid basis in legislation and case law for the delegation to officials of authority to adjudicate on applications for leave to remain. On the other hand, the power to make a deportation order is never in practice delegated to officials. In every case deportation orders are made by the Minister.

Perhaps this distinction is best illustrated by the case of *P.L and B v. the Minister for Justice, Equality and Law Reform* [2002] 1 ILRM 16, where the Supreme Court characterised the position of failed asylum seekers as persons who "lacked any entitlement to remain in the country save that deriving from the procedure they were operating i.e. a right to await a decision not to be deported". In other words, while a person who does not have permission to remain in the State does not have a right to remain here, he or she may submit to those administrative procedures which are necessary before a deportation order can be made.

In the case of *Tang v. the Minister for Justice* [1996] 2 ILRM 46, a question arose in relation to the propriety of decisions taken by civil servants in the name of the Minister for Justice, Equality and Law Reform under the provisions of immigration law. In that case the Supreme Court

[Mr. McDowell.] stated that the Aliens Act 1935 and orders made thereunder, conferred extensive powers on the Minister for Justice to make orders in relation to non-nationals. The court found, in line with the *Carltona* principle, that it could not be supposed that it was the intention of the legislature that the Minister should personally exercise these powers. The court upheld the decision of an assistant principal officer in the Department of Justice to refuse to extend permission to remain but impugned a purported decision by that same officer to order the applicant to leave the State.

In the case of *Kanaya v. the Minister for Justice* [2000] 2 ILRM 503, the High Court held that the delegation of power to an immigration officer by the Minister to refuse leave to land was not *ultra vires* the power of the Minister for Justice, Equality and Law Reform.

In the year 2004 there were approximately 133,000 persons who had permission to remain in the State at any time during that year. The main body of such persons dealt with on a given day are persons seeking an extension in permission to remain. It is clear that I could not possibly personally intervene in all these cases. The statutory provision now governing such extensions — section 4(7) of the Immigration Act 2004 — specifically acknowledges that such decisions are made by immigration officers on behalf of the Minister.

Section 17(6) of the Refugee Act 1996 empowers the Minister, at his discretion, to grant permission to remain to a failed asylum seeker. This provision came into force in November 2000. It has been the practice in the vast majority of cases that such decisions are made by officials of my Department acting on my behalf. In fact the legislative provision itself did no more than give specific statutory expression to the reality as enunciated in the aforementioned *Tang* case which was heard in 1994.

A decision to refuse permission to remain or a decision not to extend permission to remain is not the same as a decision to make a deportation order. Every such order, as I have already pointed out, is signed by the Minister himself.

It has always been the case that decisions to grant or refuse leave to remain are made by officials of my Department. This practice has been repeatedly upheld by the superior courts in accordance with the *Carltona* principle. However, in every case where the ultimate step, that of deportation, is undertaken this is only with the express authority of the Minister in the form of a signed deportation order.

Garda Investigations.

77. **Ms McManus** asked the Minister for Justice, Equality and Law Reform the progress made with regard to the Garda investigation into the major money laundering operation uncovered earlier in 2005; if a file has been sent to the Director of Public Prosecutions; and if he will make a statement on the matter. [10773/05]

120. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform if he has held discussions with his Bulgarian counterpart with regard to recent reports that an illegal organisation here was attempting to use Bulgaria as a destination for money laundering or other illegal activities; and if he will make a statement on the matter. [7627/05]

744. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform the recent contacts he has had with his counterpart in Bulgaria; if his counterpart has expressed concerns regarding companies or persons from this country setting up business in Bulgaria; and if he will make a statement on the matter. [7708/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 77, 120 and 744 together.

The Deputies will be aware that, commencing on 16 February last, a number of searches were conducted at various locations in furtherance of a criminal investigation into suspected PIRA-related money laundering activities. These searches led to the seizure of significant sums of money and the arrest of a number of persons.

I am informed by the Garda authorities that this Garda investigation, which involves personnel from the southern Garda region, the Garda Bureau of Fraud Investigation and the Criminal Assets Bureau, remains ongoing and active. In due course, files seeking directions will be submitted to the Director of Public Prosecutions.

I am further informed that all possible avenues of information that might assist in furthering the case are being explored, and a key focus is the links between the money seized and the robbery of the Northern Bank last December.

Moreover, on 25 February last, officials of my Department met, on a confidential basis, a representative of the Bulgarian authorities to consider media reports allegedly linking the suspected money laundering operation to Bulgaria and Bulgarian nationals. The Bulgarian representative expressed concern at these reports and committed the full co-operation of the Bulgarian authorities to the Garda Síochána in the latter's ongoing investigations.

As the Garda investigation remains ongoing, I do not consider that further, detailed comment on the matter would be appropriate.

Immigrant Services.

78. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform his proposals for the establishment of a new one-stop shop for dealing with all immigration matters; and if he will make a statement on the matter. [10769/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In March 2005 the Government approved the establishment on a non-statutory basis of the Irish Naturalisation and Immigration Service, INIS, as an executive office within the Department of Justice, Equality and Law

Reform. It is intended to provide a one stop shop approach to services relating to the admission of migrants. This decision provides a platform for the establishment of the service. It is expected to take up to a year for the new arrangements and structures to be put in place.

The service will incorporate the Department of Justice, Equality and Law Reform's asylum, immigration and citizenship functions and structures. The visa section of the Department of Foreign Affairs will transfer to the service in the Department of Justice, Equality and Law Reform. Responsibility for the provision of visa services at diplomatic and consular missions abroad will remain with the Department of Foreign Affairs.

The service will aim to develop a cohesive system for the issuing of work permits and visas through a virtual link between the work permit system in the Department of Enterprise, Trade and Employment and the INIS. The overall effectiveness of these arrangements will be reviewed within two years. The economic migration policy function will remain with the Minister for Enterprise, Trade and Employment.

The service will include a new migrant integration unit to promote and co-ordinate social and organisational measures across the whole spectrum of Government, for the acceptance of lawful immigrants into Irish economic and cultural life.

The proposed new structure will have significant benefits from the point of view of customer service and the strengthening of the effectiveness and integrity of the State's immigration system, specifically a single contact point or — one stop shop for applications for entry to the State — combining the current work permit and visa application processes; a clearer system involving more streamlined processes; improved sharing of information in linked systems to simplify decision making; improved service times as applications do not have to be submitted to a number of organisations; and improved control and enforcement mechanisms.

Commission on Policing and Crime.

79. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if he has completed his consideration of the report of the Dublin Lord Mayor's Commission on Policing and Crime; if he intends to act on the recommendations contained in the report; and if he will make a statement on the matter. [10781/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have now had an opportunity to consider the recommendations of the Lord Mayor's Commission on Crime and Policing. The Lord Mayor and the city council are to be complimented on a very useful report, which makes a wide range of recommendations, a number of which fall within the city council's area of responsibility. I have already made a comprehensive response to the Lord Mayor.

The Garda Síochána Bill, which I have introduced and which is currently being considered by the Dáil, addresses many of the commission's recommendations on policing. The Bill proposes arrangements which will have general application in all local authority areas throughout the State but at the same time have the capacity to adapt to the particular needs and circumstances prevailing in the areas concerned. Furthermore, changes already made to the Bill in the other House go some considerable way towards meeting the commission's proposals. These include changes to how the joint policing committees will be structured, their membership and how they will be chaired, the application of qualified privilege, the attendance of bodies and persons before the committee and the circumstances in which meetings of the committee may be held other than in public. For the most part the committees will now comprise public representatives and senior members of the Garda Síochána.

These changes address the commission's desire to enhance the democratic mandate for policing by ensuring that policing matters are driven by elected representatives. The commission's proposals in relation to local policing structures are not significantly different from the provisions contained in the Bill and, in terms of the outputs to be achieved, I believe the provisions in the Bill will deliver on the commission's recommendations.

The Minister for Justice, Equality and Law Reform is accountable to Dáil Éireann and through it to the electorate and therefore would exercise democratically the powers which the Bill proposes be conferred on him or her. I am therefore not convinced that a national Garda board, which the commission proposes, would enhance democratic policing more than the arrangements proposed in the Bill.

The joint policing committees, their sub-committees and the local policing fora provided for will be involved in everything that the commission proposes for the community, safety and policing teams, the area committees and the community safety fora, although there are some differences between the Bill's provisions and the commission's proposals in so far as demarcation of responsibilities are concerned. Provision is made in the Bill for drawing up guidelines relating to the establishment of the joint policing committees and subcommittees. The commission's proposals are helpful and will be further considered in the context of the preparation of these regulations when the Bill is enacted.

A number of issues which the commission raises, such as the lack of a policing presence, problems of police numbers, responsive policing, embedding policing within the community and supplementing the gardaí are the sort of issues which I would see the joint policing committees dealing with. Addressing these issues will require a partnership approach. I believe in maximising the input of local authorities in matters which impact on crime and anti-social behaviour, such

[Mr. McDowell.]

as by-laws, design of housing, public spaces, public lighting, estate management and getting the balance right in mixing social and affordable housing and avoiding ghettoisation in communities.

I am in favour of the commission's recommendation that in areas with distinctive policing needs, community safety fora are set up, with as wide a membership as necessary, to develop and implement local crime reduction strategies. I have provided in the Garda Síochána Bill for the establishment by a joint policing committee within specific neighbourhoods of local policing fora to discuss and make recommendations to the committee as they affect those neighbourhoods.

Some of the commission's recommendations, such as the development of community policing fora, the extension of the pilot drug court and the integration of the Government's policy on drugs and alcohol, are being examined in the context of the mid-term review of the Government's national drugs strategy 2001-2008.

With regard to the commission's recommendation that community safety personnel with powers appropriate for dealing with low-level disorder be established, provision is made in the Garda Bill for the recruitment of volunteer reserve Garda members who will have the same powers, immunities, privileges and duties as members of the rank of Garda. Furthermore, on foot of the commitment in An Agreed Programme for Government to examine the potential of the community warden service to enforce new and existing functions so as to release gardaí to operational duties, the Department of the Environment, Heritage and Local Government established wardens in five pilot areas. The pilot will be in place until the beginning of next year, so as to allow for negotiations on how to integrate the service into the outdoor activities of local authorities and for best practice in the pilot areas to be shared among all local authorities.

The issue of community policing is central to the development of co-operation between the Garda Síochána, local authorities and local communities. With regard to the commission's recommendations regarding community policing, the Deputy will be aware that the Oireachtas Joint Committee on Justice, Equality, Defence and Women's Rights recently invited written submissions on community policing from interested parties and held hearings, and I look forward to its report with interest.

The commission recommends that a problem-solving court in the Dublin District Courts to deal with low-level crime be piloted. The concept of community courts, to which this recommendation is similar, is receiving ongoing consideration in my Department. Officials have met the director of the New York based Centre for Court Innovation, the body responsible for the development of the Midtown Community Court referred to in the report. As the report recognises, the concept has some similarities with the pilot drug court

programme which was launched in the Dublin District Court in 2001. Dublin's north inner city was chosen as the location from which to operate the pilot drug court. The project has been evaluated by consultants, who recommended that the pilot project be extended and the catchment area be widened. I welcomed the recommendations of the consultancy report and support the extension of the drug court to the catchment area proposed. Further evaluation of the operation of the court in the extended area will be carried out by the Courts Service shortly, after which a decision can be taken in relation to its further expansion.

The commission recommends the extension of the use of the temporary closure order against premises found guilty of offences under the Intoxicating Liquor Act 2000. That Act and the Intoxicating Liquor Act 2003 provide for a compulsory temporary closure order in the case of convictions for the supply of intoxicating liquor to under-age persons and for a range of behaviour, including permitting drunkenness and disorderly conduct. I am not at present convinced that an extension of these strong provisions is necessary to combat public disorder, but if it does become necessary I will do so.

The commission makes a number of recommendations on the control of liquor licenses. Matters regarding the availability of liquor licences and procedures for obtaining them will be dealt with in the liquor licensing codification Bill which I will present later this year. The Bill will make a number of proposals as regards planning and consequently the role of the local authorities. I would urge local authorities to support and implement these proposals.

As regards the current role of local authorities, I would point out that section 11 of the Intoxicating Liquor Act 2003 already gives local authorities a new role in relation to the duration of special exemption orders. It allows them to adopt a resolution, following consultation with relevant interests, regarding the duration of such orders in their areas and the District Court is then required to have regard to any such resolution in relation to applications for special exemption orders in the area concerned. However, despite the frequently expressed concerns of local authorities regarding public disorder and other issues, it appears that no local authority has actually availed of this provision to date.

The commission recommends a public information campaign directed against anti-social behaviour. I share the concern about incidences of anti-social behaviour in society. I therefore have in mind to provide for anti-social behaviour orders in the current Criminal Justice Bill. The gardaí could be able to apply to the courts by way of civil procedure for an anti-social behaviour order which would prohibit any person from the age of ten years upwards from behaving in the offending way. Such an order could last for up to two years, but it could be altered or discharged on application to the court. Although the order would be a civil order, breach of the order would

be a criminal offence punishable by a fine or imprisonment or both. There would be provision for an appeal against the making of an order.

Liquor Licensing Laws.

80. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the action he proposes to take in view of the growing level of alcohol abuse among young people and the links between this and assaults and murders here; if a comprehensive programme in which co-operation between his Department and other Departments such as the Department of Education and Science and the Department of Arts, Sport and Tourism will actively work together to reduce the central role given to alcohol in socialising by young people in particular. [10151/05]

130. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the plans he has to implement new strategies on a cross-departmental level to address the issue of under age drinking; and if he will make a statement on the matter. [10248/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 80 and 130 together.

The position is that while I have general responsibility for the liquor licensing system in my capacity as Minister for Justice, Equality and Law Reform, several other Ministers, and their respective Departments, have responsibilities in relation to particular aspects. For example, the Minister for Health and Children has responsibility for public health policies, while road safety legislation comes within the ambit of the Minister for Transport.

The intoxicating liquor legislation for which I have overall responsibility is essentially concerned with the number and nature of licensed outlets and the persons who may hold licences, as well as the times at which, and the persons to whom, intoxicating liquor may be supplied.

As regards consultation and co-operation with other Ministers and their Departments, the position is that I and my Department have worked with the relevant Ministers and their Departments as part of the process of preparing proposals to amend and reform the licensing laws. Extensive consultations took place, for example, during the preparation and drafting of the Intoxicating Liquor Act 2003 which contains measures aimed at combating drunkenness and disorderly conduct and tackling the problem of under-age and binge drinking.

The provisions in the 2003 Act, which gave effect to certain recommendations of the Commission on Liquor Licensing and the Strategic Task Force on Alcohol, include a strengthening of the provisions prohibiting the sale or delivery of alcohol to persons under the age of 18; restrictions on the presence of persons under the age of 18 in bars of licensed premises, and a new requirement that persons aged 18 to 20 must carry an 'age document' in order to be in the bar

of licensed premises after 9 p.m. to 10 p.m. during the period from 1 May to 30 September.

I should add that the Government legislation programme makes provision for the publication of an Intoxicating Liquor Bill later this year. It will repeal the Licensing Acts 1833 to 2004 as well as liquor licensing provisions in other statutes — about 100 statutes in total — and replace them with updated provisions geared to modern conditions. During the process of preparing this Bill, my Department has been consulting widely with other relevant Departments and statutory bodies. I have also consulted with the other Ministers who have responsibilities in this area. Subject to the approval of the Government for its drafting, I intend to publish shortly details of the proposals which will be included in the Bill.

In relation to murder and manslaughter, I would inform the Deputy that there were 45 such incidents in 2004, the lowest recorded number in ten years. I would further inform the Deputy that Ireland has one of the lowest rates of murder in Europe.

In relation to assault causing harm, I would advise the Deputy that there was a reduction of 21% in assault causing harm in 2003 compared to 2002 and a reduction of 1% in assault causing harm in 2004 compared with 2003. This trend has continued in 2005 with a 15% reduction in assaults causing harm in the first quarter compared to the same period last year.

Coroners Service.

81. **Dr. Cowley** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the outcome of two recent inquests relating to the deaths of two persons; if he will make urgent changes to the Coroners Act in view of the case of a person (details supplied); his views on whether the Coroners Act is adequate to deal with the proper evaluation of the situation; his further views on whether urgent reform of the Coroners Act is necessary to address this situation before there are further fatalities; the steps being taken to address the serious risk to public health which exists from such deficiencies in the Act; and the progress being made towards reform of the Act. [10894/05]

96. **Dr. Upton** asked the Minister for Justice, Equality and Law Reform the progress which has been made in implementing the report of the working group on the Coroner Service published in December 2000; if his attention has been drawn to the difficulties created for coroners by the lack of appropriate penalties for those who refuse to attend when summonsed to attend inquests; and if he will make a statement on the matter. [10795/05]

137. **Mr. English** asked the Minister for Justice, Equality and Law Reform the reason for the delay in implementing the recommendations of the report of the working group on the Coroner Service, published in 2000; and if he will make a statement on the matter. [10891/05]

743. **Dr. Cowley** asked the Minister for Justice, Equality and Law Reform his views on whether €6.35 is a grossly inadequate penalty for persons who refuse to attend a coroner's court when summonsed to do so; his further views on whether there is a need for urgent reform of the Coroners Act; and if he will make a statement on the matter. [10759/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 81, 96, 137 and 743 together.

I take this opportunity to express my condolences to the family of the deceased person referred to in these questions.

The report of the coroners review group published in December 2000 recommended a comprehensive overhaul and modernisation of the coroners service in Ireland, with regard to the legislation governing the work of coroners, the support services available to coroners and the structural organisation of the coroner service.

In keeping with the commitment in the Government legislation programme, it is my intention to shortly bring to Government detailed proposals providing for that comprehensive reform. The proposed new coroners Bill will seek to address all of the issues highlighted by the review as well as taking account of any significant developments since then. Necessary consultations, including consultations with the Coroners Society of Ireland, are ongoing. I can confirm that increased sanctions for those who refuse to cooperate with an inquest, the ending of the restriction on the number of medical and other witnesses and a more coherent statement of the scope of the provisions for mandatory inquests will form part of my proposals for a Bill.

However, regulation generally of medical practice and persons engaged in para-medical activities does not come within the area of responsibility of my Department and is not a subject for coroners legislation.

Crime Prevention.

82. **Mr. Rabbitte** asked the Minister for Justice, Equality and Law Reform the action he intends to take to deal with vandalism and anti-social behaviour which is causing major problems in many communities with families harassed and property vandalised; and if he will make a statement on the matter. [10794/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can assure the Deputy that strong provisions have already been put in place to combat the causes of public disorder and anti-social behaviour countrywide. Reductions in violence and public order offences have followed the enactment, during 2003, of the Criminal Justice (Public Order) Act and the Intoxicating Liquor Act, which give significant additional powers to the gardaí to deal with public order and street crime.

One of the main strategic goals of the Garda Síochána is ensuring public safety by reducing the

incidence of public disorder and anti-social behaviour.

I am pleased to note a reduction of 21% in assault causing harm in 2003 compared to 2002 and a reduction of 1% in assault causing harm in 2004 compared with 2003. This trend has continued in 2005 with a 15% reduction in assaults causing harm in the first quarter compared to the same period last year. The reduction in the number of offences in this category reflects an improving public order situation and a curbing of some of the excesses in the abuse of alcohol. An improving public order situation is to be welcomed by all those concerned with the preservation and maintenance of law and order.

However, I am taking a number of initiatives to strengthen the powers available to the Garda Síochána to combat anti-social behaviour. I have proposed a fixed charge procedure in relation to certain public order offences in the Criminal Justice Bill 2004 which is currently awaiting second stage in the Dáil. Section 29 of the Bill amends the Criminal Justice (Public Order) Act 1994 to provide for a fixed penalty procedure in relation to certain public order offences under that Act. The procedure will apply to an offence under section 4 — intoxication in public place — and section 5 — disorderly conduct in a public place. It is intended that the fixed penalty procedure will be an alternative to criminal proceedings being taken in the first instance.

In general, section 29 provides that a member of the Garda Síochána who has reasonable grounds for believing that a person who is not less than 18 years old is committing, or has committed, an offence under section 4 or section 5 of the 1994 Act may serve on the person personally or by post a fixed charge notice. In default of payment the person will be prosecuted for the offence.

I am concerned that people, particularly the elderly, feel threatened by forms of harassment which of themselves may not be criminal offence but which may cause distress. I intend to include in the Criminal Justice Bill a provision which will empower the gardaí to apply to the courts, by way of civil procedure, for an anti-social behaviour order which would expand the court to deal with the matter as it sees fit.

Last September, I relaunched the Crimestoppers initiative which is an imaginative partnership between the gardaí, the business community and the community which has been in place for a number of years. It operates a confidential free-phone Crimestoppers number which is available to the public to alert the gardaí about crime or suspicious activity and to offer information in relation to ongoing Garda investigations. The confidential number is staffed by specially trained gardaí who are able to assess the value of the information being offered in the battle against crime. Crimestoppers is providing funding for the CrimeCall RTE programme which is a proven effective method of identifying the perpetrators of crime based on the assistance of the public.

Garda youth diversion projects are funded by the Department of Justice, Equality and Law Reform. They are a crime prevention initiative designed to engage with young people who have been identified as being at risk of involvement in criminal or anti-social behaviour. Each project is managed by a multi-agency and community based committee, which is responsible for the strategic direction of the project.

As the Deputy will be aware, this year I succeeded in securing an all-time historic high level of funding for the Department of Justice, Equality and Law Reform and its associated agencies. The gardaí, the courts and the prisons, together with the Department itself, have never been better resourced or equipped. This funding will enable a number of key public policy initiatives to go ahead next year. Included in these are the recruitment of additional gardaí to increase the strength of the force by 2000 within two years bringing its total complement to 14,000.

Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic law enforcement duties. I have already promised that the additional gardaí will not be put on administrative duties but will be put directly into frontline, operational, high-visibility policing.

This Government is strongly committed to the reduction and prevention of crime through strong and effective crime prevention methods. However, I cannot stress enough that while legislative measures can help to curtail the problem of anti social behaviour, they cannot be viewed as the only solution. In reality it falls on all those with an interest in this area to play their role in helping to address the problem of anti-social behaviour.

Murder of Former Councillor.

83. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if he has raised or will raise the issue of the strong evidence of British security forces collusion in the murder of Donegal County Councillor Eddie Fullerton. [10852/05]

101. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform if he will raise with the British authorities the lack of full co-operation from the PSNI in relation to the reinvestigation of the murder of Donegal County Councillor Eddie Fullerton. [10850/05]

106. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform his views on whether the murder of an Irish elected representative, Donegal County Councillor Mr. Eddie Fullerton, demands a full public inquiry. [10851/05]

109. **Mr. Crowe** asked the Minister for Justice, Equality and Law Reform his views on the questions regarding the Garda investigation into the murder of Donegal County Councillor Mr. Eddie Fullerton arising out of the TG4 documentary, Fullerton; including the failure to question suspects and a key witness. [10849/05]

110. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he has received a report from the Garda Síochána regarding the re-examination of the Garda investigation into the murder of Donegal County Councillor Eddie Fullerton which was completed in 2004; if not, the reason for the delay; if so, when he intends to publish its contents. [10853/05]

757. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform his views on the opinion of the British Labour MP and former spokesperson on Northern Ireland, Kevin McNamara, that the matter of the murder of Mr. Eddie Fullerton should be vigorously pursued by both the RUC and the gardaí and not left to gather dust, in view of the claim made in a TG4 documentary that the Garda Síochána's attention had not been drawn to the existence of a key witness until recently, and that even after having completed their re-examination, the gardaí still do not know the identity of the garda whom the witness claimed he met; and the steps he plans to take in this regard. [10908/05]

758. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he received a report from the Garda Síochána in relation to the re-examination carried out by the gardaí at his behest into the Garda original investigation of the murder of Donegal County Councillor Eddie Fullerton; and if so, when he intends to publish its contents. [10909/05]

759. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he has not received a report on the matter of the murder of Mr. Eddie Fullerton, considering the recently aired TG4 documentary on the matter stated that the Fullerton family had been informed last year that the gardaí had completed their re-examination; and the reason for this delay. [10910/05]

760. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform his views on the claim made by a documentary by TG4 that Garda sources had informed it that the gardaí were not receiving full co-operation from the PSNI in relation to the inquiry into the case of Mr. Eddie Fullerton; and when he will raise this matter with the British authorities. [10911/05]

761. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform when he intends to raise the case of Mr. Eddie Fullerton with the British Government. [10912/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions

[Mr. McDowell.]
Nos. 83, 101, 106, 109, 110 and 757 to 761, inclusive, together.

I would first like to state unequivocally my abhorrence at the murder of Mr. Eddie Fullerton, then Sinn Féin councillor on Donegal County Council, on the morning of 25 May 1991. The attack was callous and cold-blooded, and it also involved the taking hostage of another family in Buncrana. The so-called Ulster Freedom Fighters subsequently claimed responsibility for the murder. Unfortunately, to date, no person has been made amenable for this appalling crime.

In June 2003, solicitors acting on behalf of the family of the late Mr. Fullerton submitted to me what was described as a 'preliminary memorandum' setting out the concerns of the family in relation to the murder and the ensuing investigations and calling for an inquiry into the matter. These concerns had, to some extent, already been raised directly with the Garda Síochána in April 2002.

In any event, I referred the submitted memorandum to the Garda Commissioner. In response, the Commissioner directed the establishment of a review team led by a chief superintendent to conduct a thorough and concise investigation into all matters of concern raised, *inter alia*, either directly with the Garda authorities or as part of the memorandum submitted by the Fullerton family's solicitors.

The Garda review is drawing to a conclusion. Outstanding matters relate to the awaited results of a mutual assistance request to the British authorities and certain police-to-police enquiries with the Police Service of Northern Ireland.

I am recently in receipt of a report from the Garda authorities on the current, incomplete status of the review. However, no final conclusions can be drawn until such time as replies from the British and Northern Ireland authorities are received, evaluated and acted upon, as appropriate, by the Garda Síochána. Nevertheless, I can state that the Garda review itself was extensive, involving the taking of more than 150 statements and the interview of more than 120 people, including a person characterised by the Fullerton family's solicitors as being a new, key witness.

I do not intend to publish the Garda report which I recently received. However, as soon as all outstanding matters are clarified by the Garda Síochána upon the receipt of responses from the British and Northern Ireland authorities, I have already undertaken to contact the Fullerton family's solicitors with a full response to their concerns, including any action that I deem appropriate or necessary by way of further investigation or inquiry.

I should add that I have no reason to believe — nor have I received any indication — that either the British or Northern Ireland authorities

have failed or will fail to co-operate with the requests made of them.

It should be noted that the Garda chief superintendent in charge of the review met the Fullerton family and their solicitors last December to provide them with an up-to-date briefing on developments with the review.

Garda Deployment.

84. **Mr. S. Ryan** asked the Minister for Justice, Equality and Law Reform if he has plans to review the practice of providing members of the Garda Síochána as full-time drivers for Government Ministers, former Ministers and judicial figures in view of the significant commitment of Garda personnel required; and if he will make a statement on the matter. [10785/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Ministerial State cars are placed at the disposal of Government Ministers and others pursuant to a long standing arrangement and are supplied to the following: Taoiseach; Tánaiste; 13 Government Ministers; President; Chief Whip; Ceann Comhairle; Attorney General; Director of Public Prosecutions; Chief Justice; and former Taoisigh and Presidents.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that there are currently 73 gardaí attached to the ministerial pool of which 56 are allocated on a full-time basis as drivers for the ministerial fleet. The remaining 17 gardaí are on a relief panel and cover periods of absences through annual leave and illness.

These drivers are tasked with providing close personal protection to Government Ministers and other designated protected VIP's, in addition to their driving duties. There are currently no plans to replace them with civilian drivers.

Omagh Bombing Civil Actions.

85. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform the assistance the Government intends to offer the survivors and relatives of the Omagh bombing in pursuit of justice through the civil courts; and if he will make a statement on the matter. [10791/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can assure the Deputy that the Government and I remain willing to assist the survivors and relatives of the Omagh bombing with their civil action to the greatest extent possible, in accordance with law.

In particular, I have agreed that the costs associated with accommodation and security in relation to the taking of evidence on commission in this jurisdiction will be met by the Irish Government. The details will be worked out between the Courts Service and the relevant court in Northern Ireland.

In so far as the funding of the civil action is concerned, I would remind the Deputy that this civil action has been initiated in another jurisdiction and is already being substantially funded by the British Government. I believe it would be inappropriate for additional funding to be made available from this jurisdiction.

Victim Support.

86. **Ms McManus** asked the Minister for Justice, Equality and Law Reform the main functions of the new Commission for the Support of Victims of Crime; the budget and staffing arrangement for the new commission; and if he will make a statement on the matter. [10774/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The new Commission for the Support of Victims of Crime has as its terms of reference to: (a) devise an appropriate support framework for victims of crime into the future; and (b) disburse funding for victim support measures.

The commission's term of office will be for three years and its members are: Mr. Jim Mc Hugh, retired Assistant Commissioner, the Garda Síochána — Chairman; Ms Nora Owen, former Minister for Justice, Equality and Law Reform; Mr. Sean Lowry, former head of the Probation and Welfare Service; Mr. Michael Whelan, Gemini Consulting; and Ms Marian Finucane, broadcaster.

The commission's remit includes the examination of all aspects of the provision of services for victims of crime. These services are currently set out in the Victims' Charter, published in 1999, and the commission will undertake a review of

the charter. The commission will also have regard in the course of its work to the EU Framework Decision on the Standing of Victims in Criminal Proceedings (2001), and other international advances in relation to provision of services for victims of crime.

In addition, the commission will supervise the disbursement of funds to community and other voluntary groups providing victim services, with a particular emphasis on the funding of activities on the ground that provide direct supports for victims of crime. An applications process has been initiated in respect of this funding, and almost 100 expressions of interest have been received after a public advertisement in March.

The Department of Justice, Equality and Law Reform will provide administrative support for the commission. Its budget will be of the order of €0.75 million in 2005.

Asylum Applications.

87. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the number of applications for asylum received during 2002, 2003, 2004 and to date in 2005; the number of applications approved by the Refugee Appeals Commission; the number of appeals submitted to the Refugee Appeals Tribunal and the number of such appeals upheld; the number of applications for leave to remain and the number of such applications granted; the number of deportation orders made and the number of such deportations carried out; and if he will make a statement on the matter. [10761/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested is contained in tabular format set out below.

Table 1: Number of applications for asylum received and the number of recommendations by the Office of the Refugee Applications Commissioner* to grant Refugee Status (at first instance) in 2002, 2003, 2004 and 2005**.

	2002	2003	2004	2005*
No. of applications received	11,634	7,900	4,766	1,259
No. of recommendations to grant refugee status (at first instance)***	893	345	430	94

* It is assumed that the reference in the Deputy's question to "Refugee Appeals Commission" refers to the Office of the Refugee Applications Commissioner.

** As at 31/03/05

*** These recommendations refer to the year in which the recommendations were made and not the year in which the applications were lodged.

Table 2: Number of appeals submitted to the Refugee Appeals Tribunal and the number upheld (at appeal stage) in 2002, 2003, 2004 and 2005*.

	2002	2003	2004	2005*
No. of appeals received**	5,157	5,015	4,810	1,138
No. of appeals upheld (granted refugee status)**	1,099	832	708	143

* as at 31/03/05.

** Substantive and accelerated cases.

Table 3: Number of Deportation Orders Signed and Number Effectuated in 2002, 2003, 2004 and 2005*.

	2002	2003	2004	2005*
No. of Deportation Orders signed	2,430	2,411	2,915**	440**
No. of Deportation Orders effectuated**	521	590	599***	74***

* as at 31/03/05.

** In addition to the 2,915 deportation orders signed in 2004 and the 440 deportation orders signed in 2005, there were also 238 Dublin II Regulation Transfer Orders signed in 2004 and 92 Dublin II Regulation Transfer Orders signed in 2005*.

*** In addition to the 599 deportation orders effectuated in 2004 and the 74 deportation orders effectuated in 2005, there were also 65 Dublin II Regulation Transfers effectuated in 2004 and 26 Dublin II Regulation Transfers effectuated in 2005.

Table 4: Number of Applications for Leave to Remain received from current or former asylum applicants

	2002	2003	2004	2005*
No. of applications received	6,887	1,272	269**	73**

* as at 31/03/05

** In the context of proposed deportation orders under the Immigration Act 1999, the issue of leave to remain on humanitarian grounds is considered, irrespective of whether an application is made or not. Thus, no statistics are kept as to the number of such applications made.

Table 5: Number of Applications granted for Leave to Remain

	2002	2003	2004	2005*
Parentage of Irish Born Child	3,113	172	0	**
Marriage to an Irish National	86	132	144	30
Dependent of EU Citizen	138	77	112	25
Other Grounds	158	86	175	15
Total	3,495	467	431	70

* as at 31/03/05.

** See Table 6.

Table 6: Number of Applications for permission to remain made by the non-national parents of Irish born children born before 1 January 2005, and the number of such applications granted permission to remain.

	2005
No. of Applications for permission to remain made by the non-national parents of Irish Born Children born before 1 January, 2005*	17,648
No. of Applications for permission to remain granted**	3,663

* as at 31/03/05.

** as at 8/4/05.

Child Care.

88. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform his plan of action to tackle the crisis in child care services. [5536/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I reject the Deputy's assertion that there is a crisis in child care services. As the Deputy will be aware, there have been significant improvements in the provision of supports for the development of child care over the last number of years as the Government took steps to develop a child care infrastructure in Ireland by assisting the voluntary community sector and the private sector to develop capacity in the child care area. This Government has brought investment in child care in Ireland from a benchmark of approxi-

mately €1 million per annum to €499 million for a seven year strategy.

Child care was identified as an investment priority under the National Development Plan 2000-2006. This was in direct response to the recommendations of the Expert Working Group on Childcare established under Partnership 2000 to develop a strategy for the development and delivery of child care to support parents in employment, education and training.

My Department has been designated as the lead Department with respect to the development of child care to meet the needs of parents in employment, education and training. The programme for Government, and the progress of my Department's Equal Opportunities Childcare Programme, are confirmation of the Government's commitment to developing child care ser-

vices and to remaining focused on child care issues.

The current seven year Equal Opportunities Childcare Programme, EOCP, has an equal opportunities and social inclusion perspective and facilitates the further development and expansion of child care facilities to address the needs of parents, in reconciling their child care needs with their participation in employment, education and training. The EOCP 2000-2006 aims to increase the supply of centre based child care places by 55%, some 31,372 places, by programme end. It also aims to provide support and assistance to the many childminders who are providing a childcare service across the country. The programme also encompasses many quality issues which were identified in the Childcare Strategy, and aims to ensure that there is co-ordination in the delivery of child care services nationwide.

Since its inception in 2000, the funding for the programme has increased from €318 million to €499.3 million or by 57%, the most recent increase being €50 million in budget 2005. The multi-annual capital envelopes announced on budget day include increases that will give an increase of €50 million in the availability of capital under the 2000-06 phase and also the injection of a further €40 million in additional capital funding into childcare between 2006 and 2009.

Total funding committed under the EOCP in the period to the end of March 2005 amounts to €347.8 million, of which €292.2 million has been allocated to child care facilities and €54.7 million to quality improvement measures. It is projected that this will create some 36,000 new child care places, and will support over 30,200 existing places. By the end of 2004 over 24,600 of these new child care places were already in place. A significant part of the remaining funding will be required for continuing support to existing projects and for the provision of capital grant assistance for the development of child care facilities in areas where there are gaps in service provision.

The above measures relate to the supply of quality child care, but I would also like to draw the Deputy's attention to Government policy in the area of child benefit which aims to provide assistance to parents in paying for child care in whatever care options their parents choose for them. In the 2005 budget, this benefit was increased by €10 to €141.60 per month, per child, for the first two children and by €12 to €177.30 per month for the third and each subsequent child, from April 2005. Effectively since 1997, child benefit has almost quadrupled. This clearly indicates the Government's commitment to assisting all parents in relation to the care of their children irrespective of income and employment status.

Law on Defamation.

89. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the position regarding his consideration of the recommendations of the

Legal Advisory Group on the Defamation Law, particularly in regard to the proposals for the establishment of a statutory press council; when he intends to bring proposals on this matter to Government; and if he will make a statement on the matter. [10760/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I intend to bring forward proposals for the reform of the law on defamation to the Government in the near future on completion of the extensive consultations which I have engaged on the matter.

Immigration Policy.

90. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform his views on the unilateral decision of the Spanish Government to validate over 500,000 illegal immigrants in Spain; if any consultation took place with the Irish Government before the decision was taken; his views on whether there is a need for a unified EU approach to immigration policy; and if he will make a statement on the matter. [8062/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In January of this year the Spanish Government announced a regularisation programme for illegal migrants living in Spain. The programme which began on 7 February 2005 will run for three months to 7 May. While it is expected that there will be significant numbers involved it is not possible to obtain final numbers as the programme is still ongoing.

The Irish Government was not consulted prior to the announcement of this decision and I am not aware of any prior consultation with other EU members.

In recent times there have been discussions at EU level concerning the setting up of a system of mutual information and early warning on important decisions to be taken in member states between those responsible for migration and asylum policies. It is expected that the Justice and Home Affairs Council will shortly adopt conclusions on such a system for the future.

My views on whether there is a need for a unified EU approach to immigration policy is that we should be wary of harmonization for its own sake. Member states are at different stages of migration development and the economic situations are diverse. For example, the unemployment rates vary widely between member states.

While Article III — 267 of the draft Constitutional Treaty states that “the Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows and fair treatment of third country nationals residing legally in Member States”. It also adds that this “shall not affect the right of member states to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self employed”.

Question No. 91 answered with Question No. 70.

Reintegration of Prisoners.

92. **Mr. S. Ryan** asked the Minister for Justice, Equality and Law Reform the progress made to date towards implementing the recommendations of the report of the NESF, published in 2002, on the reintegration of prisoners; and if he will make a statement on the matter. [10786/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, the NESF itself has, in November 2004, presented a report to the Taoiseach entitled Fourth Periodic Report on the Work of the NESF, which the forum had prepared for the purpose of reviewing implementation and follow-through, mainly by Government Departments and State agencies, on several particular reports it had undertaken and submitted over the period 2001-03 and including its January 2002 Forum Report on the Re-integration of Prisoners. In compiling this periodic report the NESF had available to it a detailed and comprehensive update on progress in implementing the various recommendations in the 2002 report, as advanced by my Department, the Irish Prison Service, the Probation and Welfare Service, and other agencies in the criminal justice sphere.

In setting its conclusions in its Fourth Periodic Report, the NESF welcomed the progress made in implementing the main thrust of its 2002 report. The NESF had, in particular, noted a number of encouraging steps including the establishment of the Irish Prison Service's regimes directorate with a dedicated director of regimes as an important first step in rebalancing the custodial and care-rehabilitations functions of the service and the establishment in prisons, in partnership with the Probation and Welfare Service, of initiatives in outreach and inreach services to improve prisoner reintegration. These initiatives have included in-reach initiatives providing advice, referral and support to prisoners on housing, including local authority, private rented and transitional, training and employment, income maintenance, and general social welfare. In the particular context of social welfare, the Probation and Welfare Service has contributed to the information booklet 'What Now?' published by the Department of Social and Community Affairs, and is continuing to develop information and resources to assist prisoners on release from custody through its network of 74 funded community and voluntary projects and initiatives throughout Ireland.

The Probation and Welfare Service has, in conjunction with local communities, funded and fostered the two significant restorative justice initiatives for offenders before courts; Restorative Justice Services in Tallaght, County Dublin, and Nenagh Reparation Project in County Tipperary. Under the Children Act 2001 the Probation and Welfare Service also convenes family conferences

which are directed by the court where it considers that the preparation of an action plan would be desirable in an individual case.

The NESF Fourth Periodic Report also recognises the establishment of HOST, homeless offenders strategy team, as a notable contribution to the development of the necessary implementation and supportive structure. HOST is a Probation and Welfare Service led multi-agency unit established to address homelessness among offenders. A senior official from Dublin City Council is seconded to HOST, with the support of the Department of the Environment, Heritage and Local Government. Since its establishment in 2002 on foot of the homeless preventative strategy, HOST works at a national level to prevent and minimise homelessness among offenders and to improve access to accommodation by offenders. The work of HOST is informed by government strategy on adult and youth homelessness.

Among other positive advances noted by the NESF were the inclusion of prisoner integration in future prison business plans and the inclusion of prisoners in social inclusion strategies, such as the national anti-poverty strategy, and developments in relation to meeting the accommodation needs of prisoners on release.

The Probation and Welfare Service has funded and commissioned major research on prisoner homelessness. This research, carried out by the Centre for Social and Educational Research at the Dublin Institute of Technology, tracked the progression of a sample of offenders in Dublin through the courts and prison, with particular reference to accommodation issues facing them. The research, which will be published shortly, will make a valuable contribution to the planning and provision of services in this area.

The Irish Prison Service have taken on board the suggestion made in the Fourth Periodic Report that the option for a pilot positive sentence management project be explored and this approach is being actively reviewed at present in the Irish Prison Service.

I welcome the NESF's broad conclusion that the essential foundation work is nearing completion. In consequence of which the pace of progress will increase and positive sentence management will become a reality. My Department will continue to advance the relevant recommendations of the NESF Report No. 22 regarding the effective reintegration of prisoners, in partnership with the Irish Prison Service, the Probation and Welfare Service and other services, agencies and community groups.

Garda Liaison.

93. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform if the promised Garda liaison officer to go through investigation files with the families of car-bombing and shooting victims in the State has been

appointed; and if he will make a statement on the matter. [10776/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that Assistant Commissioner Martin Callinan, Garda National Support Services, has been appointed by the Garda Commissioner to be the liaison officer to the families.

North-South Policing Protocol.

94. **Dr. Upton** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the recent decision of the AGSI to withdraw co-operation from the North-South policing protocol that allows for members of the Garda Síochána to be seconded to the PSNI and *vice versa*; if, in view of the implications of the decision, he intends to have discussions with the AGSI on the decision; and if he will make a statement on the matter. [10793/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to have this opportunity to inform the Deputy that the Garda Commissioner and the Chief Constable of the PSNI recently signed protocols which provide for the implementation of a programme of personnel exchanges and secondments between the Garda Síochána and the Police Service of Northern Ireland.

The signing of these protocols is clear evidence of the continued commitment of both Irish and British Governments to the successful implementation of the Intergovernmental Agreement on Police Co-operation and, in turn, to the implementation of the recommendations of the Patten Commission.

Secondments will enable members of each police service to be seconded with full police powers to the other police service for periods not exceeding three years. Legislation is already in place in both jurisdictions to enable these secondments to now proceed.

Personnel exchanges will result in a programme of placements to enable the transfer of experience and expertise, particularly in the area of training.

The implementation of these protocols will take co-operation between the two police forces to a new level and will bring benefits to both jurisdictions in the form of improved effectiveness in crime prevention and detection. In addition, the implementation of these protocols will provide a two-way flow of experience and expertise which will enhance policing standards in both organisations.

The payment of allowances to members of the Garda Síochána who participate in personnel exchanges or secondments is the subject of ongoing discussions at the Garda Síochána Conciliation Council. For the record, I should say that I am informed by the Garda authorities that the Association of Garda Sergeants and Inspectors has not informed them that they will refuse to co-

operate with the implementation of the above protocols.

Immigration Policy.

95. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform his views on his reported statement that the immigration system could not be run on arbitrary sentimentality; his policy in ensuring that the immigration policy, especially in regard to deportation, is informed by a humane and compassionate approach; and if he will make a statement on the matter. [10766/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Under the law as set out in section 3(6) of the Immigration Act 1999, I am obliged to take humanitarian considerations into account in determining whether or not a deportation order should be made. The question of disregarding such considerations, therefore, does not arise.

I am also obliged to take into account a range of other factors, including the common good. As the Supreme Court has stated the common good may have a bearing on an individual case even though there is nothing known or relied on which reflects badly on the individual concerned. Specifically, the Minister is entitled to have regard to the State's general policy in relation to immigrants and asylum seekers; the jurisprudence on the same subject as it evolves; the volume of persons seeking asylum and the social and economic demands which this imposes; changing patterns in this volume; the matters he is required by statute to consider; the constitutional rights of all persons concerned; and the requirement of a coherent and efficient immigration and asylum system and to our international obligations.

Thus, while humanitarian considerations, which arise in almost all cases, must be taken into account, they are not the only considerations.

Question No. 96 answered with Question No. 81.

Child Care Services.

97. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform the number of projects in the Equal Opportunities Childcare Programme which have progressed to sustainability since the beginning of the programme; the number of projects expected to progress to sustainability after the initial three year staffing grant; the number expected to require ongoing support; the number of projects which are delivering their agreed targets of childcare service; and if he will make a statement on the matter. [10888/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The current seven year Equal Opportunities Childcare Programme (EOCP) 2000-2006 has an equal opportunities and social inclusion perspective and facilitates the further development and expansion of child care facilities

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to address the needs of parents, in reconciling their child care needs with their participation in employment, education and training.

The EOCP aims to increase the supply of centre based child care places by 55%, some 31,372 places, by programme end. It also aims to provide support and assistance to the many child-minders who are providing a child care service across the country. In addition, the programme encompasses many quality issues which were identified in the Childcare Strategy, and aims to ensure that there is co-ordination in the delivery of child care services nationwide.

Total funding committed under the EOCP in the period to the end of March 2005 amounts to €347.8 million, of which €292.2 million has been allocated to child care facilities and €54.7 million to quality improvement measures. It is projected that this will create some 36,000 new child care places, and will support over 30,200 existing places. By the end of 2004 over 24,600 of these new child care places were already in place. A significant part of the remaining funding will be required for continuing support to existing projects and for the provision of capital grant assistance for the development of child care facilities in areas where there are gaps in service provision.

Staffing funding under the EOCP is only made available to help support the staffing costs of those community based-not for profit projects which can demonstrate that they are providing child care in areas of significant disadvantage and that they are supporting disadvantaged parents to access employment, education or training. It is not intended that EOCP funding will meet the full costs of running a service.

Over 800 community based not for profit groups receive ongoing staffing grant assistance, with over €30 million of EU and Exchequer funding going to this measure each year. It was originally envisaged that some groups would receive such funding for a period of three years, as they move towards sustainability which would normally be achievable when the service is operating at full capacity and with an appropriate fee structure.

In a number of services, the levels of disadvantage among parents are such that the families would be unable to pay economic fees and therefore those services are likely to require ongoing State support towards their staffing costs. Supporting such services is particularly important in assisting families to break the cycle of disadvantage.

The Deputy may be aware that I have approved the existing levels of staffing grant assistance until 31 August 2005, for all groups whose first three year funding had elapsed. These groups have been informed of my decision and that this funding is subject to maintaining their forecast levels of service and implementing any conditions associated with the development of the service in relation to previous grant

approvals. The amounts awarded are deemed sufficient to enable the groups to maintain their approved level of service.

My Department is currently reviewing arrangements for the ongoing support of services in cases where they will have received staffing grant assistance for three or more years at any date prior to 31 August 2005. Included in the review will be an analysis of the number of services expected to require ongoing support; the number of projects which are delivering on their agreed targets; and the progress made by groups towards sustainability. When this review is completed, I expect to be in a position to take firm decisions regarding future funding arrangements. Information regarding the introduction of these new arrangements will be forwarded to the relevant groups as soon as it is available.

Garda Stations.

98. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the position in relation to having the replacement of Buncrana Garda station advanced; and if he will make a statement on the matter. [10249/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to her parliamentary question — ref. 8943/05 — on 22 March 2005 when I specified the various proposals being considered by the Garda authorities in relation to this station. I am advised by the Garda authorities that these proposals are still under consideration.

Electronic Monitoring.

99. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform his proposals for the electronic tagging for certain offences; the research his Department has done to establish the effectiveness of such a procedure; if his attention has been drawn to a report of the system in Canada that found that electronic monitoring had no effect on recidivism; and if he will make a statement on the matter. [10780/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As I indicated in my reply to Parliamentary Questions Nos. 107 and 222 of 16 February 2005, the use of electronic tagging systems to monitor offenders in other jurisdictions is an issue which my Department has kept under review for some time. My Department has looked at the experience of a number of countries in the operation of these systems. These include the United Kingdom, the United States of America, Sweden and Australia. In addition, my Department is aware of the experience in Canada as outlined in the report referred to by the Deputy.

As I have explained in my previous replies to the House on this matter, difficulties have been encountered in other jurisdictions in developing fully effective electronic tagging systems, but

recent developments in technology may provide solutions to these.

These developments are now being considered by my Department, in consultation with the Prison and Probation and Welfare Services, with a view to drawing up an enabling legislative provision to allow me to introduce electronic tagging in appropriate cases when the technology has advanced sufficiently. It is my intention to bring forward this proposal by way of an amendment to the Criminal Justice Bill which is currently at Second Stage in the Dáil. Details of the proposal will be announced in the normal way.

Deportation Orders.

100. **Mr. Broughan** asked the Minister for Justice, Equality and Law Reform the number of persons in respect of whom deportation orders have been signed but who have not yet been deported; and if he will make a statement on the matter. [10764/05]

712. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of deportation orders issued since June 2002; the number of deportations carried out; the number of deportation orders which have failed to be executed; and the number of deportations pending. [10517/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 100 and 712 together.

A total of 11,270 deportation orders have been made under the Immigration Act 1999 since its commencement in November 1999. Of these, 2,268 deportation orders have been effected to date — 1,546 in the period 1 June 2002 to 31 March 2005 — and approximately 100 cases are with the Garda National Immigration Bureau for arrangements to be made for their removal from the State. The majority of these have been carried out using scheduled commercial flights on numerous dates throughout the period in question.

The balance of the orders have not been effected for various reasons. Approximately, 6,000 persons are evading deportation. It is not known how many of these are still in the State but it is believed by the Garda national immigration bureau that a large number of these have already left of their own accord.

The remaining orders have not been effected because, variously: they have been revoked or have not been acted upon because of changed personal or legal circumstances, for example, the persons may have married an Irish national; they may have acquired residency rights by virtue of being a parent of an Irish born child; they may have been nationals of the ten states which joined the EU in May 2004; they may have initiated judicial review proceedings challenging the deportation orders; or the return of the persons concerned may have to be negotiated with their country of origin.

Question No. 101 answered with Question No. 83.

Garda Stations.

102. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform the progress made to date with regard to the recommendations contained in the report of the implementation steering group on the review of Garda Síochána structures; if he is considering proposals for the full closure of some stations and the closure of others during night hours; and if he will make a statement on the matter. [10782/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have no plans to reduce opening hours or close any Garda station.

The use of Garda stations was considered as part of the major review of the Garda organisation structures under the strategic management initiative programme of modernisation which looked in detail at a range of areas within the organisation. The Garda SMI implementation steering group's final report, which I have laid before the House and which is available on my Department's website and from the Government Publications Office, does not refer to the closure of any specific Garda station but rather makes recommendations to assist policy making in respect of the management and use of all available resources, including Garda stations.

It is also the case, however, that the position has changed significantly since the consideration of these issues under the strategic management initiative in that the Garda Síochána Bill 2004, which proposes the most fundamental modernisation of the Garda Síochána since the foundation of the State, provides that the Commissioner will have enhanced responsibilities in preparing proposals for organisational reform. It would be premature to anticipate at this stage what proposals, if any, might be developed by the Commissioner in this context.

Human Rights Issues.

103. **Mr. M. Higgins** asked the Minister for Justice, Equality and Law Reform the steps which are taken by this country to meet the commitment contained in the readmission agreement between Ireland and Nigeria regarding deportations to safeguard the human rights and dignity of those returned; and if he will make a statement on the matter. [10768/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The agreement between the Government of Ireland and the Government of the Federal Republic of Nigeria on immigration matters, which was signed at Abuja on 29 August 2001 provides, *inter alia*, for a mechanism for the repatriation of persons between the two states. Article 20 of the agreement provides that nationals of the contracting states shall not be subject to inhuman or degrading treatment in relation to repatriations carried out under the

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agreement. The agreement also provides guarantees in relation to access by embassy officials of the receiving state to the intended deportees in order, *inter alia*, to verify the identity of the persons concerned.

While procedures to give effect to the agreement have been completed in Ireland the process of ratification is still ongoing on the Nigerian side. Nonetheless, the Nigerian authorities are operating the spirit of the agreement. I am satisfied that all deportation operations to Nigeria fully respect the human rights of the persons involved and that the agreement is being honoured in every way.

It should be further noted that the making of a deportation order is subject to section 5 of the Refugee Act 1996, which absolutely forbids the sending of a person “in any manner whatsoever” to a place where the life or freedom of the person would be threatened on account of that person’s race, religion, nationality, membership of a particular social group or political opinion. This overarching principle is the bedrock of Ireland’s repatriation framework and exists independently of the provisions of any repatriation agreement to which the State becomes a party.

Deportation Orders.

104. **Mr. M. Higgins** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to serious concerns expressed by teacher unions at a number of recent reported cases in which members of the Garda were reported to have entered schools in an attempt to execute deportation orders in respect of children attending such schools; if he intends to ensure that this practice is halted; and if he will make a statement on the matter. [10767/05]

733. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the persons who ordered Garda snatch squads into classrooms to remove non-national children from schools for later deportation; and if this barbaric practice will end immediately. [10712/05]

772. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform, further to correspondence (details supplied), if he will take steps to ensure that the situation is never repeated again, whereby gardaí enter schools to secure deportations, particularly when there is a self-evident need for sensitivity around the issue and when there are other children involved; and if he will make a statement on the matter. [11010/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 104, 733 and 772 together.

I am in receipt of correspondence concerning this matter from a number of sources, including the vice-principal of the school concerned and the joint managerial body of the Association of Management of Catholic Secondary Schools.

I should first point out that Garda Síochána is tasked with the execution of deportation orders. In enforcing these orders, it is a priority, as far as operationally possible, that family units which are the subject of such orders are not broken up in the process. All persons subject to such orders are required to present at Garda stations for the purpose of their removal from the State. It is only where there is a failure to comply with such orders that the Garda Síochána is obliged to take measures to enforce same. I am informed by the Garda Commissioner that, in the circumstances which gave rise to these questions, members were obliged to call to school properties to enforce deportation orders because of a failure by the parents concerned to comply with a lawful request to present the family unit to the Garda.

A complaint has been made to the Garda Complaints Board in respect of this matter which precludes me for commenting further at this time.

Asylum Applications.

105. **Mr. Eamon Ryan** asked the Minister for Justice, Equality and Law Reform if he will re-examine, in a careful and compassionate manner his policy of refusing leave to remain to the majority of young non-Irish applicants who are integrated into Ireland but who are being deported once they reach 18 years of age, with a view to allowing more of these individuals to remain in the State. [10867/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is assumed that this question refers to unaccompanied minors who arrive in the State seeking asylum, whose claims for refugee status are refused following consideration of their cases by two independent bodies — the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal — and who subsequently reach the age of majority.

In such circumstances, the person is served with a notice of intent to deport under section 3(3)(a) of the Immigration Act 1999. A person served with such a notice of intent is afforded three options, namely, to leave the State voluntarily, to consent to the making of the deportation order, or to make representations in writing within 15 working days setting out reasons a deportation order should not be made and why temporary leave to remain in the State be granted instead.

Under section 3(6) of the Act, the Minister, in determining whether to make a deportation order, shall have regard to 11 specified considerations, one of which is the duration of residence in the State. Further, the Minister must have regard to section 5 of the Refugee Act 1996 — prohibition of *refoulement* — which forbids the sending of a person in any manner whatsoever to a place where the life or freedom of the person would be threatened on account of that persons race, religion, nationality, membership of a social group or political opinion. This *refoulement* provision does not mean that persons may not be returned to countries which would have inferior

welfare, educational and health services to ours. This is not in itself a basis for allowing them to remain here. It is not the case that there is a policy not to grant leave to remain to persons in the circumstances cited above. All applications are dealt with on a case by case basis, taking account of the Minister's obligations under the law.

Question No. 106 answered with Question No. 83.

Road Traffic Offences.

107. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the number of prosecutions for speeding that may be deemed invalid following the High Court judgement that the laser guns used by gardaí to monitor speed were in breach of the requirements of the Road Traffic Act 2002; if any such prosecution will remain valid; and if he will make a statement on the matter. [9698/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda authorities inform me that advice has been received from the law officers on the implications of the recent decision of the High Court on section 21 of the Road Traffic Act 2002 and on the taking of prosecutions utilising section 21 of the Road Traffic Act 2002, as amended by section 15 of the Road Traffic Act 2004.

The Garda authorities further inform me that the information requested on the number of prosecutions that cannot be proceeded with in the light of the recent High Court decision is not readily available and could only be obtained by the expenditure of a disproportionate use of staff time and resources.

Youth Services.

108. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the number of juvenile liaison officers in the Garda Síochána at the latest date for which figures are available; if he has plans to extend the scheme given its proven success in dealing with juvenile offenders; and if he will make a statement on the matter. [10783/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that as of 8 April 2005 there were 86 juvenile liaison officer — JLO — gardaí and eight JLO sergeants working in the various divisions throughout the country. In addition to this, the national juvenile office has a staff of one superintendent, two inspectors and two sergeants.

The Children Act 2001 provides a statutory basis for the operation of the Garda juvenile diversion programme. Included in that Act is the introduction into the criminal justice system of the concept of restorative justice and family conferencing, which provisions are being put into

effect by the Garda Síochána. The Garda authorities estimate that in the year 2004, the Garda juvenile office received between 17,000 and 20,000 referrals under the juvenile diversion programme. Early assessments indicated a very high level of satisfaction from those involved in the process.

Ongoing evaluation of restorative justice practice is being carried out by the Garda research unit. All Garda juvenile liaison officers have received training in restorative justice and over half have received training in mediation skills. It is expected that the ongoing development of restorative justice within the juvenile diversion programme will lead to a significant reduction in the incidence of recidivism.

The diversion programme already exists on a nationwide basis and is delivered throughout the country by specially trained gardaí. Details of the areas in which the programme is in existence is set out in the attached table. Resource implications are constantly under review and applications for additional resources are made on a case by case basis when and where necessary.

Juvenile Liaison Officers by Division

Division	Garda	Sergeant	Total
Dublin (South Central)	4	1	5
Dublin South	7	1	8
Dublin West	7	1	8
Dublin North	9	1	10
Dublin (North Central)	3	1	4
Dublin East	6	1	7
Louth/Meath	5	—	5
Longford/Westmeath	3	—	3
Laois/ Offaly	2	—	2
Kildare/ Carlow	3	—	3
Wexford/ Wicklow	3	—	3
Waterford/ Kilkenny	5	—	5
Tipperary	2	—	2
Cork City	6	1	7
Cork North	2	—	2
Cork West	2	—	2
Kerry	2	—	2
Limerick	2	1	3
Clare	1	—	1
Roscommon/ Galway East	2	—	2
Galway West	2	—	2
Mayo	2	—	2
Sligo/ Leitrim	1	—	1
Donegal	3	—	3
Cavan/ Monaghan	2	—	2
TOTAL	86	8	94

* The sergeant in Cork city division also has responsibility for the Cork north and Cork south divisions.

In respect of Garda resources generally, the House will be aware that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the commitment in An

[Mr. McDowell.]

Agreed Programme for Government in this regard. This is a key commitment in the programme for Government and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will be drawing up plans on how best to distribute and manage these additional resources and, in this context, due consideration will, *inter alia*, be given to the resourcing of the juvenile liaison scheme. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Questions Nos. 109 and 110 answered with Question No. 83.

Proposed Legislation.

111. **Mr. Wall** asked the Minister for Justice, Equality and Law Reform when he expects that the long promised judicial conduct and ethics Bill will be published; if he has brought proposals to Government on the matter; if the heads of a Bill have been approved by Cabinet; the general approach he intends to adopt; and if he will make a statement on the matter. [10789/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I expect to be in a position shortly to bring the scheme of a judicial council Bill to Government for approval with a view to publishing the Bill itself in the first half of this year. The preparation of the scheme of the Bill is at an advanced stage. I am engaged in a number of necessary consultations on the draft scheme at present.

The Bill will establish a judicial council with responsibility for a number of matters. Among these will be the devising of a code of ethics and the management of a process, to be set out in the Bill, for the investigation of complaints about judicial misbehaviour. An important feature of this disciplinary process will be provisions requiring lay participation, that is to say people who are not judges or lawyers, in the process. Other matters to be included in the council's functions will be responsibility for judicial education and training and the exchange of information among judges on such matters as sentencing. In these regards, the Bill will build on the report of the Committee on Judicial Conduct and Ethics chaired by the former Chief Justice, Ronan Keane.

It is my intention that when the scheme of the Bill has been approved by Government, I will make it available to the Joint Committee on Justice, Equality, Defence and Women's Rights. Any views that may emerge from the joint committee can be taken into account during the drafting of the Bill, which will be proceeding at the same time.

Refugee Appeals Tribunal.

112. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform his views on the criteria used for the appointment of members to the Refugee Appeals Tribunal; and if he will make a statement on the matter. [10859/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Refugee Appeals Tribunal is an independent body established under the Refugee Act 1996. The tribunal comprises a chairperson and, at present, 35 ordinary members appointed by the Minister for Justice, Equality and Law Reform.

The criteria used in making appointments to the Refugee Appeals Tribunal are set out in the Second Schedule to the 1996 Act. Ordinary members of the tribunal, who are part-time, hold office for a term of three years and, as in the case of the chairperson, are required to have had not less than five years' experience as practising barristers or practising solicitors before appointment.

The tribunal continues to play a vital part in the Government's overall asylum strategy, with a huge volume of appeals processed and dealt with in a timely, fair and effective manner in line with the State's international obligations.

The existing arrangements are working well and there are no plans to review procedures for appointing ordinary members of the tribunal.

Garda Operations.

113. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform if the Garda uses caller identification when receiving emergency and other telephone calls; and if he will make a statement on the matter. [10864/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the Garda Síochána does not as a matter of routine receive caller identification from the emergency services operator. For all other calls, caller identification is received only if the caller has enabled the facility on their telephone.

Prison Committals.

114. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform the number of persons committed to prisons during 2004 for alleged breaches of immigration laws without having been charged with a specific offence; if his attention has been drawn to concerns expressed by the Irish Refugee Council that in some cases

such persons were being held for weeks or months; and if he will make a statement on the matter. [10765/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not clear if the Deputy is referring to a specific area of immigration law. There is a wide range of offences created within the overall legislative framework dealing with immigration and asylum. Data on the number of persons in detention for breaches of those laws is not maintained in a manner to enable me provide the information sought by the Deputy.

I am aware that particular concerns have been expressed by the Irish Refugee Council and other organisations about the detention of persons under section 9(8) of the Refugee Act 1996, as amended. That Act sets out very specific safeguards in relation to the use of that provision. For example, detentions under section 9(8) are made by judicial authority and are subject to regular review for periods not exceeding 21 days and are made for specific reasons as set out in the said statute.

It should also be pointed out that persons in detention, for whatever reason, have remedies open to them to challenge their detention including, in particular, an application for an inquiry by the High Court in accordance with Article 40.4.2 of the Constitution.

This State, like every other sovereign state, has immigration laws to ensure that there is some degree of control over who enters our country and for what purposes. Our courts have reviewed various aspects of immigration laws over the years, including the power to detain persons for breaches of those laws, and it is beyond doubt that this State is entitled to and is obliged to take responsibility for the control of immigration. In certain circumstances that will involve detaining a person.

The European Convention on Human Rights Act 2003 requires every organ of the State to perform its functions in a manner compatible with the State's obligations under the Convention for the Protection of Human Rights and Fundamental Freedoms. That convention protects the liberty of every person but acknowledges that there may be a lawful arrest and detention of a person in accordance with a procedure prescribed by law to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.

Asylum Applications.

115. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the number of applications to remain in the State received to date from non-national parents of Irish-born children; the number of such applications that have been determined to date, giving those granted and those refused; if there is an appeals process in respect of applications turned down; and if he will make a statement on the matter. [10762/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The closing date for receipt of applications for the IBC/05 scheme was 31 March 2005. Some 18,000 applications were received. Of this number, some 3,600 applicants have been granted temporary permission to remain and 13 applicants have been refused temporary permission to remain. It should be noted that a number of incomplete applications are currently under examination or are being held pending the submission of documents.

With regard to the issue of appeals, it is anticipated that some of those who may not be successful under this scheme will otherwise have a right to remain in the State, for example, they may be here on work permits or on study visas. However, it is anticipated that most applying under the scheme will not have any other right of residence. Where an applicant has his or her application refused, he or she will be informed by letter, as applies to all persons who have no right to be in the State, of a proposal to make a deportation order in accordance with section 3 of the Immigration Act 1999, as amended.

The person will be given the option at that stage of making representations setting out the reasons he/she should be granted permission to remain temporarily in the State. The person's case file, including all representations submitted, will be considered under the various criteria set out in section 3(6) of the Immigration Act 1999, as amended, and under section 5 — prohibition of *refoulement* — of the Refugee Act 1996, as amended.

Firearms Offences.

116. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the alarming growth in gun crime; his views on the need to take immediate legislative or other steps to ensure stiffer prison sentences for those found in possession of, or proven to have used firearms in the pursuit of crime; if his attention has further been drawn to the significance of the increased use of sawn-off shotguns and automatic assault weapons; his plans to address this increasingly serious threat to the lives and property of the citizens of the State; and if he will make a statement on the matter. [10818/05]

776. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the number of gun crime incidents so far recorded in the past six months; if the type and nature of the weapons used is of particular significance; the action he plans to take to address this most serious issue; and if he will make a statement on the matter. [11224/05]

777. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the action he proposes to take to address the increasingly serious situation regarding the use of guns for criminal purposes; and if he will make a statement on the matter. [11225/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 116, 776 and 777 together.

While the number of cases of possession of firearms has decreased, it is a matter of concern to note a further increase in cases of discharge of firearms. I am conscious of the recent increase in violent crime involving firearms and the particular overriding necessity to ensure that public safety and security are given priority in any review of policy and legislation in respect of firearms. With this in mind, I have decided to bring forward at an early stage certain proposals for inclusion in the Criminal Justice Bill 2004. The Bill as published contains one of those proposals, namely, to provide for the secure custody of firearms. Other provisions will be brought forward in the form of amendments to the Bill on Committee Stage. The Bill is currently on Second Stage in the Dáil. These amendments will deal with better controls on the type of firearms which may be certified. They will further specify certain additional requirements which will have to be

met by applicants for certificates and allow for the imposition of conditions on the granting of a certificate. They will include a provision allowing the deeming by order of firearms which may not be certified. I am considering increasing the sentences for the more serious range of such offences, including the possibility of mandatory minimum sentences in some cases, as well as new offences of illegally modifying a firearm, for example, sawing off a shotgun, and the imposition of severe penalties for this offence.

I am satisfied that the necessary resources are being directed towards the containment and detection of such serious criminal activity. Investigations are undertaken by divisional and district garda officers at local level. All the necessary national support services are available to supplement these investigations, such as the Garda national bureau of criminal investigation.

The following table gives figures for the number of headline offences recorded and detected. With regard to the weapons involved, 40% are recorded as shotguns and 37% as pistols.

Headline Offences Recorded and Detected with a Firearm Involved 2004/2005*

Year	October		November		December	
	Recorded	Detected	Recorded	Detected	Recorded	Detected
2004	49	16	46	16	59	12
2005	January		February		March	
	Recorded	Detected	Recorded	Detected	Recorded	Detected
	53	33	39	7	47	13

* Statistics provided are provisional, operational and liable to change.

Deportation Orders.

117. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will consider the immediate suspension of mass deportations to allow for an audit of the policy by the Human Rights Commission. [10854/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I cannot agree to the suspension of our deportation process on the basis outlined by the Deputy. Deportations take place within the provisions of the Immigration Act 1999, as amended, and after each case has been fully considered by me with regard to the 11 considerations contained in section 3(6) of that Act and section 5 — prohibition of *refoulement* — of the Refugee Act 1996. I cannot accept the term “mass deportations” in this context, as each case is individually considered on the basis of its own facts and circumstances before a decision to deport is made.

A deportation process, after a person’s case has been dealt with fairly, is central to the proper functioning of any immigration and asylum system. This fact is recognised universally by bodies such as the UNHCR. I am not aware of any country which does not have at its disposal

the final sanction of deportation. Our asylum and repatriation system compares favourably with the best in the world in terms of fairness, decision-making and determination structures.

The deportation process is also subject to the scrutiny of the courts. It is open to a person to challenge a deportation order, by way of application for judicial review to the High Court, within 14 days of the notification of the making of the deportation order.

Security Industry.

118. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform the progress which has been made in the Garda investigation into two robberies of security vans in Dublin during March 2005 in which more than €4 million was taken; the total amount taken in raids on security vans during 2004 and to date in 2005; the number of such cases in which charges have been laid; if he is satisfied that the gardaí have sufficient resources to deal with this plague of robberies and to bring those responsible to justice. [10770/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Question No. 62 of today.

Asylum Applications.

119. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform the number of persons granted leave to remain in the State in each of the past three years; the number granted leave to date in 2005; and if he will make a statement on the matter. [10861/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I presume the Deputy is referring to applications for leave to remain made pursuant to section 3(6) of the Immigration Act 1999, as amended.

Leave to remain in these circumstances arise where a non-national is served with a notice of intent to deport under section 3(3)(a) of the Immigration Act 1999. A person served with such a notice of intent is afforded three options, namely, to leave the State voluntarily, to consent

to the making of the deportation order, or to make representations in writing within 15 working days setting out reasons a deportation order should not be made and why temporary leave to remain in the State be granted instead.

Under section 3(6) of the Act the Minister, in determining whether to make a deportation order, shall have regard to 11 specified considerations, one of which is any representation made by or on behalf of the person. The determination as to whether a deportation order is made or whether leave to remain is granted is not dependent on whether, in fact, the person has made representations for leave to remain. Thus, statistics are not maintained to distinguish between cases where representations have been made for leave to remain from those where no such representations were made.

The relevant statistics for the past three years are as follows:

Year	2002	2003	2004	2005 (until 31 March)
Temporary leave to remain granted under the Immigration Act 1999	158	86	175	15

In my reply to Question No. 94 on Wednesday, 16 February 2005, I gave the number of such temporary leave to remain as 140 for 2004. The correct figure should have been 175, as indicated above. I apologise for this incorrect information which was due to an incomplete transfer of data from an old database to a new management information system in my Department. I wrote to the Deputy concerned and to the Editor of *Dáil Debates* to correct the record of the House.

Question No. 120 answered with Question No. 77.

Garda Deployment.

121. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform if he still proposes to have 1,000 gardaí on duty as part of his promised traffic corps; when he proposes to set up this corps; and if he will make a statement on the matter. [10792/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, I announced the establishment within the Garda Síochána of the traffic corps on 23 November 2004. The Deputy will also be aware that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis in line with the commitment in An Agreed Programme for Government. As each cycle of recruit training is completed, the Garda Commissioner will assign these new members to the areas of greatest need with particular regard to certain priorities, which include the traffic corps.

I am informed by the Garda authorities that the number of gardaí assigned to the traffic corps will increase from the current level of approxi-

mately 530 to 1,200 by 2008. The assignment of gardaí to the traffic corps will be done on a phased basis in tandem with the recruitment of almost 1,100 recruits in each of the next three years.

I also published a strategic review of traffic policing on 23 November 1994, which is a blueprint for a transformation in the enforcement of road traffic law. A key recommendation of the strategic review is that a new position of assistant commissioner in charge of all aspects of road traffic law should be created. The position of assistant commissioner, traffic was filled on 22 February 2005. The Commissioner has tasked the assistant commissioner with implementing the recommendations contained in the strategic review in line with the implementation plan contained in the report.

Garda Recruitment.

122. **Mr. Crawford** asked the Minister for Justice, Equality and Law Reform the number of extra gardaí which will be provided in the year 2005 that will be additional to those who retire or take early retirement; if he is satisfied that there is a sufficient number of gardaí on the beat in view of the ongoing robberies and general violent activity in the Border area; if he will take further steps to utilise civilian personnel for office duty to make sure that all possible gardaí are available for what they are best trained for; and if he will make a statement on the matter. [10424/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel that the personnel, strength of the Garda

[Mr. McDowell.]
 Síochána as of 7 April 2005 was 12,209 — all ranks.

It is anticipated that a total of 411 recruits will be attested to the Garda Síochána during the remainder of 2005. It is also planned that a total of 1,100 recruits will be inducted to the Garda college during 2005. The first intake of 275 recruits to the Garda college commenced training in the week beginning 7 February 2005.

It is projected that approximately 321 members — all ranks — of the Garda Síochána will leave the organisation between 7 April 2005 and 31 December 2005. This figure includes a total of 20 gardaí — all ranks — who are due to retire from the force on compulsory grounds between 7 April 2005 and 31 December 2005.

Current projections indicate that the total strength of the Garda Síochána as at 31 December 2005 will be 12,299 — all ranks. Taking into account the projected number of retirements, the new recruitment drive will lead to a combined organisational strength, of both attested gardaí and recruits in training, of 14,000 as early as end 2006. I am further informed that local management is satisfied with current resource levels in the Border divisions, which are regularly reviewed.

As regards civilianisation, which is but one aspect of making more gardaí available on the streets, my Department is reviewing the position with the Department of Finance and Garda management as to how it will proceed further with the civilianisation programme in the context of the overall constraints of civil and public service numbers. The purpose of the review is to enable to the greatest extent possible the redeployment of desk-bound gardaí from administrative and technical functions to operational duties. This is in keeping with the general policy that civilianisation allows certain jobs to be done at a more economic cost and allows gardaí to focus on work more suited to their training and skills, thereby increasing overall operational capacity within the Garda Síochána.

Human Rights Issues.

123. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform his views on the concerns raised by a company (details supplied) in the human rights audit report on the operations of the Garda Síochána; his plans for addressing same; and if he will make a statement on the matter. [10857/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Question No. 68, tabled by Deputy Breeda Moynihan-Cronin for today, in the above regard.

Security Industry.

124. **Ms Lynch** asked the Minister for Justice, Equality and Law Reform the position with regard to the operation of the Private Security

Authority; the number of staff recruited by the authority; the services it is offering; the powers under the Private Security Services Act 2004 that it is implementing; and if he will make a statement on the matter. [10772/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Private Security Authority was established in October 2004 and is located in Tipperary town. The authority currently has a staff complement of five persons. It is envisaged that staffing levels will be increased appropriately over the coming weeks and months.

Since its establishment, the Private Security Authority has been formulating strategies for the implementation of the Private Security Services Act 2004. In particular, the authority intends to commence the licensing in October 2005 of companies where a nationally recognised standard for such companies already exists. The sectors concerned are security guarding, door security and event security. The licensing of these sectors will also facilitate future planning as it will generate high level statistics on the numbers of people involved in the various sectors of the industry. The authority is paying particular attention to issues arising in the context of cash escorts following my recent meeting with representatives of the security companies and financial institutions.

Licensing of companies in other sectors will be commenced on a phased basis as appropriate standards to support the relevant sectors are developed jointly by the PSA and the National Standards Authority of Ireland.

The provisions of the Private Security Services Act 2004 that have been commenced are detailed in S.I. 685 of 2004. These are: (a) Part 1; (b) sections 6 to 12, inclusive, 17 to 20, inclusive; and (c) Schedule 1.

Prisons Reports.

125. **Mr. English** asked the Minister for Justice, Equality and Law Reform the extent to which the reports which have been submitted to him by Mr. Justice Kinlen have been implemented by him in an effective and speedy manner; the reasons for the delay in implementing them; and if he will make a statement on the matter. [10892/05]

751. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 488 of 22 March 2005, the recommendations in the Kinlen reports published to date which he has implemented; and the timescale for the implementation of the other recommendations made in the reports. [10902/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 125 and 751 together.

The Inspector of Prisons and Places of Detention has made a considerable number of recommendations in his reports aimed at improving prison services and conditions. The position as of end-2003 in regard to implementation of the

inspector's earlier recommendations is set out in detail in the Irish Prison Service Annual Report 2003, which was published last year. A copy of that report is in the Oireachtas Library. The status of implementation of the inspector's more recent recommendations will be similarly addressed in the service's 2004 annual report which will be published in the coming months.

Overall, I am satisfied that the inspector's recommendations are being implemented on an ongoing basis as circumstances and resources allow. This is particularly the case in respect of the more straightforward recommendations such as appointment of additional psychologists, improvements to prison accommodation, provision of additional safety and other equipment, improvements in record-keeping and measures to frustrate the efforts of people who seek to make illicit drugs available to prisoners. Progress towards implementation of other more complex recommendations such as the replacement of Mountjoy and Portlaoise prisons and the provision of new library, medical and other facilities at Limerick Prison is ongoing. Construction of the new accommodation at Limerick Prison is under way and tenders are under consideration for provision of new prisoner accommodation at Portlaoise Prison as part of the next phase of redevelopment there. A contract was recently concluded for purchase of a site for a new prison complex to replace the existing prisons on the Mountjoy campus.

Prison Drug Treatment Services.

126. **Mr. Sherlock** asked the Minister for Justice, Equality and Law Reform the progress which has been made with regard to the implementation of the commitment contained in An Agreed Programme for Government to end all heroin use in prisons; if he intends to proceed with plans to introduce mandatory drug testing in prisons; and if he will make a statement on the matter. [10787/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Mindful of the commitments in the programme for Government, a group comprising Irish Prison Service management, prison governors, health authority representatives and clinicians have been consulted in relation to a drugs policy for the Irish Prison Service. The intention is that the drugs policy will facilitate consistent regulatory and operational structures in pursuing both supply and demand reduction.

The policy will have regard to the commitment in the programme for Government to end all heroin use in Irish prisons and my commitment to achieving a drug-free prison system. Working to fulfil these commitments will involve implementation of stringent measures to prevent drugs from getting into prisons while, at the same time, continuing to invest in services within prisons to reduce the demand for illicit drugs in the prisoner population and meet prisoners' treatment needs.

Central to supporting future supply and demand reduction will be the introduction of mandatory drug testing as envisaged in the prog-

ramme for Government. Already, prisoners accommodated in the training unit, the open centres at Shelton Abbey and Loughan House and in the designated drug free areas of Wheatfield Prison and St. Patrick's Institution in the Mountjoy complex are required to undergo frequent drug tests to confirm their drug free status. Mandatory drug testing will, however, soon operate all across the prison system. It will enable identification and referral of drug abusers to treatment programmes, enable enhanced focusing of resources and act as a deterrent to drug misuse. The new prison rules, which are almost finalised in my Department, will include specific provision for mandatory drug testing and in this context it is intended that later in the year, the Irish Prison Service will commence implementation of a new strategy of mandatory drug-testing, addiction counselling and treatment, and increased measures to prevent drug usage to provide a more complete system of rehabilitation.

Deportation Orders.

127. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the company which was contracted to undertake charter flights for deportees out of Ireland prior to the appointment of a company (details supplied) in March 2005; the number of flights since May 2002; the costs for the charter of aeroplanes and the number of deportees; the breakdown by nationality of those deported; and if he will make a statement on the matter. [10860/05]

131. **Mr. Broughan** asked the Minister for Justice, Equality and Law Reform the number of occasions since June 2002 on which aircraft have been chartered to facilitate the deportation of persons from this country; the total cost involved in such charters; the total number of persons deported in this way and the number who were children; the overall costs involved, including Garda man hours; and if he will make a statement on the matter. [10763/05]

711. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of deportations which have occurred since June 2002; the date of each such deportation flight; the destination of same; the number of deportees; the number of gardaí on each flight; the number of other security personnel on each flight; and the total cost of each flight. [10516/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 127, 131 and 711 together.

From January 2002 to date, 13 charter flights have been engaged for the purpose of deportation of persons illegally residing in the State. A total of 376 persons were deported in this way at a total cost of €1,628,201. Details of these charter flights, that is, dates, destinations, numbers deported — broken down into adults and minors, in so far as this information is available — and individual costs are as shown in the table supplied at the end of this answer.

The above costs include Garda expenses associated with these removal operations. I am

[Mr. McDowell.] advised by the Garda Commissioner that, given the wide range of immigration duties performed by the Garda Síochána and the Garda National Immigration Bureau in particular, it is not possible to identify the particular pay and overtime costs incurred by the Garda in relation to these charter flights. However, the Commissioner informs me that charter flights involve a lower ratio of Garda escorts to deportees than is the case using conventional schedule flights, resulting in savings to the Garda budget.

The number of escorting gardaí on each flight varies as it is dependent on a prior risk assessment of each removal operation carried out by the Garda National Immigration Bureau and on the policy of the particular airline. Given the large number of removal operations, it would involve a disproportionate use of Garda time and resources to provide details of the exact escort numbers used in each case. However, it is usual for two escorts to accompany a single deportee with a lower ratio used where more than one person is being removed to the same destination and on board charter flights.

There are two main categories of repatriation charter flights. Smaller charters that are organised to remove disruptive deportees that commercial airlines will not take on account of previous disruptive behaviour on board aircraft and bigger charters organised to return larger numbers of deportees in a more efficient way than using schedule flights. It should be stated that Ireland does not have direct flights to the destinations where these charters have taken place. The alternative to chartering is transiting through hub European airports involving longer transfer times, more inconvenience to deportees and the attendant risk of deportees absconding in transit.

The use of charter flights, including joint charters shared by two or more countries, are accepted and used widely across the European Union as an effective and efficient means of returning persons illegally present on the territories of member states following individual consideration of their cases. The European Council of Ministers adopted a decision in April 2004 facilitating the greater use of joint repatriation flights as a means of demonstrating solidarity among member states, increasing the rate of returns and making more effective use of resources.

Ireland has carried out two such joint operations with the Netherlands on 28 November 2003 to Romania and Bulgaria and with the UK to Romania and Moldova on 18 November 2003 — details of which are provided in the table set out below.

It is well established that an effective deportation process is a necessary element of an immigration system. The lack of an effective means to deport persons not granted permission to remain in the State would call into question the integrity of the entire immigration and asylum laws. Failure to enforce deportation orders in the case of disruptive behaviour would produce two main outcomes. First, it would send a clear signal that deportation can be avoided by simply being disruptive. Second, disruptive behaviour by deportees on scheduled flights would become the norm leading to concerns for the safety of passengers and staff on aircraft and cause further difficulties for the gardaí in the already problematic task of enforcing deportation orders.

Two companies were involved in the provision of suitable aircraft for the removal of deportees by charter flights prior to the appointment of Air Partner Plc as approved service providers in February 2005. These companies were Fly Ireland and Swiftair Aviation Limited. The companies were contracted individually for each charter flight.

No. of non-nationals deported

Date	Destination	Adults	Minors	Total	Cost
					€
9 January 2002	Algeria	2	Nil	2	29,833
28 March 2002	Nigeria	6	Nil	6	241,250
14 November 2002	Nigeria	N/A	N/A	12*	191,730
18 November 2003	Romania and Moldova	N/A	N/A	24*	92,490
28 November 2003	Romania and Bulgaria	N/A	N/A	20*	31,989
12 February 2004	Romania	N/A	N/A	62*	93,609
20 February 2004	Gambia	1	Nil	1	50,200
31 March 2004	Romania	49	4	53	71,590
6 April 2004	Nigeria	26	3	29	146,500
26 August 2004	Nigeria	24	1	25	248,610
17 November 2004	Romania and Moldova	56	10	66	82,700
15 December 2004	Romania and Moldova	39	2	41	82,700
15 March, 2005	Nigeria	26	9	35	265,000

*Note: A breakdown of the numbers deported between adults and minors is not readily available for four of the flights. To attempt to provide such a breakdown would require the gardaí revisiting each of the 118 cases involved, which would involve a disproportionate use of time and resources.

Security Industry.

128. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the discussions he has had with the Garda authorities following the spate of well organised robberies in the past four months; if he has identified countermeasures to be taken; if he has intimated any such views to the Garda authorities or other security agents or agencies; if he has had discussions with any such bodies in the aftermath of the Brinks Allied heist; the reason this event was not anticipated and preventative measures put in place in view of the obvious growth of organised crime; and if he will make a statement on the matter. [10817/05]

778. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he took action arising from the first major robbery in this jurisdiction this year with particular reference to payroll transport, bank and post office security; if he issued any instructions directly to the Garda or other authorities regarding the need to step up security in this area; and if he will make a statement on the matter. [11226/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 128 and 778 together.

I refer the Deputy to my reply to Parliamentary Question No. 62 of today.

International Terrorism.

129. **Mr. Sherlock** asked the Minister for Justice, Equality and Law Reform if he will report on the most recent advice given to him by Garda authorities regarding the current level of threat to Ireland from international terrorists; the way in which the level of threat to Ireland compares to the level of threat to Europe in general; and if he will make a statement on the matter. [6707/05]

135. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the steps being taken to protect the State from terrorist attack; and if he will make a statement on the matter. [6743/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 129 and 135 together.

I take it both questions relate to threats arising in relation to international terrorism rather than from indigenous terrorist groupings. Responsibility for internal national security is a matter for the Garda Síochána, with the support of the Defence Forces, as appropriate. The Garda authorities maintain an up-to-date assessment of the threat of attack from national and international terrorist groupings through analysis of intelligence gathered from domestic and international sources.

The Garda involvement for many years in fora within the European Union and further afield has ensured that excellent lines of communication and co-operation have been developed and fostered with police and security services worldwide. This facilitates the ongoing sharing of intelligence concerning terrorist groupings and enables a rapid operational response to be put in place where circumstances dictate.

Security threat assessments on the risk level to Ireland of terrorist attack are furnished by the Garda authorities at regular intervals to the Government and me. Although it is not the practice, and it would be contrary to the public interest to reveal the content of these threat assessments, the Deputy will appreciate that it is vital that the resources of the State are fully used to combat the real, ongoing threat posed by both national and international terrorism.

Question No. 130 answered with Question No. 80.

Question No. 131 answered with Question No. 127.

Garda Investigations.

132. **Mr. Rabbitte** asked the Minister for Justice, Equality and Law Reform if he has received the detailed report from the Garda Síochána into the Garda investigation of the murder of two women in Grangegorman, Dublin 7, in March 1997 which led to the wrongful charging of Dean Lyons; when he will be in a position to make a decision on the further investigation which may be required; if he will consider using the range of powers available to him under the Commissions of Investigation Act 2004; and if he will make a statement on the matter. [10788/05]

731. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number of reports he has sought since his appointment as Minister for Justice, Equality and Law Reform from the Garda to date regarding the Grangegorman murders and the specific details sought on each occasion. [10694/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 132 and 731 together.

I, and the officials of my Department on my behalf, have been in regular communication over a significant period with the Garda authorities in relation to issues arising from the investigation of the double murder in the Grangegorman area on 6-7 March 1997.

Each such communication could be regarded as a request for a report. In view of the volume of written and oral contacts which have taken place, it is not possible to provide the Deputies with the number of requests for reports, however defined,

[Mr. McDowell.]
or any specific details requested on the occasion of such contacts.

Garda Strength.

133. **Ms O'Sullivan** asked the Minister for Justice, Equality and Law Reform the number of recruits who have graduated from the Garda Training College as full Garda members since 6 June 2002; the number of gardaí who have retired, resigned or otherwise left the force since 6 June 2002; and if he will make a statement on the matter. [10779/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that 1,421 recruits have graduated from the Garda College since 6 June 2002. The figure refers to those who have successfully completed the student-probationer education and training programme.

I am further informed that a total of 1,235 members, all ranks, have resigned, retired or otherwise left the Garda Síochána since 6 June 2002. A total of 1,679 recruits have been attested to the Garda Síochána in the same period. The figure of 1,421 who have graduated from the Garda College are those members who have successfully completed the student-probationer education-training programme.

Garda trainees are attested to the force on successful completion of phase three of their training. On attestation, Garda trainees become serving members of the force. Thus the serving strength of the force at any given time includes those who have been attested following completion of phase 3 of their training but have not yet formally graduated; formal graduation takes place following the completion of the fifth and final phase of training. The strength of the force has therefore increased by 444 members since June 2002.

Prison Reports.

134. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform the reports which have been submitted to him by Mr. Justice Kinlen; the reports which have been published; the longest period of time which has elapsed between the date a report was submitted to him and the date it was published; the reasons for the delay involved; and if he will make a statement on the matter. [10889/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The formal reports received by my Department from the Inspector of Prisons and Places of Detention, since his appointment, are as follows: First Annual Report of the Inspector of Prisons and Places of Detention; Report of

the Inspection of Cloverhill Prison; Report of the Inspection of Mountjoy Prison and the Dóchas Centre; Report of the Inspection of Portlaoise Prison; Report of the Inspection of Limerick Prison; Report of the Inspection of Wheatfield Prison; Report of the Inspection of Fort Mitchel, Place of Detention; Report of the Inspection of Loughan House, Place of Detention; Report of the Inspection of Arbour Hill Prison; Report of the revisit Inspection of Cloverhill Prison; Report of the revisit Inspection of Limerick Prison; Report of the revisit Inspection of Portlaoise Prison; Report of the Inspection of Castlereagh Prison; Report of the Inspection of St. Patrick's Institution; Report of the revisit Inspection of Mountjoy Prison and the Dóchas Centre; Report of the Inspection of Cork Prison; and Second Annual Report of the Inspector of Prisons and Places of Detention.

All of these reports, with the exception of the last two, have been published and are available on my Department's website, *www.justice.ie*. The longest period of time which has elapsed between the date a report was submitted to my Department and the date it was published was approximately six months. It is necessary to have all reports submitted by the inspector and examined before publication and this sometimes involves a number of bodies. However, I have directed that such examinations should be completed as quickly as possible to prevent delays of this type occurring in the future.

Question No. 135 answered with Question No. 129.

Garda Complaints.

136. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the amount paid out either in respect of court awards or out of court settlements for claims taken against members of the Garda Síochána in respect of assault, unlawful arrest or other breach of a citizen's right in respect of 2001, 2002, 2003, 2004 and to date in 2005; the number of cases in which awards were made by the courts and the number of cases which were settled out of court; the number of such cases pending; and if he will make a statement on the matter. [10784/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy in relation to court awards and out of court settlements in actions taken against members of the Garda Síochána in respect of assault, unlawful arrest or other breaches of citizens' rights is set out in the table below.

As of 31 December 2003, there were approximately 750 civil actions taken against members of the Garda Síochána in hand. A detailed breakdown of these actions in the form of the number of allegations of assault, unlawful arrest and other

breaches of citizens' rights is not readily available. However, a database introduced in 2002 for the purposes of recording civil actions taken against members of the Garda Síochána indicates that in 2003, the first complete year for which a detailed breakdown is available, of the 142 actions initiated or received in that year by my Department there were 34 cases of alleged assault recorded and 38 cases of alleged unlawful arrest recorded. The remaining 70 cases recorded included allegations of defamation and harassment. In the year 2004, 127 actions were initiated-received. They included 40 cases of alleged assault and 26 cases of alleged unlawful arrest. In the year 2005 to date, 35 actions have been initiated-received. They include 12 cases of alleged assault and six cases of alleged unlawful arrest.

Civil actions may be taken by the general public against members of the Garda Síochána for compensation for alleged wrongs and personal injuries inflicted on them by Garda members in the performance of their duties. The

highest percentage of these types of civil actions against the Garda Síochána is in relation to assault and unlawful arrest. The majority of these cases have been settled for less than €25,500. Settlement of cases takes place on the advice of the Chief State Solicitor, the Attorney General and State Counsel.

The Garda Commissioner has informed me that incidents which result in claims against the State in respect of the actions of gardaí are examined as appropriate with a view to identifying and implementing operational strategies to eliminate or reduce similar claims in the future. The Garda Commissioner has also informed me that the Garda Síochána (Discipline) Regulations 1989 are invoked in appropriate cases where the actions of individual Garda members come into question. One of the principal aims of the Garda Síochána Bill 2004 is the establishment of a new mechanism for dealing with complaints against members of the Garda Síochána which will secure public confidence and which will address the acknowledged shortcomings in the existing law and procedures on complaints.

Year (Total Amount)		Assault	Unlawful Arrest	Other
		€	€	€
2001 €1,619,746.83	Awards	1,904.61 (1)	20,950.68 (2)	22,220.42 (1)
	Settlements	123,164.59 (5)	33,965.49 (3)	162,782.25 (9)
	Costs	244,665.35	123,199.41	886,894.03
	Total	369,734.55	178,115.58	1,071,896.70
2002 €1,240,388.40	Awards	1,270 (1)	3,809.21 (1)	56,500 (2)
	Settlements	166,924.48 (6)	106,835.58 (10)	185,078.82 (11)
	Costs	230,769.67	148,714.19	340,486.45
	Total	398,964.15	259,358.98	582,065.27
2003 €1,276,127.55	Awards	11,000 (1)	10,000 (2)	4,870 (2)
	Settlements	75,000 (4)	303,011 (5)	112,814.84 (4)
	Costs	145,561.70	71,794.28	542,075.73
	Total	231,561.70	384,805.28	659,760.57
2004 (Provisional) €938,799.09	Awards	15,000 (1)	0	3,215.06 (1)
	Settlements	198,697.48 (5)	73,007 (5)	50,500 (3)
	Costs	231,646.62	100,019.36	266,713.57
	Total	445,344.10	173,026.36	320,428.63
2005 (Provisional) €649,286.35 as at 08/04/05	Awards		250.00 (1)	
	Settlements	35,000 (1)	9,113.00 (2)	
	Costs	20,570 (1)	583,748.35(6)	605.00 (1)
	Total	55,570.00	593,111.35	605.00

The number of cases in which awards were made by the courts and the number of cases which were settled out of court are shown in brackets in each case.

Question No. 137 answered with Question No. 81.

Prison Building Programme.

138. **Mr. Cuffe** asked the Minister for Justice,

Equality and Law Reform his views on the financial criteria and any other criteria used in the selection of a site for a new prison in the Dublin area; and if he will make a statement on the matter. [10855/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The criteria employed in the assessment of the site are set out in the minutes of the selection committee which have been published. I am satisfied that proper procedures were followed and I reject any suggestion to the contrary.

Crime Levels.

139. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform his views on the low level of detections, prosecutions initiated and convictions secured in respect of rape cases; the steps he intends to take to achieve a higher level of detection and convictions in such cases; and if he will make a statement on the matter.

[10790/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I was pleased to note decreases in aggravated sexual assault, sexual assault, rape of a female and unlawful carnal knowledge in the provisional headline crime figures for the quarter ending 31 March 2005 which I have just released. I was concerned, however, to see a recorded increase in the number of cases of rape section 4.

With regard to the number of detections, I can assure the Deputy that any incident of rape or sexual assault reported to the Garda Síochána is fully investigated, as much evidence as possible is gathered and, subsequently, a file is forwarded to the Director of Public Prosecutions for a direction as to whether a prosecution should proceed or not.

The Garda Síochána actively encourages people who are the victims of any crime to report the offence to the gardaí. In addition, a number of established initiatives underpin this policy, such as the Garda confidential telephone number, Crimestoppers and Crimecall.

I have outlined to the House on a number of occasions that there is a high attrition rate in rape cases in Ireland, and a large number of cases reported to the gardaí do not reach prosecution stage for a variety of reasons. As the Deputy is aware, the Director of Public Prosecutions is statutorily independent in the performance of his function and it would, therefore, be inappropriate for me to comment on his decisions.

My Department has approved joint funding for comprehensive research into attrition rates in rape cases. The research, which is entitled *The Understanding of Attrition, Early Withdrawal, the Trial Process and Identifying Possible Changes to Support Complainants in Rape Cases*, is being carried out by the Department of Law at the National University of Ireland, Galway and the Rape Crisis Network Ireland. It is being conducted over three years and is expected to be completed in 2007-08.

This research should provide a greater understanding as to why some victims choose not to report cases to the gardaí, what can be done

about under reporting and why, of the cases that are reported, only a relatively small percentage result in a court hearing. It is important to note that, with regard to conviction rates, the courts are independent in their function and it would therefore be inappropriate for me to comment on their decisions.

Following completion of this research, action will be taken, as appropriate, to resolve any issue that may arise.

Prison Visiting Committees.

140. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the mileage claimed by members of jail visiting committees; and if he will make a statement on the matter. [10870/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The number of miles recorded on the financial management systems in my Department for members of the prison visiting committees for the period January to December 2004 is 282,629 at a cost of €295,432.69. As I have previously explained, a visiting committee is appointed to each prison under the Prisons (Visiting Committees) Act, 1925 and Prisons (Visiting Committees) Order, 1925.

Vouched expenses for travel and subsistence are paid, on the authorisation of the prison governor, in line with Civil Service rates. The Deputy will be aware that it is my policy to appoint all new members of prison visiting committees to a prison in their home county or a neighbouring county. In past years, each visiting committee has undertaken an annual visit to another prison institution for instructional purposes in order to compare facilities and conditions in other institutions against their own prison. I have instructed that such visits should now only take place where the majority of the members of the visiting committee have been newly appointed, thereby reducing travel and subsistence expenses.

These new policies have resulted in significant savings for the Irish Prison Service. The total travel and subsistence expenses paid to members of the prison visiting committees in 2004 amounted to €338,540.58 as compared to €656,435.53 in 2002, which represents a drop of 48%.

Garda Training.

141. **Mr. Eamon Ryan** asked the Minister for Justice, Equality and Law Reform the detailed breakdown of the staff numbers employed in training and other duties at the Garda College, Templemore currently and at end of 2002, 2003 and 2004; and if he will make a statement on the matter. [10868/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the detailed breakdown of staff numbers currently employed in training and other duties at the Garda College, Templemore, as sought by the Deputy is as set out hereunder:

Garda Training Staff

Rank	31/12/02	31/12/03	31/12/04	8/04/05
Chief Superintendent	1	1	1	1
Superintendent	6	5	5	5
Inspector	7	8	9	9
Sergeant	61	60	59	60
Garda	73	73	68	66
Total	148	147	142	141

Civilian Training Staff

Role	31/12/02	31/12/03	31/12/04	8/04/05
Head of T & D* Unit	1	1	1	1
Teachers	6	7	6	8
Video Officer	1	1	0	0
Total	8	9	7	9

* T & D Unit = Training and Development Unit

Clerical Staff

Role	31/12/02	31/12/03	31/12/04	8/04/05
Staff Officer	1	1	1	1
Librarian	0	0	1	1
Finance Officer	0	0	2	2
Clerical Officer	21	21	18	18
Telephonist	1	1	1	1
Total	23	23	23	23

General Operatives

Role	31/12/02	31/12/03	31/12/04	8/04/05
Tradesmen	2	2	2	2
Operatives	13	13	13	13
Total	15	15	15	15

Cleaning Staff — Fulltime

Role	31/12/02	31/12/03	31/12/04	8/04/05
Cleaners	24	24	24	24
Total	24	24	24	24

Restaurant Staff

Role	31/12/02	31/12/03	31/12/04	8/04/05
Restaurant Staff	19	19	19	19
Total	19	19	19	19

Shop Staff

Role	31/12/02	31/12/03	31/12/04	8/04/05
Shop Staff	2	2	2	2
Total	2	2	2	2

Deportation Orders.

142. **Mr. Crawford** asked the Minister for Justice, Equality and Law Reform if he will further examine the situation regarding the deportation of persons; if he will evaluate each such case directly before deportation orders are signed; if he will reconsider and allow those persons return who have already been deported without proper scrutiny; and if he will make a statement on the matter. [10423/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In relation to all files submitted to me containing recommendations for deportation, it is plainly necessary for officials to collate and summarise all relevant information and present it in a coherent and consistent format for me to consider. Almost without exception, this involves, first, a summary of all available information on each of the 11 factors in section 3(6) of the 1999 Act and, second, a consideration of the *refoulement* issues under section 5 of the Refugee Act 1996, as amended, and-or other significant issues relating to the case. A recommendation is then made to me by an officer at a grade not lower than assistant principal. The entire file is then submitted to me for a decision. I have before me both the summary submissions and all relevant supporting papers before deciding whether or not to sign the deportation order.

The procedures described above have been closely followed in each case where a deportation order has been made and the person deported. I cannot accept the inference in the Deputy's question that persons have been deported without full and proper scrutiny of their cases.

It should also be remembered that where deportation orders are made in regard to asylum seekers, their applications have already been considered and rejected within the independent asylum determination process comprising, the Refugee Applications Commissioner, ORAC, and the Refugee Appeals Tribunal, RAT.

The details of the Deputy's question refers to persons who have been involved in the Irish education system for some time. I ask the Deputy to consider what the consequences would be of a policy not to deport persons involved in the education process and, by implication, their families. I draw attention to the fact that in 2003, of the 7,900 asylum applicants almost 1,100 were accompanied minors between the ages of four and 18. Similarly, in 2004, of the 4,766 asylum

applicants, over 700 were accompanied minors between the ages of four and 18.

By adopting a policy of non-deportation in such circumstances, Ireland would be sending out a message to the world that it is assuming an obligation to provide education for those who, having been found not to be in need of international protection, have otherwise no right to be in the State.

Proceeds of Crime.

143. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform if he has explored the possibility of using money seized by the Criminal Assets Bureau for volunteer projects as a means of reinvesting in communities; if he has had further discussions either within his Department or with colleagues on this issue; and if he will make a statement on the matter. [11401/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Criminal Assets Bureau enforces the Proceeds of Crime Act 1996 which provides statutory procedures of restraint. The effect of restraint orders made by the High Court is to freeze, for at least seven years, property deemed to be the proceeds of crime. After that period, a disposal order may be sought from the court to vest the property in the Minister for Finance. It is only where the court directs that such property be transferred that funds accrue to the Exchequer.

While I have raised the matter with my colleague, the Minister for Finance, the proposal that assets, which are determined by law to be the proceeds of crime, be committed directly towards volunteer projects as a means of reinvesting in communities would involve a significant departure from Government accounting principles. These provide that it is a matter for the Government, with the approval of the Oireachtas, to determine the optimum allocation of Exchequer receipts in accordance with agreed priorities. The position of the Department of Finance is that any departure from such principles could set a precedent which would be difficult to resist in those circumstances and which, no doubt, would reactivate long-standing demands for "ringfencing" receipts in other sectoral areas.

Official Travel.

144. **Mr. Allen** asked the Taoiseach if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in

his official party; the duration of the visit and the cost involved. [10171/05]

The Taoiseach: I travelled to the United States on 15 March for St Patrick's Day, returning on 18 March. My programme included visits to Syracuse, New York, Baltimore and Washington. The official party consisted of the Second Secretary General of my Department, the Director of Northern Ireland Division, Government press secretary, special adviser, private secretary, personal assistant, security officer and myself. The Minister for Foreign Affairs travelled separately to the US and joined me in Washington. He accompanied me on the return journey. The overall cost of the visit is not yet available.

Decentralisation Programme.

145. **Mr. Naughten** asked the Taoiseach the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10524/05]

The Taoiseach: There are no sections of my Department based outside Dublin and there are no proposals to decentralise any section of my Department or any of the bodies or agencies operating under its aegis. A significant part of the Central Statistics Office is already located in Cork.

Grant Payments.

146. **Mr. Broughan** asked the Taoiseach the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10700/05]

147. **Mr. Broughan** asked the Taoiseach the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10701/05]

The Taoiseach: I propose to take Questions Nos. 146 and 147 together.

My Department has not paid grants nor awarded financial assistance in the past three years to any groups such as those referred to in the Deputy's questions.

Departmental Records.

148. **Mr. Boyle** asked the Taoiseach the annual

fees paid to each chairperson and director in each statutory board under the remit of his Department. [10872/05]

The Taoiseach: The annual stipend fee for the Chairperson of the National Statistics Board is €7,618.43. The other bodies under the aegis of my Department are non-statutory.

Lisbon Agenda.

149. **Mr. P. Breen** asked the Taoiseach the coordination arrangements he proposes to put in place to implement the Lisbon Strategy as agreed at the recent European Council summit and if he will make a statement on the matter [10921/05]

The Taoiseach: The European Council agreed at its meeting on 22 to 23 March that each member state will draw up a national action programme to implement the Lisbon Agenda and that member states will enhance their internal co-ordination arrangements to support national implementation.

In the light of the European Council conclusions, I have been considering the co-ordination process which is in place here to progress the Lisbon Agenda. While responsibility for implementing individual elements of the Lisbon Agenda lies with relevant Ministers and Government Departments, my Department has an active role in co-ordinating and overseeing the overall implementation of the Lisbon Agenda. I consider that the current arrangements are appropriate to the needs of our administration and will enable us to deliver the Lisbon reforms effectively.

Consultations on our proposed national reform programme will be held with the stakeholders over the coming months.

Special Educational Needs.

150. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the average waiting period for primary school children to receive speech and language therapy; her proposals to address this problem; and if she will make a statement on the matter. [10658/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for speech and language therapy. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

151. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the steps being taken by her Department to ensure that

[Aengus Ó Snodaigh.]

sufficient resources are available to deal with the large number of pupils in primary schools in the Ballyfermot area who are presenting with speech difficulties. [11258/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal services. This includes responsibility for speech and language therapy. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

152. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for an orthodontic assessment. [9944/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for orthodontic services. Accordingly, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

153. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical card will be issued on medical grounds to persons (details supplied) in County Kilkenny who applied in February 2005 and are still awaiting a response. [9945/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

154. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if the Health

Service Executive will review the level of support being given in the case of a person (details supplied) in County Carlow with a view to granting them twilight and night nursing; the assistance which is required; and if the public health nurse will interview this person to determine their requirements. [9946/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of health services. Accordingly, my Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

155. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 281 of 26 January 2005 if orthodontic treatment will be arranged in the case of a person (details supplied) in County Kilkenny in view of the fact that this person has been examined in the county clinic; the waiting list for this treatment; the exact timeframe relative to this case; and if she will make a statement on the matter. [9947/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for orthodontic services. Accordingly, my Department has again requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

156. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when funding approval will be made available for a neurologist to the Health Service Executive northern area; and if she will make a statement on the matter. [9948/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of neurology services. Accordingly, my Department has requested the chief officer for the executive's north western area to investigate the matter raised and to reply directly to the Deputy. Last December my

Department provided additional revenue funding of €200,000 to the North Western Health Board for the development of neurology services.

Housing Aid for the Elderly.

157. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the position of the application for special housing aid for the elderly for a person (details supplied); when the application will be processed or works commence; and if she will make a statement on the matter. [9949/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Wexford, on behalf of the Department of Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

Louth County Hospital.

158. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if she has received a request from Dundalk Urban Council to meet with her to discuss issues in relation to Louth County Hospital, Dundalk; the date this request was made and when the requested meeting will take place. [9988/05]

Tánaiste and Minister for Health and Children (Ms Harney): I have received a number of requests in recent months to meet a delegation representing Dundalk Town Council to discuss issues in relation to Louth County Hospital, Dundalk. In this regard, I have advised the council that I have agreed to a meeting which is scheduled to take place on 18 May 2005.

Housing Aid for the Elderly.

159. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when two doors will be replaced for a person (detail supplied) in County Clare under the housing aid for the elderly scheme; and if she will make a statement on the matter. [9989/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

This includes responsibility for the provision of the housing aid scheme for the elderly in Clare, on behalf of the Department of Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid western area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Services.

160. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the Government's attitude to the entitlement of persons who hold medical cards and who are in need of nursing home services but who have had to avail of private nursing home services due to the lack of a public place in view of the recent Supreme Court judgment; the Government's position in relation to paying for the cost of the private nursing home; the Government's position in relation to meeting the various requirements for care, such as chiropody service and so on while the patient is in a private nursing home. [9990/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department is currently studying the Supreme Court judgement in detail and will take on board all the consequences for policy and law arising from the judgement. A special Cabinet sub-committee comprising the Taoiseach, the Minister for Finance, the Attorney General and the Tánaiste has been established to consider the issue of repayment in light of the judgement.

Persons who were in publicly contracted beds in private nursing homes are covered by the terms of the Supreme Court judgment. The Health (Nursing Homes) Act 1990 regulates the private nursing home sector. Under the nursing home subvention regulations the HSE makes a financial contribution to an individual towards the cost of his/her private nursing home care provided they qualify on means and dependency grounds. The provisions of the Supreme Court judgment do not apply to individuals in private nursing homes who have entered these homes under the nursing home subvention scheme.

A medical card issued by a Health Service Executive, HSE, area enables the bearer to receive certain health services free of charge. Everyone over 70 years of age who is normally resident in Ireland, is entitled to a medical card regardless of means. A medical card granted to a person with full eligibility entitles them to free GP, family doctor, services; prescribed drugs and medicines, with some exceptions, under the GMS Scheme; inpatient public hospital services; outpatient services; dental, optical and aural services; medical appliances; maternity and infant care services; and a maternity cash grant. Where community-type services such as chiropody are concerned, there is no statutory obligation that

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automatically entitles a person to such services although some health boards do provide a level of these services. Under the Health Act 1970, determination of eligibility for medical cards is the responsibility of the Health Service Executive, HSE, which devises guidelines from time to time for the administration of the medical card scheme.

Hospitals Building Programme.

161. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children when planning permission for the new development at Fermoy Community Hospital will be sought; when work will commence on the psychiatric hospital on the grounds of Fermoy Community Hospital; and if she will make a statement on the matter. [9991/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under Section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors.

The Health Service Executive's national capital plan is currently being examined by my Department.

Health Service Allowances.

162. **Mr. Healy-Rae** asked the Tánaiste and Minister for Health and Children the position regarding the payment of a curam home care grant for a person (details supplied) after being assessed as maximum dependency and approved but due to allocation of funding for this scheme has been placed on a waiting list for payment; and if she will make a statement on the matter. [9994/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of health services. Accordingly, my Department has requested the chief officer for the executive's

southern area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

163. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the reason orthodontic treatment has been refused in the case of a person (details supplied) in County Kildare who was identified as being in need of treatment eight years ago; and if she will make a statement on the matter. [9995/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for orthodontic services. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

164. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will be issued to a person (details supplied) in County Kildare; if the card will be backdated to the original application submission date of January 2005; and if she will make a statement on the matter. [9996/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer of the eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

165. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if there are problems in respect of public patients at Temple Street Hospital; and if the consultants are carrying out their work on waiting lists in a professional and impartial manner. [10007/05]

167. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she has satisfied herself that public patients in Temple Street Hospital are treated the same way as private patients; and if complaints have been received from parents on this issue. [10009/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 165 and 167 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Services at the Children's University Hospital, Temple Street are provided under an arrangement with the executive. My Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply to the Deputy directly.

Hospital Staff.

166. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the position regarding the dismissal of a person (details supplied) in Dublin 3; and if their case was handled in a professional and fair manner. [10008/05]

Tánaiste and Minister for Health and Children (Ms Harney): I wish to inform the Deputy that as the person in question was not an employee under the Health Service Executive or under the former Eastern Regional Health Authority or the former Area Health Boards this matter does not fall under my jurisdiction. However, the majority of employees of voluntary hospitals who have twelve months' continuous service are covered by the Unfair Dismissals Acts 1977-2001. Should they be aggrieved by the process followed during a dismissal they are within their rights to seek redress via the statutory provisions of employment law.

Question No. 167 answered with Question No. 165.

Hospital Services.

168. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she is satisfied that procedures at Temple Street Hospital, Dublin in relation to the national treatment purchase fund are being implemented in a fair manner. [10010/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at the Children's University Hospital, Temple Street. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to reply directly to the Deputy in relation to the matter.

Nursing Home Charges.

169. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the East Coast Area Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that the nursing home charges were illegal. [10021/05]

170. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the South Western Area Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10022/05]

171. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the Northern Area Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10023/05]

172. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the Midland Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10024/05]

173. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the Mid-Western Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10025/05]

174. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the North Eastern Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10026/05]

175. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the North Western Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10027/05]

176. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the South Eastern Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10028/05]

177. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the Western Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10029/05]

179. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the number of letters received by the Southern Health Board between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal. [10031/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 169 to 177, inclusive, and 179 together.

The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under this Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Accordingly, my Department has requested the HSE to reply directly to the Deputy outlining the number of letters received by each of the former health boards and the ERHA between 1 January 2000 and 31 December 2004 from relatives or solicitors acting on their behalf claiming that nursing home charges were illegal.

Hospital Waiting Lists.

178. **Mr. Allen** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 173 of 1 March 2005, if it is reasonable to have this Deputy's question referred to the chief executive officer of the southern area to investigate the matter and still have no response received by 21 March 2005. [10030/05]

315. **Mr. Allen** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Questions Nos. 84 of 8 December 2004, 179 of 26 January 2005 and 173 of 1 March 2005 and the failure of the chief officer for the Health Service Executive's southern area to reply directly to this Deputy on the matter, the way in which the person (details supplied) in County Cork could receive an outpatient's appointment within a matter of weeks and have surgery carried out within days of the outpatient's appointment on the payment of €4,700; and if she will investigate the situation. [10984/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 178 and 315 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and

personal social services. This includes responsibility for the provision of services at Cork University Hospital. My Department has been advised that the executive's southern area has responded to the Deputy on this matter.

Question No. 179 answered with Question No. 169.

Hospitals Building Programme.

180. **Mr. G. Murphy** asked the Tánaiste and Minister for Health and Children when work will commence on the promised extension to Kanturk Community Hospital, County Cork. [10032/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors.

The Health Service Executive's national capital plan is being examined by my Department.

Health Services.

181. **Mr. Noonan** asked the Tánaiste and Minister for Health and Children when the funding and staffing recommendations of the Joe Wolfe report into St. Joseph's foundation will be implemented; and if she will make a statement on the matter. [10064/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of funding. Accordingly, my Department has requested the chief officer of the executive's southern area to investigate the matter raised and reply directly to the Deputy.

Children in Care.

182. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of immigrant children who have gone missing while in the care of the State in 2004 and to date in 2005. [10067/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for unaccompanied minors seeking asylum.

I have been informed by the Health Service Executive that the number of unaccompanied minors who have gone missing while in the care of the State in 2004 and 2005 is as follows:

Health Service Area	Children Missing 2004	Children Missing 2005 to date
Eastern Region Area	66	11
Midland Area	1	0
Mid-Western Area	0	0
North Eastern Area	0	0
North Western Area	0	0
Southern Area	1	1
South Eastern Area	0	0
Western Area	0	0
Total	68	12

I share the Deputy's concerns regarding the welfare of these children and the Deputy may be interested to know that I recently sought a meeting with representatives of the Health Service Executive to discuss this very issue. This meeting will take place in the very near future.

Health Services.

183. **Ms Fox** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the difficulties being experienced by a group (details supplied) in the allocation of residential places and training programme places for 2005 due to the delay in the allocation of funding; if her attention has further been drawn to the effect this delay has on the families awaiting places; and if she will make a statement on the matter. [10075/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of funding. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and reply directly to the Deputy.

Housing Aid for the Elderly.

184. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regard-

ing work to be completed to house under special housing aid for the elderly scheme for a person (details supplied) in County Limerick. [10076/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in County Limerick, on behalf of the Department of Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

185. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position in relation to an invoice and application for funding for continued care from a person (details supplied); if payment will be made to the centre for their treatment; and if she will make a statement on the matter. [10078/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Mental Health Services.

186. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position in relation to an application for funding for a company (details supplied); if in view of the number of people whose lives have been altered by this treatment funding will be put in place to allow this person to carry out their work and to train people to carry out their work effectively; and if she will make a statement on the matter. [10079/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of mental health services. Accordingly, my Department has requested the chief officer for the Health Service Executive's eastern regional area

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to investigate the matter raised and to reply directly to the Deputy.

Hospital Waiting Lists.

187. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for a hip replacement operation. [10086/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. As the person in question resides in County Mayo, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

188. **Dr. Upton** asked the Tánaiste and Minister for Health and Children if long overdue funding will be allocated for Beaumont Hospital to provide Cochlear ear implant operations for adults; and if she will make a statement on the matter. [10121/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware of the work done by the Cochlear implant programme at Beaumont Hospital. I had the pleasure of visiting Beaumont Hospital recently and also met the director of the programme. The future development of the programme is under active consideration by the Health Service Executive.

Community Physiotherapy Service.

189. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the regulations, orders, and guidelines from her Department limiting the community physiotherapy service to adults under the age of 65 and children with a disability; and if she will make a statement on the matter. [10128/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Department of Health and Children has no regulations, orders or guidelines that pertain directly to eligibility for community physiotherapy services. However, eligibility for such a service may be accessed by those who are entitled to a medical card. Under the Health Act 1970 determination of eligibility for medical cards is the responsibility of the Health Service Executive, HSE, other than for persons aged 70 years and over, who are automatically eligible for a medical card.

190. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the health service executive regions that have a community physiotherapy service available; if a community physiotherapy service is available in the HSE mid west-

ern region; and if not, the reason therefor; and if she will make a statement on the matter. [10129/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act, 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf, health and personal social services. This include the provision of physiotherapy services. Accordingly, my Department has requested the Executive's national director for primary, community and continuing care to investigate the matter raised and to reply directly to the Deputy.

Disabled Drivers.

191. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the regulations from her Department regarding the motorised transport grant; the reason this grant is limited to those aged between 17 and 65; and if she will make a statement on the matter. [10130/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The motorised transport grant was introduced in 1968 by way of Circular 7/68. It is a grant which may be made payable by the Health Service Executive towards the purchase of a car and or adaptations to a car being purchased by a person with a severe disability who is 17 years or older and up to 65 years of age, where such a car is essential for him or her to obtain or retain employment. Self-employed persons who satisfy the criteria for eligibility may also be considered, subject to the above age limits. In cases where application is made on the basis of obtaining or retaining employment, the Health Service Executive must be satisfied that the applicant is capable of holding a job, has the physical capacity to drive the vehicle and is qualified to hold a drivers licence, full or provisional. The grant may also be considered in exceptional circumstances for a person with a severe disability, subject to the above age limits, who lives in a very remote location and whose disability impedes him or her from using public transport.

Migraine Treatment.

192. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her views on whether migraine is a disabling illness. [10137/05]

Tánaiste and Minister for Health and Children (Ms Harney): Migraine is a debilitating condition characterised by severe headache and a range of other physical symptoms. It is estimated that 10% of the UK population suffer from migraine, according to Bal and Hollingsworth in 2005. Migraine is three times more common in women than in men and is most commonly experienced between the ages of 15 to 55 years.

There are two types of migraine: migraine without an aura, common migraine, and migraine with aura, classical migraine. Common migraine consists of a severe throbbing headache usually located on one side with abdominal symptoms, including loss of appetite, nausea, vomiting, dislike of food, constipation or diarrhoea. This affects about 80% of sufferers. Sufferers may also experience sensitivity to smell, light and noise which leads them to rest in a quiet, darkened room.

In classical migraine, the headache is preceded by visual disturbances such as flashing lights, zig-zag lines and blind spots or tingling limbs. The average length of a migraine attack is 22 hours and sufferers generally feel washed out for another one or two days afterwards. The average number of attacks suffered is 13 per year.

The exact reason migraine occurs is unknown. However, research suggests that attacks are linked to chemical changes in the body, serotonin release, and that blood vessels and certain nerve endings within the brain are involved. Many factors can trigger migraine attacks such as stress; physical fatigue or lack of sleep; too much sleep; certain foods such as cheese or alcohol; extreme emotions; missed meals and hormonal factors. Avoidance of identifiable trigger factors reduce the number of headaches a patient may experience. Healthy lifestyles including regular exercise and avoidance of nicotine may also enhance migraine management. Non-pharmacological type interventions for control of migraine are helpful to some patients. These include biofeedback and counselling. These, as with most elements of migraine, need to be individualised to the patient.

Pharmacological control of migraine includes the use of analgesics, anti-inflammatory agents, ergotamine preparations and 5HT drugs such as sumatriptan. Due to the severity of the headache, some patients may also require a narcotic analgesic but if the patient is experiencing frequent migraine attacks, habituating analgesics should be avoided. If patients have frequent migraine attacks and if the attacks do not respond consistently to migraine specific acute treatments, or if the migraine specific medications are ineffective or contraindicated because of other medical problems, then preventive medication should be given to reduce the migraine frequency and improve the response to the acute migraine medicines. In summary, migraine is a common condition which in most cases can effectively be treated by conventional medication. However, in a small percentage of patients, migraine is a debilitating condition whose symptoms are very difficult to control.

Cancer Screening Programme.

193. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the date when the BreastCheck screening programme will be extended to the whole of Ireland; and if she will make a statement on the matter. [10139/05]

216. **Mr. Coveney** asked the Tánaiste and Minister for Health and Children the position regarding the provision of the BreastCheck service in the former Southern Health Board area; and when this new service is now expected to become operational. [10309/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 193 and 216 together.

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 relevant age group in every county have access to breast screening and follow up treatment where appropriate.

A capital investment of approximately €21 million has been approved to construct and equip two static clinical units, one in Cork and the other in Galway. Design briefs in respect of the capital projects have been completed. It is anticipated that the advertisement for the appointment of a design team will be placed in the EU Journal shortly. I am confident that the target date of 2007 for the expansion of BreastCheck nationally will be met. Any woman, irrespective of her age or residence, who has immediate concerns or symptoms should consult her GP who, where appropriate, will refer her to the symptomatic services in her area.

194. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the European Parliament resolution on breast cancer 2003, the third edition of the European Code Against Cancer 2003 and the European Commission recommendation of 2003, adopted by the Council of Ministers, all calling for the extension of breast cancer screening to all women up to the age of at least 69; if her Department will be extending breast cancer screening to those over 65; and if so, the timescale involved; and if she will make a statement on the matter. [10140/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware of the recommendations on breast screening contained in the documents referred to by the Deputy. The national breast screening programme currently covers the eastern, north eastern, midland and parts of the south eastern areas of the country. Screening is being offered, free of charge, to all women in those areas in the target age group of 50 to 64 years of age. More than 60% of women diagnosed with breast cancer in this country are under the age of 65.

The current priority of BreastCheck and my Department is to progress the roll-out of breast screening to women in the target age group in the rest of the country. Following the national roll-out and when the programme is sufficiently developed and quality assured, consideration will be given to extending the upper age limit. Any woman, irrespective of her age or residence, who

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has immediate concerns or symptoms should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

Health Services.

195. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if extra funding will be offered to Beaumont Hospital, Dublin to expand facilities for persons who suffer with epilepsy; and if she will make a statement on the matter. [10143/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services to persons with epilepsy.

Services at Beaumont Hospital are provided under an arrangement with the executive. My Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply to the Deputy directly.

196. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Kildare will be admitted to Beaumont Hospital, Dublin for further tests relating to their medical condition; and if she will make a statement on the matter. [10144/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. As the person in question resides in Kildare, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

197. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a medical card for a person (details supplied) in County Limerick. [10162/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department

has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

198. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a medical card for a person (details supplied) in County Limerick. [10163/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer of the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Housing Aid for the Elderly.

199. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding provision of work under special housing aid for the elderly for a person (details supplied) in County Limerick. [10164/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in County Limerick on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

200. **Mr. Neville** asked the Tánaiste and Minister for Health and Children when medical card renewal will be made to a person (details supplied) in County Limerick. [10165/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Ministerial Travel.

201. **Mr. Allen** asked the Tánaiste and Minister for Health and Children if she travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with her in her official party; the duration of the visit and the cost involved. [10172/05]

Tánaiste and Minister for Health and Children (Ms Harney): I travelled to Slovenia, Croatia and Bosnia Herzegovina to undertake a number of duties in relation to St. Patrick's Day. I travelled with my husband, Mr. Brian Geoghegan, the deputy Government press secretary, Mr. Iarla Mongey, and my acting private secretary, Mr. Michael Corban. The delegation left on Wednesday, 16 March and returned on Sunday, 20 March. The costs in relation to the trip are not yet available.

Hospital Staff.

202. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when funding will be made available towards staffing of the high dependency unit in Letterkenny General Hospital; and if she will make a statement on the matter. [10187/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for services at Letterkenny General Hospital. Accordingly, my Department has requested the chief officer for the executive's north western area to investigate the matter raised and to reply directly to the Deputy.

Occupational Therapy Service.

203. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the position regarding an application by a person (details supplied) for occupational therapy; and if she will make a statement on the matter. [10195/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act, 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf, health and personal social services. This includes the responsibility for the provision of funding. Accordingly, my Department has requested the chief officer of the executive's eastern regional area to investigate the matter and to reply directly to the Deputy.

Mental Health Services.

204. **Mr. Carey** asked the Tánaiste and Minister for Health and Children if, in view of the fact that no psychiatric service intervention has been made

to persons (details supplied) in Dublin 11 if she will establish with the Health Service Executive the measures been taken to overcome the difficulty posed by the reluctance of these persons to meet their referring general practitioner; and if she will make a statement on the matter. [10200/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of mental health services. Accordingly, my Department has requested the chief officer for the Health Service Executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Medical Aids and Appliances.

205. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the reason a special bed and mattress for a person (details supplied) with terminal cancer approved in October 2004 have still not been delivered to them; if this is unacceptable treatment of a person; if the officials will provide the required special bed and mattress; and if she will make a statement on the matter. [10206/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of cancer services. Accordingly, my Department has requested the chief officer of the executive's eastern regional area to investigate the matters raised and to reply directly to the Deputy.

Mental Health Services.

206. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if there is a record of the use of valium and ativan used in psychiatric hospitals; the quantity of each product used at a hospital (details supplied) in County Kilkenny in 2001, 2002, 2003 and 2004; and if she will make a statement on the matter. [10216/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of mental health services. Accordingly, my Department has requested the chief officer for the

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Health Service Executive's south eastern area to investigate the matters raised and to reply directly to the Deputy.

Mental Health Tribunals.

207. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if the mental health tribunals which were to be established under the 2002 Act will be established in order that persons who are aggrieved at their treatment would have a proper course of action for redress. [10238/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The main vehicle for the implementation of the Mental Health Act 2001 is the Mental Health Commission which was established with effect from 5 April 2002. The detailed work programme of the commission is a matter for the commission itself to determine, in accordance with its statutory functions under the Mental Health Act. However, the commission has indicated that one of its main priorities is to put in place the structures required for the operation of mental health tribunals. I understand that the commission is working closely with all stakeholders within the mental health services to ensure that the mental health tribunals are commenced as soon as possible.

Long-Term Illness Scheme.

208. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she has plans to increase public information about inflammatory bowel disease; if she put inflammatory bowel disease on the long-term illness list; and if free medication or a medical card will be offered to adults and children who have been diagnosed with same. [10239/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the 1970 Health Act, the Health Service Executive may arrange for the supply, without charge, of drugs, medicines and medical and surgical appliances to people with a specified condition, for the treatment of that condition through the long term illness scheme, LTI. The conditions are: mental handicap, mental illness for people under 16 only, phenylketonuria, cystic fibrosis, spina bifida, hydrocephalus, diabetes mellitus, diabetes insipidus, haemophilia, cerebral palsy, epilepsy, multiple sclerosis, muscular dystrophies, parkinsonism, conditions arising from thalidomide and acute leukaemia. Parkinsonism, acute leukaemia, muscular dystrophies and multiple sclerosis were added to the scheme in 1975. The LTI does not cover GP fees or hospital co-payments. There are no plans to amend the list of eligible conditions.

Other schemes provide assistance towards the cost of approved drugs and medicines for people with significant ongoing medical expenses. People who cannot, without undue hardship, arrange for the provision of medical services for themselves

and their dependants may be entitled to a medical card. Eligibility for a medical card is solely a matter for the chief officer of the relevant Health Service Executive area. In determining eligibility, the chief officer has regard to the applicant's financial circumstances. Income guidelines are used to assist in determining eligibility. However, where a person's income exceeds the guidelines, a medical card may be awarded if the chief officer considers that the person's medical needs or other circumstances would justify this. Medical cards may also be issued to individual family members on this basis.

Non-medical card holders, and people with conditions not covered under the LTI, can use the drugs payment scheme. Under this scheme, no individual or family unit pays more than €85 per calendar month towards the cost of approved prescribed medicines. My Department has established an editorial group to review, *inter alia*, the provision of health promotion information. I will ask the group to review the need for information referred to by the Deputy. It is a matter for the GP in consultation with the patient to decide on the most appropriate course of treatment.

Scientific Research.

209. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she will confirm that none of the botox being safety tested on mice here with LD50 or other testing procedures will be used for anti-wrinkle treatments in this country or elsewhere. [10240/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Cruelty to Animals Act 1876, as amended by the European Communities (Amendment of Cruelty to Animals Act 1876) Regulations 2002, provides the legislative framework for control of the use of live animals in scientific research and other experimental activity. Under the Act the Minister for Health and Children is designated as the "Authority" and has responsibility for granting licences to perform specified experiments on an animal of specified description in accordance with the restrictions imposed by the Act.

The Act, as amended, provides that an experiment shall not be performed except for one of the following purposes: the development, manufacture, quality, effectiveness and safety testing of drugs, foodstuffs and other substances or products for the avoidance, prevention, diagnosis or treatment of disease, ill-health or other abnormality or their effects in human beings, animals or plants, or the assessment, detection, regulation, or modification of physiological conditions in human beings, animals or plants; the protection of the natural environment in the interests of the health or welfare of human beings or animals or the illustration of lectures in medical schools, hospitals, colleges or elsewhere.

The Irish Medicines Board, IMB, has advised that botox is authorised as a prescription only medicine and is indicated for the management of

a number of specified conditions. The IMB has also advised that the product information specifies “botox should only be given by physicians with appropriate qualifications, and documented expertise in the treatment and the use of the required equipment”. The Deputy may wish to note that it is the practice in Ireland not to licence experiments for the testing of cosmetic products.

Health Services.

210. **Ms Shortall** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 115 of 22 March 2005, if she will answer the question posed; and when she intends to reply to the letter referred to. [10243/05]

Tánaiste and Minister for Health and Children (Ms Harney): In response to the Deputy’s question of 22 March 2005, I advised that the Health Service Executive, HSE, has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services, including responsibility for health services for patients with cystic fibrosis. My Department has been in touch with the executive’s eastern regional area and is advised that a detailed response is being prepared for issue by the HSE to the Deputy and the person concerned.

Services for People with Disabilities.

211. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the date it is expected that the national action plan for rehabilitation service, commissioned by her Department and referred to in a parliamentary question of 2 December 2004, will be delivered; and if she will make a statement on the matter. [10252/05]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): No date has been set for the completion of the rehabilitation action plan, which is being considered as part of my Department’s overall review of services for people with disabilities.

Tribunals of Inquiry.

212. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason the Dunne inquiry costs €20 million; her views on the lack of public sessions, the lack of a special adviser, and the lack of press media briefings by the chairperson had a negative part to play in the result in this jurisdiction of the Dunne report; if there are lessons to be learned as regards future inquiries such as this; the steps necessary to prevent a repeat of this fiasco; and if she will make a statement on the matter. [10275/05]

Tánaiste and Minister for Health and Children (Ms Harney): To the end of December 2004, the total cost of the post mortem inquiry was approximately €20 million. Total legal and administrative costs were approximately €11 million. The

remainder of the costs include establishment and office rental costs of €2.29 million, grants to the former eastern regional health authority of just over €5 million, grants to Parents for Justice, PFJ, organisation of €977,210 and legal fees to Kelly Noone, solicitors for PFJ, of €800,942. Subject to the terms of reference, the conduct of the inquiry was a matter for the chairman to determine. On 31 March last, I received the report of the inquiry in relation to paediatric hospitals. The report is being examined by my Department, in consultation with the Office of the Attorney General.

Health Services.

213. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if she will confirm the dates within which a person (details supplied) in County Kilkenny was a patient; the way in which their bank account was managed and by whom; the details of the balances at the date of death; if this person’s brother can claim under the scheme; and if she will make a statement on the matter. [10306/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE, which was established on 1 January 2005. Under this Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the issue raised by the Deputy and accordingly my Department has requested the chief officer of the HSE south-eastern area to investigate this matter and to reply directly to the Deputy.

Medical Cards.

214. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical card will be issued to a person (details supplied) in County Kilkenny in view of the medical and financial circumstances of the person and their need for the card and if she will expedite a response. [10307/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer for the executive’s south-eastern area to investigate the matter raised and to reply directly to the Deputy.

Mental Health Services.

215. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if she will expedite a response to an application for funding submitted to the health office, Kilkenny, for

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treatment of alcoholism at Colliga House, Glen of Imaal, in the name of a person (details supplied) in County Kilkenny in view of the fact that all other treatment has failed; if treatment of this kind is funded or has been funded before; and if she will make a statement on the matter. [10308/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of mental health services. Accordingly, my Department has requested the chief officer for the Health Service Executive's south-eastern area to investigate the matter raised and to reply directly to the Deputy.

Question No. 216 answered with Question No. 193.

Hospital Staff.

217. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children her response to the resignation of a consultant oncologist at Cork University Hospital recently; the steps she is taking to deal with the consequences for cancer patients in County Kerry. [10310/05]

300. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if steps are being taken to fill the vacancy created by the resignation of a consultant oncologist at Cork University Hospital; and if she will make a statement on the matter. [10936/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 217 and 300 together.

As the Deputy is aware, the Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of cancer services and the recruitment and replacement of consultant staff. Accordingly, my Department has requested the chief officer of the executive's southern area to investigate the matters raised and to reply directly to the Deputy.

Housing Aid for the Elderly.

218. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the situation regarding an application for a person (details supplied) in County Clare under the housing aid for the elderly; and if she will make a statement on the matter. [10311/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Clare on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

219. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the status of an application for a person (details supplied) in County Clare under the housing aid for the elderly scheme. [10312/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Clare on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

220. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when replacement windows will be installed under the housing aid for the elderly scheme for a person (details supplied) in County Clare; and if she will make a statement on the matter. [10313/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Clare on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

221. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 223 of 26 January 2005, if the application has been processed under the housing aid for the elderly scheme for a per-

son (details supplied) in County Clare; and if she will make a statement on the matter. [10314/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Clare on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

222. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 80 of 8 December 2004, if the application has been processed; if the various reports have been completed for a person (details supplied) in County Clare for a replacement back door and the installation of a shower under the housing aid for the elderly scheme; and if she will make a statement on the matter. [10315/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Clare on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

223. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 246 of 19 October 2004, if the community welfare officer has carried out a report regarding the housing aid for the elderly scheme; and if she will make a statement on the matter. [10316/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in Clare on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer

for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Medical Aids and Appliances.

224. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will be assessed for a wheelchair; and if she will make a statement on the matter. [10317/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for aids and appliances. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

225. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 115 of 1 February 2005, when a person (details supplied) in County Clare will receive a full assessment of their needs in order for equipment to be issued from the Health Service Executive mid-western region, and if she will make a statement on the matter. [10318/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of health services in County Clare. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Charges.

226. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in Dublin 9 is entitled to claim following the recent Supreme Court judgment on nursing home charges; and if she will give the maximum support and advice on this matter. [10339/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department is studying the Supreme Court judgment in detail and will take on board all the consequences for policy and law arising from the judgment. A special Cabinet sub-committee comprising the Taoiseach, the Minister for Finance, the Attorney General and the Tánaiste has been established to

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consider the issue of repayment in light of the judgment. Persons who were in publicly contracted beds in private nursing homes are covered by the terms of the Supreme Court judgment.

The Health (Nursing Homes) Act 1990 regulates the private nursing home sector. Under the nursing home subvention regulations the HSE is empowered to make a financial contribution to an individual towards the cost of his or her private nursing home care provided they qualify on means and dependency grounds. In the case of private nursing home care the contract of care is between the individual and the private nursing home owner.

The provisions of the Supreme Court judgment do not apply to individuals in private nursing homes who have entered these homes under the nursing home subvention scheme. My Department has recently received counsel's advice on the Health (Nursing Homes) Act 1990 and the regulations made thereunder, which is privileged and is being examined in consultation with the Attorney General's office.

Medical Cards.

227. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when an application for the renewal of a medical card will be processed for a person (details supplied) in County Clare; and if she will make a statement on the matter. [10378/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

228. **Ms McManus** asked the Tánaiste and Minister for Health and Children her response to the advice received by the IMO that the introduction of the yellow pack free GP cards are a change in the GPs contract; the way in which she intends to resolve this impasse; and if she will make a statement on the matter. [10393/05]

271. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the situation regarding the doctor-only medical cards in view of the IMOs attitude to their introduction; and if she will make a statement on the matter. [10689/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 228 and 271 together.

The necessary legislation to allow members of the public to apply for the new "doctor visit"

cards has been enacted. Funding of €50 million required to introduce this development in 2005 has been made available to the Health Service Executive. The objective of this measure is to use resources to benefit as many people on low incomes as possible, in particular families, in order to take away any worries that parents may have about the cost of bringing their children to the doctor.

The services which general practitioners will provide to people who qualify for the "doctor visit" card will be the same as those provided to people who presently hold medical cards. Therefore, there will be no change in the provisions of the current general medical services general practitioner contract. The Health Service Executive has put in place the necessary administrative arrangements for this measure and has offered to meet with the Irish Medical Organisation on these arrangements on a number of occasions, and it remains available.

Services for People with Disabilities.

229. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if she will consider the introduction of a disability card which will be issued to those deemed to be disabled; and if she will make a statement on the matter. [10395/05]

230. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if the Government will bring into force a special blue card system similar to that in force in Great Britain and Northern Ireland whereby persons with disabilities over the age of 18 years of age are issued with a blue card; if she will consider the introduction of this scheme; and if she will make a statement on the matter. [10396/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 229 and 230 together.

I understand that the Deputy is referring to the need to minimise the degree to which people with disabilities are required to undergo repeated medical eligibility assessments. I would support measures to address this matter. I envisage that this matter will be considered in the context of the needs assessment process being developed under the Disability Bill.

Health Reports.

231. **Mr. Boyle** asked the Tánaiste and Minister for Health and Children if and when the report on the national expert group on domiciliary births will be published; and if she intends to act upon its recommendations. [10407/05]

Tánaiste and Minister for Health and Children (Ms Harney): The domiciliary births group was established by the health board chief executive officers in 2003 and the group's final report was presented to the CEOs in December 2004. The CEOs discussed the report at their January 2005 meeting and decided to recommend it to the

Health Service Executive and to the Department of Health and Children. I understand that the report is being examined by the HSE corporate. Publication is a matter for the HSE.

The report was received by my Department early last month and it is being examined. The Department's views will be forwarded to the HSE once this examination is complete.

Child Care Services.

232. **Ms Enright** asked the Tánaiste and Minister for Health and Children if the Child Care Act 1991 will be used to protect children against institutional neglect; and if she will make a statement on the matter. [10420/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. The provision of services under the Child Care Act 1991 as amended by the Health Act 2004, including the provision of family support and child protection services, is a matter for the Health Service Executive. Accordingly, my Department has requested the executive's national director of primary, community and continuing care to investigate the matter and to reply directly to the Deputy.

Child Abuse.

233. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 140 of 15 December 2004 and further to her responses to this Deputy dated 23 March 2005, if the Commission to Inquire into Child Abuse (Amendment) Bill 2005 will serve to deal with the fact that the High Court found that the Commission to Inquire into Child Abuse Act 2000 (Additional Functions) Order 2001 was *ultra vires*; and if she will make a statement on the matter. [10431/05]

234. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the reason the Ryan commission will not process complaints by those subjected to vaccine trials without permission; the action she is taking to address this situation; and if she will make a statement on the matter. [10436/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 233 and 234 together.

A number of complex issues have had to be considered regarding this matter. These issues are now approaching finalisation and discussions have taken place with a number of involved parties. It is hoped to conclude all considerations in the short term in order for the matter to be finalised. It is not envisaged that the Child Abuse (Amendment) Bill 2005 will address the issue of the vaccine trials.

Departmental Schemes.

235. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 333 of 26 January 2005, the progress to date on the issue; if a detailed examination of the schemes has taken place; the reason for the delay in performing this examination; if it will be included in her Department's business plan for 2005; when she intends to publish this plan; and if she will make a statement on the matter. [10440/05]

Tánaiste and Minister for Health and Children (Ms Harney): A preliminary review of the vaccine damage compensation schemes in place in a number of other countries was undertaken by my Department in order to establish general details of schemes already in existence. My officials are now carrying out an investigation to identify the most relevant models from a clinical, administrative and fairness point of view. On completion of this investigation, I will be in a position to consider the available options. The completion of this work has been included in the Department's 2005 business plan, which was posted on the Department's website on 6 April 2005.

Services for People with Disabilities.

236. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the progress to date in the provision of residential services for people with a mental disability in the Athlone area of County Westmeath; and if she will make a statement on the matter. [10441/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act, 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of funding. Accordingly, my Department has requested the chief officer for the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Departmental Funding.

237. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when capital funding will be given to the Irish Wheelchair Association. [10449/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal services. This includes responsibility for the allocation of capital funding to voluntary agencies. Accordingly, my Department has requested the chief officer for

[Mr. T. O'Malley.]
the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

238. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children when a CAT scanner will be provided for Louth County Hospital, Dundalk, County Louth. [10456/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Louth County Hospital, Dundalk. Accordingly, my Department has requested the chief officer for the executive's north-eastern area to investigate the matter raised and to reply directly to the Deputy.

Patient Statistics.

239. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the number of patients in Our Lady of Lourdes Hospital, Drogheda, and Louth County Hospital, Dundalk, who have been on trolleys each week in each hospital since 1 September 2004. [10457/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Our Lady of Lourdes Hospital, Drogheda and Louth County Hospital, Dundalk. Accordingly, my Department has requested the chief officer for the executive's north-eastern area to examine the issues raised and to reply directly to the Deputy.

Cancer Incidence.

240. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the action she intends to take following the findings of the national cancer registry report into cancer rates in County Louth which found that Drogheda has cancer rates in excess of the national average; and if she will make a statement on the matter. [10458/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of cancer services. Accordingly, my Department has requested the

chief officer for the executive's north-eastern area to investigate the matters raised and to reply directly to the Deputy.

Suicide Prevention.

241. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the progress of the national suicide review group in the implementation of the recommendations of the national task force on suicide; and if she will make a statement on the group's contribution to suicide prevention. [10496/05]

242. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the annual budget for each year since its inception of the national suicide review group. [10503/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 241 and 242 together.

In response to the recommendations of the report of the national task force on suicide, which was published in 1998, the national suicide review group was established by the chief executive officers of the health boards. Membership of the group includes experts in the areas of mental health, public health and research. The main responsibilities of the group are to review ongoing trends in suicide and parasuicide, to coordinate research into suicide and to make appropriate recommendations to the Health Service Executive. The group also liaises with the suicide resource officers in each region.

The annual report of the national suicide review group meets the requirement of the Health (Miscellaneous Provisions) Act 2001 that the Minister for Health and Children will report annually on the measures taken by health boards to prevent suicides in the previous year. The report outlines the measures taken to help prevent suicide and reduce the impact of suicidal behaviour; facilitates the sharing of information regarding suicide prevention projects; and provides accurate and current information on the patterns of death by suicide in Ireland.

Additional revenue funding was provided by my Department to the national suicide review group since it was established as follows: 1999 — €63,000; 2000 — €127,000; 2002 — €63,000; and 2003 — €50,000.

Work is now under way on the preparation of a national strategy for action on suicide prevention, which will be published later this year.

Decentralisation Programme.

243. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the sections of her Department based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if she will make a statement on the matter. [10525/05]

Tánaiste and Minister for Health and Children (Ms Harney): The General Register Office in Roscommon is the only section of my Department based outside Dublin. This office will not be moved to another location under the decentralisation programme.

Health Services.

244. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when orthodontic treatment will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [10547/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for orthodontic services. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

245. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 156 of 26 January 2005, the reason there is not a proactive follow-up by the consultants who examined the person (details supplied) in County Carlow; if a full programme of treatment and care for this person will be implemented; and if she will make a statement on the matter. [10548/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. As the person referred to by the Deputy resides in County Carlow, my Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and reply directly to the Deputy.

Child Care Services.

246. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children the assistance her Department will give to the parent of a person (details supplied) in Dublin 3. [10550/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

This includes responsibility for child welfare issues. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

The Minister for Education and Science will reply to the Deputy on the education related issue.

Fair Trade.

247. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the campaign to have fair trade products widely available and used; her views on the objectives of this campaign; and if she will endeavour to have such fair trade approved products used in her Department. [10556/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware of the campaign to have fair trade products widely available and used and of the benefits of such a campaign.

The purchase of any products by my Department would have to be in accordance with the procedures governing public procurement. Regarding services such as the restaurant in my Department or catering for events organised by my Department, it is a matter for the catering companies concerned to make their own decisions on purchasing supplies.

Child Abuse.

248. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will report on the HSEW response to allegations of abuse between 1993 and 1995 at a school (details supplied); and the action which has been taken on this matter. [10575/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Eastern Health Board was dissolved on the establishment of the Eastern Regional Health Authority and the area health boards and these bodies were in turn dissolved on the establishment of the Health Service Executive. The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for child welfare issues. Accordingly, my Department has requested the chief officer of the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

249. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details

[Mr. Ring.]
supplied) in County Mayo will be called for orthodontic treatment. [10589/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for orthodontic services. Accordingly, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

National Drugs Strategy.

250. **Mr. English** asked the Tánaiste and Minister for Health and Children when the review dealing with the treatment of those under 18 who are misusing drugs will be published; and if she will make a statement on the matter. [10603/05]

Minister of State at the Department of Health and Children (Mr. S. Power): Action 49 of the National Drugs Strategy 2001-2008 called for the development of a protocol for the treatment of those under 18 presenting to drug services with serious drug misuse problems. In response to this action a working group was established, which was chaired by an official from my Department and comprised members of the statutory and voluntary sectors.

To fulfil its remit, the group undertook a number of initiatives, including: an examination of the legal issues surrounding treatment; a literature review carried out by the Addiction Research Centre; a review of services and service gaps nationally; the establishment of focus groups of services misusers within and outside the eastern region; a review of the treatment issues raised in the focus groups by a consultant adolescent and child psychiatrist in substance abuse. The report of this group was finalised in 2004 and arrangements are in place for its publication in the coming weeks.

251. **Mr. English** asked the Tánaiste and Minister for Health and Children the measures in place and remain to be implemented to ensure that all drug misusers have immediate access to professional assessment and counselling by regional health services as promised under the national drugs strategy; if she will provide information on the existing waiting times for access to such services in each regional health office area; when she envisages that these waiting times will be eliminated; and if she will make a statement on the matter. [10604/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act

2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for drug treatment services. Accordingly, my Department has requested the executive to investigate the matter raised and to reply directly to the Deputy.

252. **Mr. English** asked the Tánaiste and Minister for Health and Children the reason a pilot community pharmacy needle and syringe exchange programme in the ERHA area promised under the national drugs strategy has not been established to date; when she expects this facility will be in place; and if she will make a statement on the matter. [10605/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for drug treatment services. Accordingly, my Department has requested the chief officer of the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Suicide Prevention.

253. **Mr. English** asked the Tánaiste and Minister for Health and Children the number of suicide resource officers employed nationally; the regional health centres they are located in; the amount of funding allocated to this resource; the location of each regional health centre that does not have a suicide resource officer; the steps being taken to rectify this situation; and if she will make a statement on the matter. [10606/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the employment of suicide resource officers. Accordingly, my Department has requested the interim chief executive officer to investigate the matter raised and to reply directly to the Deputy.

Health Services.

254. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Mayo is unable to have an emergency amputation to treat rampant gangrene of the leg; her views on whether this is

acceptable; the steps she will take to resolve the situation; if she will restore 3,000 beds taken out of the system in recent years; if she will provide the extra beds needed for the needs of 500,000 people; and if she will make a statement on the matter. [10608/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. As the person in question resides in County Mayo, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

The health strategy contains a commitment that a total of 3,000 acute beds will be added to the system over ten years. In this context, funding has been provided for an additional 900 beds in acute hospitals throughout the country, 713 of which were in place at the end of the first quarter of 2005. It is envisaged that the remaining 187 beds will open before the end of 2005.

255. **Ms Shortall** asked the Tánaiste and Minister for Health and Children the steps that are being taken to improve capacity at the Mater Hospital, Dublin, in respect of cataract operations; and the reason the earliest date a person (details supplied) in Dublin 11 can be offered an appointment is February 2006. [10609/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Services at the Mater Hospital are provided under an arrangement with the executive. My Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply to the Deputy directly.

Cases such as these would be advised to contact the national treatment purchase fund when the patient has already waited more than six months, or in some cases, more than three months, for a procedure.

Housing Aid for the Elderly.

256. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the situation regarding an application for a person (details supplied) in County Clare under the housing aid for the elderly scheme; and if she will make a statement on the matter. [10617/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act

2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of the housing aid scheme for the elderly in County Clare, on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

257. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the system of reporting made by individual consultants in respect of the mix of public and private patients receiving procedures in public hospitals to hospital chief executive officers and if this information is publicly accountable and monitored in Beaumont, the Mater Hospital and the Children's Hospital, Temple Street. [10620/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Services at Beaumont Hospital, the Mater Hospital and Temple Street Children's Hospital are provided under an arrangement with the executive. Accordingly, my Department has requested the chief officer of the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Child Care Services.

258. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the ratio of staff to child which is appropriate at the different stages of approved child care facilities. [10621/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Child Care (Pre-School Services) Regulations 1996 and Amendment Regulations 1997, which give effect to the provisions of Part VII of the Child Care Act 1991 provide for notification to, and inspection by, health boards of pre-school services. The regulations apply to pre-schools, playgroups, day nurseries, crèches, childminders looking after more than three children and other similar services which cater for children under six years of age.

Article 7 of the regulations provides that "A person carrying on a pre-school service shall ensure that a sufficient number of competent

[Mr. B. Lenihan.] adults are supervising the pre-school children in the service at all times.” The explanatory guide

which provides guidance on the regulations recommends adult child ratios as follows:

Full Day Care		Sessional Services		Drop In Services	
0-1 year	1 : 3	0-6 years	1 : 10	1-6 years	1 : 8
1-3 years	1 : 6			Under 12 months	1 : 3
3-6 years	1 : 8				

Medical Aids and Appliances.

259. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a special chair will be provided for a person (details supplied) in County Kilkenny; and if a decision will be expedited in the case. [10677/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for aids and appliances. Accordingly, my Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and to reply directly to the Deputy.

Health and Safety Regulations.

260. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of hospitals that have failed to co-operate with the request from the Health and Safety Authority to provide compulsory risk assessments of conditions in their accident and emergency units; the action that will be taken to ensure compliance with the requirements of the HSA; and if she will make a statement on the matter. [10678/05]

262. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of accident and emergency units visited by the Health and Safety Authority team of inspectors to examine safety levels; and if she will make a statement on the matter. [10680/05]

265. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of accident and emergency units in Cavan and Monaghan hospitals, respectively, examined by the HSA; the hospitals considered unsafe; the action proposed to ensure compliance with HSA regulations; and if she will make a statement on the matter. [10683/05]

266. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of accident and emergency units in Louth and Meath hospitals, respectively, examined by the HSA; the hospitals considered unsafe; the action proposed to ensure compliance with HSA regulations; and if she will make a statement on the matter. [10684/05]

267. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of accident and emergency units considered unsafe by the HSA, arising from the recent inspections; the action taken to enforce compliance with HSA requirements; and if she will make a statement on the matter. [10685/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 260, 262 and 265 to 267, inclusive, together.

In January of this year the Health and Safety Authority, HSA, asked hospitals to conduct a comprehensive risk assessment of their accident and emergency units. The authority reported that it was satisfied with the level of response it received to its request. The HSA then decided to undertake a targeted programme of inspections in the following hospitals: Beaumont Hospital, James Connolly Memorial Hospital, Mid-Western Regional Hospital, Mater Hospital, Mercy University Hospital, Naas General Hospital, Our Lady of Lourdes, Drogheda, Sligo General Hospital, South Tipperary General Hospital, University College Hospital, Galway, and Wexford General Hospital. The authority's review is expected to inform priorities for action by the National Hospitals Office on health and safety issues.

Nursing Home Charges.

261. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of persons who have applied for repayments in respect of charges which were illegally applied for publicly funded long-term residential care; and if she will make a statement on the matter. [10679/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under this Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Accordingly, my Department has requested the HSE to reply directly to the Deputy outlining the number of persons who have applied for repayment of charges for publicly funded long-term residential care.

Question No. 262 answered with Question No. 260

Departmental Schemes.

263. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children her plans for the introduction of a no-fault compensation scheme for psychiatric service personnel; and if she will make a statement on the matter. [10681/05]

Tánaiste and Minister for Health and Children (Ms Harney): The report of the task force on assaults on psychiatric nurses was completed in 2003. In addition to quantifying the level of assaults and making recommendations on prevention, the report contained proposals for a scheme of compensation for psychiatric nurses who have been seriously injured as a result of an assault by a patient in the workplace.

Government approval would be required for the introduction of any new State compensation scheme, which would be additional to the existing serious physical assaults scheme, last revised in 2001. This scheme provides enhanced sick pay arrangements for nurses assaulted at work. Medical expenses are also refunded. In circumstances where a nurse is certified permanently unfit to resume duty he or she may be paid five sixths of full salary until retirement.

In 2003 a draft memorandum for Government was circulated and during the consultation process, complex legal and financial issues emerged regarding aspects of the scheme proposed by the task force and their implications for the health service and the wider public service.

In March 2004 the Psychiatric Nurses Association and SIPTU were advised that serious concerns that had been raised about the proposed scheme. Officials from my Department have been in ongoing consultation with the Department of Finance and the office of the Attorney General, with a view to addressing the issues raised. The issues involved are very complex and have far reaching implications for the health service. I am in the process of consulting with my colleagues in Government on this issue and I expect to be in a position to provide more definite information shortly.

Children in Care.

264. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the reason for the decision of the Health Service Executive, north-eastern area, to take into permanent care a person (details supplied); and if she will make a statement on the matter. [10682/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for services for the welfare and protection of children.

While it would not be appropriate for me to comment on an individual case, I would like to state that under the Child Care Act 1991 as amended by the Health Act 2004 the Health Service Executive has a duty to act in relation to any child who requires care or protection. The national standards for foster care also require that the executive must put the interests of children in foster care before any other consideration.

Questions Nos. 265 to 267, inclusive, answered with Question No. 260.

Health Services.

268. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of patients awaiting audiology services in the Health Service Executive north east area in Counties Cavan and Monaghan, respectively; the average waiting time in each county; her proposals to address the waiting lists; and if she will make a statement on the matter. [10686/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for audiology services. Accordingly, my Department has requested the chief officer for the executive's north-eastern area to investigate the matter raised and to reply directly to the Deputy.

269. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of patients awaiting speech and language therapy services in the Health Service Executive, north east area, in Counties Cavan and Monaghan, respectively; the average waiting time in each county; her proposals to address the waiting lists; and if she will make a statement on the matter. [10687/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal services. This includes responsibility for speech therapy. Accordingly, my Department has requested the chief officer for the executive's north eastern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

270. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the position on the provision of a CAT scanner for Monaghan

[Mr. Connolly.]

General Hospital; and if she will make a statement on the matter. [10688/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Monaghan General Hospital. Accordingly, my Department has requested the chief officer for the executive's north-eastern area to investigate the matter raised and to reply directly to the Deputy.

Question No. 271 answered with Question No. 228.

Departmental Funding.

272. **Mr. Broughan** asked the Tánaiste and Minister for Health and Children the grants and other financial assistance awarded by her Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10690/05]

Tánaiste and Minister for Health and Children (Ms Harney): It is not possible in the time allowed to compile all of the information requested by the Deputy. The information is being collated in my Department and will be forwarded to the Deputy as soon as possible.

273. **Mr. Broughan** asked the Tánaiste and Minister for Health and Children the grants and other financial assistance awarded by her Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10691/05]

Tánaiste and Minister for Health and Children (Ms Harney): It is not possible in the time allowed to compile all of the information requested by the Deputy. The information is being collated in my Department and will be forwarded directly to the Deputy as soon as possible.

Hospital Waiting Lists.

274. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position with regard to a person (details supplied) in County Wicklow who is waiting for a hip operation; if they will be seen as a matter of urgency; and if she will make a statement on the matter. [10731/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person in question resides in County Wicklow, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

275. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position with regard to a person (details supplied) in County Carlow; if their appointment will be brought forward; and if she will make a statement on the matter. [10732/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person referred to by the Deputy resides in County Carlow my Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and reply directly to the Deputy.

Health Services.

276. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if transport will be provided by the Health Service Executive western area to a person (details supplied) in County Mayo. [10740/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person referred to by the Deputy resides in County Mayo, my Department has requested the chief officer for the executive's western area to investigate the matter raised and reply directly to the Deputy.

Hospital Services.

277. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the action she is taking to provide a flexible system to meet the needs of patients with lifelong conditions who have to obtain emergency meetings their consultants when the need arises; if she has considered establishing a protocol for such situations in all public hospitals to force consultants or members of their teams to meet with patients in such a category as the need arises; the current waiting list for out patients to see consultants in respect of lifelong

conditions; and if she will make a statement on the matter. [10798/05]

Tánaiste and Minister for Health and Children (Ms Harney): The management of chronic conditions is a matter for decision by the doctor or doctors treating the individual patient. With regard to the treatment arrangements and support services in place for persons with chronic conditions the Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the Executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. My Department has therefore requested the director of the national hospitals office to reply directly to the Deputy on the matters raised.

Hospital Budgets.

278. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the annual budget allocated to Mullingar General Hospital, Tullamore General Hospital and Portlaoise General Hospital in each of the past five years. [10799/05]

Tánaiste and Minister for Health and Children (Ms Harney): My Department is advised that the Health Service Executive, which has responsibility for the funding of the hospitals concerned, responded on 11 April to the Deputy's Question of 22 March 2005.

Health Service Staff.

279. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the concerns regarding barriers to entry in the dental profession; her proposals to alter the arrangements under which a person may enter training to become a dentist or may be recognised as competent to provide dental services here; and if she will make a statement on the matter. [10800/05]

Tánaiste and Minister for Health and Children (Ms Harney): As the Deputy will be aware, responsibility for undergraduate training of dentists lies with my colleague the Minister for Education and Science. I have been informed that on access to dental education the Higher Education Authority has recommended that consideration be given to placing a range of health science courses on a graduate entry rather than undergraduate entry basis. This will potentially address the very high levels of competition among school leavers to access these courses and should provide more flexibility of access to non-traditional higher education students such as mature students and disadvantaged students. The Minister for Education and Science has asked the working group on undergraduate medical education to consider a graduate entry approach to medicine in the first instance. I understand that

there are no plans at present to actively consider the extension of this approach to other courses.

Furthermore, I understand that the Competition Authority has announced its intention to consider issues of competition arising in a number of professions, including the dental profession. While a background paper has been published the Authority has not completed a formal study.

As the Deputy may be aware, in order to practise as a dentist it is necessary for an individual to register with the dental council, which was established under the Dentists Act 1985. I am informed by the dental council that under the terms of Directive 78/686/EEC and other relevant agreements that EEA nationals who hold a scheduled dental qualification are entitled to register and practise in Ireland. In 2004 the dental council registered 58 dentists from other member states of the EEA.

I have been informed that the dental council holds an annual examination in order to facilitate dentists from outside the EEA who wish to practise their profession in Ireland. Success in this examination confers entitlement to full registration in the register of dentists for Ireland. A total of 24 dentists from various countries such as the Philippines, India, Nigeria and Ukraine have been accepted for the 2005 examination which is being held this week.

Hospital Services.

280. **Mr. P. Breen** asked the Minister of State at the Department of Health and Children when a person (details supplied) in County Clare will be facilitated with a bed in the National Rehabilitation Hospital, Dún Laoghaire; and if he will make a statement on the matter. [10801/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal services. This includes responsibility for admissions to the National Rehabilitation Hospital. Accordingly my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Staff.

281. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children her plans to fill a vacancy due to the imminent retirement of a person (details supplied) at the Mercy University Hospital, Cork in May 2005; and if she will make a statement on the matter. [10802/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and

[Ms Harney.]
 deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the provision of cancer services and the recruitment and replacement of consultant staff. Accordingly my Department has requested the chief officer of the executive's southern area to investigate the matters raised and to reply directly to the Deputy.

Hospital Building Programme.

282. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children the reason a new wing of St. Vincent's Hospital, completed for the past 18 months, has not been opened for patients; the date on which patients will be allowed into the wing; and if she will make a statement on the matter. [10803/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. Services at St. Vincent's University Hospital, Dublin are provided under an arrangement with the executive. Accordingly my Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply directly to the Deputy.

Nursing Home Charges.

283. **Mr. Haughey** asked the Minister of State at the Department of Health and Children if he has sought legal advice regarding the possible entitlement of elderly persons to a refund in cases in which they had medical cards and were placed in private nursing homes due to the fact that no public places were available; and if he will make a statement on the matter. [10804/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department has received counsel's advice on the Health (Nursing Homes) Act 1990 and regulations made thereunder. This advice, which is privileged, is currently being examined in consultation with the Attorney General's Office and it would be inappropriate at this stage to comment on the advice.

Services for People with Disabilities.

284. **Mr. Durkan** asked the Minister of State at the Department of Health and Children if assistance will be offered to persons (details supplied) in County Kildare who have an autistic child; and if he will make a statement on the matter. [10829/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to

manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the provision of funding. Accordingly my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Ambulance Service.

285. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children when funding will be allocated to replace the existing ambulance base in Thurles. [10843/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the provision of ambulance services. Accordingly my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

286. **Mr. Lowry** asked the Minister of State at the Department of Health and Children if he will provide each carer of an elderly or terminally ill relative a minimum of four hours per week of respite care to allow him or her a break from caring duties; and if he will make a statement on the matter. [10845/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. Home help, home care grant and other community services are a matter for the HSE, depending on the assessed circumstances of each individual case. There are no plans to introduce a general four hour per week respite break for carers.

I understand from my colleague the Minister for Social and Family Affairs, who has responsibility for carers allowances, that persons in receipt of carer's allowance receive an annual respite care grant in recognition of the importance of respite services to carers. This grant is also payable with carer's benefit. Provision was made in the 2005 budget for three improvements to the respite care grant scheme. These are: the extension of the respite care grant, which is currently paid only to those who qualify for carer's allowance and carer's benefit, to all carers who are providing full time care to a person who needs such care from June 2005; an increase in the amount of the respite care grant from €835 to €1,000; and a respite care grant in respect of each care recipi-

ent for those full time carers who provide care for three or more people whereas at present a double respite care grant is paid to those who are caring for two or more people.

Hospital Services.

287. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called to Merlin Park Hospital. [10866/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person in question resides in County Mayo, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

288. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will be admitted to St. James's Hospital; and if she will make a statement on the matter. [10869/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person in question resides in County Clare, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

289. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will be admitted to the Rehabilitation Unit in Dún Laoghaire; and if she will make a statement on the matter. [10871/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person in question resides in County Clare, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Departmental Payments.

290. **Mr. Boyle** asked the Tánaiste and Minister for Health and Children the annual fees paid to each chairperson and director in each statutory board under the remit of her Department. [10873/05]

Tánaiste and Minister for Health and Children (Ms Harney): My Department is currently undertaking a review to confirm the current position on payments to members of all state boards under its aegis. I will revert to the Deputy on this matter as soon as the review has been completed.

Departmental Funding.

291. **Mr. McCormack** asked the Minister of State at the Department of Health and Children if additional funding will be provided to a group (details supplied) for the provision of follow-on respite placements for autistic children over 12 years of age as the current level of funding will not adequately provide all the residential or part-time residential places required over the next few years and parents are very anxious about the uncertainty regarding future services after their children reach 12 years of age; and if he will make a statement on the matter. [10896/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the provision of funding. Accordingly, my Department has requested the chief officer for the executive in the western area to investigate the matter raised and to reply directly to the Deputy.

292. **Mr. F. McGrath** asked the Minister of State at the Department of Health and Children if the maximum support and assistance will be given to Down's Syndrome Ireland with its national resource centre building project, including financial support. [10917/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes the provision of funding for capital projects. Accordingly, my Department has requested the executive's national director for primary, community and continuing care to investigate the matter raised and to reply directly to the Deputy.

Services for People with Disabilities.

293. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason transport is not being provided for a person (details supplied) in County Mayo with severe mental and physical disabilities; and if it will be arranged. [10919/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the

[Ms Harney.] executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person in question resides in County Mayo, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

294. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 371 of 5 October 2004, if funding will be made available to continue the programme of the inner ear cochlear department of Beaumont Hospital; if the proposed implant for a person (details supplied) in Dublin 12 will be carried out; and if she will make a statement on the matter. [10923/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware of the work done by the cochlear implant programme at Beaumont Hospital. I had the pleasure of visiting Beaumont Hospital recently and also met with the director of the programme. I can assure the Deputy that the future development of the programme in under active consideration by the Health Service Executive. My Department is advised that the former Eastern Regional Health Authority wrote to the Deputy in November 2004 in response to his question of 5 October, advising him of the position at that time with regard to the programme.

Hospital Building Programme.

295. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the extension of the accident and emergency department of Kerry General Hospital; and if she will make a statement on the matter. [10931/05]

298. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that a day ward at Kerry General Hospital is lying idle and fully equipped due to the employment ceiling in the health service; the steps she will take to ensure that this day ward is opened and fully staffed; and if she will make a statement on the matter. [10934/05]

301. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if consideration is being given to the provision of a medical assessment unit at the accident and emergency department at Kerry General Hospital; and if she will make a statement on the matter. [10937/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 295, 298 and 301 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1

January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the provision of services at Kerry General Hospital. My Department has therefore requested the chief officer for the executive's southern area to reply directly to the Deputy on the matter raised.

296. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the position regarding the provision of a new community hospital in Tralee, County Kerry; and if he will make a statement on the matter. [10932/05]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy will be aware, the Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the provision of a new community hospital in Tralee, County Kerry. At present the project is being processed through the detailed design stage and it is expected that this stage will be completed towards the end of this year.

Health Services Staff.

297. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the way by which she reconciles the employment ceiling in the health services with the Government's commitment to provide 850 new community nursing home beds; the number of these beds which have been provided; if the staff allocated have been provided; and if she will make a statement on the matter. [10933/05]

Tánaiste and Minister for Health and Children (Ms Harney): Work has been underway in the Department of Health and Children on a proposal for a public private partnership investment scheme for 850 community nursing units. There have been discussions between my Department and the Department of Finance in the development of this PPP scheme. These are complex schemes and it is important to have a clear view of the benefits that will accrue given the complexity of the PPP contracting structure. The work that has been done so far has helped to clarify a number of issues.

I am very aware that additional long stay bed capacity is required to relieve pressure on the acute hospital and community care programme and I will be pursuing the need to deliver such capacity with the Minister for Finance as a matter of high priority. The provision of these additional long stay beds must be considered in the context of the capital investment programme and the employment ceiling.

Question No. 298 answered with Question No. 295.

Health Services.

299. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the reason applicants for the curam home care grant are being advised that they have qualified for the grant but that there is insufficient money available to award to grant; if applicants who are awarded the grant will receive it immediately; and if he will make a statement on the matter. [10935/05]

308. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the number of persons in County Kerry who have been approved for a curam home care grant and are still awaiting payment; the length of time an applicant has to wait from the time of approval to the actual payment date; the longest period of time an applicant has been waiting for payment; if approved applicants will be assured that payment will be backdated to the date of approval; and if he will make a statement on the matter. [10977/05]

309. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the amount of funding provided to the Health Service Executive's southern area for the provision of curam home care grants in 2004 and 2005; and if he will make a statement on the matter. [10978/05]

310. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the amount needed to issue payment immediately of curam home care grants to all approved applicants in the Kerry area; and if he will make a statement on the matter. [10979/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 299, 308, 309 and 310 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1st January 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for the home care grant scheme in the southern area. Accordingly, my Department has requested the chief officer for the executive's southern area to investigate the matters raised and to reply directly to the Deputy.

Question No. 300 answered with Question No. 217.

Question No. 301 answered with Question No. 295.

Hospital Building Programme.

302. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children

when it is intended to publish the capital funding programme for hospitals for 2005; and if she will make a statement on the matter. [10938/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, established on 1 January 2005, to manage and deliver or arrange to be delivered on its behalf health and personal social services. This includes responsibility for progressing the health capital programme for hospitals.

The HSE service plan for 2005 was recently approved by me and as required by relevant legislation laid before the House. The detailed capital funding programme for hospitals for 2005 is currently being finalised in the context of the capital investment framework for 2005 to 2009. This process will be concluded in the near future and the HSE will then be in a position to progress its capital programme in line with overall funding resources available for 2005 or beyond. While elements of the capital programme will of course be commercially sensitive, the question of publishing the details sought by the Deputy will be a matter for the HSE.

303. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the position regarding the provision of a new hospital for Dingle, County Kerry; and if he will make a statement on the matter. [10939/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1st January 2005. Under the Act the executive is required to manage and deliver or arrange to be delivered on its behalf health and personal social services. As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors. The Health Service Executive's national capital plan is currently being examined by my Department.

Departmental Correspondence.

304. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children if she will meet with a group (details supplied); and if he will make a statement on the matter. [10940/05]

Minister of State at the Department of Health and Children (Mr. S. Power): A request to meet with this group was received in the Tánaiste's office and I understand that a letter has issued to arrange a meeting.

Hospital Building Programme.

305. **Ms B. Moynihan-Cronin** asked the Minister of State at the Department of Health and Children the position regarding the extension of Kenmare Community Hospital in County Kerry; and if she will make a statement on the matter. [10941/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver or arrange to be delivered on its behalf health and personal social services. As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors. The Health Service Executive's national capital plan is currently being examined by my Department.

Hospital Services.

306. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason an operation did not take place for a person (details supplied) in County Mayo at Our Lady's Hospital for Sick Children in Crumlin. [10975/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person in question resides in County Mayo, my Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Services for People with Disabilities.

307. **Mr. F. McGrath** asked the Minister of State at the Department of Health and Children if he will meet the president and a delegation of members from Down's Syndrome Ireland over the next few weeks and make this a priority issue. [10976/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am pleased to inform the Deputy that I have recently written to Down's Syndrome Ireland suggesting a possible date for a meeting with them.

Questions Nos. 308 to 310, inclusive, answered with Question No. 299.

Health Services.

311. **Mr. Allen** asked the Tánaiste and Minister

for Health and Children if she will investigate the case of a person (details supplied) in County Cork. [10980/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf health and personal social services. As the person referred to by the Deputy resides in County Cork, my Department has requested the chief officer for the executive's southern area to reply directly to the Deputy on the matter raised.

312. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the status of an application by a person (details supplied) in County Clare regarding a refund for bedroom furniture; and if she will make a statement on the matter. [10981/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for aids and appliances. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Travers Report.

313. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children the date on which the Travers report was submitted to her; the date on which the printed version of the Travers report became available for purchase in the Government publications sales office; if she will provide a full explanation for the delay; and if she will make a statement on the matter. [10982/05]

Tánaiste and Minister for Health and Children (Ms Harney): I received the Travers report on Friday, 4 March 2005. Before being published it was considered by the Cabinet at its next meeting on Tuesday, 8 March 2005. Copies of the report were given to each member of the Dáil on Wednesday, 9 March and the Dáil then referred it by resolution to the Oireachtas Joint Committee on Health and Children. The committee published it subsequent to its meeting that day. It was available on the website www.oireachtas.ie also on 9 March 2005. The printed version was made available for purchase in the Government Publications sales office on 16 March 2005. There was, therefore, no inordinate delay in publishing the report.

Cancer Incidence.

314. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children if a copy of the full report of the study group regarding cancer in the Summerhill area of Dublin 1 will be made available to local public representatives; if a meeting will be arranged with local public representatives and representatives of the residents and the study group to clarify issues arising from that report; and if she will make a statement on the matter. [10983/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the issues raised by the Deputy. Accordingly, my Department has requested the chief officer of the executive's eastern regional area to investigate the matters raised and to reply directly to the Deputy.

Question No. 315 answered with Question No. 178.

Health Services.

316. **Mr. Allen** asked the Tánaiste and Minister for Health and Children if she will investigate the case of a person (details supplied) in County Cork. [10985/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. As the person referred to by the Deputy resides in County Cork, my Department has requested the chief officer for the executive's southern area to reply directly to the Deputy on the matter raised.

317. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if the full complement of beds is in use in the Maynooth community care unit, Maynooth, County Kildare; if not, the number of beds in use; the reason for the delay in bringing the unit to full capacity; and if she will make a statement on the matter. [11110/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of health services in the Maynooth community care unit. Accordingly, my Department has requested the chief officer for the executive's eastern

regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Accommodation.

318. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the continuing serious overcrowding in recent weeks in the accident and emergency unit at Naas General Hospital, Naas, County Kildare; the way in which she intends to improve matters at the hospital; and if she will make a statement on the matter. [11113/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for services at Naas General Hospital. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

I have identified the delivery of accident and emergency services as a priority area for attention. I have announced a ten point action plan on accident and emergency services which is being financed with €70 million current funding and €10 million capital funding. My Department is liaising with the HSE to progress the implementation of the plan.

Health Services.

319. **Mr. Curran** asked the Tánaiste and Minister for Health and Children the future plans for Brú Chaoimhin, Cork Street, Dublin 8. [11130/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of health services. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Nursing Education.

320. **Mr. Curran** asked the Tánaiste and Minister for Health and Children the reason entry to public health nursing has been changed; if she and An Bord Altranais have satisfied themselves that without general nursing, a public health nurse can deliver a quality service to a typical community population base. [11131/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Commission on Nursing considered that registration as a midwife should no

[Ms Harney.]

longer be a mandatory requirement for entry to the higher diploma in public health nursing or registration as a public health nurse, PHN, as follows:

. . . in light of the range of services offered by public health nurses and the ongoing development of nursing and midwifery services in the community, registration as a midwife should no longer be a mandatory requirement for entry to the higher diploma in public health nursing or registration as a public health nurse. An alternative education programme relating more closely to the core generic maternal and child care service requirements of public health nursing should replace the mandatory midwifery requirement. The Commission recommends that the Board establish a working party composed of PHNs, health service providers and nurse educators to determine the content and duration of a course in maternal and child health, as an alternative to the mandatory midwifery qualification.

In direct response to this specific recommendation of the commission, An Bord Altranais established a working group to devise the content and duration of a course in maternal and child health. It was proposed, as set out by the commission, that this course should be offered as an alternative to the mandatory midwifery qualification for PHN students. Those with midwifery registration would not be required to undertake the course. This course addresses the professional and practice issues as they relate to maternal and child health in a primary health care setting as a dimension of the role of the PHN. The course includes both theoretical and clinical requirements.

In November 2004, the board approved a number of changes to the nurses rules, including the following amended rule in relation to admission requirements for nurses wishing to train in public health nursing.

Before admission to the programme for education and training leading to registration in the Public Health Nurses Division of the Register, the name of the candidate for the registration must already be entered in the Register of Nurses and the candidate must have two years clinical experience in nursing. Unless the candidate's name is entered in the Midwives Division of the Register, the candidate must complete an An Bord Altranais approved module or unit of study on Maternal and Child Health as part of the programme.

My approval is required under section 26 of the Nurses Act 1985 and these rules were formally approved by me in December 2004 as soon as they were submitted by the board. Regulation of the nursing and midwifery professions, including the setting of requirements and standards in relation to the education programmes for registration in a division of the register of nurses main-

tained by An Bord Altranais, including the public health nurse division, is the statutory responsibility of the board itself. I understand that, at a recent meeting, the board decided to develop a consultation process on the implementation of the rule change.

Nursing Home Subventions.

321. **Mr. Ó Fearghail** asked the Tánaiste and Minister for Health and Children if an enhanced nursing home subvention will be awarded in respect of a person (details supplied) in County Kildare. [11132/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of enhanced subvention. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Staff.

322. **Ms McManus** asked the Tánaiste and Minister for Health and Children if any senior staff of the HSE or health boards have been retained as consultants while on career breaks from their posts; if so, the positions or grades concerned; the rate of remuneration for any such persons retained and the way in which this compares with their original pay grades; the guidelines which govern such procedures; and if she will make a statement on the matter. [11133/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provides for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the management of the executive's human resources.

My Department has, therefore, requested the acting national director of human resources in the HSE to investigate the matters raised by the Deputy on the retention of senior staff of the HSE and health areas as consultants while on career breaks and reply directly to her.

Hospitals Building Programme.

323. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children the reason for the continuing delay in providing the long promised extension to Bandon Community Hospital; and the further reason the request of September 2004 for approval to appoint a design team has not been granted. [11134/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors. The Health Service Executive's national capital plan is currently being examined by my Department.

Medical Cards.

324. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children her views on whether funding should be made available to the parents of a child from west Cork, with a medical card, to cover the cost of travel for regular visits for treatment in Dublin hospitals. [11135/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards.

A medical card holder with full eligibility is entitled to receive general practitioner services and a range of approved prescribed medication under the general medical services scheme from the local community pharmacist free of charge. Decisions in regard to any other funding which might be made available would be a matter for the chief officer of the Health Service Executive's local area to decide.

Lottery Funding.

325. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the amount of lottery funding advanced to date on a yearly basis to projects outside this State; the number of such lottery grants on a yearly basis [11526/05]

Tánaiste and Minister for Health and Children (Ms Harney): Applications for funding from the Health and Children national lottery allocation are received primarily from individuals, groups and organisations with an involvement in the provision of health services to specific client groups, national groups providing information and support regarding disability and illness and groups with a specific interest. To date, national lottery

funds have been allocated to organisations within the State.

Disabled Drivers.

326. **Mr. McGuinness** asked the Minister for Finance if an application for a primary medical certificate will be reconsidered in the name of a person (details supplied) in County Kilkenny in view of the fact that the specific request made by their orthopaedic surgeon and their general practitioner that they be granted a certificate; if the Health Service Executive will examine their case to determine the support or grant assistance will be given should the certificate be refused; and if he will make a statement on the matter. [10273/05]

Minister for Finance (Mr. Cowen): I assume the Deputy is referring to the disabled drivers and disabled passengers — tax concessions — scheme. The medical criteria for the purposes of the tax concession 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 as follows: persons who are wholly or almost wholly without the use of both legs; persons who are wholly without the use of one of their legs and almost wholly without the use of the other leg such that they are severely restricted as to movement of their 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; persons having the medical condition of dwarfism and who have serious difficulties of movement of the lower limbs.

It is a fundamental requirement for admission to the scheme that the applicant meets the specified medical criteria and is in possession of a primary medical certificate to that effect, issued by the appropriate senior area medical officer, who is an official of the local Health Service Executive. I have no function in deciding whether individual certificates are issued. Where the issue of the required certificate is refused, this can be appealed to the disabled drivers medical board of appeal, an independent body, whose decision is final.

Tax Code.

327. **Mr. Lowry** asked the Minister for Finance if he will offer tax incentives for companies (details supplied); and if he will make a statement on the matter. [10475/05]

Minister for Finance (Mr. Cowen): The Government's taxation policy is designed at max-

[Mr. Cowen.]
imising the employment and economic benefits of industrial development by creating an attractive climate for investment. In this respect Ireland offers one of the most beneficial corporate tax environments in the EU with a corporation tax rate of 12.5% applying since 1 January 2003.

This is a general measure which applies across the board to companies located in all areas and regions in the State. As such, it does not conflict with EU state aid rules. A proposal to offer tax incentives to companies in a specific region or specific towns would be state aid and would have to be examined and approved by the European Commission.

School Remediation Works.

328. **Mr. Stagg** asked the Minister for Finance when the asbestos remediation works to a school (details supplied) in County Kildare will be carried out; and if he will make a statement on the matter. [11105/05]

Minister of State at the Department of Finance (Mr. Parlon): Planning is in hand for a scheme to replace the asbestos based roofs at the school in question. Works will commence as soon as possible following completion of this process and the necessary tendering and contractual procedures and subject to agreement on programming with the school authorities.

Garda Stations.

329. **Mr. Stagg** asked the Minister for Finance if he has approved the revised sketch scheme for the new Garda station for Leixlip, County Kildare; and if he will make a statement on the matter. [11159/05]

386. **Mr. Stagg** asked the Minister for Finance if negotiations with Kildare County Council for the acquisition of a small portion of land to the front of the site for the new Garda station for Leixlip, County Kildare, have been concluded; if a revised sketch scheme has been submitted to the Department of Justice, Equality and Law Reform for approval; if approval has issued from this Department; when construction is likely to commence; and if he will make a statement on the matter. [11151/05]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 329 and 386 together.

Officials from the Office of Public Works met officials of Kildare County Council on 16 March 2005 to discuss directly the acquisition of an additional plot of land for this development. It is understood that Kildare County Council has agreed in principle to dispose of the plot of land in question to the OPW and has commenced the process to effect this disposal. When Kildare County Council has completed the process of disposal, a revised sketch scheme reflecting the expanded development site can be issued to the

Department of Justice, Equality and Law Reform for approval.

330. **Mr. Durkan** asked the Minister for Finance the position in regard to the provision of the proposed new Garda station at Leixlip, County Kildare; if all the obstacles and difficulties in relation to the project have been resolved; if contracts have been signed; if a completion date has been set; if discussion has taken place regarding the number of gardaí likely to be assigned there after completion; and if he will make a statement on the matter. [11238/05]

387. **Mr. Durkan** asked the Minister for Finance if all the issues relating to the provision of the proposed new Garda station at Leixlip, County Kildare have been finally resolved; when he expects the works to be completed and the station open; and if he will make a statement on the matter. [11219/05]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 330 and 387 together.

Officials from the Office of Public Works met officials of Kildare County Council on 16 March 2005 to discuss the acquisition of an additional plot of land for this development. It is understood that Kildare County Council has agreed in principle to dispose of the plot of land in question to the OPW and has commenced the process to effect this disposal. When Kildare County Council has completed the process of disposal, a revised sketch scheme reflecting the expanded development site can be issued to the Department of Justice, Equality and Law Reform for approval. The Garda Commissioner is responsible for the detailed allocation of resources, including personnel.

Flood Relief.

331. **Mr. Durkan** asked the Minister for Finance the position in relation to negotiations between his Department and Kildare County Council regarding the permanent resolution of the flooding problems at Mill Lane, Leixlip, County Kildare; and if he will make a statement on the matter. [11445/05]

383. **Mr. Stagg** asked the Minister for Finance if he has received a report from Kildare County Council in relation to flood alleviation measures in Leixlip, County Kildare; if funding is available from his Department to carry out the work; and if he will make a statement on the matter. [11108/05]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 331 and 383 together.

The Office of Public Works received a report from Kildare County Council in relation to flood alleviation measures in Leixlip, County Kildare, on 5 April 2005. The Commissioners of Public Works are considering this report.

Asylum Support Services.

332. **Mr. McGuinness** asked the Minister for Finance the details of the settlement reached regarding the lands at Dublin Road, Kilkenny which were leased by his Department to be used as an accommodation centre for asylum seekers; the legal costs to date; the amount paid to date to the land owner in question; if the agreement has been terminated; and if he will make a statement on the matter. [9950/05]

Minister of State at the Department of Finance (Mr. Parlon): Proceedings in the case of Thomas Rothwell and Others v. Minister for Justice, Equality and Law Reform and another were withdrawn by the applicants on the following settlement conditions: the applicant to receive €25,000 plus VAT for costs; the current licence with the landlord, Mr. Alex Wilsdon, to be terminated; that advance notice be given to the applicants regarding any future intention of the respondents to enter into another licence agreement with the landlord with regard to the same site. The total rent paid for the duration of the licence, which was terminated with effect from 18 October 2004, was €490,643.52. The legal costs involved have not yet been determined.

Debt Relief.

333. **Mr. McCormack** asked the Minister for Finance the progress which has been made following recent meetings in London to cancel the debt of the poorest countries in the world and as Ireland's Governor of the IMF and World Bank, if there are proposals to sell IMF gold to fund the debt cancellation of these countries; and if he will make a statement on the matter. [9965/05]

Minister for Finance (Mr. Cowen): I assume the Deputy is referring to discussions within the G7. Ireland is not a member of the G7-G8 but I understand discussions are continuing there. I refer the Deputy to my reply to the House on this subject of debt on 8 March 2005 and subsequently.

Adequate financing for debt relief is essential to help reduce poverty in many parts of the world. It is important to adequately finance the relief of debts owed to the International Monetary Fund in order that the fund can continue to play a role in the poorest countries. The managing director has stated that he will, as requested, bring forward proposals at the spring meetings, covering the fund's gold and other resources. These resources are part of the assets of the IMF. These proposals are awaited and they will be assessed when available, not least from the need to ensure that the IMF has the resources necessary to carry out its critical functions in future. The sale of part of IMF gold reserves to cover the costs of additional debt relief has been proposed, in addition to a number of other mechanisms, to fund the relief of the debts of poor countries. Agreement on any such mechanisms may be

problematic given possible opposition by certain states to gold sales.

Tax Code.

334. **Mr. McGuinness** asked the Minister for Finance the reason a person (details supplied) in County Kilkenny is being assessed each year for income tax in view of the fact that their only source of income is a UK employment pension and an Irish old age pension; and if he will make a statement on the matter. [9967/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the taxpayer's income for the past few years has been below the exemption limits and that as a result he paid no tax. In view of this and of the increases in exemption limits in recent budgets the taxpayer is now being advised that he no longer needs to file an annual return of income.

335. **Mr. Carey** asked the Minister for Finance when a tax refund in respect of medical expenses will be made to a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [9987/05]

Minister for Finance (Mr. Cowen): The medical expenses claim for 2004 has been processed by the Revenue Commissioners. A PAYE balancing statement for the year 2004 together with a cheque for the refund due issued to the taxpayer on 1 April 2005.

336. **Mr. Perry** asked the Minister for Finance if his Department has received the submission from Sligo County Council 2005 review of tax reliefs; if a decision has been made; and if he will make a statement on the matter. [10045/05]

Minister for Finance (Mr. Cowen): In budget 2005, I announced that I had directed my Department, together with the Revenue Commissioners, to undertake a thorough evaluation of the effect of all relevant tax incentive reliefs. This review will evaluate the impact and operation of certain incentive schemes, including their economic and social benefits for the different locations and sectors involved and to the wider community. In addition, the review will examine the degree to which these schemes allow high income individuals to reduce their tax liabilities. The review will involve external consultancy work on the evaluation of various property tax incentive schemes, including the urban, town and rural renewal schemes.

In addition to the above, as well as examining relevant international approaches, the review includes a public consultation process seeking submissions on measures that could be introduced to limit the extent to which reliefs and exemptions can be used by high earners to reduce or eliminate their tax bill. The deadline for

[Mr. Cowen.]
 receipt of these submissions was 31 March 2005 and my Department has received a significant number of submissions, including one from Sligo County Council. As the Deputy will appreciate this review process has just begun. It is, however, expected that this process will be complete by September 2005 to enable the conclusions of the review to be considered in the context of next year's budget.

Debt Relief.

337. **Mr. Lowry** asked the Minister for Finance if he will consider the views expressed in correspondence (details supplied) when he attends the IMF-World Bank spring meetings in April 2005; if he will build on previous work in 2002 and encourage the sale of IMF gold to fund debt cancellation; and if he will make a statement on the matter. [10092/05]

Minister for Finance (Mr. Cowen): I refer the Deputy to my reply to the House on this subject on 8 March 2005 and to subsequent questions on the same subject. In those answers, I said that adequate financing for debt relief is essential to help reduce poverty in many parts of the world. It is important to adequately finance the relief of debts owed to the International Monetary Fund in order that the fund can continue to play a role in the poorest countries. The managing director has stated that he will, as requested, bring forward proposals at the spring meetings, covering the fund's gold and other resources. These resources are part of the assets of the IMF. These proposals are awaited and they will be assessed when available, not least from the need to ensure that the IMF has the resources necessary to carry out its critical functions in future.

The sale of part of IMF gold reserves to cover the costs of additional debt relief has been proposed, in addition to a number of other mechanisms, to fund the relief of the debts of poor countries. Agreement on any such mechanisms may be problematic given possible opposition by certain states to gold sales.

Tax Code.

338. **Ms Burton** asked the Minister for Finance the number of beneficiaries for each year from 1997 to date in respect of exemption in relation to income from artistic activity exempted from tax; the number of such beneficiaries with annual earning from exempted artistic activity below €50,000; the number of beneficiaries with annual incomes above €50,000 in bands of €10,000 and the estimated cost to the Exchequer of the tax forgone for each income band. [10107/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the relevant available information relates to the

exemption of certain earnings of writers, composers and artists as included in income tax returns filed for the four income tax years 1998-99 to the short tax year 2001, the latest year for which information is available.

It should be noted that as PAYE taxpayers were charged to tax on their earnings in the period from 6 April to 31 December 2001 and self-employed taxpayers were assessed to tax for the short year on 74% of the profits earned in a 12-month accounting period, data provided for the short tax year 2001 may not be directly comparable with those of earlier years.

The information requested is set out in the following tables. However, because of the Revenue Commissioners' obligation to observe confidentiality in relation to the taxation affairs of individual taxpayers and small groups of taxpayers, the precise breakdown by income bands requested by the Deputy is not provided in relation to exempt incomes exceeding €150,000 due to the small numbers of income earners with incomes in excess of that level.

A married couple which has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

INCOME TAX 1998/1999

Artists Exemption — distribution of claimants by range of exempted income.

Range of exempted Income		Totals	
From	To	Number of cases	Estimated Tax Foregone
€	€		€m
—	50,000	749	1.21
50,000	60,000	14	0.22
60,000	70,000	15	0.24
70,000	80,000	9	0.18
80,000	90,000	7	0.18
90,000	100,000	7	0.20
100,000	110,000	8	0.29
110,000	120,000	5	0.20
120,000	130,000	4	0.16
130,000	140,000	3	0.13
140,000	150,000	5	0.24
150,000	170,000	4	0.22
170,000	200,000	5	0.32
200,000	250,000	8	0.61
250,000	300,000	4	0.38
300,000	400,000	7	0.86
400,000	500,000	4	0.66
500,000	1,000,000	6	1.50
Over	1,000,000	13	16.70
Totals		877	24.50

INCOME TAX 1999/2000

Artists Exemption — distribution of claimants by range of exempted income.

Range of exempted Income		Totals	
From	To	Number of cases	Estimated Tax Foregone
€	€		€m
—	50,000	788	2.01
50,000	60,000	19	0.32
60,000	70,000	12	0.22
70,000	80,000	16	0.38
80,000	90,000	9	0.24
90,000	100,000	10	0.30
100,000	110,000	7	0.23
110,000	120,000	3	0.13
120,000	130,000	4	0.17
130,000	140,000	2	0.09
140,000	150,000	5	0.25
150,000	170,000	8	0.42
170,000	200,000	4	0.27
200,000	250,000	10	0.75
250,000	300,000	6	0.59
300,000	400,000	8	0.96
400,000	500,000	3	0.48
500,000	1,000,000	12	3.15
Over	1,000,000	15	18.95
Totals		941	29.90

INCOME TAX 2000/2001

Artists Exemption — distribution of claimants by range of exempted income.

Range of exempted Income		Totals	
From	To	Number of cases	Estimated Tax Foregone
€	€		€m
—	50,000	1,029	2.23
50,000	60,000	25	0.37
60,000	70,000	19	0.34
70,000	80,000	11	0.24
80,000	90,000	14	0.32
90,000	100,000	10	0.26
110,000	120,000	7	0.23
120,000	130,000	3	0.11
130,000	140,000	6	0.23
140,000	150,000	2	0.08
150,000	170,000	10	0.51
170,000	200,000	15	0.88
200,000	250,000	6	0.43
250,000	300,000	7	0.62
300,000	400,000	11	1.29
400,000	500,000	6	0.85

Range of exempted Income		Totals	
From	To	Number of cases	Estimated Tax Foregone
500,000	1,000,000	4	0.85
Over	1,000,000	20	27.05
Totals		1,212	37.10

INCOME TAX 2001 (short "year")

Artists Exemption — distribution of claimants by range of exempted income.

Range of exempted Income		Totals	
From	To	Number of cases	Estimated Tax Foregone
€	€		€m
—	50,000	1,150	2.24
50,000	60,000	19	0.28
60,000	70,000	17	0.29
70,000	80,000	17	0.34
80,000	90,000	9	0.21
90,000	100,000	13	0.36
100,000	110,000	8	0.26
110,000	120,000	4	0.13
120,000	130,000	5	0.19
130,000	140,000	4	0.15
140,000	150,000	9	0.39
150,000	170,000	4	0.19
170,000	200,000	5	0.28
200,000	250,000	8	0.55
250,000	300,000	7	0.60
300,000	400,000	8	0.83
400,000	500,000	8	1.18
500,000	1,000,000	14	2.83
Over	1,000,000	14	12.18
Totals		1,323	23.50

National Parks.

339. **Ms Burton** asked the Minister for Finance if he will provide as previously requested by the Deputy, a children's playground at the Dublin 15 end of the Phoenix Park, particularly in the vicinity of Farmleigh, in order to make provision for the tens of thousands of children now in the catchment area for such a playground for whom there are almost no public playground facilities; if his attention has been drawn to the fact that the playground at the Infirmary Road end of the park is not accessible by public transport from the Dublin 15 direction, except with great difficulty. [10108/05]

Minister of State at the Department of Finance (Mr. Parlon): The principle governing the management of the Phoenix Park is its conservation and presentation as a national historic park.

[Mr. Parlon.]

Within these parameters, the Office of Public Works in managing the Phoenix Park maintains a careful balance between competing interests for the optimum benefits for all users. In this context, it is considered that the existing playground in the People's Gardens, which was recently comprehensively upgraded, is adequate. The provision of further public playgrounds in the vicinity of the Phoenix Park is more properly the responsibility of the relevant local authority.

340. **Ms Burton** asked the Minister for Finance if he has proposals to provide additional pedestrian crossings in the Phoenix Park given the speed of traffic through the park and the fact that, other than at roundabouts on the main road, there are no specific pedestrian crossing points. [10109/05]

Minister of State at the Department of Finance (Mr. Parlon): Chesterfield Avenue was not originally constructed to deal with the current intense traffic volumes. As a result, it now needs both major repair works and the introduction of design features with a view to increasing safety and reducing the speed of traffic.

A fully integrated plan for the renovation of Chesterfield Avenue has accordingly been prepared by my office, and it is intended to submit the scheme for planning permission later this year. The safety of all park users has been paramount in the preparation of this plan, which has been developed in consultation with the Dublin Transportation Office, and will involve a variety of traffic calming measures, including pedestrian zones in the vicinity of the zoo, together with the construction of a roundabout at Mountjoy Cross. These features will be sensitive to the special ethos of this national historic park. It is proposed to implement the project on a phased basis in order to minimise disruption to park users and subject to the availability of funding.

341. **Ms Burton** asked the Minister for Finance the situation with respect to the proposed traffic calming measure to be introduced in the Phoenix Park; if there is a proposal to provide one way traffic systems at the Cabra and Ashtown Gates as previously advertised by the OPW; the reason for the cancellation of such works; if the works have now been abandoned or if they will proceed in the future; and the estimated cost of such works. [10110/05]

Minister of State at the Department of Finance (Mr. Parlon): Chesterfield Avenue was not originally constructed to deal with the current intense traffic volumes. As a result, it now needs both major repair works and the introduction of design features with a view to increasing safety and reducing the speed of traffic.

As part of the proposed fully integrated plan for the renovation of Chesterfield Avenue, which was developed in consultation with the Dublin Transportation Office, a number of traffic calming design features are envisaged with a view to reducing traffic speeds and enhancing the safety of all users of the Phoenix Park, including a

roundabout at Mountjoy Cross and a pedestrian zone in the vicinity of the zoo. These features will be sensitive to the special ethos of this national historic park. It is proposed to implement the project on a phased basis in order to minimise disruption to Park users and subject to the availability of funding.

A number of ramps were installed recently on the back road in the Phoenix Park, between the zoo and the Ashtown Gate, a stretch of road particularly badly affected by speeding traffic. The proposal to implement a one-way system at the Ashtown and Cabra Gates of the Phoenix Park has been deferred pending further research into its likely impact on traffic flows outside the Park, particularly at rush hour, and to facilitate consultation with Fingal and Dublin City Councils. Apart from staff time spent on planning for the new system, no major significant costs are associated with the implementation of the one-way system.

Tax Code.

342. **Ms Burton** asked the Minister for Finance the cost to the Exchequer, in terms of tax forgone, for each year from 1997 to date in respect of approved retirement funds, ARFs, for persons with incomes in excess of €100,000 in bands of €10,000, setting out the numbers of such beneficiaries in each income band and the cost of the tax forgone for each income band. [10111/05]

Minister for Finance (Mr. Cowen): The Finance Act 1999 made a number of changes to the structure of pension arrangements by introducing additional options for the holders of personal pensions and certain holders of occupational pension schemes. Traditionally the types of benefits available on retirement for such persons comprised a lump sum, a pension for life and an annuity for dependants. Under the new arrangements such a pensioner can on retirement, subject to conditions, use his or her accumulated pension fund to purchase an annuity, have it paid directly to him or herself or have it placed in an approved retirement fund, ARF, or, in certain circumstances, into an approved minimum retirement fund, AMRF.

Funds placed in an ARF, or AMRF, can only come from an individual's approved pension arrangement. Thus, it is not possible to pay funds directly into an ARF. Tax relief is available for contributions made to an approved pension arrangement prior to retirement. Funds placed in an ARF have, therefore, already been tax relieved at the time the contributions to those pension products were made. In the same manner as for pension funds generally, income and gains arising in an ARF are exempt from income tax and capital gains tax so long as they are held within the ARF. Any withdrawals from the ARF are subject to tax at the person's marginal rate of income tax. The same rules apply to AMRFs except that the capital, as distinct from the income, may not be withdrawn from an AMRF until the individual reaches the age of 75.

As there is no requirement in law for qualifying fund managers in relation to ARFs to provide the

Revenue Commissioners with details of the amount of funds held in such investment vehicles or of the income and gains arising on such funds, information along the lines requested by the Deputy is not available to the Revenue Commissioners.

343. **Ms Burton** asked the Minister for Finance the cost in terms of tax forgone for each year from 1997 to date in respect of pension fund expenditure by employers on behalf of their employees for people with incomes in excess of €100,000 in bands of €10,000 setting out the number of employees so benefiting in each income band and the cost to the State of the tax forgone for each income band. [10112/05]

344. **Ms Burton** asked the Minister for Finance the cost in terms of tax forgone for each year from 1997 to date of the provision of the various pension tax reliefs; the beneficiaries of such tax

reliefs for persons with income in excess of €100,000 in bands of €10,000 setting out the numbers of employees so benefiting in each income band and the cost to the State of the tax forgone for each income band. [10113/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 343 and 344 together.

It is not possible to provide disaggregated figures in regard to the take-up of the tax relief for all pension contributions across different income categories because the relevant data in regard to contributions is not captured in such a way as to make this possible.

Disaggregated data is only available in respect of the tax relief for contributions to retirement annuity contracts, RACs. RACs are personal pensions used by the self-employed and by employees who are not in pensionable employment. The data are as follows:

	Estimated Costs				
	1997/98	1998/99	1999/2000	2000/01	2001
'Retirement Annuity Contracts' available to the self-employed and to employees not in occupational pension schemes	€91.3m	€116.2m	€180.8m	€205m	€170m
Numbers	72,200	92,900	104,500	109,300	109,600

For the short income tax year of 2001 a distribution by income ranges of the claim amounts, amounts of tax relief and average deductions for

tax relief for retirement annuity contracts is contained in the following table.

Income Tax 2001 (short "year")

Retirement Annuity — by range of Gross Income

Range of Gross Income		Totals			
From	To	Number of cases	Amount of deduction	Reduction in tax	Average deduction
			€	€	€
—	6,000	1,258	1,301,889	76,588	1,035
6,000	8,000	1,217	1,131,858	159,747	930
8,000	10,000	1,976	2,066,245	318,130	1,046
10,000	12,000	2,779	3,131,978	538,747	1,127
12,000	15,000	5,489	6,725,589	1,228,558	1,225
15,000	17,000	4,446	5,613,493	1,067,199	1,263
17,000	20,000	7,513	10,476,115	2,039,761	1,394
20,000	25,000	12,222	19,723,266	4,505,791	1,614
25,000	27,000	4,567	8,276,351	2,214,991	1,812
27,000	30,000	6,350	12,331,704	3,457,396	1,942
30,000	35,000	9,441	20,838,925	6,506,746	2,207
35,000	40,000	7,942	20,490,572	7,354,258	2,580
40,000	50,000	11,427	37,038,299	14,847,501	3,241
50,000	60,000	6,807	29,985,541	12,417,840	4,405
60,000	75,000	5,741	35,653,618	14,883,125	6,210
75,000	100,000	4,543	41,479,867	17,310,850	9,131
100,000	150,000	3,951	56,115,725	23,514,956	14,203
150,000	200,000	1,753	38,561,305	16,149,432	21,997
over	200,000	2,635	98,693,919	41,399,977	37,455
Totals		102,057	449,636,259	169,991,594	4,406

[Mr. Cowen.]

On the other hand, with regard to occupational pensions, that is, schemes set up by the employer, the figures in respect of employee and employer contributions are particularly tentative and are available only in aggregate form.

Tax relief for pension contributions by employees is normally given by way of a deduction from total income in arriving at income for tax purposes, that is, the income for tax purposes of employees is net of their pension contributions, the “net pay” arrangement. The

employer’s contributions are an allowable deduction from profits and are not specifically recorded in Revenue statistics. However, provisions were included in Finance Act 2004 with a view to improving data quality and transparency without overburdening taxpayers/employers. The Act includes provisions that require employers to provide data on superannuation contributions in the P35 form to be filed by employers in February 2006. The following table outlines the very tentative figures currently available to the Revenue Commissioners.

Income Tax Relief relating to Pension Contributions

Income Tax Relief	Estimated Cost				
	1997/98	1998/99	1999/2000	2000/01	2001
Contributions by employers*	€436m	€533m	€595m	€646m	€498m
Contributions by employees*	€257m	€329m	€421m	€472m	€389m
Numbers of employees contributing to approved superannuation schemes**	not available	not available	569,220	629,800	670,500
Exemption of Net Income of Approved Superannuation Funds (Contributions Plus Investment Income Less Outgoings)*	€823m	€967m	€1,226m	€1,292m	€938m

* These are tentative estimates.

** Calendar year figures sourced from annual reports of the Pensions Board 2001 was a “short” tax year from April to December. The latest data available is for years up to 2001. PRSAs were not introduced until 2002.

Special Savings Incentive Scheme.

345. **Ms Burton** asked the Minister for Finance the conditions that accompany the maturing of SSIA accounts and the withdrawal by investors of the sums invested plus Government bonuses at maturity; if there are any conditions in regard to declarations and disclosures accompanying such accounts, as reported on a number of occasions recently in various media; and if he will publish all such conditions and disclosures for the benefit of investors well in advance of the maturity dates. [10114/05]

373. **Mr. Connolly** asked the Minister for Finance the position in regard to disclosure declarations by SSIA depositions prior to the maturity of their accounts; and if he will make a statement on the matter. [10672/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 345 and 373 together.

Special savings incentive accounts, SSIAs, will mature between May 2006 and April 2007 depending on when the account was originally opened. For an account to be matured, the account holder will be required to make a maturity declaration to his or her financial institution at any time within a period of three months ending on the maturity date. Accordingly, no action by account holders is necessary until next year.

I am advised by the Revenue Commissioners that information regarding SSIA maturity is already published on the Revenue web site at www.revenue.ie. Furthermore, Revenue has arranged for the form on which the declaration is made to be issued to each SSIA holder by the

relevant financial institution in advance of the maturity date.

The form will simply require the saver to confirm that the conditions of the scheme were met from the date on which the SSIA started until the date the declaration is made, that is, they will be asked to confirm that they — were the beneficial owner of the assets in the SSIA, had only one SSIA, were resident or ordinarily resident in the State, subscribed to the SSIA from funds available to them or their spouse without recourse to borrowings, or the deferral of repayment, whether of capital or interest, of sums borrowed when the SSIA started, and did not assign or otherwise pledge SSIA assets as security for a loan.

The Revenue Commissioners are in discussion with the financial institutions to ensure that the maturity arrangements will be implemented in an efficient and practical manner.

Decentralisation Programme.

346. **Mr. Walsh** asked the Minister for Finance when the office of public works will provide office accommodation for the 180 people who have already volunteered to decentralise to Clonakilty under the central application facility; and if he will make a statement on the matter. [10122/05]

Minister for Finance (Mr. Cowen): The Office of Public Works has identified a particular site in Clonakilty and this land is now the agreed solution at this location. The Office of Public Works is proceeding with the acquisition of the land in question. The current indicative construction

completion timeframe for the new office in Clonakilty is early 2007.

Official Engagements.

347. **Mr. Allen** asked the Minister for Finance if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10173/05]

Minister for Finance (Mr. Cowen): I visited Savannah and Atlanta, in the United States, for the St. Patrick's Day celebrations and to attend at a number of other events promoting Ireland abroad. My wife, Mary, and my special adviser, Mr. Gerry Steadman, travelled with me in my official party. The visit covered the period 13 March to 20 March. The overall cost of the visit is not yet available.

Appointments to State Boards.

348. **Cecilia Keaveney** asked the Minister for Finance when an appeals officer will be reappointed to a board (details supplied); and if he will make a statement on the matter. [10188/05]

Minister for Finance (Mr. Cowen): I assume that the Deputy is referring to the Medical Board of Appeal for the disabled drivers and disabled passengers tax concessions scheme. In this regard, I am pleased to inform the Deputy that significant progress has been made in the reconstitution of the Medical Board of Appeal for the disabled drivers and disabled passengers tax concessions scheme. It is expected that the board will resume its meetings very shortly. I appointed a new chairperson to the board on 14 March 2005 and I understand that a new secretary is being recruited and will be in place shortly.

In respect of the waiting list for an appeal, I understand that there are in excess of 600 appellants. The new chairperson of the board has been asked to address the backlog as a priority. To facilitate this, I brought in new regulations on 7 April which will allow for the appointment of an additional five medical practitioners to the board of appeal. I hope to make the necessary new appointments to the board over the coming weeks.

Site Acquisitions.

349. **Mr. McGuinness** asked the Minister for Finance if the transfer of a small parcel of land adjoining a school (details supplied) in County Kilkenny from their ownership to the school for use as a playing field for the school and broader community will be considered; and if a decision in the case will be expedited. [10205/05]

Minister for Finance (Mr. Cowen): The Commissioners of Public Works are dealing with legal aspects concerning this property. When these are completed the intention is to dispose of the property.

Vehicle Registration.

350. **Cecilia Keaveney** asked the Minister for Finance the number of second-hand vehicles cleared in Bridgend, County Donegal, by revenue in the year 2004 compared to 2003; and if he will make a statement on the matter. [10215/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the numbers of second-hand vehicles registered in their Bridgend, County Donegal, office were as follows: 2003, 672; 2004, 1,190. The increase in registrations of second-hand vehicles in Bridgend in 2004 is generally in line with national trends.

Special Savings Incentive Scheme.

351. **Mr. P. McGrath** asked the Minister for Finance when the SSIA accounts are due to mature; the average contribution which savers have made to the scheme; the minimum and maximum contributors will receive on maturation of the scheme; the costs incurred if you exit the scheme; the number of subscribers nationwide; the cost of the scheme to the Exchequer on a monthly basis; the number of maturing accounts on a monthly basis from May 2006 and the estimated cost to the Exchequer of the top-up payment. [10258/05]

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.

I am informed by the Revenue Commissioners that all qualifying savings managers are furnishing their 2004 SSIA annual returns at present. The Revenue Commissioners are analysing these returns and it is expected that final details of this analysis will be available at the end of April 2005. However, all qualifying savings managers have, in advance of the annual return, provided a declaration indicating the number of active accounts held at 31 December 2004. Based on these 2004 declarations, I am informed by the Revenue Commissioners that the total number of active accounts at 31 December 2004 was 1,094,188 and the average monthly subscription was €175 at that date. Revisions may be necessary if amendments are received at a later date.

The minimum monthly contribution that could be made to an SSIA on commencement was €12.50. An individual paying this amount over five years would contribute €750 together with the Exchequer tax credit payout of €187.50, that is, 25%. Where an individual saved the maximum monthly amount of €254.00 from the outset the total contribution over five years would be €15,240 as well as the Exchequer tax credit payout of €3,810. Only the profit earned on this investment will be subject to a once-off tax of 23% on maturity provided the individual saver complies with certain conditions laid down in the legislation governing the scheme. Where an individual fails to comply with the conditions of the

[Mr. Cowen.]
scheme, or exits the scheme prematurely, all the money in the account is taxed at 23%.

I am informed by the Revenue Commissioners that the monthly tax credit pay-out, made in the

month following the month of subscription, to investors in the special savings incentive accounts since the introduction of this savings scheme is as follows:

Month	2001	2002	2003	2004	2005
	€m	€m	€m	€m	€m
January	—	17.8	44.4	45.2	47.1
February	—	19.3	44.8	44.8	47.9
March	—	21.0	44.1	44.2	48.1
April	—	25.6	44.0	45.6	—
May	—	43.1	44.2	45.1	—
June	2.0	44.4	44.0	45.8	—
July	6.1	43.5	44.3	46.0	—
August	9.1	44.1	44.3	45.3	—
September	11.0	43.6	44.1	46.3	—
October	12.6	43.6	44.9	46.3	—
November	14.2	43.5	44.8	46.4	—
December	16.0	43.5	44.0	47.0	—
Total	71.0	433.0	531.9	548.0	143.1

I am also informed by the Revenue Commissioners that, based on the most recent information available, that is, the return for 2003, the number of SSIA's due to mature in the period May 2006 and April 2007 is as outlined in the table below. These numbers can be expected to reduce marginally between now and the respective maturity dates due to account closures in the interim.

Table: SSIA accounts maturing in 2006/2007 (Based on 2003 data)

Commencement Date	Maturity Date	No of SSIA accounts (000's)
May-01	May-06	41.9
Jun-01	Jun-06	82.9
Jul-01	Jul-06	58.6
Aug-01	Aug-06	41.8
Sep-01	Sep-06	34.2
Oct-01	Oct-06	34.3
Nov-01	Nov-06	39.1
Dec-01	Dec-06	38.5
Jan-02	Jan-07	34.1
Feb-02	Feb-07	52.6
Mar-02	Mar-07	101.1
Apr-02	Apr-07	554.8
Total		1,113.9

As indicated in replies to previous questions, it is not possible to give a definitive answer as to the eventual cost of the scheme as it is subject to a number of variables such as participants dying, withdrawing from the scheme or varying their monthly contributions. The cost of the scheme to date is as outlined above. The estimated cost in 2005, based on the average tax credit payout in

the first three months of 2005, is €572 million but this is not a conclusive figure, and the final figure may be different if account holders change their monthly contributions. The total gross cost over the period of the scheme will be reduced by the exit tax to be received at the end.

352. **Mr. P. McGrath** asked the Minister for Finance if he has plans or proposals for maturing SSIA account holders to reinvest their savings or to encourage citizens to continue to save after the expiration of the SSIA. [10259/05]

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. A total of 1.17 million accounts were opened during the period outlined.

The specific goal of the SSIA scheme was to encourage people to save over a period of at least five years. Its effect has been to stimulate such savings over varying income ranges which is evident in the extensive take-up by many low income earners. The scheme has been a success in those terms. The scheme has a specific duration. Any proposals for tax-based incentives for the reinvestment of SSIA savings or continuation of savings would be considered as part of the normal annual budgetary process taking account of public policy objectives and Exchequer cost implications. The use to which the moneys arising on maturity of the SSIA's are put is ultimately a matter for the individual account holder.

Debt Relief.

353. **Mr. Wall** asked the Minister for Finance his views in regard to a submission (details supplied); the plans he has to deal with the matter at the forthcoming meeting of the IMF-World

Bank; and if he will make a statement on the matter. [10276/05]

Minister for Finance (Mr. Cowen): I refer the Deputy to my reply to the House on this subject on 8 March 2005.

Adequate financing for debt relief is essential to help reduce poverty in many parts of the world. It is important to adequately finance the relief of debts owed to the International Monetary Fund so that the fund can continue to play a role in the poorest countries. The managing director has stated that he will, as requested, bring forward proposals at the spring meetings, covering the fund's gold and other resources. It will be for the board of the IMF and the IMFC initially to decide what action to take. These resources are part of the assets of the IMF. These proposals are awaited and they will be assessed when available, not least from the need to ensure that the IMF has the resources necessary to carry out its critical functions in future. The sale or revaluation of part of IMF gold reserves to cover the costs of additional debt relief has been proposed, in addition to a number of other mechanisms, to fund the relief of the debts of poor countries. Agreement on any such mechanisms may be problematic given possible opposition by certain states to gold sales.

Disabled Drivers.

354. **Mr. Deenihan** asked the Minister for Finance when the medical board of appeal to the disabled drivers and disabled passengers scheme will be reconstituted; when staffing and administrative charges will be put in place; and if he will make a statement on the matter. [10302/05]

355. **Mr. Deenihan** asked the Minister for Finance the number of persons on the waiting list for assessment by the medical board of appeal under the disabled drivers tax concessions scheme 1994; the average length of time that persons have to wait to be assessed; and if he will make a statement on the matter. [10303/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 354 and 355 together.

I am pleased to inform the Deputy that significant progress has been made in the reconstitution of the medical board of appeal for the disabled drivers and disabled passengers tax concessions scheme. It is expected that the board will resume its meetings very shortly. I appointed a new chairperson to the board on 14 March 2005 and I understand that a new secretary is being recruited and will be in place shortly.

In respect of the waiting list for an appeal, I understand that there are in excess of 600 appellants. The new chairperson of the board has been asked to address the backlog as a priority. To facilitate this, I brought in new regulations on 7 April which will allow for the appointment of an additional five medical practitioners to the board of appeal. I hope to make the necessary new

appointments to the board over the coming weeks.

Tax Code.

356. **Mr. N. O'Keeffe** asked the Minister for Finance if a person's (details supplied) tax credit will be amended to include a widow's tax credit; and if he will back-date this person with the allowance to 1999 when they were widowed. [10338/05]

Minister for Finance (Mr. Cowen): It is a matter for individual taxpayers to ensure that they claim the relevant tax credits to which they may be entitled. I am advised by the Revenue Commissioners that the appropriate tax credit for a widowed person has now been granted to the person concerned for the current tax year. Following the granting of the credit for each of the tax years 1999-2000 to 2004 inclusive, overpayments of tax have arisen for each of those years. A refund of these overpayments will issue to the person shortly.

Special Savings Incentive Scheme.

357. **Mr. S. Ryan** asked the Minister for Finance the number of SSIA's due to mature at the end of each month from 31 May 2006 to 30 April 2007. [10368/05]

Minister for Finance (Mr. Cowen): Special savings incentive accounts, SSIAs, will mature between May 2006 and April 2007 depending on when the account was opened. Based on the most recent information available to the Revenue Commissioners, that is, the returns for 2003, the number of SSIAs due to mature in that period is as outlined in the table below. These numbers can be expected to reduce marginally between now and the respective maturity dates due to account closures in the interim.

Table: SSIA accounts maturing in 2006-07 — based on 2003 data

Commencement Date	Maturity Date	No. of SSIA accounts (000's)
May-01	May-06	41.9
Jun-01	Jun-06	82.9
Jul-01	Jul-06	58.6
Aug-01	Aug-06	41.8
Sep-01	Sep-06	34.2
Oct-01	Oct-06	34.3
Nov-01	Nov-06	39.1
Dec-01	Dec-06	38.5
Jan-02	Jan-07	34.1
Feb-02	Feb-07	52.6
Mar-02	Mar-07	101.1
Apr-02	Apr-07	554.8
Total		1,113.9

Services for People with Disabilities.

358. **Dr. Cowley** asked the Minister for Finance his views on whether the €900 million promised for disabilities will only amount to the equivalent of €250 million after staff and administration charges have been deducted; and if he will make a statement on the matter. [10390/05]

Minister for Finance (Mr. Cowen): As part of budget 2005, I announced a special disability multi-annual funding package with a total value of close to €900 million over the years 2006-09. While this package includes guaranteed additional current spending of almost €600 million, it also includes capital spending of €300 million.

The bulk of the new funding package will go to the health sector where it will be invested in services for persons with an intellectual disability and those with autism, services for persons with physical or sensory disabilities and mental health services. It will focus, in particular, on the provision of extra residential, respite and day places, extra home support and personal assistance, and extra places in community based mental health facilities.

The balance of the disability funding package is being allocated between the Departments of Education and Science, Justice, Equality and Law Reform and the Environment, Heritage and Local Government and the Office of Public Works where the funding will be used to enhance education services for adults with disabilities and expand pre-school provision; support projects which demonstrate an innovative and cost-effective approach to service provision and improve accessibility to public buildings and amenities.

Services in the disability area are particularly labour intensive, relying on highly trained and skilled staff for their effective provision. It is only to be expected, therefore, that a high proportion of the current expenditure involved will relate to staffing. It will be a matter for the service providers to ensure that the programmes are implemented in a manner which will ensure effectiveness, efficiency and value for money.

Tax Code.

359. **Dr. Cowley** asked the Minister for Finance if the Government will consider offering employers tax incentives to employ persons with disabilities as applies in Great Britain and Northern Ireland; and if he will make a statement on the matter. [10392/05]

Minister for Finance (Mr. Cowen): There are no proposals at present to introduce new tax incentives for employers who employ persons with disabilities. Persons returning to employment after being unemployed, including persons in receipt of certain disability payments, can claim the Revenue job assist allowance where certain conditions are satisfied. The Revenue job assist scheme provides an incentive to the long-term

unemployed to take up employment and employers to employ the long-term unemployed.

The scheme is available to persons who have been continuously unemployed for the immediate period of 52 weeks prior to taking up a qualifying job and in receipt of an unemployment payment, unemployment benefit or unemployment assistance, the one-parent family payment, the blind persons allowance or the disability allowance.

Under the scheme, a qualifying employee may, in addition to his or her normal tax credits, claim an additional tax deduction at the marginal rate of tax for three years after taking up a qualifying employment. The allowance in the first year of employment is €3,810 plus €1,270 for each qualifying child, reducing to two thirds of these amounts in year two and one third in year three. The second part of the scheme provides a double wages deduction and a double PRSI deduction for employers who employ the long-term unemployed.

Apart from the Revenue job assist scheme, my colleague, the Minister for Enterprise, Trade and Employment, Deputy Martin, continues to develop policy for vocational training and employment of people with disabilities on a three dimensional basis by developing the skills of people with disabilities to enable them to access employment; stimulating awareness amongst employers of the contribution which people with disabilities can make to their businesses and encouraging companies to more actively consider recruiting people with disabilities; and providing specific employment supports for people with disabilities and employers.

The Department of Enterprise, Trade and Employment has a commitment under Sustaining Progress to “. . . develop actions and a policy framework aimed at enhancing the potential of sheltered employment to provide better employment opportunities for people with disabilities”. The Department sought to address this commitment through a more mainstreamed approach by developing a new full-time employment support scheme, FTESS, which would also be applicable to sheltered employment enterprises. The underlying objective of the scheme is to increase the numbers of persons with a disability in employment by creating, as far as practicable, a level playing field for them in seeking out or remaining in employment. The mechanism proposed is the payment of a wage subsidy to the employer to compensate for the reduced productivity of the disabled worker. A budget line of €10 million has been established for the scheme for 2005 — this figure includes the current years provision of approximately €5 million for the combined employment support scheme and the pilot programme for the employment of people with disabilities, PEP. FÁS has been requested to implement the proposed scheme as early as possible this year. It is hoped that the new scheme might be launched by the end of June.

Disabled Drivers.

360. **Mr. P. Breen** asked the Minister for Finance, further to Parliamentary Question No. 182 of 9 March 2005 regarding an appeal for the disabled drivers allowance for a person (details supplied) in County Clare, when the new secretary of the board will make contact with this person. [10405/05]

Minister for Finance (Mr. Cowen): Significant progress has been made in the reconstitution of the medical board of appeal for the disabled drivers and disabled passengers tax concessions scheme. It is expected that the board will resume its meetings very shortly. I appointed a new chairperson to the board on 14 March 2005 and I understand that a new secretary is being recruited and will be in place shortly. As indicated in my reply to the Deputy on 9 March, I will arrange for the new secretary to the board, when in place, to contact the individual concerned in regard to his appeal.

Special Savings Incentive Scheme.

361. **Mr. Bruton** asked the Minister for Finance the circumstances in which an SSIA holder would be liable for 23% of the entire moneys in the scheme due to recourse to borrowings by a person to fund any part of the investment; and if he will make a statement on the matter. [10406/05]

Minister for Finance (Mr. Cowen): The SSIA scheme introduced by the Government in 2001 contains conditions which each SSIA account holder must comply with when opening, maintaining, ceasing or maturing their accounts. These conditions are contained in Part 38A of the Taxes Consolidation Act 1997 as inserted by section 33 of the Finance Act 2001.

One of these conditions is that the subscriptions made to the SSIA by the SSIA holder must be funded from funds available to the holder or both the holder and the spouse of the holder without recourse to borrowing. Where this condition is not complied with, the SSIA is treated as ceasing and the account thereafter shall not be an SSIA and the value of all assets in the account is liable to tax at 23%.

Tax Code.

362. **Mr. F. McGrath** asked the Minister for Finance if he will work with the Department of Finance in the case of a person (details supplied) in Dublin 9; and if this person will qualify for VAT exemption or any other assistance. [10410/05]

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 area 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 as follows: 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 and 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, a repayment of value added tax on the purchase of the vehicle and 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.

363. **Mr. Carey** asked the Minister for Finance when a tax rebate will be paid to a person (details supplied) in Dublin 11 in respect of emergency tax and medical expenses; and if he will make a statement on the matter. [10425/05]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that the spouse of the person in question changed employment in November 2004. Revenue was not informed and as a result a tax credit certificate was not sent to the new employer. The employer was, therefore, obliged to operate the emergency basis of tax.

The liability of the person and his spouse has now been reviewed for 2004 taking into account the emergency tax suffered and a claim for medical expenses. A PAYE balancing statement together with a cheque for the refund of tax due issued to the taxpayer on 8 April 2005.

Amended tax credit certificates for 2005 issued in respect of the person and his spouse on 21 March and 17 February respectively. Any tax which has been over-deducted for the year 2005 has been, or will be, refunded by their respective employers.

Flood Relief.

364. **Mr. Gormley** asked the Minister for Finance the money his Department will give to Dublin City Council to provide essential flood

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defences as outlined in the Dublin coastal flooding protection study; and if he will make a statement on the matter. [10429/05]

Minister for Finance (Mr. Cowen): The Dublin coastal protection study, which is being carried out by Dublin City Council and part funded by OPW, is a study which is examining the causes and impacts of flooding from Portmarnock to Booterstown. A draft report has been received by OPW in the past few weeks and is being considered.

OPW met officials from Dublin City Council recently and the council highlighted some of the recommendations contained in the draft report, which they propose to prioritise. OPW has agreed in principle to consider more detailed proposals, which the council will submit in due course. The flood defence proposals contained in the draft report are estimated to cost over €100 million. Requests for funding from the OPW will have to be carefully considered in the context of OPW's annual budget for flood relief projects, the large number of flood alleviation projects currently being advanced by OPW and the urgency attaching to the various measures recommended in the report.

Houses of the Oireachtas.

365. **Mr. Gormley** asked the Minister for Finance when the temporary carpark on Leinster lawn will be removed and when the lawn will be reinstated. [10430/05]

Minister for Finance (Mr. Cowen): Restoration of Leinster Lawn has been contingent on the completion of the refurbishment of Kildare House for the Houses of the Oireachtas. As this project is nearing completion, consultations with the Houses of the Oireachtas have commenced regarding a landscaping scheme to effect the reinstatement of Leinster Lawn and the scheduling of associated works. Works to the lawn could be carried out during this year's summer recess.

Decentralisation Programme.

366. **Mr. Naughten** asked the Minister for Finance the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10526/05]

Minister for Finance (Mr. Cowen): There are no sections of my Department based outside Dublin.

Fair Trade.

367. **Mr. P. McGrath** asked the Minister for Finance if his attention has been drawn to the campaign to have fair trade products widely available and used; his views on the objectives of this

campaign; and if he will endeavour to have such fair trade approved products used in his Department. [10557/05]

Minister for Finance (Mr. Cowen): I am aware of the fair trade campaign and its positive objective of raising consumer awareness regarding the purchase of products from less developed countries and in making such products more widely available.

Any decision by my Department to use fair trade products would have to comply with normal public procurement rules. In regard to the supply of services such as cafeteria services in my Department, it is a matter for the companies providing such services to make their own commercial decision in sourcing their supplies.

Decentralisation Programme.

368. **Mr. Walsh** asked the Minister for Finance if he will provide and update on the progress made in implementing the 2003 decentralisation programme; the locations at which facilities have been provided by the OPW to accommodate the persons who have volunteered under the CAF; and if he will make a statement on the matter. [10641/05]

Minister for Finance (Mr. Cowen): The two reports of the decentralisation implementation group, DIG, dated 31 March 2004 and 30 July 2004 provide detailed accounts of the progress made in implementing the decentralisation programme announced in December 2003. An analysis of the applications registered with the Central Applications Facility by 7 September 2004 has also been published. All of these reports can be accessed at www.decentralisation.gov.ie.

In addition the DIG report published on 24 November, 2004 contains proposals on those organisations-locations which, in the group's view, should be included in the first phase of moves and the DIG will report to me again in the spring of 2005 about progress in relation to implementation of the programme. The group will also deal in that report with the locations and organisations not covered in the November 2004 report.

Each organisation produced a first iteration of its implementation plans by end May 2004. The implementation group rated the plans overall as good. Updated versions of the plans are being submitted at various dates in early 2005. Overall, I am pleased with the progress which has been made in driving forward implementation of the programme.

The Office of Public Works has been given primary responsibility for delivering the property aspects of the decentralisation programme. Following the requests for property proposals, the Office of Public Works received in excess of 700 proposed property solutions in regard to the various locations around the country. Detailed evaluation of these proposals was undertaken and the Office of Public Works has made significant pro-

gress in sourcing possible sites at the locations concerned.

To date 15 property solutions have been agreed in principle and a further 20 plus locations are at an advanced stage in the acquisition process. I can also confirm that the balance of the sites for the remaining locations in the programme are being pursued by the OPW.

The locations where solutions have been identified are as follows: Athlone, Birr, Carlow, Clonakilty, the Curragh, Donegal, Dundalk, Furbo, Killarney, Knock, Longford, Newcastle West, Portarlinton, Sligo, and Thurles. Sites in Longford and Newcastle West have been acquired. The Chief State Solicitor is processing a number of contract documents in respect of sites and it is expected that the associated acquisition phase will be completed as quickly as possible.

State-owned land will accommodate the decentralised buildings scheduled for Athlone, the Curragh, and Sligo, while the proposed location of the Dundalk building will be on land at the Dundalk Institute of Technology. It is proposed to locate the staff relating to Furbo in an extension to an existing building.

Financial Services Regulation.

369. **Mr. Broughan** asked the Minister for Finance the steps he has taken to warn and protect citizens who purchased endowment insurance mortgage products; the actions, including financial restitution, he is contemplating against companies which sold these products and misled the public; and if he will seek the appointment of inspectors to carry out an inquiry into this scandal. [10668/05]

370. **Mr. Broughan** asked the Minister for Finance the number and value of endowment insurance mortgage products which exist; and the estimate of likely shortfalls in mortgage repayments facing the holders of these products over coming years. [10669/05]

371. **Mr. Broughan** asked the Minister for Finance the position with regard to legislation on and the regulation of endowment insurance mortgage products. [10670/05]

372. **Mr. Broughan** asked the Minister for Finance if he will report on any investigation or inquiry which his Department carried out in relation to endowment insurance mortgage products over the past 25 years, especially since June 1997. [10671/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 369 to 372, inclusive, together.

The Consumer Director of the Irish Financial Services Regulatory Authority, the financial regulator, is encouraging people to complain in the first instance to the company from whom they bought the policy if they are concerned about the possibility of having been misled an endowment

mortgage. The recently appointed Financial Services Ombudsman, whose office was established by the 2004 Act, is statutorily independent and is empowered to deal with complaints from customers of financial service providers. The ombudsman can deal with complaints related to conduct occurring up to six years before the complaint was made.

The financial regulator is studying the situation with regard to endowment loan shortfalls, having commenced a survey last year, to determine whether and to what extent there will be difficulties for customers. It would be inappropriate to reach any conclusions on this issue in advance of IFSRA's consideration of the outcome of the survey.

There is no definitive information available to my Department on the overall numbers of cases where a shortfall may arise. Endowment loan approvals in the past five years represented just 3% of the overall mortgage market, although it has been considerably higher in the past. Since 1989, a total of 90,000 endowment loans were approved, comprising 10% approximately of total loan approvals.

As regards the legal framework, there is a substantial volume of legislation in place relating to these financial products. Following the enactment of the Insurance Act 1989, a code of conduct for insurance intermediaries and guidelines were drawn up by the industry in consultation with the then Department of Industry and Commerce. Key requirements of the code were that the intermediary should know the client and give best advice.

The Consumer Credit Act 1995, which commenced in May 1996, contains specific provisions in regard to endowment loans and in particular prescribes certain information which must be included in any application form or information document issued to consumers applying for such loans. For example, since the commencement of the Act all endowment loan application forms must contain a prominent notice to the effect that: "There is no guarantee that the proceeds of the insurance policy will be sufficient to repay the loan in full when it becomes due for payment".

The Act also obliges that in instances where the borrower may be required to increase premium payments on the insurance policy during the lifetime of the loan, any document approving the loan must contain a prominent statement of this possibility. Similarly, obligations apply where a policy is surrendered early resulting in a net loss to the consumer.

The Act also places an obligation upon insurers underwriting policies relating to endowment loans to issue a statement to the consumer every five years setting out not only the value of the policy at the time of issue but also a comparison of this valuation to the valuation at such date projected at the time the policy was first written and a revised estimate of the valuation at maturity.

[Mr. Cowen.]

In addition to the provisions of the Consumer Credit Act, the Life Assurance (Provision of Information) Regulations, which came into being in 2001, oblige insurers to provide policy holders, including holders of policies relating to endowment mortgages, with an annual written statement containing *inter alia* information on the current surrender or maturity value of the policy.

More recently, the Government has already considerably enhanced the regulatory and supervisory regime governing the financial services industry, primarily through the enactment of the Central Bank and Financial Services Authority of Ireland Act 2003, which established the Irish Financial Services Regulatory Authority.

The Central Bank and Financial Services Authority of Ireland Act 2004 complements the Act passed in 2003 year and further enhances the financial regulator's powers and strengthens the regulatory environment. This Act provides for an enhanced structure for dealing with consumers who have complaints about financial institutions and also provides consumer and industry consultative panels for the financial regulator. The consumer panel will have an important role in ensuring that the regulator is correctly reflecting the interests of consumers in its protective — issue of codes of conduct — and educational — information pamphlets and so on — roles. These provisions will help the financial regulator to ensure that consumers have all necessary information to allow them to make considered and informed choices between different financial products including in relation to mortgages.

Question No. 373 answered with Question No. 345.

Grant Payments.

374. **Mr. Broughan** asked the Minister for Finance the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10673/05]

375. **Mr. Broughan** asked the Minister for Finance the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10674/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 374 and 375 together.

The Deputy will appreciate that given its functions, my Department has not awarded grants or other financial assistance to organisations or groups of the type mentioned in any of the past three years.

Tax Code.

376. **Mr. Sargent** asked the Minister for Finance the total VAT charged on the sales of the Band Aid DVDs and CDs launched at the end of 2004; and the way in which this compares to the money donated to the Band Aid Foundation by the Government. [10751/05]

Minister for Finance (Mr. Cowen): As I set out in my answer of 30 November 2004, an amount equivalent to the VAT paid on sales of the Band Aid CD and Live Aid DVD is to be paid from the Vote for International Co-operation to the Band Aid Trust.

Because the VAT collected from the sale of such goods is accounted for by retailers based on the totality of their sales over a taxable period, it is not possible for the Revenue Commissioners to specifically quantify the VAT in respect of an individual CD or DVD. However, I understand from the Department of Foreign Affairs, which is the accounting authority for the Vote for International Co-operation, that it is awaiting certified sales figures from the distributors before payment of the VAT content of the sales is made to the Band Aid Trust.

Tax Collection.

377. **Mr. Durkan** asked the Minister for Finance when a P21 will issue to a person (details supplied) in County Kildare for year ending 2004; and if he will make a statement on the matter. [10828/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that this person's tax affairs are currently dealt with in the Kildare, Meath and Wicklow customer services district in Grattan House, Lower Mount Street, Dublin 2, telephone number 01-6474000, and tax details are held there.

A form P21 balancing statement would normally issue to a taxpayer who is subject to PAYE on submission of a return of income. The records of the Revenue Commissioners show that the taxpayer commenced self-employment in September 2002. A return of income for 2003 was received on 18 March 2005. A notice of assessment issued for this year on 6 April 2005. On submission of a return of income for 2004, a statement of liability can then be issued for the year 2004.

Departmental Bodies.

378. **Mr. Boyle** asked the Minister for Finance the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10874/05]

Minister for Finance (Mr. Cowen): The following table sets out the fees payable, where appropriate, to the chairperson and directors-members of each statutory board operating under the aegis of my Department. Fees are not paid to civil servants, and normally not to other public servants, as directors-members of such boards.

Name of Body	Chairperson's fee	Director's-Member's fee
	€	€
Central Bank and Financial Services Authority of Ireland	Nil	12,697.38
Irish Financial Services Regulatory Authority	19,046.07	12,697.38
Financial Services Ombudsman Council	15,236.86	10,157.90
Credit Union Advisory Committee	1,904.60	1,269.72
National Treasury Management Agency Advisory Committee	25,394.76	12,697.38
National Development Finance Agency	Nil	10,000
National Pensions Reserve Fund Commission	57,138.21	38,092.14
State Claims Agency Policy Committee	15,236.86	10,157.90
Ordnance Survey Ireland	10,157.90	6,348.69
An Post National Lottery Company	Nil	10,157.90
Public Appointments Service	10,157.90	6,348.69
Interim Board of the Civil Service Childcare Agency	Nil	5,078.95
Disabled Drivers Medical Board of Appeal	Nil*	159.19 per session

*The chairperson of the Disabled Drivers Medical Board of Appeal is a salaried medical consultant attached to the National Rehabilitation Hospital.

Money Laundering.

379. **Mr. Durkan** asked the Minister for Finance if he has contemplated any legislative changes with a view to preventing money laundering; and if he will make a statement on the matter. [7145/05]

Minister for Finance (Mr. Cowen): Irish legislation on money laundering is set out in the Criminal Justice Act 1994, as amended. Primary responsibility for legislation in the area of money laundering rests with the Minister for Justice, Equality and Law Reform.

In regard to regulation of the financial sector the role of the Minister for Finance is to bring forward legislative proposals under which the financial regulator, the Irish Financial Services Regulatory Authority can adequately supervise and regulate financial service firms including their compliance with their obligations under the anti-money laundering provisions of the Criminal Justice Act 1994. The financial regulator is independent in the exercise of its powers.

It is clearly important that the effectiveness of the existing regulatory framework for the financial sector in combating money laundering is kept under review on an ongoing basis.

The Deputy may also be aware that a third money laundering directive is under consideration within the EU. It received political agreement from Finance Ministers last December and is currently before the European Parliament. It is agreed it will require amendments to our domestic legislation in relation to money laundering.

Tax Code.

380. **Ms Burton** asked the Minister for Finance if he will make a statement in respect of reports of parents of children at a primary school (details supplied) in Dublin 4 having been asked for voluntary contributions of €1000 per term; and if

such contributions qualify for tax relief as charitable donations. [10964/05]

Minister for Finance (Mr. Cowen): Without commenting on the individual tax affairs of the school concerned, the general position is that the scheme of tax relief for donations to approved bodies is governed by section 848A of the Taxes Consolidation Act 1997. Approved bodies include primary schools where their programmes are approved by the Minister for Education and Science. A voluntary contribution to an approved body qualifies for tax relief under the scheme provided it meets the conditions set out in section 848A. One such condition is that neither the donor nor any person connected with the donor receives a benefit, either directly or indirectly, as a consequence of making the donation. Accordingly, a voluntary contribution in exchange for education being provided to the donor's child would not be regarded as genuinely voluntary and would not qualify for tax relief.

381. **Ms Burton** asked the Minister for Finance the cost to the Exchequer for each year from 2000 to date of tax relief on charitable donations; if contributions to entities such as private schools, golf clubs and other sporting organisations qualify for such relief; the circumstances in which they so qualify; and the cost of such relief in respect of such bodies. [10965/05]

Minister for Finance (Mr. Cowen): The original scheme for tax relief on donations made to charities was governed by section 8, Finance Act 1995, and applied only to certain designated Third World charities. The current scheme for tax relief on donations to approved bodies, which includes donations made to charities, is governed by section 848A of the Taxes Consolidation Act 1997. The scheme was introduced in Finance Act 2001 and claims under the scheme arose from 2002 onwards.

[Mr. Cowen.]

A separate donation scheme is provided for under section 847A in relation to donations to approved sports bodies for the funding of certain approved projects. This scheme was introduced in Finance Act 2002 and claims under the scheme arose from 2003 onwards. Private schools qualify as approved bodies under the section 848A scheme, once the programme of education being provided is approved by the Minister for Education and Science. Golf clubs and other sporting organisations are likely to qualify in the context of the section 847A scheme once the project (for which the donations are sought) has been approved by the Minister for Arts, Sport and Tourism.

As provided for in the relevant legislation, different tax relief arrangements apply in relation to donors paying tax under PAYE and those paying tax under the self assessment system. In the case of PAYE donors, the charity, approved body or sporting body recovers the tax associated with the donation on a grossed-up basis from Revenue. Donors who pay tax on a self-assessment basis claim the relief in their own tax returns.

The following figures of the cost to the Exchequer for the years 2000-01 to 2004 inclusive are in respect of the original charities donation scheme, Finance Act 1995, and of the current scheme for donations to approved bodies, Finance Act 2001.

Cost to the Exchequer of tax relief on donations made to Third World charities under section 8 of Finance Act 1995 and on donations to approved bodies under section 848A of the Taxes Consolidation Act 1997

	2000/01	2001	2002	2003	2004
PAYE	€1.2m	€1.8m	€11.2m	€21.4m	€14.8m
Self Employed	Not available	Not available	€3.8m	Not yet available	Not yet available

The basis for compiling the figures in respect of donations made by PAYE taxpayers under the 2001 scheme was changed from a tax year basis to a calendar year basis for 2002 and later years and an unavoidable result of this transition is that the bulk of a cost of €13.3 million which was initially attributed to the income tax year 2001 has been reclassified under calendar year 2002 and later years.

The cost to the Exchequer of tax relief on donations by self-employed taxpayers to approved sports bodies within the meaning of section 847A of the Taxes Consolidation Act 1997 is estimated to be of the order of €0.1million for income tax year 2002, the latest year for which an estimate is available. Figures for corresponding donations by PAYE taxpayers are not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners' records; however, on the basis of some limited indicative figures available, the cost to the Exchequer of these donations is unlikely to exceed €0.1 million for income tax year 2002 and may be less.

As figures of donations made by companies are not captured in corporate tax returns there is, therefore, no basis on which an estimate of the associated cost to the Exchequer can be compiled.

Garda Stations.

382. **Mr. Kehoe** asked the Minister for Finance if his attention has been drawn to the fact that a member of the Garda Síochána and their family are waiting to occupy the living quarters of a Garda station (details supplied) in County Wexford and that works have to be carried out on the residence first; the stage of these works; when they will be fully completed; when the resi-

dence will be ready for living in; and if he will make a statement on the matter. [10995/05]

Minister of State at the Department of Finance (Mr. Parlon): I am advised by the Commissioners of Public Works that the OPW Waterford regional office is currently preparing a report, with costings for the necessary works to make the married quarters habitable. This report would be available by the end of this month when it will be forwarded to the Department of Justice, Equality and Law Reform for their direction.

Question No. 383 answered with Question No. 331.

Public Private Partnerships.

384. **Mr. Kenny** asked the Minister for Finance the number of times the public private informal advisory group has met from 2002 to date; the work programme and recommendations made by the group; the number of times the group has met officials from his Department and with the members of the inter-departmental group on PPPs from 2002 to date; and if he will make a statement on the matter. [11147/05]

Minister for Finance (Mr. Cowen): The public private informal advisory group on public-private partnerships, which is chaired by the Department of Finance, has met on 17 occasions since 1 January 2002. The membership includes representatives from the Irish Business and Employers Confederation, the Irish Congress of Trade Unions, the Construction Industry Federation, the members of the interdepartmental group on PPPs and officials of the Department of Finance.

The framework for public private partnerships, November 2001, developed under the terms of

the Programme for Prosperity and Fairness and via the informal advisory group, sets out a statement of principles for the development of PPPs in Ireland. The advisory group has been very helpful in developing the PPP process in Ireland and it provides a forum for relevant officials and social partners to meet. The role outlined for the informal advisory group in the 2001 framework is to help to develop partnership arrangements with the private sector by reflecting the interests of the relevant social partners in the area of PPPs and to facilitating the parties involved to exchange views and information.

The work programme of the group from 2002 to date has focused on consultation in regard to the programme of technical guidance brought forward by the central PPP unit in the Department of Finance, on the exchange of views in regard to issues affecting the development of the PPP process to date and in providing clarifications as necessary in regard to progress on individual PPP projects. To date, the guidelines issued following consultation with the informal advisory group and the inter-departmental group on PPPs include:- interim guidelines on the procedures for the assessment, approval, audit and procurement of PPP projects; Revenue guidelines on the corporation tax treatment of PPP agreements; guidelines on the role and function of the process auditor; guidelines on stakeholder consultation for employees and their representatives.

385. **Mr. Kenny** asked the Minister for Finance if his Department remains committed to advancing PPP projects in information communication technology, the tourism and leisure sector, urban development and renewal and public transport; and if he will make a statement on the matter. [11148/05]

Minister for Finance (Mr. Cowen): The Government is committed to developing the PPP process as a viable procurement option for appropriate projects within the overall context of public investment in infrastructure and public services. PPPs are one procurement tool to be used alongside traditional approaches. I believe that the PPP approach has benefits when applied to projects of the right scale, risk and operational profile.

In support of Government policy, the role of my Department is to facilitate the PPP process, to develop the general policy framework within which PPPs operate and to provide central guidance to Departments and other State authorities in that context. Within a particular sector, a decision on the suitability of any individual project for the PPP approach is a matter for the relevant Minister or State authority in the first instance.

Question No. 386 answered with Question No. 329.

Question No. 387 answered with Question No. 330.

National Lottery.

388. **Mr. Connolly** asked the Minister for Finance the amount of lottery funding advanced to date on a yearly basis to projects outside this State; the number of such lottery grants on a yearly basis [11524/05]

Minister for Finance (Mr. Cowen): The Deputy will be aware that funding from the national lottery is disbursed by a number of Departments, including my Department. The only national lottery funds which are disbursed directly by my Department are payments to the promoters of certain charitable lotteries, whose revenue-earning capacity has been adversely affected by the national lottery, to supplement their charitable income with funding from the national lottery surplus. Funds are not allocated to the promoters of such charitable lotteries in respect of specific projects and all such charities are required to be registered in the State in order to be eligible for funding.

Alternative Energy Projects.

389. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources his views on direct grant aid to meet capital start-up costs for bioenergy producer groups, as is the case in other EU states; and if he will make a statement on the matter. [10945/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The only capital grant support is that provided by Sustainable Energy Ireland through its renewable energy research, development and demonstration programme. It is open to a wide range of research, development, and demonstration projects under the support mechanism categories proposed in the Green Paper on sustainable energy, including shared cost demonstration — projects demonstrating particular renewable energy technologies or applications which although at or near commercial viability and having potential for replication, currently face market barriers due to lack of expertise, knowledge or market confidence; shared cost research and development — research and development into innovative technologies, systems or marketing approaches which support the commercial exploitation of renewable energies; commissioned public good activities — activities directed at increasing the value and impact of the programme results, which will ultimately be used to inform policy. To date the programme has committed approximately €7 million in grant support, with bioenergy accounting for the majority of the spending.

I am advised by my colleague, the Minister for Agriculture and Food, that her Department introduced an energy crops scheme in March 2004 in accordance with the provisions of Council Regulation (EC) No. 1782/2003. Under this scheme, aid of €45 per hectare is granted for areas sown under energy crops and used for the production

[Mr. N. Dempsey.]
of products considered biofuels and electric and thermal energy produced from biomass. Any agricultural raw material, with the exception of sugar beet, may be grown under the energy crops scheme. From 1 January 2005, farmers may claim the energy crop payment in addition to their entitlement under the single farm payment scheme. In addition to this scheme, set-aside land can be used for a variety of non-food uses, including growing of crops for energy purposes, and will therefore qualify to activate set-aside entitlements under the single payment scheme.

Salmon Fishing Licences.

390. **Mr. Grealish** asked the Minister for Communications, Marine and Natural Resources if the Government has plans to buy salmon drift net licences from drift net fishermen; and if he will make a statement on the matter. [9962/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The Government has consistently ruled out buyout as an effective means of achieving the restoration of salmon stocks and has instead, since 2002, promoted the application of quotas on commercial fishing and bag limits on angling to achieve catch reductions as the best instrument available to achieve this objective.

Moreover, no convincing case has been advanced as to the public good that would be acquired by the State in the context of a publicly funded buyout of commercial salmon licences nor why stakeholders benefiting from increased numbers of salmon entering the rivers should not contribute in whole or in part towards achieving that increase.

As a result, and as I have previously and consistently indicated to the House, I have no plans to introduce a buyout of commercial salmon fishing licences but I intend to keep the matter under review in the context of the policy outlined above. In this regard, I would be open to any relevant proposals presented to me whereby stakeholders benefiting from any reduction in commercial catch would engage in the first instance with licence holders and indicate a willingness to address any compensation issues that might arise.

Coastal Protection.

391. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if a decision has been taken by the European Commission with regard to a feasibility study of the establishment of a European coastguard dedicated to pollution prevention and response; if such a feasibility study will be conducted; the part Ireland will play in such a study and when it will begin. [9963/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I indicated to the House in my reply to a question on 8 March on the subject of

the establishment of a European coastguard that a draft directive of the European Parliament and the Council of the European Union on ship-source pollution and on the introduction of sanctions for infringements, which is under consideration, calls for the Commission to undertake a feasibility study of the establishment of a European coastguard dedicated to pollution prevention and response, making clear the costs and benefits.

To date the Commission has not sought any views on the matter from the Department but, as I have already indicated, Ireland will participate in any feasibility study that the Commission might undertake and will examine any proposals forthcoming in this regard.

Harbours and Piers.

392. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the progress made on the funding for permanent works at the mouth of Dunmorán river and on the barrier sea wall along County Road in Aughris, Templeboy, County Sligo; and if he will make a statement on the matter. [10044/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Responsibility for coastal protection rests with the property owner, whether it be a local authority or a private individual. In July 2002 the Department requested all coastal local authorities to submit proposals, in order of priority, for consideration in the context of the 2003-06 national coastal protection programmes. Sligo County Council submitted a proposal for coastal protection works at Ardnaglass river out-fall structure at Dunmorán strand at an estimated cost of €325,000 and this was their number one priority. The Department had no funding available for these works in 2003 or 2004. The 2005 coastal protection programme is under consideration.

The Department has not, to date, received an application from Sligo County Council in relation to the barrier sea wall along County Road, 17A, in Aughris, Templeboy, County Sligo.

Telecommunications Services.

393. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources if the monitoring of departmental funding for the roll-out of broadband takes cognisance of the Prompt Payment of Accounts Act, 1997; if all contractors appointed under departmental funding of broadband roll-out projects adhere to the provisions of this Act. [10061/05]

394. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources if his Department has made any inquiries or received any information regarding disputes arising from departmental funding of broadband roll-out projects across the country; and if he will make a statement on the matter. [10062/05]

Minister for Communications, Marine and Natural Resources (Mr N. Dempsey): I propose to take Questions Nos. 393 and 394 together.

Compliance with the Prompt Payment of Accounts Act, 1997, as amended by the European Communities (Late Payment in Commercial Transactions) Regulations 2002, is a specific requirement in all of the grant agreements drawn up between my Department and the local and regional authorities, and, in turn, of all agreements entered into by local and regional authorities and contractors in respect of the broadband roll-out projects funded by my Department. All invoices submitted for payment to my Department in respect of broadband infrastructure funding have a process time of between two and three weeks.

Disputes between contractors are a matter for the contracting authorities, that is, the local and regional authorities, and the disputing parties. This is not an area in which I have a direct function.

Departmental Meetings.

395. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources the context and content of a meeting held between representatives of a group (details supplied) and an official of his Department which took place at a midlands location in 2004; and if he will make a statement on the matter. [10148/05]

400. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources his views on the context and content of a meeting held between representatives of a group (details supplied) and an official of his Department; and if he will make a statement on the matter. [10285/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 395 and 400 together.

I have been informed that no such meeting took place.

Ministerial Travel.

396. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10174/05]

Minister for Communications, Marine and Natural Resources (Mr N. Dempsey): I wish to advise the Deputy that I did not travel abroad for the purpose of attending St. Patrick's Day celebrations. However, I did travel to Israel from the 14 to 16 March to represent the Taoiseach at a ceremony to inaugurate the new Holocaust History Museum in Jerusalem.

Offshore Exploration.

397. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if Shell's 345 bar Rosspoint pipeline runs alongside the public road over significant portions of its length contrary to NSAI standards which require a distance of 70 metres from areas in which people reside. [10244/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am unaware of any requirement in a NSAI standard to have a minimum distance of 70 metres from gas pipelines to any road. The Corrib gas pipeline was designed to standard BS 8010-2.8.

398. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if his consent for the Rosspoint section of the pipeline was founded on both the risk assessment QRA and expert's report which are not subject to fundamental review by order of him; if the consent itself is invalid and the contingent compulsory acquisition orders null and void. [10245/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The consent to construct the Corrib gas pipeline given by my predecessor was based on my Department's assessment, *inter alia*, of the design codes proposed by the developers for the construction of the pipeline. In this context, my Department commissioned an independent pipeline expert to evaluate the onshore pipeline design code. The study addressed design methodology, operating conditions, pipeline corrosion, public safety, welding and testing, pipeline material quality and protection from interference. The recommendations of this evaluation indicated that the design code has been selected in accordance with best public safety considerations, and is appropriate for the pipeline operating conditions, and subject to the developers undertaking to comply with a number of conditions laid down in the then Minister's approval and consents the design is generally in accordance with best national and international industry practice and the pipeline is considered to meet public safety requirements.

In addition, a quantified risk assessment was undertaken by the developers on the onshore section of the pipeline, which included a detailed analysis of the risk of damage to the pipeline and consequences of any such damage. The content of the QRA report was taken account of in the evaluation of onshore pipeline design code carried out by an independent expert. The conclusions and recommendations of the evaluation of onshore pipeline design code report were taken into consideration in the decision making process for the granting of consent to construct the pipeline.

There is no justification to revisit the consents to construct a pipeline granted by my predecessor on 15 April 2002, which is extant.

[Mr. N. Dempsey.]

I am satisfied also that the compulsory acquisition orders remain valid. I refer the Deputy to Question No. 94 of Thursday, 10 March 2005.

Mineral Development.

399. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources his views on the difference in levels of compensation paid by his Department in the form of royalties to his Department in respect of mining activity; the way in which it compares to the quarrying of rock; and if he will make a statement on the matter. [10284/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Minerals are usually developed by private enterprise through a lease or licence issued under the Minerals Development Acts 1940-1999. The rate of royalty is settled by negotiation between the Department and individual developers, and, in agreeing a rate of royalty, attention is paid to such factors as the economics of the project, international practice and the need to ensure equitable returns to the parties.

Full details of all State mining leases and licences are set out in the six-monthly report on exploration and mining laid before the Oireachtas. In instances where privately owned minerals are developed, the State is statutorily required to compensate the owner, but any compensation paid is recoverable from the lessee or licensee of the minerals.

I have no statutory function regarding extraction or quarrying of rock, and consequently have no information on the subject. If the Deputy is seeking information on a specific matter, I will be glad to check it out.

Question No. 400 answered with Question No. 395.

Search and Rescue Service.

401. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources the efforts which will be made to assist the RNLI access at a location (details supplied) in County Donegal; and if he will make a statement on the matter. [10287/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The incident that the Deputy refers to occurred off Buncrana slipway when a car was pushed into the water. It was not known initially that the car was unoccupied. When tasked by Malin Head coastguard, the RNLI local operations manager selected the inshore lifeboat to respond to the incident. The RNLI says it decided to use the inshore lifeboat instead of the all-weather lifeboat due to the prevailing depth of water at spring low tide. The RNLI has confirmed, however, that the selection of the inshore lifeboat did not delay the arrival time on scene.

The Department provided funding of €127,500 for Donegal County Council in 2004 towards the dredging of Buncrana harbour costing a total of €170,000. The county council also requested the Department to provide for the carry-over to 2005 of the allocation unspent in 2004 to complete the dredging. The question of providing Exchequer funding in the current year to complete the dredging at Buncrana harbour will be considered in the context of the amount of Exchequer funding available and overall national priorities.

Gas Terminal Safety.

402. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if he proposes to consult the public on the matters as referred to in reply in Parliamentary Question Nos. 179 and 181 of 23 March 2005 as required under the EIA Directives 85/337/EEC and 97/11/EC. [10354/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The non-technical summary of the quantified risk assessment, QRA, is being prepared by Shell to provide the general public with a self-explanatory layman's understanding and interpretation of the QRA. It will not be subject to any assessment by me. The QRA non-technical summary does not come within the scope of the Environmental Impact Assessment, EIA, Directives 83/337/EEC and 97/11/EC.

Natural Gas Grid.

403. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if the granting of a compulsory purchase order to Shell in regard to the route of the proposed Corrib pipeline is unique; and the legal basis on which it was granted. [10355/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Section 32(1)(a) of the Gas Act 1976 as amended provides that "any person may apply to the Minister for an order under this section to acquire compulsorily any land or right over land which is required by that person for or in connection with the performance of any function of that person." In accordance with this section, compulsory acquisition orders were issued to the developers.

Dumping at Sea.

404. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources if he has satisfied himself that the dredging and associated works at Dingle Pier were carried out in accordance with EU and other regulations to include the disposal of excavated rock and silt and sludge in 2001; and if he will make a statement on the matter. [10356/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. N. Dempsey): The dredging and associated

works at Dingle were carried out in accordance with the relevant legislation in respect of disposal of dredge materials. Planning permission was granted by Kerry County Council for the development in December 1998. A foreshore licence, in accordance with the Foreshore Acts 1933 to 1998, was granted for the pier development and dredging works in 1999. Dumping at sea licences were granted for the disposal of dredge material on the foreshore at sea, in accordance with the Dumping at Sea Act 1996.

The licensing processes included full public consultation, as required, and included discussion and correspondence with the Environmental Protection Agency on the disposal proposals.

Harbours and Piers.

405. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources the contractor or contractors employed in 2000 and 2001 in the development of the pier at Dingle; the amount paid to each; and if he will make a statement on the matter. [10357/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): There was only one contractor employed in the development of the pier on the Dingle Harbour development project in 2000 and 2001. Irish Enco Construction Limited was awarded the contract on 2 November 1999 following a tender process.

The amount paid to Irish Enco Construction Limited for the project was £2,759,586.04, €3,503,951.48, including VAT. This figure included the works as specified in the contract documents, carried out per alternative tender proposals, as accepted, and includes payment for a variation to the contract for provision of an extension to the slipway wall at Dingle. A separate payment of £40,500, €51,424.39, was made to Irish Enco Construction Limited for piling works for a separate development involving provision of new pontoons, a PESCA grant assistance project, which was completed in 2000.

Other contractors were employed during the project for environmental monitoring work, for example, Valerie J. Keeley, archaeologists, and Aquatic Services Limited, but these were not involved in the provision of the construction works.

Natural Gas Grid.

406. **Mr. McGinley** asked the Minister for Communications, Marine and Natural Resources the plans in place to extend the gas line from the Corrib gas field to the north west; if there will be a joint initiative on a cross-Border basis between Bord Gáis and its counterpart in Northern Ireland; and if he will make a statement on the matter. [10412/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Any intending supplier of gas to the north west is free

to apply to the Commission for Energy Regulation, CER, for the necessary consent.

A preliminary evaluation in 2001 by Bord Gáis Éireann, BGE, which considered network extensions to the north west, found that none was commercially viable and even the least expensive option would cost more than what might be recovered over the lifetime of the pipeline. The CER must be satisfied that a proposal to extend the natural gas network is an economic proposition, as otherwise uneconomic projects will increase costs for all gas consumers. BGE is also required by the Gas Act 1976 to demonstrate that any pipeline investment by it will be an economic business operation.

That said, there is a long-standing Government commitment to examine the feasibility of bringing natural gas from Corrib to Sligo. The decision to grant planning permission for the Corrib onshore gas refinery and pipeline is the subject of two proceedings before the High Court and a decision will be made in April whether or not to grant leave for judicial review.

Work on preparing the specification for a feasibility study and cost-benefit analysis of possible routes to Sligo is under way. However, considering the costly nature of this study, it will not be proceeded with until there is a measure of certainty on the Corrib appeals process. Taking this into account, it is hoped the study will proceed later this year.

As regards a joint initiative of the kind the Deputy suggests, it is not clear there is a counterpart for BGE in Northern Ireland. BGE itself constructed the pipeline from Belfast to Derry. It is intended to link the two gas grids with a South-North interconnector to be put in place next year and to which the Government has agreed to give a substantial grant.

Ministerial Appointments.

407. **Mr. O'Dowd** asked the Minister for Communications, Marine and Natural Resources the reason he has not yet ratified the appointment of the chairman of Dundalk Urban District Council to the Dundalk Port Company; and if he will make a statement on the matter. [10460/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I have appointed the person referred to by the Deputy as a director of Dundalk Port Company with effect from 5 April 2005. The principal reason for the delay in making this appointment is that neither Dundalk Port Company nor Dundalk Urban District Council informed the Department of the nomination until recently.

Gas Terminal Safety.

408. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if the Government will guarantee the safety of the Corrib gas refinery project in north Mayo; and if

[Mr. Gilmore.]
he will make a statement on the matter.
[10522/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The safety of the gas terminal is in the first instance a matter for Shell E & P Ireland Limited. The plan of development approval, including the consent to construct a pipeline, took account of safety matters. It also incorporates the permits and licences to be issued by other regulatory authorities.

The plan of development approval was given subject to a number of conditions, one of which stipulates:

Approval by me for first gas, commencement of commercial production operations, will be subject to amongst other things the receipt of a letter(s) of acceptance for all Corrib installations, pipelines and associated engineering infrastructure from an auditor to be appointed by my Department indicating that third-party independent verification has been carried out and completed satisfactorily in relation to the development.

In addition the planning process takes due account of all safety aspects, including public safety, in its determination. In this regard, the Deputy's attention is drawn to condition 15 of An Bord Pleanála's planning decision, which stipulates:

Before the commissioning of the gas terminal, the developer shall submit to the planning authority a certified safety audit in relation to the installation of the combined upstream pipeline and terminal elements of the development within the planning application site, and the agreement of the planning authority shall be received.

The Safety Audit shall be prepared and certified by an independent qualified and competent person or body. Such body or person and the precise form of the safety audit, which shall include qualitative and quantitative risk analysis of the specified combined components, shall be agreed with the planning authority.

The safety audit shall also be submitted to the Health and Safety Authority and the Department of Communications, Marine and Natural Resources at the same time as it is submitted to the planning authority.

Offshore Gas Processing.

409. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources the reason the Corrib gas refinery will not be treating and cleaning gas offshore, as is being done in Kinsale and elsewhere throughout the world; and if he will make a statement on the matter.
[10523/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Corrib gas field is a sub-sea development with gas processing at a terminal onshore. Offshore processing for the Corrib gas field is not the preferred development option as it would mean that production would be weather-sensitive, a serious drawback in the hostile environment at Corrib, and there would be greater capital and operational expenditure compared to a sub-sea development. The Deputy will accept the increased capital and operational expenditures that would be needed could make the development uneconomic and that there would be increased safety concerns as the offshore facilities would have to be manned.

In January 2001, the developers submitted to my Department a plan of development for the Corrib gas field. This states that, in terms of facilities engineering, the area in which Corrib is located is characterised by a harsh marine environment, being directly exposed to the Atlantic fetch, a lack of existing hydrocarbon production infrastructure and the presence of active fishery industry interests.

Section 4 of the plan of development sets out the proposed concept, onshore terminal, and the alternative offshore concepts that were considered. The offshore alternative concepts were eliminated in the plan of development due to a number of considerations. The water depth and hostile nature of the environment at Corrib do not favour the use of a fixed steel jacket or guyed tower. The latter has not been used outside the benign environment of the Gulf of Mexico. The floating production concepts are similarly not ideally suited to extended field life in the prevailing harsh environment, with large bore high-pressure gas export risers being a particular design issue. Remote control buoy technology has not been developed for the extreme environmental conditions experienced at Corrib. Development of an acceptable and reliable system could not be guaranteed within the proposed project timescale.

Furthermore, all the proposed manned facilities options incur high operational expenditure and have increased adverse safety implications, particularly with respect to offshore transfer of personnel. High capital cost of all the floating or fixed platform options combined with the requirement for extensive gas transport infrastructure rendered the options sub-economic with predicted Corrib reserves and envisaged gas sale price. The relatively dry nature of the Corrib gas, eliminating the need for offshore processing, and high reservoir productivity, reducing the number of wells, allow the use of much simplified production facilities with high reliability. This permits the practical adoption of sub-sea production technology for Corrib.

In December 2000, my Department requested from the developers the results of its alternative concept studies. These were examined and

reviewed in January 2001 by the consultant petroleum engineer advising my Department. He advised the Department that the developers of the Corrib gas field should not be required to change or consider changing the Corrib development scheme.

Decentralisation Programme.

410. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10527/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government's decentralisation programme involves the relocation of the Department headquarters and functions to Cavan, the seafood and coastal zone functions to Clonakilty and the maritime safety directorate and the Irish Coast Guard to Drogheda. All these functions and the posts involved in the decentralisation programme are currently based in Dublin.

The Department already has a well-established decentralised dimension with staff and services based in 25 coastal, regional and rural locations throughout the country. The Department's services and the related posts currently located outside Dublin are not included in the decentralisation programme.

Ministerial Responsibilities.

411. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the press release issued by his Department on 24 March 2005 headlined, "Minister Pat the Cope Gallagher officially launches report on future development of Letterkenny town centre"; the relevance of this event to the Minister's departmental duties; if it is normal practice for his Department to issue press statements on behalf of Ministers relating to constituency matters; and if he will make a statement on the matter. [10542/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Minister of State was invited to launch this report in his official capacity. It is normal for the Department to issue press releases for all such events. This practice has been in place through previous administrations.

Fair Trade Campaign.

412. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the campaign to have FAIRTRADE products widely available

and used; his views on the objectives of this campaign; and if he will endeavour to have such FAIRTRADE approved products used in his Department. [10558/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I do not have responsibility within the Government for trade issues, including FAIRTRADE products and the fair trade campaign, and my Department as a corporate entity is not involved generally in purchases of products of the type promoted under the fair trade campaign.

Foreshore Licences.

413. **Mr. Walsh** asked the Minister for Communications, Marine and Natural Resources if a decision will be made on an application (details supplied) for a foreshore licence in County Cork. [10610/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I understand Cork County Council has drawn up revised proposals for the tidal barrage. It will be necessary for the local authority to apply for planning permission for the revised proposals. Following completion of the planning process, further consideration will be given to the application made to the Department for the necessary foreshore consent.

Energy Resources.

414. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources if a serious oil supply crisis is imminent; and the plans in place to deal with a potential crisis. [10611/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Ireland is a member of the International Energy Agency, IEA, an OECD body which, *inter alia*, monitors developments in the international oil market. The IEA keeps the oil market situation under constant review. While international oil prices are currently high, the IEA considers that the supply-demand fundamentals should not lead to a supply crisis.

As a member of the IEA, Ireland is required to maintain emergency oil stocks equivalent to at least 90 days of net imports of crude oil equivalent in the previous year. The EU imposes a similar requirement based on consumption. At the end of December 2004, the combined stocks of IEA member countries, including Ireland, were equivalent to 114 days of net imports. Ireland's stocks were estimated at 115 days' net imports on 1 February 2005.

My Department has contingency arrangements in place to deal with major oil supply disruptions. In the event of a significant global oil supply crisis, Ireland's oil reserves would be eked out over an extended period to supplement commercial supplies which would continue to be avail-

[Mr. N. Dempsey.]
able, albeit at a reduced level, in the normal course. In this context, reserves provide cover for periods far in excess of their expression in terms of number of days.

There would be no question of Ireland or any other oil-consuming country attempting to deal on its own with an international oil crisis. If such a crisis were to occur, the response, including the release of emergency stocks and the identification of alternative sources of supply, would take place primarily within the framework of the formal emergency regime developed and maintained by the IEA. Under this regime, member states would be entitled to a share of available IEA oil stocks in the event of a reduction of at least 7% in normal global supply levels. There are also provisions for a co-ordinated international response to an emerging crisis, without the oil-sharing component, in advance of the 7% trigger.

I am satisfied Ireland's emergency stock levels are more than sufficient to ensure that we would be in a position to participate effectively in an internationally co-ordinated response in the event of an oil supply crisis. In addition, it is clear that if all countries and all users turned their attentions in a focussed way to increased energy conservation, this would impact on market sentiment which is a key driver of the crude oil price.

Grant Payments.

415. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10651/05]

416. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10652/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 415 and 416 together.

My Department has made no grants or other financial assistance available in the past three years to any groups or organisations of the types referred to by the Deputy.

Alternative Energy Projects.

417. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the number of meetings which the bioenergy

strategy group has held to date; the progress it has made; when the publication of its recommendations is expected; and if he will make a statement on the matter. [10709/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In December 2003 my Department, in association with Sustainable Energy Ireland, SEI, set up a bioenergy strategy group, BSG, to consider the policy options and support mechanisms available to Government to stimulate increased use of biomass for energy conversion, and to make specific recommendations for action to increase the penetration of bioenergy in Ireland. Membership of the BSG comprised representatives of various Departments as well as State agencies in the agriculture and energy sectors and industry representatives.

The BSG held 11 meetings during the course of 2004. The work of the group was recently completed and a report including recommendations has been produced. These recommendations are being considered within the context of overall renewable energy policy development.

In tandem with this development, the renewable energy development group was established on 6 May 2004 to consider the future development of renewable energy generally in Ireland. This group is chaired by my Department and comprises relevant experts from the administrative, industry and scientific sector including the Commission for Energy Regulation, CER, SEI, ESB National Grid and the Economic and Social Research Institute, ESRI, among others.

The renewable energy development group is at the end of its current work phase and is expected to report shortly. This report will form the basis of my future policy decisions on the increased penetration of renewable energy technologies, including biomass, in the electricity market and will seek to ensure that developers can make a reasonable rate of return on renewable energy projects while ensuring that the interests of national competitiveness and the ultimate burden of cost to the final consumer are all fully taken into consideration.

Electricity Generation.

418. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his views on whether Ireland can meet its target, as set out under EU law, to have 13.2% of its electricity consumption needs supplied by renewable energy sources by 2012; the steps being undertaken to ensure that this target will be met; the percentage of electricity needs currently serviced by renewable energy; and if he will make a statement on the matter. [10715/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Directive 2001/77/EC on the promotion of renewable

energy sources in the internal electricity market addresses an obligation to Ireland to increase the consumption of electricity from renewable energy sources to 13.2% of total electricity consumption by 2010.

This target has been incorporated into the alternative energy requirement, AER, programme administered by my Department to encourage the construction of new renewable energy-based electricity generating stations. I am confident that a combination of projects already built, projects which will be built under the current rounds of AER support and a new support programme offering fixed-price support contracts which I have indicated I will launch shortly will deliver, if not exceed, the EU target.

The contribution of renewable energy to gross electricity consumption in 2003, the latest year for which figures are available, was 4.4%, a drop of one percentage point on 2002, due to lower rainfall levels affecting hydro production. I am satisfied recent decisions by the CER restoring connection offers for new renewable energy projects will see accelerated developments of new projects in the short term.

Coastal Protection.

419. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources further to Parliamentary Question No. 155 of 23 February 2005 when decisions will be communicated to Waterford County Council regarding the 2005 coast protection programme; and if he will make a statement on the matter. [10819/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The allocation of the funding available under the 2005 coastal protection programme is under consideration and a decision will be made in the near future.

420. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources further to Parliamentary Question No. 160 of 23 February 2005 the amount of the €20 million expenditure identified under the coast protection measure of the National Development Plan 2000-2006 and not expended by the end of 2004 which will be expended in 2005 in addition to the €2.882 million already announced; and if he will make a statement on the matter. [10820/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Under the coast protection measure of the National Development Plan 2000-2006, €52.01 million is identified for expenditure. Expenditure on this measure is not co-funded by the EU and is, accordingly, totally Exchequer-funded. Expenditure under this measure up to the end of 2004 was €32.2 million and €2.882 million is the amount of Exchequer funding made

available in 2005 for the coast protection measure of the National Development Plan 2000-2006. The question of allocating additional funding for this measure this year does not arise.

Telecommunications Services.

421. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to any proposals by Eircom to acquire a company (details supplied); if he has examined the possible implications for the consumer in the event of such an acquisition; and if he will make a statement on the matter. [10846/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Any proposals by Eircom, or any other commercial operator in a fully liberalised market, to acquire another company is a commercial decision for those involved and not one in which I have a function. The telecommunications market is fully liberalised and regulated by the Commission for Communications Regulation, ComReg, which is the body responsible for consumer protection in this area. ComReg is independent in the exercise of its functions.

422. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to any plans to divide Eircom into a number of separate companies; if all such companies would remain within the same ownership; if so, the way in which this would benefit the consumer; and if he will make a statement on the matter. [10847/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Commission for Communications Regulation, ComReg, recently published a consultation document entitled Forward-looking Strategic Review of the Irish Telecoms Sector. This document sets out a number of possible scenarios for the telecommunications sector, one of which includes the vertical separation of Eircom in the interest of competition. ComReg is independent in the exercise of its functions and it would not be appropriate for me to comment in detail on this matter.

Departmental Bodies.

423. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10875/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Fee levels for chairpersons and board members of State-sponsored bodies under the aegis of all Departments are prescribed by the Minister for Finance following a Government decision. The current

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levels as indicated in the following tables in
respect of the State-sponsored bodies under the

aegis of my Department have been in force since
July 2001 on foot of the Government decision of
28 May 2001.

		Standard Fee
		€
Category 1 bodies*	Chairperson	19,046.07
	Directors	12,697.38
Bord Gáis Éireann	Standard fee only	
ESB	Special fee of €31,743 sanctioned for chairperson, plus <i>per diem</i> allowance of €635 to overall level of €63,487 p.a. Standard fee applies to board members	
An Post	Special fee of €50,000 sanctioned for chairperson. Standard fee applies to board members	
RTE	Standard fee only	
Category 2 bodies*	Chairperson	15,236.86
	Directors	10,157.90
Bord na Móna	Standard fee only	
Port companies (Dublin, Dun Laoghaire, Cork)	Standard fee only	
EirGrid	A special allowance of €637 <i>per diem</i> was sanctioned for the chairman for service in executive capacity, to end-March 2005. Standard fee applies to board members.	
An Post National Lottery	Standard fee only	
Irish National Petroleum Corporation National Oil Reserves Agency	Standard fee only	
Category 3 bodies*	Chairperson	10,157.90
	Directors	6,348.69
Sustainable Energy Ireland	Standard fee only	
Bord Iascaigh Mhara	Standard fee only	
The Digital Hub	Standard fee only	
Marine Institute	Standard fee only	
Port Companies (Waterford, Shannon/Foynes)	Standard fee only	
Category 4 bodies*	Chairperson	7,618.43
	Directors	5,078.95
Port Companies (Drogheda, Galway, New Ross)	Standard fee only	
Broadcasting Commission.	Standard fee only	
Broadcasting Complaints Commission	Standard fee only	
Aquaculture Licence Appeals Board	Standard fee only	
Central & Regional Fisheries Boards	Fees payable only to chairpersons. Board members are reimbursed for travel and subsistence expenses.	

* The categories of bodies are determined by the Minister for Finance and relate to the overall size of the body concerned, benchmarked according to the remuneration of the chief executive.

Other bodies	Non-standard fee
Electronic Communications Appeals Panel	Fees: €825 for day 1-10 €650 for day 11-20 €500 thereafter
Irish Maritime Development Office Advisory Group	No fees. Vouched expenses are paid.
Loughs Agency	Fees: Chair: €10,019 Vice-chair: £5,500 sterling Member: €6,348.69
National Salmon Commission	No fees. Chairperson's honorarium — €6,348.69
Mining Board	Fees: Per day for public and private sittings: €507.32 Per full day for any attendance other than sittings: €170.96

Natural Gas Grid.

424. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources the reason and the way in which the onshore section of the high-pressure upstream gas pipeline between landfall and the proposed refinery at Ballinaboy in north County Mayo, which is above

high water mark, was subsumed by his Department under the former Minister of State, Deputy Fahey; the further reason the pipeline was exempted from the normal planning process; and if he will make a statement on the matter.
[10966/05]

432. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources

if he will move to clarify the legal limbo that appears to exist along the 9 km onshore section of the proposed upstream gas pipeline in Rossport in north County Mayo along which no State body is prepared to take responsibility for the health and safety of the residents who are compulsorily obliged to live along the pipeline route; and if he will make a statement on the matter. [10974/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 424 and 432 together.

The export gas pipeline including the onshore section of the pipeline for the Corrib gas field is an integral part of the plan of development for the gas field. The statutory approvals, consents and licences issued to date have all been issued in strict compliance with all national legislation requirements.

It should be noted that the present position is that no consent has been given to date to install the onshore pipeline. The Minister will ensure that the condition in the consent whereby “line inspection and maintenance procedures will be subject to review and acceptance by Petroleum Affairs Division (of this Department) prior to commissioning” will be fully complied with by the developer. All public safety issues relating to the operation of the pipeline will be addressed prior to commissioning in this context, including the regime to be put in place to ensure safe operation of the pipeline.

425. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the contents of the quantified risk assessment commissioned by and carried out on behalf of the developers of the Corrib gas project concerning the onshore section of the unprecedented high-pressure upstream gas pipeline between landfall and the proposed refinery at Ballinaboy in north County Mayo; the way in which he justifies, based on the contents of that report, the imposition of a risk environment on the residents of Rossport; and if he will make a statement on the matter. [10967/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The decision to grant consent for the construction of the Corrib gas pipeline was based on a range of factors including the proposed design codes for this pipeline as submitted to my predecessor for consideration by the developers. The consultant who evaluated the onshore pipeline design code indicated that the design code had been selected in accordance with best public safety considerations. He further indicated that it is appropriate for the pipeline operating conditions and, subject to the developers undertaking to comply with a number of conditions laid down in the then Minister’s approval and consent, the design is generally in accordance with best national and international industry practice and the pipeline is considered to meet public safety requirements.

In addition, a quantified risk assessment, QRA, was undertaken for the onshore section of the pipeline which included a detailed analysis of the risk of damage to the pipeline and consequences of any such damage for public safety. The content of this report was taken into account in the decision-making process relating to consent to construct a pipeline.

Communications Masts.

426. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources if he will request the removal of a phone mast (details supplied) in Harmonstown, Dublin 5; and if he will investigate the serious health and safety implication of this mast. [10968/05]

Minister for Communications, Marine and Natural Resources (Mr N. Dempsey): In general, issues relating to the physical siting of telecommunication masts are not a matter for me but for the relevant local authorities under the aegis of my colleague, the Minister for the Environment, Heritage and Local Government.

My responsibility in relation to safety issues at mobile phone masts relates solely to emissions of non-ionising radiation from these sites. There is currently no scientific or medical evidence that emissions below the level of internationally recognised guidelines from mobile telephone masts are injurious to health.

Over recent years, more than 25,000 peer-reviewed studies into possible health effects of non-ionising radiation, the class of electromagnetic emissions associated with mobile phone technology, have been published. No definite causal link has been proven between the emissions and any adverse health effect.

By consensus among many countries, guidelines are established for safe levels of exposure to various kinds of electromagnetic emissions. These guidelines are set at levels which are many times less than the experimental levels at which no adverse effects have been established. Ireland has adopted the guidelines established by the International Commission on Non-Ionising Radiation Protection, ICNIRP, and participates in the work of the International Committee on Electromagnetic Safety, which sets standards in this area. All licensed telecommunications operators in Ireland are required by the terms of their licences to observe the ICNIRP guidelines for limiting exposure of the public to electromagnetic emissions from their facilities.

The Commission for Communications Regulation, ComReg, has in the past audited emissions of non-ionising radiation from communications sites including masts. I will ask my officials to liaise with ComReg to arrange an audit of the site in question over the next month or so.

Offshore Exploration.

427. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources

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if officials of his Department briefed his predecessor, the Minister, Deputy Dermot Ahern, on the contents of the qualified risk assessment commissioned and carried out on behalf of the developers of the Corrib gas project in County Mayo; and if he will make a statement on the matter. [10969/05]

428. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if his officials briefed the Minister of State at his Department on the contents of the quantified risk assessment carried out on the onshore section of the unprecedented high-pressure upstream gas pipeline between landfall and the proposed refinery at Ballinaboy in north County Mayo; and if so, if this briefing took place before the Minister granted the consent to Enterprise Energy Ireland to proceed with the construction of the pipeline. [10970/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 427 and 428 together.

The officials of my Department did not brief my predecessor, Deputy Dermot Ahern, on the contents of the qualified risk assessment, QRA, on the Corrib Gas pipeline, as the consent to construct the pipeline had been granted prior to his appointment. The consent to construct a pipeline was given by the former Minister, Deputy Fahey.

The then Minister, Deputy Fahey, was advised of the thorough examination carried out by officials of the Department of the pipeline application including the recommendations made by the pipeline consultant on the design codes. The QRA formed part of a suite of detailed documents and reports considered within the petroleum affairs division of my Department prior to the submission of recommendations to the Minister. Having regard to the aforementioned thorough examination, the then Minister made his decision.

Natural Gas Grid.

429. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if, in view of recent Supreme Court rulings, he has satisfied himself that the constitutional rights of the residents of Rosspoint in north County Mayo are not being violated by their being compulsorily obliged to live perilously close to a high-pressure upstream gas pipeline which has no precedent in this State; and if he will make a statement on the matter. [10971/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am satisfied that section 32 of the Gas Act 1976, as amended, does not impugn the constitutional rights of the residents of Rosspoint in north County Mayo.

430. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources

if he has satisfied himself that the handing over to a private company (details supplied) of the responsibility for the health and safety of residents of Rosspoint in north County Mayo, who are being forced to live perilously close to an unprecedented high-pressure gas pipeline, does not constitute a derogation of sovereignty and therefore is not repugnant to the Constitution; and if he will make a statement on the matter. [10972/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The consent by my predecessor for the construction of the Corrib gasfield pipeline was given only after all aspects of the safety of the proposed pipeline were considered and when the then Minister was fully satisfied that the safety aspects would be carried out to the highest possible standard. It should be noted that the present position is that no consent has been given to date to install the onshore pipeline. The Minister will ensure that the condition in the consent to construct the pipeline, namely, the line inspection and maintenance procedures will be subject to review and acceptance by petroleum affairs division, of this Department, prior to commissioning will be fully complied with by the developer. All public safety issues relating to the operation of the pipeline will be addressed prior to commissioning in this context, including the regime to be put in place to ensure safe operation of the pipeline.

431. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if he has sought the advice of the Attorney General on the constitutionality of granting, by SI 517/2001, to a private company (details supplied) powers of compulsory acquisition over private property in order to construct an unprecedented high-pressure upstream gas pipeline; and if he will make a statement on the matter. [10973/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I should point out to the Deputy that section 32 (1)(a) of the Gas Act 1976 as amended provides that: Any person may apply to the Minister for an order under this section to acquire compulsorily any land or right over land which is required by that person for or in connection with the performance of any function of that person.

In accordance with this section compulsory acquisition orders were issued to the developers.

Question No. 432 answered with Question No. 424.

Post Office Network.

433. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources the likely impact on post offices of a switch of social welfare payments to non-cash methods; if he has a strategy to ensure the long-term viability of the post office network as this business gradu-

ally reduces under the policies being promoted by the Department of Social and Family Affairs. [10996/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government and the board of An Post are committed to the objective of securing a viable and sustainable nationwide post office network as set out in the programme for Government.

In regard to the contract for social welfare payments, as An Post is a commercial State body, that contract is primarily a matter for the management of An Post and its client, the Department of Social and Family Affairs.

The generation of new banking and utility payment business has illustrated the strengths inherent in a nationwide post office network. These advantages, together with the continuing deployment of cost effective technology, will be used to retain the maximum amount of existing business and to win new Government and private sector business for the network.

ESB Retail Offices.

434. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the plans of the ESB to sell retail offices to the Bank of Scotland; if such a move will have negative consequences for consumers; and if he will make a statement on the matter. [11001/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The disposal of ESB retail offices is a day-to-day commercial matter for the board of the ESB and not one in which I have a function.

Coastal Erosion.

435. **Mr. Howlin** asked the Minister for Communications, Marine and Natural Resources when a decision will be made in respect of the application of Wexford County Council for urgently needed funding to address coastal erosion issues in County Wexford; if his attention has been drawn to the severe damage caused by winter storms at New Ross; and if he will make a statement on the matter. [11141/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Wexford County Council recently forwarded proposals for funding for coast protection works to the Department. These proposals are under consideration at present in conjunction with the 2005 national coastal protection programme and in the context of the amount of Exchequer funding available for coast protection works generally and overall national priorities.

The Department has not, to date, received any application from Wexford County Council in respect of storm damage at New Ross.

Fishing Industry Development.

436. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if he plans to establish a group to examine a long-term policy for the commercial fishing industry; if such a group would involve all relevant parties to the discussion, including retailers, with massive involvement from the fishing industry; if such a plan would be comprehensive, with a substantial amount of time devoted to it, such as six to 12 months; and if he will make a statement on the matter. [11143/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The programme for Government contains a commitment to set out a long-term strategy for the sustainable development of our fishing industry, which operates within the overall framework of the Common Fisheries Policy. To date, a number of specific policy initiatives have been progressed, including a new CFP Regulation agreed in 2002, following comprehensive sectoral consultation in Ireland. A new, fully transparent fleet licensing policy has been introduced and a legally independent licensing authority has been established to implement that policy.

A policy statement on the future directions for the sustainable development of the sea-fishing industry was launched last year. This will involve the development of a comprehensive plan to deliver sustainable fishing for the whitefish fleet, infrastructural development and sustainable management and development of inshore fishing. These are fundamental elements of the challenges facing the future of the commercial fishing industry in Ireland and I assure the Deputy that these urgent issues will receive the necessary degree of time and analysis to ensure an effective outcome. I also assure the Deputy that the views of stakeholders in the industry will be fully taken into account as this important work progresses.

The Department will shortly be inviting applications to tender for a major consultancy study on the whitefish industry. It is hoped that this review will be completed towards the end of this year, following which I will bring forward a plan in full consultation with the sector.

Mobile Telephony.

437. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources his views on the recommendation of the UK Independent Expert Group On Mobile Phones (details supplied) and on the UK Government's response; his views on whether the UK approach is an example of good practice in this area; and if he will make a statement on the matter. [11144/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Independent Expert Group on Mobile Phones, IEGMP, chaired by Sir William Stewart, was set

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up in 1999. It issued its report *Mobile Phones And Health* in May 2000. This report is commonly referred to as the Stewart report. There have been numerous reports since then.

In general, issues relating to the physical siting of telecommunication masts are not a matter for me but for the relevant local authorities under the aegis of my colleague, the Minister for the Environment, Heritage and Local Government. However, I understand all new telecommunication masts require full planning permission.

Human Rights Issues.

438. **Mr. Sargent** asked the Minister for Foreign Affairs if the issue of the persecution of Christians and other religious minorities was raised with the Chinese Government during the recent visit to that country. [10743/05]

Minister for Foreign Affairs (Mr. D. Ahern): I refer the Deputy to my previous answers to questions relating to discussion of human rights issues during the visit of a Government delegation to China in January.

The question of Christians living in China was not specifically raised during the visit. However, the issue of human rights generally was raised both by the Taoiseach in his official discussions with Chinese leaders and by officials.

Departmental Websites.

439. **Mr. Gormley** asked the Minister for Foreign Affairs the reason his Department's website states a person (details supplied) is the Irish ambassador in Austria when in fact it is another person; if there are other such errors on the site; if the correct information is given; and if he will make a statement on the matter. [10017/05]

Minister for Foreign Affairs (Mr. D. Ahern): The ambassador referred to on the Department's website as ambassador to Austria was the previous ambassador to that country. This change of personnel was, unfortunately, not incorporated on the website. The discrepancy has now been rectified and further checks are also being made to ensure that the data on the website on missions abroad are fully up to date.

Waste Disposal.

440. **Mr. Gormley** asked the Minister for Foreign Affairs if his attention has been drawn to illegal dumping taking place in Somalia; if he has raised the issue at European Union level; and if he will make a statement on the matter. [10134/05]

Minister for Foreign Affairs (Mr. D. Ahern): The tsunami which struck southern Asia on 26 December last, was also felt as far away as the coast of Somalia on the Horn of Africa. I have been deeply concerned by reports that the huge waves which reached Somalia are believed to have stirred up tonnes of nuclear and toxic waste

illegally dumped in the war-racked country from the late 1980s and throughout the 1990s.

Apart from killing about 300 people and destroying thousands of homes, the waves are said to have broken up rusting barrels and other containers and dumped the hazardous waste contained therein along Somalia's long coastline. These claims have been made in a post-tsunami report prepared by the United Nations Environment Programme, UNEP, earlier this year. UNEP reported that waste ranging from medical to chemical waste products is now scattered on land. UNEP also reported, worryingly, that higher than normal rates of Somalis in the north-eastern areas were ill with diseases such as respiratory infections, mouth ulcers and bleeding, abdominal haemorrhages and unusual skin infections. UNEP has also warned that this current situation poses an environmental threat to all areas in the eastern Africa sub-region.

Somalia has been without a central Government since 1991 and although progress has been made in recent times with the installation of a transitional Government, much still needs to be done. There are suspicions that some European companies may have used Somalia in the past as a dumping ground for hazardous waste including uranium radioactive waste, lead, cadmium, mercury and hospital waste. There is little information available on the extent to which illegal dumping may be continuing to take place in Somalia.

In its report, UNEP called for the dispatch of a multi-agency expert mission to the region in order to fully investigate the situation. The joint UNEP-UN Office for the Coordination of Humanitarian Affairs environment unit in Geneva continues to look into reported hazardous waste and nuclear deposits along the Somali coastline. Along with other relevant parties, the unit is planning an inter-agency field assessment mission to identify the scope and nature of the problem and to determine the follow up actions required.

Ireland continues to keep apprised of this issue and I look forward to receiving further information on the current situation in Somalia from planned field assessment missions.

Departmental Investigations.

441. **Mr. Durkan** asked the Minister for Foreign Affairs the action he has initiated at EU and UN level with a view to investigation into the assassination in Burundi of a person (details supplied); if persons have been apprehended following the shooting; and if he will make a statement on the matter. [10142/05]

Minister for Foreign Affairs (Mr. D. Ahern): Since the events of 29 December 2003, my Department has been endeavouring to establish the full circumstances of the ambush which led to Archbishop Michael Courtney's tragic death. My predecessor, the former Minister for Foreign Affairs Deputy Cowen, discussed this issue on a

number of occasions with both the President and Foreign Minister of Burundi, most recently on 21 September 2004 when he met the President in New York at the United Nations General Assembly. The Government was also presented in February 2004 with the results of the initial investigation conducted by the Burundian authorities. This report, which was presented simultaneously to the Holy See, was provided in confidence to the Government and to the Holy See. Ongoing contact has also been maintained throughout between my Department and the Holy See.

Arising from the investigation by the Burundian authorities, an individual, said to have suffered serious injury during the ambush which resulted in Archbishop Courtney's murder, was arrested in February 2004. My Department has learnt that the suspect has since died in custody. The Burundian authorities have assured us they are continuing to pursue others who they believe may have been involved in the ambush.

The Government remains in close contact with and seeks regular updates from the Burundi authorities regarding developments in the investigation. We will continue to urge that all efforts are made on their part to apprehend those responsible for the Archbishop's murder. I also will seriously consider the issue of official representation, in the event that any trial eventually takes place.

Ministerial Travel.

442. **Mr. Allen** asked the Minister for Foreign Affairs if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10175/05]

Minister for Foreign Affairs (Mr. D. Ahern): As the Deputy is aware, the period around St. Patrick's Day offers unparalleled opportunities to promote Ireland around the world, particularly in the United States. I travelled to the United States from 11 to 18 March to represent the Government at St. Patrick's Day events in Boston before accompanying the Taoiseach to Washington.

In Boston, in addition to meetings with Irish immigration groups, I attended a number of promotional events hosted by Irish and Irish-American organisations and State agencies. I also addressed the Harvard University Kennedy School of Government and European Studies Centre on current international issues and updated key contacts on recent developments in Northern Ireland. I also discussed both Northern Ireland and inward investment issues with the Governor of Massachusetts. My wife, the Secretary General of my Department, my special adviser, my press adviser, the director of the Irish abroad unit and my private secretary travelled to Boston in the official party.

In Washington, I accompanied the Taoiseach to meetings with President Bush and Members of Congress. In addition, I met the US Deputy

Secretary of State and the National Security Advisor. I was accompanied by the Secretary General of my Department, the political director, my special adviser, my press adviser and my private secretary.

The overall costs of the visit are not yet available.

Telephone Helplines.

443. **Mr. Quinn** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that calls to the customer care inquiry lines (details supplied) to which the public are directed to address departmental queries go unanswered; the reason one of these lines has no voicemail; the staffing levels assigned to these customer care inquiry lines; if they are providing the level of customer care services service provided for in his Department's mission statement; and if he will make a statement on the matter. [10478/05]

Minister for Foreign Affairs (Mr. D. Ahern): I assure the Deputy that I am committed to providing a quality passport service to the public which includes having telephone inquiries dealt with quickly by friendly, experienced and helpful staff.

The Passport Office has 19 staff in its customer care and telephone helpline sections. The office has 15 external lines which are manned between 9 a.m. and 5 p.m. daily. A 24-hour recorded information service is also provided. As the Deputy will appreciate, the volume of calls varies from time to time and, at peak periods, customers may experience some delays in getting through by telephone. In response to this, the Passport Office redeploys staff from other areas to its customer care and telephone helpline sections whenever required.

The telephone numbers to which the Deputy refers are Passport Office staff internal lines. It is departmental policy to have voice mail on officers' internal lines. In the case of the single extension to which the Deputy refers as not having voice mail, there was a problem with this line which has now been corrected.

In general, I am satisfied that the service provided by the Passport Office meets the standard set out in the Department's mission statement which commits it to providing a modern and efficient passport service. There have been some exceptional problems in the recent past associated with the implementation of a new passport system and these have had an impact on the accessibility of the customer care and telephone helpline sections. However, these problems are being actively resolved and, when the new system is fully operational, I am confident that there will be an improved service to the public.

Demand for passports has almost doubled since 1997 with over 500,000 passports being issued here in Ireland for the first time last year. This has necessitated a complete upgrade of the systems and operations in the Passport Office. The new system, which is currently being implemented, incorporates the most advanced

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technologies for producing passports and will give Ireland one of the most secure passports in the world. The new system commenced operation here in Ireland last December and is being extended to our overseas missions on a phased basis throughout the remainder of this year.

To assist passport applicants, passport information is available in a number of ways in addition to telephoning the Passport Office. Passport application forms are available from the Passport Office, all Garda stations and most post offices. The application form itself contains a four-page explanatory notice which provides section by section advice to assist applicants when completing the form. The Passport Office website, *www.passport.ie*, also provides additional information on how to obtain a passport as well as on how to avoid the most common mistakes made with passport applications.

Biometric Passports.

444. **Mr. Lowry** asked the Minister for Foreign Affairs the extent to which progress has been made on the implementation of biometric passports as required for entry into the USA beyond 26 October 2005; and if he will make a statement on the matter. [10479/05]

445. **Mr. Lowry** asked the Minister for Foreign Affairs the plans he has to inform non-biometric passport holders that their passports will not allow them to avail of the US visa waiver beyond 26 October 2005; and if he will make a statement on the matter. [10480/05]

446. **Mr. Lowry** asked the Minister for Foreign Affairs the personal biometric data that will be contained on the new passports beyond 26 October 2005; if this information is held by the Department of Foreign Affairs; the legal implications there are for holding this data; and if he will make a statement on the matter. [10481/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 444 to 446, inclusive, together.

Following the terrorist attacks of 11 September 2001, the United States enacted legislation which includes a requirement that citizens of countries that participate in the visa waiver programme, including Ireland, must present a passport that incorporates biometric identifiers as a condition of entering the United States under the visa waiver programme after 26 October 2004. Last year, the deadline for introducing biometric passports was extended to 26 October 2005. This requirement applies to passports issued after the deadline only and does not affect holders of machine-readable passports issued before the deadline.

Last December, the European Union adopted a regulation which sets security standards for EU passports, including the incorporation of biometric identifiers. However, as the legal base for this regulation is in the Schengen part of the

treaty, Ireland is not legally bound by the measure.

Following detailed consideration of all the issues involved, the Government decided on 14 December 2004 to proceed with the introduction of biometric passports. My Department has launched a procurement process to obtain the necessary systems. A notice inviting firms to submit expressions of interest was placed in the Official Journal of the European Union on 17 December. Based on the responses received, a request for tender was issued to a number of qualified companies on 14 March.

After the closing date for receipt of tenders of 25 April, it is proposed to award the contract for the project as soon as possible. A condition of the contract will be that the production of biometric passports should commence on a pilot basis by October 2005, with full production following as soon as possible thereafter.

The process will involve storing a digital image of the passport holder's face, taken from a photograph supplied by the applicant in the usual way. The information will be held by the Passport Office just as it now holds photograph records. As the data will be used only for passport purposes, there are no legal implications.

The deadline for introducing biometric passports has already been extended once and it cannot be excluded that a further extension will be granted. My Department is in contact with the US authorities regarding these matters and will publicise the requirements fully, both at home and through our missions abroad, as soon as the arrangements are finalised.

Prisoner Releases.

447. **Mr. Lowry** asked the Minister for Foreign Affairs the progress being made to secure the release of a person (details supplied); and if he will make a statement on the matter. [10482/05]

Minister for Foreign Affairs (Mr. D. Ahern): This case continues to be closely monitored by my Department through the Irish Embassy in London. The Embassy in London remains in contact with both the person himself and his solicitor. As I indicated in my previous reply to the Deputy, I understand his solicitor is still seeking appropriate grounds on which either to lodge an appeal against conviction or to seek to have the case reopened.

I assure the Deputy that my Department will continue to keep in contact with the person concerned, his solicitor and his family and to provide all appropriate consular assistance and advice. I will consider whether there is any further action that I might take when the legal position has been clarified.

Decentralisation Programme.

448. **Mr. Naughten** asked the Minister for Foreign Affairs the sections of his Department currently based outside Dublin which will be moved

to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10528/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Passport Office in Cork is the only section of the Department based outside Dublin, city and county.

Under the Government's decentralisation programme, the development co-operation directorate of the Department, currently based in Dublin, is scheduled to decentralise to Limerick. This will involve the relocation to Limerick of some 130 posts and is scheduled to take place during the first quarter of 2007.

Fairtrade Products.

449. **Mr. P. McGrath** asked the Minister for Foreign Affairs if his attention has been drawn to the campaign to have Fairtrade products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such Fairtrade approved products used in his Department. [10559/05]

450. **Mr. P. McGrath** asked the Minister for Foreign Affairs if grant aid is available from his Department to help fund an awareness programme in view of the obvious benefits to Third World developing countries of the success of the campaign for the widespread use of Fairtrade products. [10572/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 449 and 450 together.

Trade is one of the most powerful engines of economic growth and ultimately of poverty reduction in developing countries. The Government is committed to the WTO Doha ministerial declaration and to the integration of developing countries into the global trading system. The Fairtrade mark is an independent assurance that producers in developing countries receive a fair price for their products. It provides a vital opportunity for producers in the poorest developing countries to access international markets on fair terms of trade. I fully support the objectives of the Fairtrade campaign. It provides an opportunity for people in Ireland to make a practical contribution to improving the conditions of producers in developing countries. On the Deputy's suggestion that Fairtrade products be used in my Department, I am glad to confirm that this is already the case.

Since 1996, Development Co-operation Ireland has been making grant aid available to Fairtrade Mark Ireland, the national fair trade labelling organisation. Fairtrade Mark Ireland received a grant of €40,994 in 2004 through the development education grants scheme to support its main activities, including promotion of the concept of fair trade with businesses; development education; and raising public awareness, in particular

through the Fairtrade fortnight and the Fairtrade towns initiative.

Development Co-operation Ireland is also assisting community-based Fairtrade agricultural projects in Central America. Over the three-year period 2003 to 2005, funding of €567,000 has been provided to promote access to fair-traded marketing options for coffee co-operatives in Honduras, Guatemala and Nicaragua. Funding is channelled through the regional office of the Fairtrade Labelling Organisation based in El Salvador. Del Campo, a Fairtrade certified co-operative in Nicaragua, has received funding of €187,000 to support small grain producers over three years to process and market a variety of products, including sesame seed.

Northern Ireland Issues.

451. **Mr. Gregory** asked the Minister for Foreign Affairs if he will raise with the British authorities the request of the Relatives for Justice group for a new investigation by the serious crime review team into the killing of a person (details supplied) by the British army in the Divis Flats area on 20 April 1972; and if he will make a statement on the matter. [10580/05]

Minister for Foreign Affairs (Mr. D. Ahern): I can confirm that officials from the Department have raised the case with the British authorities. The British side has responded that the case will be included in the assessment of cases by the review unit which was set up by the Chief Constable recently specifically for that purpose. The review unit's initial assessment will determine if there is sufficient material to proceed to a full reinvestigation of the case.

Grant Payments.

452. **Mr. Broughan** asked the Minister for Foreign Affairs the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10675/05]

453. **Mr. Broughan** asked the Minister for Foreign Affairs the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10676/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 452 and 453 together.

For the period in question, the Government's development co-operation programme, Development Co-operation Ireland, provided funding for

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two projects that provide services primarily for men, and boys. Details of these projects are included in Annex A.

As part of its overall commitment to poverty reduction and sustainable development, Development Co-operation Ireland, DCI, has prioritised the issue of gender equality as an integral part of the fight against poverty. In this regard, two complementary strategies are implemented: mainstreaming gender equality through all policies and programmes, and funding specialised interventions that support and contribute to women's empowerment.

On support through multilateral agencies, the Department has made voluntary contributions in the last three years from the development co-operation budget to two UN agencies dealing with women's issues. These are the United Nations Population Fund, UNFPA, which works in developing countries to save the lives of women and promotes human rights through better reproductive health care, and UNIFEM, which is the United Nations Development Fund For Women. Ireland contributed €2,539,000 in 2003 to UNFPA's core resources. This level of contribution was maintained in 2004 and the contribution increased to €2,920,000 this year. Some €550,000 was contributed to UNIFEM in 2003. This increased to €600,000 in 2004 and to €690,000 for 2005.

Details of relevant bilateral contributions in DCI's seven programme countries — Ethiopia, Lesotho, Mozambique, Tanzania, Timor Leste, Uganda and Zambia — and in South Africa are set out in Annex B.

Included in Annex C is a list of the support for the period 2002 to 2004 provided by DCI to NGOs working throughout the developing world,

the Balkans and Commonwealth of Independent States, which are involved in projects specifically targeting women. On support to Irish-based development education organizations, Annex D outlines DCI's support to Irish women's organisations which aim to build an awareness and understanding of development issues within Ireland.

The Irish abroad unit manages financial support for organisations in the voluntary sector engaged in the delivery of advice and information services to our emigrant community, particularly to vulnerable and marginalised Irish people living abroad. Funding in 2005 has reached the unprecedented sum of €8.27 million, an increase of 63% on 2004.

The organisations supported are engaged in a wide range of services. Areas of activity include services directed to older emigrants, the homeless, travellers, prisoners abroad and undocumented Irish people in the United States. Only one of the recipient organisations — the London Irish Women's Centre — is focused exclusively on services for women. Otherwise, the services that are supported under this heading can be of relevance to men and women, and are accessed by both. In 2002, the London Irish Women's Centre received €39,000 in Government funding, which rose to €47,044 in 2003 and €104,760 in 2004.

The Communicating Europe Initiative, CEI, which is administered by the EU division of the Department of Foreign Affairs, seeks to promote greater public awareness of the European Union. As part of its activities, it has provided grant funding to a range of groups to develop information initiatives about the EU and its impact on the lives of citizens. Details of funding awarded to women's organisations under the CEI are set out at Annex E.

ANNEX A

Organisation	Country	Purpose	Amount
			€
<i>2002 Block Grant</i> GOAL	India	CINI ASHA: Boys Half Way House project	16,585
<i>2003 NGO Co-financing Scheme</i> St. Patrick's College, Jaffna via Embassy	Sri Lanka	Reconstruction of School building	100,000

ANNEX B

ETHIOPIA (2002-2004)

Name of Agency	Project Type	Amount
		€
<i>2002</i> Goh Child, Youth and Women Development Association	Skill Training for Elderly AIDS Orphans and Girls	14,286.00
Tilm Integrated Rural — Urban Development Organization	Non-Formal Vocational Skills Training for Youth and Income Generation for Female Headed Households	19,048.00

Name of Agency	Project Type	Amount
		€
Save Your Generation	Promotion of Reproductive Health and Gender Issues, and HIV/AIDS Prevention	9,493.00
Day Star Development Association	Micro Enterprise Development for Destitute Women through Micro Credit	19,048.00
Ethiopian Initiative for Development	Prevention of harmful traditional practices	14,286.00
Ethiopian Initiative for Development	Prevention of harmful traditional practices	14,286.00
Women and Children Development Organization	Integrated Environmental Sanitation and Bio-gas Development	19,369.71
Ploughshare Women Craft Centre	Crafts training and equipment	7,256.00
Dabus Children and Family Support Organization	Increasing female students participation in primary school	6,069.00
Centre for Development Initiative	Village water supply and hygiene education	10,589.00
Oganeden Welfare and Development Association	Public awareness creation on female genital mutilation	10,592.00
<i>2003</i>		
Tesfa Integrated Rural Development and Social Service	Skill Training for Destitute Women and Girls	14,365.04
Organisation for Rehabilitation and Development in Amhara	Rural Water Supply, Hygiene and Sanitation Project	8,863.28
Welfare for Street Mothers and Children Organisation	Skill training for Destitute Youth and girls	4,334.48
Ethiopian Catholic Secretariat — Social	Skill Training Plus for Women	11,563.85
Women and Children Development Organization	Environmental sanitation and water supply	14,650.00
Tigray Women's Association	Training and capacity building programme	127,077.47
<i>2004</i>		
2003 and 2004 Network of Women's Association	Networking and capacity building programme	60,000.00
2004 International Institute for Rural Reconstruction	Gender in leadership and decision making programme	60,000.00
2004 PANOS-Ethiopia	Network of organization working on violence against women	36,300.00
2004 Canadian Physicians for Aid and Relief	Integrated alternative basic education programme	56,126.00

LESOTHO

Name of Agency	Project Type	Amount
		€
<i>2002</i>		
Lesotho Girls Guides Association	Lesotho Girls Guides Association	2,209
Senkoase Secondary School	Girls dormitory for orphaned and vulnerable girls	70,000
Lesotho Girls' Netball Association	Lesotho Girls' Netball Association	4,477
<i>2003</i>		
Ellelloang — Basati Weavers	Weaving workshop project	6,872
Dept. Ministry of Youth, Sport and Gender Affairs	Political Empowerment of Women	50,000
Lesotho Planned Parenthood Association	HIV/AIDS Voluntary Testing and Counselling for females	35,000
Itfareng Mokhoabong Co-operative	Pig rearing project	3,956
Melele Kopananag Youth	Sewing Project	18,146
<i>2004</i>		
Dept. Ministry of Youth, Sport and Gender Affairs	Political Empowerment of Women	50,000
Lesotho Planned Parenthood Association	HIV/AIDS Voluntary Testing and Counselling for females	30,000
CHAL	Skills training for single mothers	70,000
Thota Moli	Multi-purpose Group	10,147

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MOZAMBIQUE

Name of Agency	Project Type	Amount
		€
2002 SAFE	Street Aid for Female Empowerment	65,340
2003 Action Aid	Street aid for female Empowerment	6,750

TANZANIA

Name of Agency	Project Type	Amount
		€
2002 Tanzanian Ministry of Community Development, Women's Affairs and Children	Promoting gender mainstreaming and women's development programme	69,067
Tanzania Women Judges Association	Facilitation for six judges to attend VI Conference of International association of women judges in Dublin	12,933
2002 and 2003 Ulanga, Kilombero and Muheza Districts of Tanzania	To assist in implementation of the District Government's gender action plan	58,554

TIMOR LESTE

Name of Agency	Project Type	Amount
		€
2003 and 2004 Office for Promotion of Equality	Promotion of gender equality, mainstreaming of gender in Government programmes and empowerment of women	30,000
Moris Rasik	Micro-finance institute lending to poor women in rural areas, and also providing support for two research projects, the first examining the reason for dropouts and the second measuring the impact of microfinance on women's and household livelihoods	80,000 — lending 20,000 — research
Rede Fetpo — Network of Women's Organisations	Support for strategy planning (First and Second Women's Congress) General promotion of gender equality activities	20,000
Alliance for participation of Women in Development	Promotion of women's participation as candidates for Local Council Elections	40,000

UGANDA

Name of Agency	Project Type	Amount
		€
2002 Kigorobywa Twekambe Women's Group	Training of women in agricultural enterprise and farm inputs	7,362
2002 and 2003 Kabong Women's Group	Training of women in household energy saving methods and safe motherhood and child development	15,000
2003 St. Jude Catholic Women's Association	Supporting women's income generating activities and adult literacy	5,000
2003 to 2005 Nyenga Mobile Home Care Unit	Treatment to prevent mother to child HIV infection	15,671

ZAMBIA

Name of Agency	Project Type	Amount
		€
<i>2003</i> Women for Change	Training in gender analysis. Addressing negative customs and traditions promoting women's participation in decision making	84,000
<i>2004</i> Women for Change	Training in gender analysis. Addressing negative customs and traditions promoting women's participation in decision making	82,271

SOUTH AFRICA

Name of Agency	Project Type	Amount
		€
<i>2002</i> Hospice for mothers and children	Hospice for mothers and children	95,000
<i>2002 and 2004</i> Foundation for Human Rights	Applied Research on Gender Violence for Women	663,117
<i>2003</i> HOMF	Activism of Violence against Women and Children	2,610
Zanokhanyo Training Centre	Extension of Training Facilities	26,000
Foundation for Human Rights	For the 16 days of Activism for No Violence against Women and Children	2,610

ANNEX C

Organisation	Country	Purpose	Amount
			€
<i>2002 Block Grant</i> GOAL	El Salvador	Capacity building for (ex) sex workers in San Salvador	59,322
GOAL	Kenya	Street girls rehabilitation project	138,948
GOAL	Mozambique	Street aid for female empowerment	65,340
GOAL	Sierra Leone	Sexually abused women & girls programme	58,385
Christian Aid	India	Women's development programme	94,824
Trócaire	Peru	Training in Livestock for women	24,056
SUB-TOTAL			440,875
<i>2002 NGO Co-financing Scheme</i> Dominican Sisters	Argentina	Training and Employment programme for women	43,230
Aidlink	Bangladesh	Vocational training centre	92,686
Aidlink	Colombia	Solar energy water heating system for special feminine centre	64,205
Missionary Society of St. Columban	Chile	Capacitar Wellness centre	40,000
ADES Santa Marta via APSO	El Salvador	Institutional strengthening of women's microcredit initiative	17,948
Refugee Trust International	Eritrea	Women's poultry project for war-affected households	96,967
Refugee Trust International	Eritrea	Functional literacy project to support rural income generation programme for women	71,785
Lasallian Developing World projects	Ethiopia	Women's promotion centre	63,487
Edith Wilkin's Hope Foundation	India	"Call Girl" Intervention project in Calcutta & suburbs	42,585
Outreach Moldova	Moldova	Refurbishment of Orphanage Kitchen & Restaurant	100,000

Organisation	Country	Purpose	Amount
			€
Daughters of Charity of St. Vincent de Paul	Nigeria	Domestic Science for hairdressing, bakery, sewing & typing	40,813
St. Patrick Missionary Society	Nigeria	Vocational centre	16,441
Little Sisters of St. Francis	Uganda	Re-roofing of school buildings	20,000
Sacred Heart Sisters	Uganda	Sacred Heart primary school	95,230
SUB-TOTAL			805,377
<i>2002 Central America Programme</i>			
ACMM, Development worker	El Salvador	Promotion of women's participation in local development plans	24,000 over 2 years
NWC, Senior Specialist	Belize	Design of the national Gender policy,	5,000
COMUCAP, Senior Specialist	Honduras	Design strategic plan for the women's organisation,	5,000
Mujer Campo Salud, SSO	Nicaragua	Administration training for the women's organisation,	3,500
AMIFANIC, SSO	Nicaragua	Support to Trocaire for the strategic plan of the womens organisation,	6,000
COMUCAP, LCF	Honduras	Agricultural training for women's producer groups	14,000 over 2 years
Mujer Campo Salud, LCF	Nicaragua	Training for traditional midwives	12,000 over 2 years
ACMM	El Salvador	Management training and capacity building for women's group	4,300
SUB-TOTAL			73,800
<i>2002 Human Rights and Democratisation Scheme</i>			
Trocaire	Honduras	Promotion & Defence of Women's Rights	75,167
Okwacho Rise Women	Kenya	Women Education and Empowerment Programme	27,115
One World Action	Bangladesh	Improving Women's Access to Justice	89,579 (over 2 years)
Women's Affairs Technical Committee	Palestine	Empowerment of Young Women	103,477
SUB-TOTAL			295,338.00
<i>2002 Specialist Service Overseas Scheme</i>			
APSO/SSO	Kenya	Teacher Training for Maths Science for Turkana Girls Secondary School	4,299
African Leadership Forum	Nigeria	Training for members of National Women's Peace Group	2,590
Franciscan Miss for Africa	Zimbabwe	Developing income generating activities in urban areas for project 'Women in Need'	7,890
SUB-TOTAL			14,779
<i>2002 Co-funding of Long Term Personnel</i>			
Our Lady of Charity	Kenya	Rehabilitation and educational training for young girls that have been abused	4,234
Srs of St. Joseph of Annecy	Senegal	Training of women in needlework, marketing and small business	4,343
SUB-TOTAL			8,466
<i>2003 Block Grant</i>			
GOAL	Mozambique	Street aid for female empowerment	6,750
SUB-TOTAL			6,750
<i>2003 NGO Co-Financing Scheme</i>			
Children in Crossfire	Guinea	Pilot project to support sustainable livelihoods of women in poverty pockets	31,316
Matercare	Ghana	Matercare International Birth Trauma Centre	100,000
SUB-TOTAL			131,316.00

Organisation	Country	Purpose	Amount
			€
<i>2003 Central America Programme</i>			
COMUCAP	Honduras	Womens credit fund and capacity build programme,	138,208 over 3 years
CEDPA,	Guatemala and Honduras	Advocacy training,	30,000 over 3 years
Colectivo de Mujeres Universitarios,	Honduras	Administration training,	16,212 over 3 years
SUB-TOTAL			184,420
<i>2003 Human Rights and Democratisation Scheme</i>			
Rajiv Gandhi Foundation	India	Strengthening the role of Women in Grassroots Democracy	100,238 over 2 years
Concern Universal	Ghana	Rural Women and Girl Child Emancipation	248,110 over 2 years
Girl Child Network	Kenya	Capacity Building for Sustainable Rights based approach to Programming	75,000
SUB-TOTAL			423,348
<i>2003 Specialist Service Overseas</i>			
Mercy Sisters	Brazil	Training of Leadership for Women	2,500
Girl Child Network	Kenya	Evaluation of Programme	6,909
Crosslinks	India	Reproductive health training for women	1,509
SUB-TOTAL			10,918
<i>2003 Missionary Development Fund</i>			
Religious Srs Sacred Heart of Mary	Mozambique	Hostel for Girls	76,319
Missionaries of Mary	Nigeria	Centre for Women's Development	78,942
Society of African Missions	Nigeria	Literacy Courses for Women	42,800
Sisters of the Infant Jesus	Nigeria	Upgrading and Extension of Women's Vocational Training Centre	60,000
SUB-TOTAL			258,061
<i>2004 Block Grant</i>			
ActionAid	Kenya	Communities against female genital mutilation	31,579
ActionAid	Kenya	Community actions for women's empowerment	68,421
ActionAid	Malawi	Enhancing girls attainment of basic education in Chatata urban programme	100,000
ActionAid	Malawi	Enhancing the position of women through empowerment to implement and manage portable water projects	80,000
ActionAid	Vietnam	Promoting rights and entitlements of female workers through social action in highly urbanised cities in Vietnam	21,500
	Vietnam	Stopping violence against women in Vietnam	26,500
	Vietnam	Counter trafficking in women and children in Hochiminh city and Travinh province	40,000
SUB-TOTAL			368,000
<i>2004 NGO Co-Financing Scheme</i>			
Aidlink	Ghana	Construction of hostel at St Johns vocational training school	41,188
Christian Children's Fund	Sierra Leone	SEFAFU-sealing the past facing the future	57,756
SUB-TOTAL			98,944
<i>2004 Central America Programme</i>			
Comite de Mujeres San Hilario	El Salvador	Technical support for a women's revolving loan fund	1,250.00
Comite de Mujeres San Hilario	El Salvador	Women's revolving loan fund	4,177.69

Organisation	Country	Purpose	Amount
ADEPROCCA,	El Salvador	Marketing project for a women's traditional candy confectionary project,	€ 4,060.42
UNAG,	Nicaragua	Capacity building for 10 women's Maternity care centres,	300,000 (over 3 years)
SUB-TOTAL			309,488.11
<i>2004 Human Rights and Democratisation Scheme</i>			
CAMFED International	Zimbabwe	Protection and empowerment and welfare of girls	101,175
United Nations Development Fund for Women/International Legal Assistance Consortium		Contribution to Conference Peace Needs Women and Women Need Justice	37,000
SUB-TOTAL			138,175
<i>2004 Specialist Service Overseas</i>			
CIIR	El Salvador	Training in Logical framework analysis for Women's programme	1,505
Health Unlimited	Health Unlimited	Radio programme increasing awareness and discussion of health consequences of female circumcision, safe motherhood and prevention of STIs	7,500
SUB-TOTAL			9,005
<i>2004 Co-funding of Long Term Personnel</i>			
Srs of Sion	Philippines	Training in management of cooperative for Natures Garden Women's Cooperative	8,750
Srs of Sion	Philippines	Coordinating a project, empowering women through skills training and microfinance	10,000
SUB-TOTAL			18,750
<i>2004 Missionary Development Fund</i>			
Daughters of Charity of St. Vincent de Paul	Ghana	Installation of Solar Power at Women's Centre	22,000
De La Salle Brothers	India	Sanitary Facility for Rural Girls School	8,800
Franciscan Missionary Sisters for Africa	Uganda	Renovation to Girls Primary School	31,827
SUB-TOTAL			62,627

Organisation	Purpose of Grant	Amount
€		
<i>2002</i>		
International Rescue Committee	Support for women's groups through small scale grants and training, Kosovo	199,743
Council of Europe	Income generation for rural women, Albania	20,000
European Women's Foundation	Establishment and maintenance of European Women's Foundation website	15,000
International Organisation for Migration	Measures to counteract trafficking in human beings, in particular women and minors, from/via countries of South Eastern Europe	130,000
<i>2003</i>		
European Women's Foundation	Support for democracy training in Latvia, Moldova, Romania, Slovakia	37,942
<i>2003 and 2004</i>		
International Labour Organisation	Employment, vocational training and national policy measures to prevent trafficking in women in Albania, Moldova, Ukraine	331,148
<i>2004</i>		
European Women's Foundation	Support for democracy training, Moldova	16,567

ANNEX D

Material on development education grants

The Development Education Grants Scheme in Development Cooperation Ireland provided the following support for women's organisations in the three years to 12 April 2005:

Banúlacht, Dublin

One year programme. Purpose: Courses, events and newsletter on mainstreaming development issues into gender work in Ireland.

2003: €75,900

Contributions to three-year multi-annual programme. Purpose: Developing the Capacity of the Community Education Sector to Engage with Critical Debate on Gender Mainstreaming in the context of Ireland's Development Cooperation Policy and International commitments.

2004: €90,000

2005: €93,000

Shanty Education and Training Project, An Cosán, Dublin

Three year multi-annual programme (granted in 2002). Purpose: Delivering Development Education in women's education in Tallaght west and surrounding areas.

2003: €48,500

2004: €51,000

Women's Education, Research and Resource Centre (WERRC), University College Dublin

One year research project. Purpose: Transforming Curriculum: Gender, Development and Globalisation. To develop, incorporate and pilot a development education perspective within the WERRC Community Outreach Access Programme

2003: €10,000

One year research project. Purpose: Transforming Curriculum: Gender, Development and Globalisation. Drawing on the learning from Phase I the project aims to incorporate and pilot a development education perspective within the WERRC Community Outreach Access Programme and relevant Banúlacht programmes.

2004: €20,000

ANNEX E

Date	Organisation	Amount	Initiative
		€	
December 2002	National Women's Council of Ireland (NWCi)	7,830	Publication of a feature on EU issues in NWCi Magazine (January 2003)
December 2002	Irish Countrywomen's Association	16,556.79	European Awareness Week (December 2002)
December 2003	Irish Countrywomen's Association	15,404.60	European Awareness Week (November 2003)
February-May 2004	Irish Countrywomen's Association Guilds	1,767.79	Local information initiatives on enlargement of the European Union (February-April 2004)
December 2004	Irish Countrywomen's Association	17,362.25	European Awareness Week (November 2004)

Foreign Conflicts.

454. **Mr. Sargent** asked the Minister for Foreign Affairs the Government's position on the current instability in Lebanon and the continuing presence of Syrian troops in that country. [10744/05]

Minister for Foreign Affairs (Mr. D. Ahern): The brutal murder of former Prime Minister Rafiq Hariri on 14 February has been the catalyst for significant ongoing developments in Lebanese politics. The massive public response has been remarkable. I welcome the fact that protests have been peaceful and that restraint has prevailed on all sides. It is to be hoped that this will continue to be the case, and we call on all Lebanese political leaders to unite in determination to ensure that violence has no place in Lebanese politics.

At the request of UN Secretary General Annan, Deputy Garda Commissioner Peter Fitzgerald has produced an important report into the circumstances of Mr. Hariri's murder, which the Secretary General has now forwarded to the

Security Council for its consideration. The Government was pleased to be able to accede to the Secretary General's request to make Deputy Commissioner Fitzgerald available, and his speedy and professional report reflects credit upon him and Ireland.

Prime Minister Karami, who is acting in a caretaker capacity following his resignation in February, is attempting to form a government of national unity to lead the country into the elections which will probably take place in June. It is not clear yet whether he will be able to succeed in this effort.

While the presence of Syrian troops in Lebanon was instrumental in bringing the long civil war to an end, the withdrawal of those forces is long overdue, and their continued presence has itself become a cause of division in Lebanon. Ireland, in common with the whole international community, wishes to see the full and timely implementation of UN Security Council Resolution 1559, which calls for the withdrawal of all

[Mr. D. Ahern.]
foreign forces from Lebanon. Syria has given clear undertakings that its forces will be fully withdrawn by the end of this month. I look forward to the fulfilment by Syria of that commitment.

Middle East Peace Process.

455. **Mr. Sargent** asked the Minister for Foreign Affairs if he has had, or plans to have, any contact with the new Palestinian Authority; and if the Government plans to increase aid to Palestine. [10745/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Government is in regular and ongoing contact with the Palestinian Authority through diplomatic channels. The Taoiseach telephoned President Mahmoud Abbas to congratulate him on his success in the elections. In the course of this call, he assured President Abbas of Ireland's continuing support for efforts to bring an end to the Israeli-Palestinian conflict. I have also written to my own counterpart, the newly appointed Palestinian Foreign Minister, Nasser Al-Kidwa, congratulating him on his appointment and looking forward to an early meeting. I had hoped to meet personally with President Abbas, Foreign Minister Al-Kidwa and other key Palestinian figures this month during a visit to the region but my recent appointment by the Secretary General of the United Nations as envoy on UN reform meant that my visit to the region must be temporarily deferred. However, I was fortunate to be able to meet the Palestinian Minister for Communications, Sabri Saidam, at the Euromed ICT ministerial meeting in Dundalk earlier this week.

Irish aid in Palestine is applied in the sectors of education, health, local government, human rights and emergency humanitarian assistance. A new three-year programme of assistance for the period 2005 to 2007 began in January 2005. Under this programme, funding amounting to over €10 million will be allocated to Palestine. In addition to this programme, funding is also allocated to key Irish NGO's via the multi-annual programme scheme, MAPS, and the fellowship programme.

Overseas Development Aid.

456. **Mr. Sargent** asked the Minister for Foreign Affairs his plans to help counteract the increased pressures on aid agencies, in the aftermath of the tsunami of 26 December 2004, in coping with emergencies in other parts of the world, such as Darfur and the AIDS crisis; and if, in view of these pressures, he will accelerate progress in Ireland's commitment to reach the UN target of 0.7% of GNP. [10746/05]

457. **Mr. Sargent** asked the Minister for Foreign Affairs if Governments around the world have met their pledges of aid in the aftermath of the tsunami of 26 December 2004; and if not, the

action which can be taken to ensure that they do. [10747/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 456 and 457 together.

Understandably, our primary aim in responding to any emergency has to be to use the best available means to deliver assistance to the vulnerable as quickly as possible. That said, we are aware that all agencies involved in responding to the aftermath of the tsunami have been overwhelmed by its scale. Given this exceptional situation we have been disposed to the use of some of the funds allocated to Irish NGOs to build or augment their capacity on the ground to deliver this assistance.

As a general point, Development Co-operation Ireland has been committed to ensuring that its engagement with the many forgotten emergencies is not diminished by the response to the tsunami and we are aware that many NGOs have made similar commitments.

Ireland recognises the importance of honouring aid pledges and the need for them to be disbursed fully and effectively in line with best international practice. In response to the UN flash appeal last January, donors pledged US\$871 million to assist countries affected by the tsunami. Of that, \$810 million, or 93% of the pledge, has been converted into confirmed contributions — 84% from governments and 9% from private sources. From this, it can be seen that there has been a high delivery on the original pledges.

In addition, the Development Assistance Committee, the DAC, of the OECD, which represents 22 donor countries, has announced that it proposes to monitor disbursement by governments against their pledges of assistance for tsunami victims. Ireland and its NGOs have also repeatedly raised this issue at EU level. Ireland has pledged €20 million for the tsunami, of which almost 50%, €9.8 million, has already been allocated. Work is ongoing to allocate the balance of €10.2 million in an efficient, effective and accountable manner. Former Minister of State, Mr. Chris Flood, who has been appointed as envoy for the tsunami follow-up, will track the use of Ireland's funds and ensure that these are employed in line with best international practice.

On the situation in Sudan, I can confirm that I paid a visit to the country last week to assess the needs on the ground ahead of the Oslo pledging conference. I am delighted to inform the Deputy that the Government will give €15 million to Sudan for the period 2005 to 2007. This money will be allocated to different regions in the country and will reflect the priorities expressed to me by UN agencies, NGOs and local leaders with whom I have discussed the situation on my recent visit.

458. **Mr. Sargent** asked the Minister for Foreign Affairs if the Government has met all of its pledges of overseas aid, in particular to Honduras

and countries affected by Hurricane Mitch, Liberia, Afghanistan, Haiti and Iraq. [10749/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): A list of pledges made at international pledging conferences, in respect of funding for Afghanistan, Liberia, Iraq and Haiti, is outlined below for information. From this table it can be seen that many pledges have been fully delivered. The timeframe for delivery, as agreed with the parties involved, can stretch over a number of years. However, Ireland recognises the importance of honouring aid pledges and the need for them to be disbursed fully and effectively in line with best international practice. Ireland's funding is delivered through key UN

agencies and NGO partners who have the skills and capacity to operate on the ground. All programmes are in line with the needs prioritised by each country.

In the case of Honduras and other countries affected by Hurricane Mitch in October 1998, the Government dispersed over €760,000 for humanitarian programmes in the region affected in the immediate aftermath of the hurricane during the period November 1998 to January 1999. Since Hurricane Mitch, Ireland's funding to the Central American region has increased significantly. In 2004, it amounted to over €6 million, of which €2.65 million was allocated for development programmes in Honduras. In 2005, €7.4 million has been allocated for development programmes in the region.

Year of pledge	Country	Arising from:	Amount	Period covered	Delivered to date
			€		
2002	Afghanistan	Tokyo Conference	12,000,000	2001 to 2004	Fully dispersed by 2004
2003	Iraq	Madrid Conference	3,000,000	Oct 2003 to April 2005	€1.5m
2004	Afghanistan	Berlin Conference	5,000,000	2004 to 2006	€2.37m
2004	Haiti	Washington Conference	250,000	2004 to 2006	Fully dispersed in 2004
2004	Liberia	New York Conference	5,000,000	Feb 2004-Feb 2006	€3.5m

Irish Language.

459. **Mr. O'Shea** asked the Minister for Foreign Affairs the position regarding the formal proposal tabled by Ireland by way of a draft amendment to EEC Regulation No. 1/1958 in the matter of official working status for the Irish language. [10827/05]

Minister for Foreign Affairs (Mr. D. Ahern): On 13 December last, I outlined to my counterparts at the General Affairs and External Relations Council the reasons for Ireland's proposal that official and working status in the EU be accorded to the Irish language.

Regulation No. 1 of 1958 governs the Union's language regime. The unanimous approval of member states is required to amend this regulation.

Contacts have been ongoing with partners in Brussels and in capitals to bring about progress. Most recently, we requested that our proposal be discussed at the meeting of the Committee of Permanent Representatives on 10 March. This meeting allowed for a very useful exchange of views between member states and provided an opportunity for further clarification of some of the issues involved.

The Government remains of the view that there is a strong general understanding of our proposal. The Government will continue to press its case through the appropriate channels with the aim of reaching a successful and early conclusion to the discussions.

Departmental Bodies.

460. **Mr. Boyle** asked the Minister for Foreign Affairs the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10876/05]

Minister for Foreign Affairs (Mr. D. Ahern): None of the boards under the aegis of the Department of Foreign Affairs is a statutory body. Of the non-statutory boards under the aegis of my Department, no fees are paid to chairpersons of the advisory board for Development Co-operation Ireland, the Development Education Advisory Committee or the board of the Ireland-United States Commission for Educational Exchange, the Fulbright Commission. A First Secretary at the Irish Embassy in London acts, without additional remuneration, as chairperson of the Díon Committee — an advisory committee to the Government established in response to concerns about the situation of Irish emigrants in Britain.

Swimming Pool Projects.

461. **Mr. Hogan** asked the Minister for Arts, Sport and Tourism when finance will be made available for the construction of a new swimming pool at Kilkenny city; and if he will make a statement on the matter. [10149/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Kilkenny County Council applied for funding under the local authority swimming pool programme in respect of a proposed replacement swimming pool for Kilkenny. I am pleased to say I have recently approved the preliminary

[Mr. O'Donoghue.] report for this project and this approval allows the council to have the contract documents prepared.

Under the local authority swimming pool programme, there are four stages in the swimming pool development process, including preliminary report, contract document, tender approval and construction. My Department's technical advisers, the Office of Public Works, OPW, evaluate each stage and local authorities cannot proceed to the next stage of a project unless prior approval issues from my Department.

Grants of up to a maximum of €3.8 million are available towards either the refurbishment of existing pools or the provision of new pools, subject in both cases to the total grant not exceeding 80% of the eligible cost of the project or, in the case of projects located in disadvantaged areas, 90% of the eligible cost. Grant aid is not formally allocated until the tenders have been approved for a project.

Projects are considered on a case-by-case basis and consideration is given to such issues as whether the area is classified as disadvantaged, the number and geographical spread of projects within and between counties, the viability of the project, particularly in regard to operational and maintenance issues, overall funding package for the project, the limits on local authority borrowing technical details and the Department's annual Estimates provision for the programme.

Ministerial Travel.

462. **Mr. Allen** asked the Minister for Arts, Sport and Tourism if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10176/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I travelled to London for the St. Patrick's Day celebrations from Saturday 12 March 2005 to Sunday 13 March 2005. I was accompanied on this trip by my special adviser, my private secretary and my wife. The full cost of the trip is not yet available in my Department.

Sports Capital Programme.

463. **Mr. Penrose** asked the Minister for Arts, Sport and Tourism if he will confirm that he has received an application for capital funding from a club (details supplied) in County Longford; if in this context, this project will be granted significant funding in order to allow the construction of facilities to proceed; and if he will make a statement on the matter. [10281/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is 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.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December last. The closing date for receipt of applications was 4 February 2005. All applications received before that deadline, including one from the club in question, are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

464. **Mr. Penrose** asked the Minister for Arts, Sport and Tourism if he will ensure that an application for lottery funding under the sports capital programme, by a club (details supplied) in County Westmeath will be considered; and if he will make a statement on the matter. [10282/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is 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.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December last. The closing date for receipt of applications was 4 February 2005. All applications received before the deadline, including one from the organisation in question, are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

465. **Mr. McHugh** asked the Minister for Arts, Sport and Tourism if he will allocate a grant under the sports capital programme to a group (details supplied) in County Galway to allow the project to proceed further; and if he will make a statement on the matter. [10283/05]

475. **Mr. Connaughton** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that an application has been lodged with his Department for grant aid on behalf of a company (details supplied) to complete its new sports centre at Market Square, Ballygar, County Galway; if his attention has further been drawn to the fact that the local community has made a significant financial contribution and that another tranche of funding would complete this community sports centre which is being used to its full capacity; and if he will make a statement on the matter. [10648/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 465 and 475 together.

The national lottery-funded sports capital programme, which is 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.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December last. The closing date for receipt of applications was 4 February 2005. All applications received before the deadline, including one from the organisation in question, are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Swimming Pool Projects.

466. **Mr. Lowry** asked the Minister for Arts, Sport and Tourism the date on which a decision regarding the local authority swimming pool programme for Thurles will be made. [10471/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Thurles Town Council applied for grant aid under the local authority swimming pool programme for the provision of a replacement swimming pool in Thurles. The project is under consideration in my Department at contract document stage of the programme. There are four stages in the swimming pool development process: preliminary report, contract document, tender approval and construction. My Department is considering whether to move this project on to the next stage of the process in the context of the funding available in the Department's multi-annual capital envelope for the local authority swimming pool programme.

National Aquatic Centre.

467. **Mr. J. Higgins** asked the Minister for Arts, Sport and Tourism when the National Aquatic Centre will re-open. [10501/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Campus and Stadium Ireland Development Ltd. has informed me that its structural engineers have received from the contractors, Rohcon Ltd. information that the repairs to the National Aquatic Centre, which commenced on Monday 21 March 2005, are expected to be completed by 20 May 2005. Campus and Stadium Ireland Development Ltd. has asked Rohcon to use all necessary resources to ensure that this date is met, if not improved upon. I look forward to the completion of these works and the reopening of the centre.

Decentralisation Programme.

468. **Mr. Naughten** asked the Minister for Arts, Sport and Tourism the sections of his Department currently based outside Dublin which will

be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10529/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Apart from the Museum of Country Life in Turlough Park, Castlebar County Mayo and a temporary storage facility in Dainegan, County Offaly, neither of which is scheduled for relocation, there is no section of my Department currently based outside Dublin.

Fair Trade Products.

469. **Mr. P. McGrath** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the campaign to have FAIRTRADE products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such FAIRTRADE approved products used in his Department. [10560/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I am aware of the fair trade campaign for securing fair deals for small producers of tea, coffee, fruit etc. in Third World countries through raising consumer awareness and I support the objectives behind the campaign to alleviate poverty and support marginalised producers in a manner that promotes dignity and self-sufficiency.

My Department has no canteen facilities of its own and the facilities operated by the cultural institutions, which are part of my Department, are in the main sub-contracted. The sourcing of supplies in such cases is a matter for the caterers.

All-Ireland Soccer Team.

470. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism if he will support the formation of an all-Ireland soccer team; and if he will work with the FAI and the IFA on this matter. [10573/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): This is a matter entirely within the competence of the associations and one in which I have no function. If it were the wish of the associations to proceed along these lines, I would support the idea.

Sports Capital Programme.

471. **Mr. Gilmore** asked the Minister for Arts, Sport and Tourism the consideration he is giving to the application from a tennis club (details supplied) in Dublin 18 for funding under the sports capital programme 2005; his views on the merits of the application; when he will make a decision; and if he will make a statement on the matter. [10586/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and

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community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December last. The closing date for receipt of applications was 4 February 2005. All applications received before the deadline, including one from the organisation in question, are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Swimming Pool Projects.

472. **Ms O. Mitchell** asked the Minister for Arts, Sport and Tourism the status of the Dún Laoghaire-Rathdown County Council application for funding for the refurbishment of the Dundrum family resource centre pool. [10626/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Dún Laoghaire-Rathdown County Council applied for funding under the local authority swimming pool programme in 2000 in respect of a proposed replacement swimming pool for Dundrum. A revised proposal has recently been received from the council and is being considered in my Department at the preliminary report stage in the process.

There are four stages in the swimming pool development process: preliminary report, contract document, tender approval and construction. My Department's technical adviser, the Office of Public Works evaluates each stage and local authorities cannot proceed to the next stage of a project unless prior approval issues from my Department.

Grant Payments.

473. **Mr. Broughan** asked the Minister for Arts, Sport and Tourism the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10646/05]

474. **Mr. Broughan** asked the Minister for Arts, Sport and Tourism the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10647/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 473 and 474 together.

The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country.

The programme is demand led and allocation of funding is based on a set of criteria aimed at the provision of sport and recreation facilities, with particular emphasis on disadvantaged areas, which must be made available to the community. While allocation of funding is not made on basis of gender, the guidelines, terms and conditions of the programme stipulate that applicants must submit details of their rules and procedures as evidence of non-discrimination. This emphasis on ensuring equality of treatment is reflected in the fact that grants allocated under the scheme, while meeting any gender-specific needs, are made available only to organisations whose membership is open to both sexes.

The local authority swimming pool programme provides capital funding to local authorities for the building or refurbishment of public swimming pools. Funding is not allocated on the basis of gender.

The ACCESS scheme, which is also administered by my Department, provides funding for the capital development of arts and cultural facilities around the country and is not allocated on basis of gender. A primary focus is to promote community-based initiatives to bring about a greater participation in the arts in general. In light of the criteria for these schemes statistics relating to allocation of funding are not maintained on a gender basis.

Question No. 475 answered with Question No. 465.

Sports Capital Programme.

476. **Mr. Connolly** asked the Minister for Arts, Sport and Tourism the amount of lottery funding advanced to date on a yearly basis to projects outside this State; the number of such lottery grants on a yearly basis; and if he will make a statement on the matter. [10718/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme is advertised on an annual basis and applications are invited from sport and voluntary organisations in respect of sport developments that are of a capital nature. The programme applies to clubs and organisations within the State and applications from outside the State are not accepted. Accordingly any funds allocated are to clubs and organisations within the State.

477. **Mr. McHugh** asked the Minister for Arts, Sport and Tourism if he will allocate a grant under the sports capital programme to a project (details supplied) in County Galway; and if he will make a statement on the matter. [10719/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is 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.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December and last. The closing date for receipt of applications was 4 February 2005. All applications received before the deadline, including one from the organisation in question, are being evaluated against the prog-

ramme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Departmental Bodies.

478. **Mr. Boyle** asked the Minister for Arts, Sport and Tourism the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10877/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The annual fees paid to each chairperson and director in each statutory board under the remit of my Department are:

Statutory Body	Fee Paid to Chairperson	Fee Paid to Board Member/Director
	€	€
Arts Council	7,618.43	5,078.95
Irish Film Board	7,618.43	5,078.95
Irish Sports Council	7,260	Nil
Horse Racing Ireland ⁽¹⁾	15,236.86	10,158.00
Bord na gCon ^{(1), (2)}	10,157.90	6,349.00
Fáilte Ireland	15,237.00	10,158.00

⁽¹⁾ The current chairperson waives the fee.

⁽²⁾ No fee paid to Department's representative on the board.

Sports Capital Programme.

479. **Mr. Ring** asked the Minister for Arts, Sport and Tourism when funding will be provided to a club (details supplied) in County Mayo under the sports capital programme. [11006/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is 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.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December last. The closing date for receipt of applications was 4 February 2005. All applications received before the deadline, including one from the organisation in question, are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Swimming Pool Projects.

480. **Mr. Stagg** asked the Minister for Arts, Sport and Tourism the position on the application by Kildare County Council for grant aid towards the cost of replacing the swimming pool at Naas, County Kildare; and if he will make a statement on the matter. [11111/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Kildare County Council applied

for grant-aid under the local authority swimming pool programme towards the cost of replacing the swimming pool in Naas. I recently approved the contract documents for this project and this approval allows the Council to seek tenders for the work proposed.

Under the pool programme, the maximum grant available is €3.8 million, which is available towards either the refurbishment of existing pools or the provision of new pools, subject in both cases to the total grant not exceeding 80% of the eligible cost of the project or, in the case of projects located in disadvantaged areas, 90% of the eligible cost. Grant aid is not formally allocated until the tenders have been approved for a project.

Property Management Companies.

481. **Mr. P. McGrath** asked the Minister for Enterprise, Trade and Employment the legislation in place to regulate residential management companies and the property management companies they employ; if new legislation is required; and if he will make a statement on the matter. [10250/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Apartment complex management companies are generally constituted as companies limited by guarantee under the Companies Acts and are required to comply with the relevant provisions of company law.

The operation of such companies under their relevant memorandum and articles of association, including the employment of any property manager or management entity, is a matter for their

[Mr. Martin.]
members, who are the owners of the properties in question.

The company law review group is reviewing the legal provisions relating to companies limited by guarantee with a view to simplifying the law in this as in other areas of company law. Among their recommendations they are likely to propose that there should be no limitation on the maximum number of members a guarantee company may have; and an audit exemption provision should be introduced for guarantee companies. I anticipate bringing the comprehensive set of proposals emerging from the review group to Government for approval to draft a Bill later this year.

Research Funding.

482. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment if more funding will be provided for research and development to focus on the business strategy as worked out at the recent EU summit; and if he will make a statement on the matter. [10922/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Research and development is at the core of the EU's Lisbon strategy. On 6 April 2005 the Commission published its formal proposal for a new EU programme for research, the Seventh Research Framework Programme — FP7 — which will run from 2007-13. The proposal involves a doubling of the research budget to approximately €73 billion over the seven-year period. The proposal is designed to give new impetus to increasing Europe's growth and competitiveness, and covers four specific research programmes as follows: co-operation, trans national collaborative research projects; ideas, frontier research — European Research Council; people, human potential — Marie Curie actions; capacities — research capacities.

The Commission will present its proposal to the competitiveness council on 18 April next where an initial exchange of views will take place. This will be followed by a more substantive orientation debate at the council on 7 June.

Many of the priorities put forward in our January 2005 position paper on FP7 have been reflected in the Commission's formal proposal. However, our openness to supporting the new priority areas included in FP7, such as, frontier research, joint technology initiatives and research infrastructures, will depend to a significant extent on the amount of funding allocated to research in the financial perspectives.

The adoption of the common position on FP7, which involves co-decision procedures with the European Parliament, is not expected until mid-2006 and the Government will work in the negotiations to ensure that the priorities to be funded under the programme, and the rules governing

participation, are such as to facilitate the maximum level of Irish participation in the programme.

At a national level we have taken up the challenges set under the Lisbon Agenda, with the aim of making the Union the most competitive, knowledge-based economy in the World by 2010. This includes the goal that overall spending on research and development and innovation in the EU should be increased to 3% of GDP by 2010, with two thirds of this spend to come from industry. In August 2004, the interdepartmental group set up to examine the national policy implications of the EU's Lisbon Agenda targets on investment in research and development and to make recommendations on how Ireland should respond, reported with Building Ireland's Knowledge Economy—the Irish Action Plan for promoting investment in research and development to 2010.

The action plan took as its starting point the substantial increase in investment by the Government in science, technology and innovation which has resulted in a five-fold increase in investment in the National Development Plan 2000-2006 to €2.48 billion, compared with €0.5 billion over the period 1994-99. It sets the vision that Ireland by 2010 will be internationally renowned for the excellence of its research and be at the forefront in generating and using new knowledge for economic and social progress, within an innovation driven culture.

To realise this vision, the analysis undertaken reveals that the following targets must be achieved: business investment in research and development should increase from €917 million in 2001 — 0.9% GNP — to €2.5 billion in 2010 or 1.7% GNP. This would entail a doubling of the number of companies with minimum scale research and development activity and a quadrupling of the number of enterprises performing significant research and development.

Research and development performance in the higher education and public sectors should increase from €422 million in 2001 — 0.4% GNP — to €1.1 billion in 2010 or 0.8% GNP. The combined increases in performance in business, higher education and public sector research and development should result in gross expenditure on research and development increasing to 2.5% of GNP by 2010. Consequently, the number of researchers should reach 9.3 per 1,000 of total employment by 2010, from approximately 5.1 per 1,000 in 2001.

To work towards these ambitious targets, a Government strategic approach is required. The IDC, established as part of the Government decision on co-ordination and governance of STI, provides an appropriate high level and inter-departmental arena to make recommendations to Cabinet on the steps necessary to implement the research and development national action plan.

This is expected to form a major part of the IDC's work programme in 2005.

Job Creation.

483. **Mr. Perry** asked the Minister for Enterprise, Trade and Employment the steps he has taken to ensure that a task force is established in Sligo to create jobs in 2005 in view of the fact that manufacturing jobs have been lost; and if he will make a statement on the matter. [10052/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The live register figure for County Sligo for March 2005 at 1,995 shows a decrease of 8.74% compared to 2,186 for March 2004. The figure of 1,995 is one of the lowest in more than 12 years. While the live register is not a true record of the level of unemployment, it is nevertheless a useful indicator of the current employment trend.

During my visit to Sligo on 31 March 2005, I announced the creation of 300 new jobs in an IDA Ireland assisted customer contact centre for IDT Toucan which will be located in Finisklin Business Park. This new centre will open later this year. While in Sligo, I was informed by Lotus Automation, an Enterprise Ireland client, that the company has increased employment from 160 jobs to 226 since the beginning of the year and plans to reach 300 by the end of the year.

IDA Ireland and Enterprise Ireland will continue to promote County Sligo to potential investors from a variety of sectors, including medical technologies, pharmaceuticals and international services. Every effort will be made to secure further new investments for the area. In addition to targeting potential new projects, both agencies continue to work with their existing base of companies in Sligo with a view to supporting these companies with potential expansions and diversification of activities. Enterprise Ireland has also approved support to extend the Business Innovation Centre at Sligo Institute of Technology and to develop a design centre of excellence. The Sligo County Enterprise Board provides support for small businesses to develop indigenous enterprise potential and to stimulate economic activity at local level.

The industrial development agencies also work closely with Sligo County Development Board. At the board's last meeting on 2 March 2005, it was agreed that job creation and retraining issues would be discussed by its economic development sub-committee and a task force was not required. The board is best placed to co-ordinate the ongoing industrial needs of Sligo and I share the view that a task force is not required.

Petrol Pricing.

484. **Mr. Carey** asked the Minister for Enterprise, Trade and Employment the way in which the retail price of petrol at the pump com-

pares with that charged in other EU member states; and if he will make a statement on the matter. [10118/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Department of Enterprise, Trade and Employment does not analyse retail petrol prices in Ireland compared with the prices charged in other EU member states. However, this information is available from several organisations. The Automobile Association website, *www.aaroadwatch.ie* contains information for petrol prices in 18 EU member states. The most recent information available on this website is for February 2005 and based on the figures supplied Ireland's petrol prices are almost 10 cent lower than the average price for the 18 listed member states.

Under the Retail Price (Diesel and Petrol) Display Order 1997, sellers of petrol and diesel are legally obliged to display their selling prices. This Order provides the consumer with price information to enable him or her to benefit from price differences between different petrol stations. The Order is enforced by the Office of the Director of Consumer Affairs.

If prices for petrol are affected by agreements between petrol companies or retailers or by an abuse of a dominant position the Competition Authority is there to enforce competition law. Any suspected infringements of competition law should be brought to its attention.

Ministerial Travel.

485. **Mr. Allen** asked the Minister for Enterprise, Trade and Employment if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10177/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I travelled to Australia for the St. Patrick's day celebrations. My official party comprised my private secretary and I. The visit lasted seven days, from Saturday 12 March to Friday 18 March 2005 inclusive. Not all costs for this visit have been submitted or approved, so it is not possible at this point to provide a final cost. The costs which have been approved to date amount to €8,998.83 including all flight and hotel costs.

Grocery Industry.

486. **Mr. Connaughton** asked the Minister for Enterprise, Trade and Employment the position with regard to the review of the Groceries Order; and if he will make a statement on the matter. [10228/05]

487. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment his views on the enclosed submission; the action he intends to

[Mr. Wall.]
take to alleviate the concerns raised in the submission; and if he will make a statement on the matter. [10277/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 486 and 487 together.

I recently received the report of the consumer strategy group which has made recommendations on a wide range of consumer issues including the Groceries Order. I am discussing the group's findings with my Government colleagues and arrangements will be made to publish the report as soon as possible.

Once the report is published, I intend to consult all interested parties on the Groceries Order. I am also aware of the findings of the Oireachtas Joint Committee on Enterprise and Small Business in its recent report on the impact of the grocery multiples.

I will take the views of all interested parties into consideration before deciding how to proceed in the matter.

Job Initiatives.

488. **Mr. McGuinness** asked the Minister for Enterprise, Trade and Employment if he has received a report from the enterprise development officer funded through his Department; if all of the workforce of Comerama, now closed, have found employment or have been offered courses in new skills to assist them in finding new employment as was promised by his Department; if the issue of retrospective payment for these persons only was ever raised by his Department or the unions at meetings of the social partners; if precedents have already been set by the State in closures similar to Comerama; and if he will make a statement on the matter. [10362/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): A full-time business development executive has been employed by Kilkenny County Enterprise Board to work with a local employment action group in Castlecomer. Enterprise Ireland is part-funding the cost for a two year period up to June 2005. An inter-agency advisory forum was established to work with the business development executive to progress the employment agenda for the Castlecomer area. The forum is chaired by the County Manager. It includes the development agencies and the Castlecomer Area Employment Action Group. It is expected that the chairman will issue a report on the work of the forum when the business development executive's assignment is completed in June 2005.

The Comerama facility was purchased by IJM Timber Engineering Ltd., the Monaghan-based timber frame housing company, in March 2004.

This project is expected to create 50 jobs over the next 12 months and has the potential to create significant additional employment thereafter.

The total number of employees made redundant by Comerama was 164. Of these, 150 attended for interviews with FÁS. Subsequently, 136 people were called for training and 98 of these attended. Most of this training took place between February and June 2003. Some further training was provided for 35 individuals. Training was completed in 2003 and, at that time, FÁS records indicated that 50% of the workforce who had engaged with FÁS on training programmes had progressed to employment. There have been numerous representations made on this matter by union and public representatives, and many parliamentary questions have been tabled about the Comerama workers over the past two and a half years.

Regarding the question of retrospective statutory redundancy payments, the legal advice given to my Department by the Attorney General was that: enhanced statutory redundancy payments would require legislation to be enacted in order to be brought into effect, and as the payment of a statutory redundancy lump sum is a legal requirement on employers, it could not be imposed on them with retrospective effect. Employers are entitled to due notice, usually approximately two months, of the intention to require them legally to pay enhanced rates.

Unfortunately for the workers concerned therefore, my Department is legally precluded from paying the enhanced rates of redundancy with retrospective effect, as the workers were declared redundant some time before the new legislation — the Redundancy Payments Act 2003 — came into effect on 25 May 2003.

The case was also made on behalf of these workers that if it was not legally possible to meet their claim for payment of the enhanced rates, the Government should consider bringing a scheme to the Oireachtas to enable them to be paid the enhanced rates from the social insurance fund as a special case. This proposal was also considered and deemed impractical. It would mean making a special case for the workers concerned on the basis that they had missed out by being made redundant quite some time before the Oireachtas passed the new enhanced rates into law. Many thousands of other workers are in a similar position and could also make a case for special treatment.

Concerning special retrospective redundancy payments, no precedents have been set by the State with regard to closures similar to that of Comerama.

Work Permits.

489. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment the position

regarding a person (details supplied) seeking a work permit; and if he will make a statement on the matter. [10389/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permit section of my Department recently decided to refuse the application for a work permit in this case on the following grounds: from documentation submitted in support of the application it appeared that the proposed employee, while resident in the State, did not have current valid residency permission. There appeared to be no evidence to show that sufficient efforts were made by the employer to recruit an EEA national to fill the position. The employer has been notified of this decision in writing and has been informed of the right of appeal.

Community Employment Schemes.

490. **Dr. Cowley** asked the Minister for Enterprise, Trade and Employment if he will consider extending the maximum period for participation in a community employment scheme past its present three year limit; if he will extend the former under 55 years of age participants to six years; and if he will make a statement on the matter. [10391/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): FÁS employment programmes, which comprise community employment social economy and job initiative, will provide a total of 25,000 places in 2005. Community employment schemes offer work experience and training opportunities for the long-term unemployed and other disadvantaged groups with the aim of assisting participants to progress to a job in the open labour market. There are specific arrangements to facilitate persons with disabilities availing of opportunities on these schemes.

I have reviewed current policy on the operation of the FÁS employment schemes, and announced that with effect from 10 November 2004 the three year cap would be removed for participants aged 55 or over. Such persons are now eligible to participate on community employment schemes for a maximum of six years. This arrangement will in particular benefit persons with disabilities. I have no plans to make further changes to community employment scheme eligibility criteria.

Job Creation.

491. **Mr. O'Dowd** asked the Minister for Enterprise, Trade and Employment the progress in employment creation in County Louth with particular reference to the towns of Drogheda, Dundalk and Ardee; the number of jobs created in each location since 2000 by each Government agency and the capital investment made by each

Government agency by location in County Louth for each of the years listed. [10447/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Under the Industrial Development Acts support for job creation and investment on a regional or local basis comes within the remit of the industrial development agencies. IDA Ireland is marketing individual areas as a location for additional foreign direct investment, while Enterprise Ireland is concentrating on the development of indigenous industries, and the 35 City and County Enterprise Boards have responsibility for the micro-enterprise sector.

Enterprise Ireland activity in County Louth focuses on the retention and creation of new jobs in existing companies, supporting the set up of high potential start-up companies and enhancing the innovation capability of Ireland at national and regional levels through supporting research in companies and third level institutions. County Louth has benefited from the establishment of three major companies in Dundalk and Drogheda in recent years: Hilton Foods Ltd. in Drogheda, Irish Life in Dundalk and Boyle Sports Ltd. also in Dundalk.

Enterprise Ireland is also providing support under the Community Enterprise Centre Programme 2002 to Drogheda Development Centre, which is a joint collaboration between Dundalk Institute of Technology and Drogheda Corporation, and is home to three high growth companies whose employment potential is expected to grow significantly over the next two years, and to Ardee Business Park for an extension that will see the addition of ten new units. In addition the agency has provided significant funding for incubation space at the Regional Development Centre at the Dundalk Institute of Technology. Phase 4 of the project, which consists of an additional 15 units, has just been completed and Enterprise Ireland will work closely with the centre to identify suitable client companies for the units.

Louth County Enterprise Board is involved in the economic and social development of the county and provides a single point of contact at local level for new and established small businesses in the region. Subject to certain eligibility criteria, enterprises may qualify for support from the board in the form of feasibility, employment and capital grants. In addition, the board delivers a comprehensive range of development and support programmes designed to help new and existing enterprises to operate effectively and efficiently.

The board has assured me that it will continue to be proactive in ensuring that available funds are targeted to maximise entrepreneurial development in the Drogheda, Dundalk and Ardee areas. IDA Ireland is promoting its newly

[Mr. Martin.] developed flagship site in Drogheda and the Finnabair Business Park in Dundalk. The agency is working closely with several clients to ensure they can capitalise on the considerable investment by Government in roads, water provision and treatment and other key infrastructure, as well as education, that has already taken place in

the county. IDA Ireland's regional strategy also includes working with existing companies to facilitate their transition to continually higher value activities.

The table shows the numbers of new jobs created in County Louth by each of the agencies for each of the years 2000 to 2004, as well as their total capital investment in County Louth.

Number of new jobs created by each of the development agencies in County Louth in each of the years 2000 to 2004.

Year	Enterprise Ireland	Louth County Enterprise Board	IDA Ireland
2000	243	57	1,012
2001	535	92	155
2002	265	26	179
2003	239	52	39
2004	554	117	101

Total investment by each of the development agencies in County Louth in each of the years 2000 to 2004.

Year	Enterprise Ireland	Louth County Enterprise Board	IDA Ireland (Property related capital projects)
2000	€1,665,919	€195,935	€26,237,357
2001	€3,135,792	€308,228	€357,606
2002	€1,407,491	€275,360	€3,358,047
2003	€1,276,173	€178,898	€3,985,787
2004	€1,194,956	€299,767	€3,026,565

Unsolicited Goods.

492. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 259 of 22 March 2005, the basis on which the protection afforded under the Sale of Goods and Supply of Services Act 1980 in respect of unsolicited goods is not applicable to business to business transactions; if this is due to a statutory or policy decision by the Office of the Director of Consumer Affairs not to undertake investigations or handle complaints in relation to matters raised by businesses, as consumers of goods or services; and if he will make a statement on the matter. [10487/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): My reply to the Deputy's earlier question was based on the understanding that the practice complained of was one that was set down in the terms and conditions of supply specified by the distribution companies involved. Such terms and conditions are not uniform but they would, typically, give the supplier the right to specify a minimum order number. That being so, I took the view that this is a contractual matter for the parties concerned. However, before replying, I did consider the possible impact of regulations in force regarding unfair contract terms.

It is the case that contracts involving business to consumer transactions are subject to the European Communities (Unfair Terms in Consumer Contracts) Regulations 1995 (S.I. No. 27/1995) which empowers the Director of Consumer

Affairs to seek an order from the High Court prohibiting the continued use of any term in a contract concluded with a consumer by a supplier which is adjudged by the court to be unfair. I am advised, however, that the provisions of the 1995 regulations do not extend to business to business transactions. Consequently, I stated in my earlier reply that the Director of Consumer Affairs would have no role in the matter. This remains the case, at least in so far as the enforcement of that particular regulation is concerned.

In his latest question, the Deputy makes reference to the Sale of Goods and Supply of Services Act 1980. Section 7 of that Act confers a role on both me, as Minister, and on the Director of Consumer Affairs, in regard to prosecuting offences under that Act. I would have to point out, however, that the supply of unsolicited goods is not, of itself, an offence under the Act. An offence may arise in circumstances where payment is sought in respect of unsolicited goods.

Even so, it is not at all clear to me at this point, that the practice referred to by the Deputy involves the supply of unsolicited goods within the meaning of section 47 of the 1980 Act. Given the existence of the terms and conditions of supply that I have referred to, the provisions of any contract existing between the parties concerned and of any agreement governing the sale or return of the goods, as well as the payment terms involved, would all have to be considered. It may be that section 30 of the Sale of Goods Act 1893

which concerns delivery of the wrong quantity of goods may also be relevant.

In those circumstances, it is only prudent to repeat my advice that the practices referred to in the Deputy's question may impinge upon contractual law and retailers may wish to consult their legal representatives on how best to proceed in addressing such concerns. I have attempted to reply to the Deputy's question in a comprehensive manner but I stress that I do not have full details of the case the Deputy had in mind when he framed the question. Nor, at this point, have I the benefit of legal opinion in the matter. I will undertake to have my Department re-examine this matter and, if necessary, seek legal advice as to the applicability of relevant consumer law. In that regard, it would be helpful if the Deputy could supply me with any information at his disposal that might assist that process.

The Deputy's question raises an issue in regard to the role of the Director of Consumer Affairs in business to business transactions. Most modern law does make it clear that the protection afforded is in respect of consumer transactions only and "consumer" is most often defined as a person "acting for purposes which are outside that person's trade, business or profession". Older consumer law does not always make that distinction and, of course, the Director of Consumer Affairs does, and will continue to, exercise a role in regard to business to business transactions where the law so requires.

Notwithstanding the foregoing, I would see the director's primary role as being to uphold and enforce the rights of ordinary consumers under

the statutes within her remit and, as a matter of policy, I would not like to see her becoming involved on a routine basis in contractual disputes involving business to business transactions. Any argument that might be made for the director's involvement in such cases would have to be considered in terms of the relevant statutory provisions, the additional burdens such involvement would place on the resources available to the Director and the implications of such involvement in terms of her primary role.

Work Permits.

493. **Dr. Upton** asked the Minister for Enterprise, Trade and Employment the number of applications for work permits received, per country, for 2004; the number of work permits awarded per country; and if he will make a statement on the matter. [10491/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): In 2004, the work permit section of my Department received 35,553 applications from employers seeking work permits in respect of non-EEA nationals. Some 34,067 applications were granted and 1,486 were refused. Of the 34,067 permits issued, 5,107 were issued in respect of workers from the new EU member states, who required work permits up to 30 April 2004 and the remainder were issued in respect of citizens of the non-EEA area. A detailed breakdown of the work permits issued and refused per country is set out in the following appendix.

For further work permit statistical information, the Deputy may wish to look at my Department's website on www.entemp.ie.

APPENDIX

Permits Issued by Nationality: 1 January-31 December 2004

Year	Nationality	New Permits	Renewals	Group	Issued	Refused
2004		10,020	23,246	801	34,067	1,486
	Albania	10	51	0	61	1
	Algeria	20	73	0	93	11
	Antigua & Barbuda	0	1	0	1	0
	Argentina	21	46	0	67	4
	Armenia	1	0	0	1	1
	Australia	470	438	0	908	9
	Austria	1	0	0	1	0
	Azerbaijan	2	2	0	4	0
	Bahamas	1	1	0	2	0
	Bahrain	5	4	0	9	0
	Bangladesh	114	895	0	1,009	95
	Barbados	3	2	0	5	0
	Belarus	55	705	0	760	42
	Bhutan (Kingdom of)	0	1	0	1	0
	Bolivia	2	2	0	4	0
	Bosnia Herzegovina	7	59	0	66	1
	Bosnia	0	1	0	1	0
	Botswana	10	24	0	34	0
	Brazil	188	1,324	0	1,512	39
	Brunei	2	0	0	2	0

Year	Nationality	New Permits	Renewals	Group	Issued	Refused
	Bulgaria	105	616	0	721	27
	Burma	1	0	0	1	0
	Burundi	1	0	0	1	1
	Cameroun	1	15	0	16	0
	Canada	129	140	0	269	7
	Chad	1	0	0	1	0
	Chile	6	14	0	20	2
	China	212	1,072	0	1,284	191
	Colombia	2	23	0	25	1
	Congo Republic of	0	1	0	1	0
	Congo (Democratic Republic of)	0	1	0	1	0
	Costa Rica	1	2	0	3	0
	Croatia	29	112	0	141	9
	Cuba	1	5	0	6	0
	Czech Republic	95	170	0	265	1
	Ecuador	1	8	0	9	1
	Egypt	52	205	0	257	12
	El Salvador	0	3	0	3	0
	Eritrea	0	1	0	1	1
	Estonia	185	108	0	293	2
	Estonia (alien)	1	12	0	13	0
	Ethiopia	2	13	0	15	0
	Federal Republic of Yugoslavia	0	1	0	1	0
	Gambia	0	4	0	4	0
	Georgia	2	11	0	13	0
	Ghana	2	17	0	19	0
	Guatemala	0	2	0	2	0
	Haiti	1	1	0	2	0
	Honduras	0	2	0	2	0
	Hong Kong	16	164	0	180	8
	Hong Kong S.A.R.	0	1	0	1	0
	Hungary	43	29	0	72	1
	India	550	703	0	1,253	74
	Indonesia	23	33	0	56	12
	Iran	3	34	0	37	1
	Iraq	2	4	0	6	0
	Israel	8	11	0	19	1
	Ivory Coast	1	2	0	3	1
	Jamaica	2	15	0	17	2
	Japan	101	134	0	235	4
	Jordan	8	14	0	22	4
	Kazakhstan	2	34	0	36	0
	Kenya	2	7	0	9	0
	Korea (Democratic Peoples Republic of (South))	10	30	0	40	3
	Kosovo	4	26	0	30	1
	Kuwait	3	1	0	4	0
	Kyrgyz Republic	2	3	0	5	1
	Lativa (Alien)	11	151	0	162	4
	Latvia	506	695	0	1,201	22
	Latvian	0	5	0	5	0
	Lebanon	4	15	0	19	4
	Lesotho	0	0	0	0	1
	Libya	4	5	0	9	2
	Lithuania	644	594	0	1,238	12
	Macau	1	2	0	3	0
	Macedonia (FYR)	4	7	0	11	0
	Malawi	0	7	0	7	0

Year	Nationality	New Permits	Renewals	Group	Issued	Refused
	Malaysia	214	672	0	886	54
	Malta	2	0	0	2	0
	Mauritania	3	4	0	7	0
	Mauritius	3	26	0	29	2
	Mexico	10	29	0	39	3
	Moldovia	86	763	0	849	39
	Mongolia	2	9	0	11	0
	Morocco	27	109	0	136	11
	Mozambique	0	1	0	1	0
	Myanmar	6	58	0	64	0
	Namibia	1	2	0	3	0
	Nepal	27	53	0	80	5
	New Zealand	234	316	0	550	14
	Niger	7	2	0	9	0
	Nigeria	33	27	0	60	6
	Oman	3	0	0	3	0
	Pakistan	177	669	0	846	118
	Palestine	1	0	0	1	0
	Panama	1	0	0	1	0
	Paraguay	2	4	0	6	0
	Peru	4	11	0	15	1
	Philippines	880	3,421	0	4,301	152
	Poland	1,171	744	0	1,915	9
	Republic of China (Taiwan)	1	0	0	1	0
	Republic of Korea	2	1	0	3	0
	Romania	185	1,928	0	2,113	124
	Russia	116	679	0	795	23
	Saudi Arabia	1	0	0	1	0
	Senegal	2	3	0	5	0
	Serbia	1	0	0	1	0
	Seychelles	1	0	0	1	0
	Sierra Leone	2	2	0	4	0
	Singapore	8	12	0	20	0
	Slovakia	86	33	0	119	0
	Slovenia	3	2	0	5	0
	Somalia	1	0	0	1	0
	South Africa	695	1,336	0	2,031	77
	South Korea	0	1	0	1	0
	Sri Lanka	34	110	0	144	6
	Sudan	4	7	0	11	0
	Swaziland	1	2	0	3	0
	Switzerland	1	0	0	1	0
	Syria	3	33	0	36	3
	Taiwan	5	6	0	11	0
	Tanzania	1	13	0	14	0
	Thailand	136	371	0	507	42
	Trinidad & Tobago	11	9	0	20	0
	Tunisia	14	62	0	76	2
	Turkey	903	288	0	1,191	27
	Turkmenistan	0	1	0	1	0
	Uganda	0	4	0	4	0
	Ukraine	440	1,697	0	2,137	95
	United Arab Emirates	10	0	0	10	0
	United States of America	516	411	0	927	22
	Uruguay	1	1	0	2	1
	Uzbekistan	5	7	0	12	0
	Venezuela	4	15	0	19	0
	Vietnam	10	53	0	63	9

Year	Nationality	New Permits	Renewals	Group	Issued	Refused
	West Indies	0	2	0	2	0
	Yemen	1	0	0	1	0
	Yugoslavia	0	4	0	4	0
	Yugoslavia (Federal Republic of)	186	103	0	289	0
	Zambia	1	3	0	4	1
	Zimbabwe	39	212	0	251	17
	(Group Permits)	0	0	801	801	1

Decentralisation Programme.

494. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10530/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Under the decentralisation programme, approximately 300 core staff from my Department will be relocated to Carlow. The following business units-offices of my Department have been selected as part of the decentralisation programme and will be relocated in the new decentralised office: Companies Registration Office-Registry of Friendly Societies. Office of the Director of Consumer Affairs. Work Permits. Labour Inspectorate-Employment Rights. Redundancy Payments Section. Insolvency Payments Section.

All of the business units-offices listed are currently Dublin-based but the ODCA operates a small office in Cork city with three staff and no decision has yet been made regarding the relocation of this office to Carlow. There is only one other office of my Department that currently operates outside of Dublin, the Patents Office, and it is based in Kilkenny. The Patents Office is not included in the current decentralisation programme.

Grocery Industry.

495. **Mr. P. McGrath** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the campaign to have FAIRTRADE products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such fair trade approved products used in his Department. [10561/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): I am aware of the formal trade campaign with a very specific focus on raising consumer awareness which operates under the certification of the FAIRTRADE mark and to have FAIRTRADE products widely available and used.

The objectives of the campaign are recognised as positive, as trade is increasingly recognised as

an important and effective lever for development and hence the alleviation of poverty. Ireland, in common with other EU member states has placed a very clear emphasis on the need to assist developing countries, LDCs, in their integration into the world economy as a necessary condition for their future development. Such integration, which is one element in the process of poverty reduction in the LDCs will be deeper and fairer if anchored in the WTO multilateral trading system.

The decision to use any FAIRTRADE product by my Department would be subject to compliance with public procurement rules and it is a matter for the enterprises supplying services such as cafeteria services in the Department to make their own commercial decisions in sourcing their supplies.

Industrial Development.

496. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment the reason Dublin and not Cork, the region with the highest concentration of pharmaceutical plants in the country, has been chosen as the location for the development of a national institute for bioprocessing research and training. [10595/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment. FDI, to Ireland and its regions. While I may give general policy directives to the agency, I am precluded under the Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

On 23 July 2004, IDA Ireland, through a series of newspaper advertisements, invited proposals from collaborative groups of academic institutions to undertake the establishment of the National Institute for Bioprocessing Research and Training in Ireland. A detailed invitation specification document was issued to prospective applicants which outlined the background, the needs to be addressed, required elements, outputs-deliverables expected, criteria for adjudication and the proposal content details to be submitted.

Proposals were received from three consortia by the closing date of 15 October 2004 and a panel of international experts reviewed the quality, value and impact of the proposed activity on 15 November 2004. The panel's evaluation report, which recommends that IDA in the first

instance negotiate with the consortium led by UCD, with Trinity College Dublin and Sligo Institute of Technology as partners, was considered by the board of IDA Ireland on 8 December 2004. They agreed to proceed to the next stage in the process and commence negotiations as recommended by the panel.

I understand these negotiations are well under way and are dealing with the wide range of substantive issues and recommendations identified in the evaluation report, which were considered by the international experts to be necessary for the successful establishment of the institute. Needless to say, the issue of location will be an integral part of this negotiation process. It is anticipated that a proposal, which addresses all the issues for success, will be considered by the board of IDA Ireland within the coming months before being recommended to Government for consideration.

Community Employment Schemes.

497. **Mr. English** asked the Minister for Enterprise, Trade and Employment the number of places provided for in drug related community employment projects; the number of such employment places currently filled and unfilled; the efforts made to ensure that there is a full take up of such schemes; and if he will make a statement on the matter. [10615/05]

498. **Mr. English** asked the Minister for Enterprise, Trade and Employment the number of training and employment opportunities for drug misusers provided by FÁS through community employment schemes each year from 2001 to 2004 inclusive; if the target of a 30% increase in the number of such opportunities as set out in the National Drugs Strategy has been reached; and if he will make a statement on the matter. [10616/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 497 and 498 together.

FÁS policy is to respond positively to the demand for places on community employment, CE, from persons referred to it by the national drugs task force. The number of places filled for this purpose from 2001 to 2004 inclusive, is as follows:

Year	Number
2001	749
2002	873
2003	855
2004	896

There are an additional number of CE places taken-up by drug mis-users, which do not come through the drugs task force and are integrated with the mainstream provision. FÁS estimate these places at 200 at any one time.

I am informed by FÁS that overall provision on community employment is in the order of

1,100 and exceeds the 30% increase as set out in the national drugs strategy.

Grant Payments.

499. **Mr. Broughan** asked the Minister for Enterprise, Trade and Employment the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10666/05]

500. **Mr. Broughan** asked the Minister for Enterprise, Trade and Employment the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10667/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 499 and 500 together.

The projects listed have been awarded assistance from the European Social Fund by my Department under the EU's EQUAL Community Initiative Programme. EQUAL seeks to identify and address fundamental forms of discrimination and inequality in the labour market through the development of new and innovative policies and practices. Projects are operated by consortia known as development partnerships. While all development partnerships funded under EQUAL have a wider equality dimension, the first project is specifically targeted at men, and the subsequent projects are targeted specifically at women. The projects were awarded a global allocation in 2002 to cover the period to mid 2005.

The Traveller Economy Sectoral Partnership was awarded €740,471. The aim of the project is to develop innovative responses to address the underlying issues impeding the engagement of Traveller men in the Traveller economy.

The Work Life Balance Network Partnership was awarded €824,839. The aim of the project is to explore and facilitate the absorption of work life balance policies and promote models of good practice in semi-state bodies, local authorities and some private organisations that are currently facing a period of significant change.

The National Flexi-Work Partnership was awarded €1,205,604. The aim of this project is to develop new models of working, which will facilitate the reconciliation of work and family life and to encourage employers and policy makers to incorporate these models into their normal practices.

The Longford Equal Development Partnership Limited was awarded €375,934. The aim of the project is to develop a partnership that will devise and implement comprehensive, integrated and

[Mr. Martin.] effective inter-agency strategies and actions in order to address the structural and attitudinal impediments to women becoming self employed.

In addition to the projects mentioned, the following were awarded ESF funding in March 2005. The Longford Equal Development Partnership Limited was awarded €525,000. Longford EQUAL aims to bring about a radical improvement in the sustainability and development of women-led businesses by articulating and enhancing the understanding of lessons learned from practice, so that they can impact on policy formulation in the area of support for women's entrepreneurship.

The North West Alliance for Improving Working Lives was awarded €844,643. The project aims to improve the quality of working life for women and men by creating the conditions at work to promote attendance, particularly among vulnerable workers, to support and retain staff by using innovative organisational work based supports, to reduce the gender pay gap and to contribute to the modernisation of public and community sector services.

The Leadership Initiative — Females in Trade Unions — LIFT was awarded €1,058,208. The LIFT project aims to achieve organisational change and develop skills targeted towards addressing the under-representation and participation by women at leadership level in the trade union movement.

Work Permits.

501. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment the number of work permits issued to non-nationals by nationality; and the skills or areas of employment in which they were issued in respect of each year since 1997; and if he will make a statement on the matter. [10710/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Detailed statistics on work permits, are available on the work permits web page of my Department's website at *www.entemp.ie*. I have arranged to have the Deputy supplied with details of the work permits issued by nationality and sector in respect of each year since 1997.

Departmental Bodies.

502. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10878/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The annual fees paid to the chairpersons and directors of State bodies under the remit of my Department are as follows: The chairperson and directors of FÁS, IDA, EI, Forfás, SFI, PIAB and SFADCo receive an annual fee of €15,237 and €10,158, respectively. The

chairperson and directors of the NSAI, and Crafts Council of Ireland receive an annual fee of €10,158 and €6,349, respectively. The chairperson of the HSA receives an annual fee of €10,158. HSA directors do not receive a fee.

The chairperson and directors of IAASA receive an annual fee of €7,618 and €5,079, respectively.

Industrial Disputes.

503. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to compel GAMA to furnish immediate and full information to its workers regarding all money paid into accounts in their names at a bank in Holland. [11265/05]

504. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment if he will request the Minister for Finance of the Netherlands and the Netherlands Central Bank to investigate a bank (details supplied), their management of the accounts of GAMA workers and an investment company into which GAMA workers funds are channelled. [11266/05]

505. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to compel GAMA to send a statement each month to each of its workers giving the real hours which workers have worked since starting employment with GAMA. [11267/05]

506. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to compel GAMA to send a statement each month to each worker giving all the wages paid with details of the amount which has gone into each bank account. [11268/05]

507. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to enforce payment of all wages owed to workers employed by GAMA. [11269/05]

509. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to ensure that the report of the Labour Inspectorate into GAMA can be published without further delay. [11271/05]

510. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to compel GAMA to send a statement to each of its workers giving the total wages owed to workers based on the agreed trade unions rates. [11274/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 503 to 507, inclusive, 509 and 510 together.

These questions relate to a particular company which has been the subject of an investigation by the Labour Inspectorate of my Department. The issues raised in these questions are the subject of, or arise from, proceedings currently before the High Court. Accordingly, I am constrained from publishing the report of the investigation until

such time as the injunction relating thereto is lifted. I am also constrained from elaborating further on issues which arise in the context of the report.

508. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment the steps he is taking to enforce legal rates of pay, working hours and the production of proper pay-slips by GAMA. [11270/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Labour Inspectorate is continuing to collect evidence relating to possible breaches of employment law that may be used in future legal proceedings.

Questions Nos. 509 and 510 answered with Question No. 503.

Social Welfare Benefits.

511. **Mr. Ring** asked the Minister for Social and Family Affairs if his Department will be stopped from actively encouraging persons to transfer from the post office to the banks. [11548/05]

513. **Mr. P. Breen** asked the Minister for Social and Family Affairs if he will reconsider his proposals regarding the continuation of all social welfare payments at rural local post offices throughout the country and the influence being exercised by his Department to encourage recipients to receive their payments through the bank; and if he will make a statement on the matter. [10003/05]

517. **Dr. Upton** asked the Minister for Social and Family Affairs if all social welfare payments will continue to be paid *via* the post office; and if he will make a statement on the matter. [10131/05]

527. **Mr. Bruton** asked the Minister for Social and Family Affairs his policy in relation to the move from payment books to electronic crediting of bank accounts for social welfare clients; the arrangements which have been made with financial institutions to ensure that social welfare recipients would not face unwanted bank charges as a result of the transfer; the typical saving in costs to his Department of moving from a payment book to an electronic transfer. [10461/05]

542. **Ms O. Mitchell** asked the Minister for Social and Family Affairs the way in which he proposes to increase the number of welfare payments made electronically; and if persons wishing to continue to collect their payments via payable orders in An Post will continue to be facilitated once the proposed changes are introduced. [10805/05]

546. **Mr. Howlin** asked the Minister for Social and Family Affairs if his attention has been drawn to the importance to the viability of the post office networks that social welfare payments be made through the post office; if his attention has further been drawn to the fact that the post

office is not listed as a payment method on some social welfare forms; his views on whether this method of payment is important for social and community reasons; and if he will make a statement on the matter. [11136/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 511, 513, 517, 527, 542 and 546 together.

My Department's policy is to ensure that a range of payment options is available to customers and that service is continually improved by providing access to the wide range of payment options and new services and facilities now available.

Current payment methods include payment at post offices by means of a pension order book, electronic or manual post draft issued to the customer's designated post office each week, payment by cheque to the home address of customers, and direct payment to customers' bank or building society accounts by electronic fund transfer. Where possible, my Department provides a payment option which best suits the needs of customers.

The option of having payments made at the post office is available for most schemes. In these cases the availability of the option is reflected in the claim form. Some short-term schemes, such as disability benefit, traditionally do not have a post office payment option and, therefore, that option does not appear on the claim forms for those schemes.

The growth in recent years in the number of customers opting for direct payments reflects the changing profile of my Department's customer base, the increasing use of electronic banking services in society generally, and the extension of the direct payment option to more of my Department's schemes.

Some 59% of customers currently receive payment through their local post office, 10% are paid by cheque through the postal system, mainly short-term schemes, and 31% receive direct electronic payment through their bank or building society account. An Post provides a direct payment option to Post Office Savings Bank accounts which, however, require a seven day advance notice of withdrawal.

Bank charges arising for customers availing of the direct payment option are a matter for each customer having regard to their personal banking arrangements. It is understood, however, that some financial institutions offer special facilities to elderly persons involving free banking or reduced banking charges.

In regard to transaction costs, my Department incurs a cost of €1.24 for each payment made through the post office network. There is no cost to my Department in respect of direct payments lodged to a customer's bank or building society account.

As I have already announced, a comprehensive review by my Department of its payment methods is currently under way to identify a

[Mr. Brennan.]
system for the future that will respond most effectively to the individual needs of customers and deliver a service that is flexible and cost effective. This review will take full account of the effectiveness of the existing systems that are used, current trends and offerings in the financial services sector, and the rapid advances in card-based technologies.

The increased use of electronic systems will open up possibilities for improved service and greater efficiency in payment delivery generally in the future. I am aware that An Post are actively engaged in considering these possibilities and their future role in this regard. The Government is committed to maintaining a viable network of post offices throughout the country and the issues involved are under consideration by my colleague, the Minister for Communications, Marine and Natural Resources, who is the Minister responsible for An Post.

512. **Ms Enright** asked the Minister for Social and Family Affairs if he intends to increase the months in which the free fuel allowance is given out; and if he will make a statement on the matter. [9941/05]

Minister for Social and Family Affairs (Mr. Brennan): The aim of the national fuel scheme is to assist householders in receipt of long-term social welfare or health board payments and who are unable to provide for their extra heating needs during the winter season. A fuel allowance of €9 per week is paid to eligible households, with an additional €3.90 per week being paid in designated urban smokeless zones, bringing the total amount in those areas to €12.90 per week. Fuel allowances are payable weekly for a 29 week period from mid-October to end-April each year.

Significant increases in recent years in primary social welfare payment rates, such as the old age pension, have improved the income position for people dependent on the social welfare system. These rates are payable throughout the year and are intended to cover basic living costs, including cooking and heating, supplemented where applicable by the fuel allowance during the winter heating season. In addition, many households also qualify for electricity or gas allowances throughout the year under the social welfare household benefits scheme.

There are no plans at present to extend the period for which fuel allowances are payable each year. Any such changes in the scheme would have significant cost implications and would have to be considered in a budgetary context in the light of other priorities.

Question No. 513 answered with Question No. 511.

514. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs the rent subsidy entitlements a person (details supplied) in Dublin 10

would be entitled to if they will find a flat. [10004/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive.

In general, rent supplement is payable where applicants are assessed by a housing authority as being homeless, or have an unmet housing need, and where they are unable to meet their accommodation needs through their own resources. However, a detailed assessment of the particular circumstances is required in order to determine eligibility and rate of payment in any individual case.

The Dublin-mid-Leinster area of the executive has advised that there is no record of an application for rent supplement from the person concerned. If he wishes to apply, he should contact the community welfare officer at his local health centre for an assessment of his circumstances and eligibility.

515. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs the position regarding a person (details supplied) who is on supplementary welfare for about a year; and if they are due arrears of payment. [10005/05]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme is administered on my behalf by the community welfare division of the Health Service Executive.

The Dublin-mid-Leinster area of the executive has advised that the person concerned had initially been awarded supplementary welfare allowance pending the outcome of an application by him for unemployment assistance. He subsequently applied to the Department for disability allowance. This application was refused on medical grounds and he has appealed this decision to the Social Welfare Appeals Office. Payment of supplementary welfare allowance to him is being continued by the executive pending the outcome of this appeal.

The executive has further advised that payment of the supplementary welfare allowance was stopped in error at the end of January 2005. When the error came to light, the allowance was resumed immediately and all arrears of allowance due were paid to him then.

516. **Mr. F. McGrath** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in Dublin 5. [10012/05]

Minister for Social and Family Affairs (Mr. Brennan): I understand that this question relates to arrangements to have a social worker visit the person concerned to discuss her circumstances.

The provision and deployment of social worker services is a matter for the Health Service Executive and the Deputy should raise the matter with the executive directly, or with my colleague, the Minister for Health and Children who has overall responsibility for such services.

Question No. 517 answered with Question No. 511.

518. **Mr. Penrose** asked the Minister for Social and Family Affairs the position whereby carers who receive an additional bonus for Christmas have indicated that the fuel allowance is taken from them; if this is the position; and if he will make a statement on the matter. [10161/05]

Minister for Social and Family Affairs (Mr. Brennan): Carer's allowance is not a qualifying payment type for fuel allowance entitlement purposes and for that reason, fuel allowance is not paid to people on carer's allowance under the national fuel scheme. People in receipt of carer's allowance qualify for the Christmas bonus each year. The fact that fuel allowance is not payable to these recipients is not related to the fact that the Christmas bonus is paid.

Ministerial Travel.

519. **Mr. Allen** asked the Minister for Social and Family Affairs if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10178/05]

Minister for Social and Family Affairs (Mr. Brennan): I travelled to Estonia to represent the Government at various ceremonies which celebrated St. Patrick's Day. I also had bilateral meetings with the Estonian Social Affairs Minister and the Vice-Chairman of the Estonian Parliament Social Affairs committee and gave a number of press interviews. My official party travelled by Government jet to Tallinn on Wednesday night, 16 March and returned on Thursday night, 17 March 2005. I was based in Tallinn in accommodation organised by the Irish Embassy. The costs of the trip are not yet available.

The official party consisted of myself, my special adviser, my press adviser and my private secretary.

Social Welfare Benefits.

520. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved for the free electricity and television licence. [10343/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for an electricity allowance and a free television licence on 3 March 2005. He has been awarded an electricity allowance with effect from 15 December 2004. He has also been awarded a free lifetime

television licence with effect from his next renewal licence after 15 December 2004. If he has purchased a licence since that date he should forward proof of purchase of the licence, that is, a copy of the licence or a receipt from An Post, in order to receive a refund. The proof should be forwarded to the Free Schemes Section, Pension Services Office, College Road, Sligo. The ESB have been notified to apply the allowance to his account as soon as possible.

According to the records of my department, the person concerned has never applied for a telephone allowance. If he wishes to do so, he should complete the relevant application form which I have arranged to have issued directly to him. The completed form should, again, be returned to the Sligo office.

521. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved for free electricity and television licence. [10344/05]

Minister for Social and Family Affairs (Ms. Brennan): The person concerned applied for an electricity allowance and a free television licence on 29 November 2004. He was requested to provide further details to assist in dealing with his claim. Following receipt of these details, he was awarded an electricity allowance with effect from 29 September 2004. He was also awarded a free lifetime television licence with effect from the next renewal licence after 29 September 2004. If he has purchased a licence since that date he should forward proof of purchase of the licence, that is, a copy of the licence or a receipt from An Post, in order to receive a refund. The proof should be forwarded to the Free Schemes Section, Pension Services Office, College Road, Sligo. The ESB have been notified to apply the allowance to his account as soon as possible.

According to the records of my department, the person concerned has never applied for a telephone allowance. If he wishes to do so, he should complete the relevant application form which I have arranged to have issued directly to him. The completed form should, again, be returned to the Sligo office.

Social Welfare Appeals.

522. **Mr. Ring** asked the Minister for Social and Family Affairs if an oral hearing will be held for a person (details supplied) in County Mayo who has applied for the carer's allowance, has been refused and has sent in further substantial medical evidence. [10372/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for carer's allowance on 3 December 2004. The principal conditions for receipt of the allowance are that full-time care and attention is required and being provided and that the means test that applies is satisfied.

[Mr. Brennan.]

Her application was refused on the grounds that full-time care and attention as prescribed in regulations was not required in this case. She submitted further medical evidence as a result of which her application for carer's allowance was reviewed. However, there was no change in the original decision as a result of the review.

The person concerned was notified of the original decision, the reason for it and her right to appeal, on 11 February 2005. Notification of the result of the review issued on 24 March 2005. No appeal has been made to date.

Under social welfare legislation decisions in relation to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Benefits.

523. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be approved and paid unemployment benefit for the days that they are not working. [10373/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for unemployment benefit on 16 March 2005.

His claim is currently being examined. A decision will be made as soon as possible and the person concerned will be notified of the outcome.

Under social welfare legislation, decisions in relation to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

524. **Mr. Ring** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Mayo will not be approved for unemployment benefit considering the small number of hours he works per week; the further reason he cannot receive benefit for the remainder of the days he is not working. [10375/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for unemployment benefit on 14 February 2005. A deciding officer disallowed his claim on 7 March 2005, on the grounds that he was not unemployed and not available for full-time work. Evidence provided by the Health Service Executive western region confirmed that he continues to be employed by the Executive for five days, Monday to Friday each week. It is open to the person concerned to appeal this decision and a form for this purpose has been issued to him.

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.

525. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied)

in County Mayo will be approved and awarded unemployment benefit; if this person will receive a full qualified adult allowance rate for his spouse and if he will receive a full rate for their child. [10401/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for unemployment benefit on 14 March 2005. He did not make an application for an increase for a child dependant.

The person concerned has been awarded unemployment benefit at the maximum weekly rate of €247.50 which includes a full increase in respect of his spouse.

Child dependant allowance is payable to unemployment benefit customers in respect of children under the age of 18 if the child resides with the customer. From October 2003, child dependant allowance is payable to unemployment benefit customers for a qualified child until the end of the academic year following the child's 22nd birthday if s/he remains in full-time education, provided the customer has been receiving payment for at least 156 days.

If the person concerned wishes to apply for child dependant increase he should call or write to his social welfare local office.

Under social welfare legislation, decisions in relation to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

526. **Mr. O'Connor** asked the Minister for Social and Family Affairs the plans he has to further improve the entitlements of carers; the contacts he has had in the matter; and if he will make a statement on the matter. [10417/05]

Minister for Social and Family Affairs (Mr. Brennan): I have met several groups representing carers, older people and people with disabilities, since I have become Minister for Social and Family Affairs. I have also given careful consideration to the recommendations of the report on carers prepared by the Joint Oireachtas Committee on Social and Family Affairs. This report is based on verbal and written submissions to the committee from family carers and their representative organisations.

According to the Oireachtas Joint Committee, the greatest need identified by family carers is the need for a break from caring, for respite. I responded to this in budget 2005 and these proposals have now been implemented in the recent Social Welfare and Pensions Act 2005. I have provided for the extension of the respite care grant to all carers who are providing full-time care to a person who needs such care from June 2005. The amount of the grant will increase from €835 to €1,000, also in June 2005.

Carers who receive a carer's allowance in respect of more than one person receive a double respite care grant regardless of the number of

people for whom they provide care. I have made provision from June 2005 to pay a grant in respect of each care recipient for those that provide care for three or more people. This measure recognises the particular challenges which are faced by those carers who are providing care for three or more people.

From this month the income disregard on the carer's allowance means test increased by €20 per week to €270 for a single person and by €40 per week to €540 for a couple. This ensures that a couple with two children can earn up to €30,700 per annum and still receive the maximum rate carer's allowance. The same couple can earn up to €49,200 and receive a minimum rate carer's allowance as well as free travel, the household benefits package and the respite care grant.

Two improvements to the carer's benefit scheme were announced in the last budget. The first is to increase the earnings limit for carer's benefit recipients who work outside the home for up to ten hours per week from €150 per week to €270 per week from this month. This measure allows all carer's benefit recipients who are in a position to work for up to ten hours per week to earn up to €270 per week. This benefits those carers who wish to maintain contact with the labour market. Also, when applying for carer's benefit, a carer must have been employed in full-time employment for the three month period immediately prior to the commencement of the benefit claim. Full-time employment in this context is defined as insurable employment for at least 17 hours per week or 34 hours per fortnight. I have provided that entitlement to carer's benefit is extended to those who are in employment of 16 hours per week or 32 hours per fortnight for eight weeks, consecutive or otherwise, within the six month period prior to the claim. I anticipate that this more flexible arrangement will allow people who have atypical and seasonal work patterns to qualify for carer's benefit.

I reiterate my commitment to developing new benefits and entitlements that will, in a tangible way, further recognise and support the valued and valuable contribution carer's make to our society.

Question No. 527 answered with Question No. 511.

528. **Mr. Noonan** asked the Minister for Social and Family Affairs the provisions made to ensure that persons employed on a temporary basis who earn leave by service are credited with their full social welfare payments in circumstances in which, as in certain schools, payment for the period of leave is added to their weekly wage while working and no RSI deduction is made from this additional payment; and if he will make a statement on the matter. [10506/05]

Minister for Social and Family Affairs (Mr. Brennan): It is understood the Deputy is referring to the arrangements agreed voluntarily between

the schools and the part-time teachers concerned, whereby an increased hourly rate is paid to encompass pay in respect of holiday entitlements.

Entitlement to holiday pay for part-time workers is governed by the Organisation of Working Time Act 1997, which is the responsibility of the Minister for Enterprise, Trade and Employment. Under this legislation, pay in respect of holidays is required to be paid in advance. The legislation also enables employers and employees to enter into arrangements "that are more favourable to the employee with regard to the times of, and the pay in respect of, his or her annual leave".

On foot of agreements reached between the Department of Education and Science and the unions, part-time teachers have their hourly rate of pay increased in lieu of holiday entitlements. For a week to be regarded as a week of insurable employment, it is sufficient only that the payment of reckonable earnings should relate to that week. The period of holiday leave to which the employees have a legal entitlement is considered integral to their period of employment and weeks of insurable employment should be recorded by the employer accordingly.

However, where a part-time teacher ceases to work in a school, be it temporarily over the schools holidays or permanently, a situation may arise where the number of weeks of insurable employment recorded does not include the period for which the part-time teacher is entitled to annual leave, as no additional payment has been made to trigger the recording of an additional contribution week. A contribution is nonetheless due in respect of these periods of paid holiday leave.

In this case, the period of entitlement to annual leave is counted as additional weeks of insurable employment as appropriate. Accordingly, should the teacher claim an unemployment payment on leaving a job, a day for which he or she either receives or has an entitlement to holiday pay is not regarded as a day of unemployment.

My Department is in contact with the Department of Education and Science to ensure that the number of contribution weeks in which the workers concerned are in insurable employment are properly recorded and returned.

Decentralisation Programme.

529. **Mr. Naughten** asked the Minister for Social and Family Affairs the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10531/05]

Minister for Social and Family Affairs (Mr. Brennan): Under the Government decentralisation programme announced as part of budget 2004, my Department and its agencies are

[Mr. Brennan.] required to relocate to seven provincial locations, i.e., Drogheda, Buncrana, Donegal, Carrick-on-Shannon, Sligo, Monaghan and Carrickmacross.

At present, my Department has decentralised offices in Sligo, Letterkenny, Longford, Waterford and Dundalk. There are no plans to move any of the sections in these locations.

Fair Trade Campaign.

530. **Mr. P. McGrath** asked the Minister for Social and Family Affairs if his attention has been drawn to the campaign to have FAIRTRADE products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such FAIRTRADE approved products used in his Department. [10562/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department provides facilities for a canteen service for staff in a number of locations but is not directly involved in the provision of meals or in the running of these facilities. Arrangements for the provision of services in these facilities are put in place by voluntary committees of staff in the locations in question.

I will ensure that the issue of using fair trade products is brought to the attention of the various committees.

Social Welfare Code.

531. **Mr. Gregory** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 199 of 23 March 2005, the meaning of the term established whereby certain categories of workers, for example, cleaners employed by Departments may apply every three years to become established but who, if they become established, will lose certain entitlements, whereas if they remain unestablished they will lose significant pension rights; and if he will make a statement on the matter. [10581/05]

Minister for Social and Family Affairs (Mr. Brennan): Employment in the Civil Service is governed by a particular legal framework with well defined procedures and practices which reflect the special position of permanent and pensionable, established, staff.

Staff are appointed to a permanent position following a competition held by the public appointments service, or under recruitment licence, in accordance with the terms of the Public Service Management (Recruitment and Appointments) Act 2004. Prior to October 2004, recruitment was conducted on a similar basis under the Civil Service Commissioners Act 1956.

The Civil Service Regulation Act 1956, sets out the terms and conditions upon which civil servants are appointed. It also distinguishes between an established civil servant and an unestablished civil servant.

Under this Act, an established civil servant holds office at the will and pleasure of the Government and as such, following a probation-

ary period, may only be removed from office following a decision by the Government. An employee cannot be made a permanent established civil servant unless he or she fulfils the requirements for establishment.

Established civil servants have access to a superannuation scheme. The benefits of this scheme are provided for in the Superannuation Acts 1834-2004 and in secondary legislation. Prior to 6 April 1995, the superannuation scheme for established civil servants was non-contributory. People recruited on or after 6 April 1995 contribute to the superannuation scheme.

Unestablished civil servants have access to the non-contributory pension scheme for non-established State employees. Superannuation for these employees is provided for by means of an administrative scheme which commenced in 1970. Competitions are held from time to time for unestablished staff in certain grades, for example, the grade of cleaner, to allow them to compete for establishment.

The occupational pension of unestablished staff and established civil servants appointed since 6 April 1995 is integrated with the social welfare contributory old age pension. This is standard practice in the civil service for all staff who are paying full PRSI.

In my reply to question No. 199 from the Deputy on 23 March 2005, I explained the social insurance and benefit positions of permanent and pensionable, or established, civil and public servants.

Social Welfare Benefits.

532. **Mr. McGuinness** asked the Minister for Social and Family Affairs if the maximum rent allowance should be awarded in the case of a person (details supplied) in County Kilkenny; if this person's case will be reviewed; and if a decision will be expedited. [10583/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive.

The southern area of the Executive has advised that the person concerned applied for a rent supplement in November 2004. Based on her income at that time, which comprised one-parent family payment and community employment wages, she was awarded a weekly supplement of €13.50, which was the correct amount payable in her circumstances.

The Executive has further advised that a review of the rent supplement entitlements of the person concerned is due to be carried out. The Executive will write to her shortly regarding the review.

Grant Payments.

533. **Mr. Ring** asked the Minister for Social and

Family Affairs the way in which the means were assessed for a person (details supplied) in County Mayo for the farm assist payment; and the breakdown of same. [10587/05]

534. **Mr. Ring** asked the Minister for Social and Family Affairs when an appeal in relation to a farm assist payment for a person (details supplied) in County Mayo will be heard. [10588/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 533 and 534 together.

The person concerned is in receipt of farm assist. His means from farming were assessed at €5.08 per week when, following a review of the case by a social welfare inspector, the deciding officer increased the amount assessed as means to €81.00 per week. Details of the assessment are as follows:

	€
Gross annual income from farming	4,505.45
Less farm expenses	8,469.65
Net Income	6,035.80
Assessable income (70% of net income)	4,225.06
Weekly means (€4,225 divided by 52)	81.25

This level of means qualifies the person for a farm assist rate of €175.50, inclusive of an increase in respect of his spouse and a fuel allowance.

The person has appealed this decision to the social welfare appeals office on the basis that the amount allowed in respect of his farm expenses should have been greater. His case was referred to the appeals officer who is of the opinion that an oral hearing is required. The person will be advised of the date and venue for the hearing when the necessary arrangements have been made.

Under social welfare legislation decisions in relation to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Benefits.

535. **Ms Shortall** asked the Minister for Social and Family Affairs the full qualifying conditions for the carer's respite grant; the arrangements being made to cater for the expected increase in applications; when new application forms will be available reflecting the recent changes to the qualifying conditions. [10629/05]

Minister for Social and Family Affairs (Mr. Brennan): In budget 2005, I announced the extension of the respite care grant scheme to all carers providing full-time care to an older person or a person with a disability, regardless of means and subject to certain qualifying conditions.

The respite care grant will continue to be payable to recipients of carer's allowance, carer's benefit, prescribed relative allowance, constant attendance allowance and domiciliary care allowance. Carers who do not qualify for a grant under one of these schemes may now obtain a grant if they and the person for whom they are caring satisfy certain conditions.

Carers must be aged 16 or over; ordinarily resident in the State; caring for the person on a full-time basis for at least six months, this period of care must include the first Thursday in June; living with the person or have a direct system of communication to the person's home.

In addition, a carer must not be employed or self-employed for more than ten hours outside the home; getting or entitled to unemployment benefit or unemployment assistance or signing for unemployment credits; living in a hospital, convalescent home or other similar institution.

The care recipient must need full-time care and attention; not reside in a hospital, convalescent home or other similar institution and not already getting full-time care and attention within their own home from another person.

The grant, which is being increased to €1,000, will be payable from 2 June 2005. Application forms and information leaflets will be available from early May. The forms and leaflets will be distributed throughout my Department's network of local offices and will also be available from Citizens' Information Centres. In addition, they may be requested by phone from my Department or by downloading them from my Department's website.

My Department is preparing an extensive publicity campaign to ensure that all those eligible for the grant will avail of it. The publicity campaign will include advertisements in both provincial and national newspapers as well as posters in various centres and offices.

Officials of my Department have already briefed representatives of carers' organisations about the scheme. These organisations will in turn be providing information to their members.

My Department is setting up a special section to deal with this scheme. Arrangements are being put in place to ensure applications are processed efficiently and in a timely manner. As part of these arrangements a dedicated freefone help-line will be operated to coincide with the publicity campaign.

Grant Payments.

536. **Mr. Broughan** asked the Minister for Social and Family Affairs the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10697/05]

537. **Mr. Broughan** asked the Minister for Social and Family Affairs the grants and other

[Mr. Broughan.] financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10698/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 536 and 537 together.

Due to the large number of organisations funded by a number of different areas within my Department in the last three years, it has not been possible in the time available to collate all of the relevant information for the Deputy. A complete list of all relevant groups with details of funding available will be forwarded to the Deputy as soon as possible.

Social Welfare Benefits.

538. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs if the grant of the orphan's allowance for two persons (details supplied) in Dublin 10 will be backdated to the date of the original application; and if he will make a statement on the matter. [10716/05]

Minister for Social and Family Affairs (Mr. Brennan): The grandmother of the children concerned made a claim for orphan's (non-contributory) pension on 7 November 2001. The claim was disallowed by a deciding officer on the grounds that the children were not orphans within the meaning of the relevant social welfare legislation.

Following the death of the grandmother the person concerned made an application for orphan's (non-contributory) pension on 4 September 2003. The application was initially disallowed by a deciding officer but, following an oral hearing of an appeal against the decision, an appeals officer awarded the pension in respect of two qualified children with effect from 6 June 2003. The person concerned is in receipt of €242 per week in respect of the two children. The circumstances pertaining to her claim differ from those that pertained during the period 2001 to June 2003. Therefore, there are no grounds for back-dating the payment to the person concerned for a period prior to June 2003.

Under social welfare legislation, decisions in relation to 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.

539. **Mr. O'Dowd** asked the Minister for Social and Family Affairs if his Department proposes to raise the household income limit of €317.43 for retention of secondary benefits to those on back to work schemes to bring it in line with inflation; and if he will make a statement on the matter. [10733/05]

Minister for Social and Family Affairs (Mr. Brennan): Social welfare programmes aim to be responsive to the needs of those who depend on income maintenance support while providing incentives to assist people to become more independent financially, particularly through employment. A number of measures have been introduced in recent years to remove disincentives to taking up employment and to assist in the transition from welfare to work. These measures include special means disregards and tapered withdrawal of benefits as earnings increase, and employment support schemes such as the back to work programme.

The income limit referred to by the Deputy applies to people who take up employment under approved employment schemes and relates only to retention of secondary benefits, such as rent supplement. Such people are entitled to retain certain social welfare and other secondary benefits in total or in part for the duration of the employment scheme, subject to certain conditions. There is no income limit on the back to work allowance scheme itself.

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 the retention of 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. For example, in the first year of their participation in the back to work scheme, a single person can have combined income from the back to work allowance and wages of €429 per week while a couple with two children can have a weekly income of €528.25.

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 has been 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.

People availing of an employment support scheme may opt to be assessed under either stan-

standard supplementary welfare allowance rules or under the special retention rules, and will be entitled to receive payment under whichever is the more favourable option for them. A person on a community employment scheme or other back to work scheme whose household income is above the €317.43 limit for retention of secondary benefits may still qualify for rent supplement under the standard rules. In that context, I introduced amending regulations in January 2005 to increase the income disregard in the standard rules of the scheme from €50 to €60 per week.

Overall, I consider that the current eligibility thresholds and disregards, together with improvements in the standard rules of the supplementary welfare allowance scheme, ensure that people have a financial incentive to take up back to work opportunities. The effectiveness of these arrangements will be considered further in the context of a review of the supplementary welfare allowance scheme which my Department is undertaking during 2005.

540. **Ms O. Mitchell** asked the Minister for Social and Family Affairs the origin of the anomaly whereby persons with a disability entering residential care before 1999 lost most of their disability allowance and their disabled persons maintenance allowance and those entering care post 1999 retained the full allowance. [10754/05]

541. **Ms O. Mitchell** asked the Minister for Social and Family Affairs if he has plans to repay disabled person's maintenance allowances and disability allowances to persons who, prior to 1999 lost their allowance on entering residential care. [10755/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Question Nos. 540 and 541 together.

Responsibility for the disabled person's maintenance allowance, DPMA, scheme was transferred from the Department of Health and Children and the health boards to the Department of Social and Family Affairs in October 1996. On the transfer of the scheme the existing qualifying conditions were retained and the scheme was renamed disability allowance.

One of the qualifying conditions applying to the former DPMA scheme was that the payment could not be made to people who were in residential care where the cost of the person's maintenance was met in whole or in part by a health board. Since 1999 the restrictions on payment to persons in residential care have been progressively relaxed. From August 1999 existing disability allowance recipients living at home can retain their entitlement where they subsequently go into hospital or residential care.

A wide-ranging review of illness and disability payment schemes completed by my Department in September 2003 recommended the removal of the residential care disqualification for disability allowance purposes. The working group which oversaw the review recognised that the removal

would have a range of implications, and that, in the absence of reliable data on the numbers involved and the actual funding arrangements currently in place, it was not possible to fully assess the likely impact or cost of such a move.

Budget 2003 provided for the take-over by my Department of the discretionary "pocket money" allowances paid to people with disabilities in residential care who are not entitled to disability allowance and for the standardisation of the level of these allowances. My Department then undertook an information gathering process with the health boards with a view to arranging for the transfer of responsibility for the payment of these allowances and of the funds involved.

In budget 2005, I announced that, as an interim measure, a payment of €35 a week will be payable to the persons with disabilities who are affected by the current restriction with effect from June 2005.

There are a number of practical and administrative issues to be resolved with the Department of Health and Children, including the question of the appropriate contribution to be made by residents of institutions towards care and maintenance. It is my intention that the outstanding issues will be progressed as a matter of urgency. The issue of repayments does not arise in this instance.

Question No. 542 answered with Question No. 511.

543. **Mr. Durkan** asked the Minister for Social and Family Affairs when rent allowance will be awarded to a person (details supplied) in County Galway; and if he will make a statement on the matter. [10839/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive. The western area of the executive has advised that it is awaiting details of a housing needs assessment being undertaken by Galway City Council in respect of the person concerned. When the outcome of this assessment is known the executive will be in a position to make a determination on her application for rent supplement.

Departmental Bodies.

544. **Mr. Boyle** asked the Minister for Social and Family Affairs the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10879/05]

Minister for Social and Family Affairs (Mr. Brennan): The five statutory agencies operating under the aegis of my Department are the Pensions Board, the Combat Poverty Agency, Comhairle, the Social Welfare Tribunal, and the Family Support Agency. In addition, the Pensions

[Mr. Brennan.]

Ombudsman comes under the remit of my Department. Pensions Board Fees, paid to Pensions Board members, excluding civil servants, are governed by the First Schedule to the Pensions Act 1990, as amended, and are as follows: Chairperson €10,160 p.a. Member €6,349 p.a. Combat Poverty Agency The Social Welfare (Miscellaneous Provisions) Act 2002 amended the Combat Poverty Agency Act 1986 to provide for the payment of fees to Combat Poverty Agency board members. This provision of the Act came into effect from 9 August 2002 and the following fee levels have been effective from that date to the present: Chairperson €7,618.43 p.a. Member €5,078.95 p.a. Fees are payable to all members of the board, excluding civil servants. Fee payments are calculated on the basis of the period of time served as a board member. Comhairle No fees are paid to the chairperson or board members of Comhairle. The Social Welfare Tribunal The policy in relation to remuneration of tribunal members is that a fee per hearing is payable to each member as follows: Chairman: €418.76 per sitting day €63.00 per conference-meeting Members: €117.29 per sitting day €58.64 per conference-meeting Fees are payable as per sanction and approval from the Department of Finance. Family Support Agency Board members receive fees on a quarterly basis. The chairperson's fee amounts to €1,904.64 per quarter. Eight other board members each receive €1,269.74 per quarter. Three board members do not receive fees as they are serving civil servants.

Social Welfare Benefits.

545. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of women who received maternity benefit in each of the years 2000, 2001, 2002, 2003 and 2004; and the cost of such payments to his Department in each of those years. [11127/05]

Minister for Social and Family Affairs (Mr. Brennan): The information requested by the Deputy is contained in the following tabular statement.

Claims awarded and expenditure on maternity benefit, 2000 to 2004.

Year	Claims awarded	Expenditure
	€m	
2000	23,851	58.04
2001	27,142	78.93
2002	29,042	99.20
2003	30,211	107.34
2004	33,495	121.57

Question No. 546 answered with Question No. 511.

Parking Regulations.

547. **Dr. Cowley** asked the Minister for Trans-

port if he will bring into force a special blue card system similar to that in force in Great Britain and Northern Ireland whereby people with disabilities over the age of 18 years of age are issued with a blue card; and if he will make a statement on the matter. [10392/05]

Minister for Transport (Mr. Cullen): The Road Traffic (Traffic and Parking) Regulations 1997 empower local authorities, the Irish Wheelchair Association and the Disabled Drivers Association, to grant a disabled person's parking permit where they are satisfied that the applicant, of any age, is suffering from a disability that prevents him or her from walking or causes undue hardship to the person in walking. It is a matter for each of the issuing organisations to determine whether or not a disabled person's parking permit should be granted based on each application submitted to it. The qualifying criterion, therefore, centres on the issue of mobility impairment and no specific medical condition is stipulated in the regulations. I am of the view that the current scheme, based on the personal mobility of the applicant, represents the optimum approach for the issue of these particular parking permits.

Air Transport Agreements.

548. **Mr. P. Breen** asked the Minister for Transport following the publication of recent media reports indicating that a deal on an Irish-US bilateral air agreement is eminent, will he advise if this is true; and if he will make a statement on the matter. [10058/05]

Minister for Transport (Mr. Cullen): My officials maintain contact with the US authorities, regarding issues surrounding the Ireland-US bilateral air transport agreement and the EU-US talks. In that regard, as part of ongoing dialogue with the US on this issue, officials from my Department travelled to Washington to discuss the Ireland-US bilateral agreement on 6 April 2005, to explore what adjustments to the current Ireland-US arrangements are possible. The meeting was technical and exploratory in nature, and no conclusions were reached at that meeting. Both sides agreed to keep in touch, and to continue to consider how those issues might be moved forward, particularly in the light of developments in the EU-US talks.

Regional Airports.

549. **Mr. P. Breen** asked the Minister for Transport if he has read the recent Air Transport Users Council report and in particular the serious issues being raised in the report about Shannon Airport in an open skies regime; if so, if he plans to introduce PSO's for international flights as strongly suggested by the authors of the report; and if he will make a statement on the matter. [10059/05]

Minister for Transport (Mr. Cullen): The overall conclusion of the recent report by the Air Transport Users Council into the potential

impact on Ireland of an EU-US air transport agreement is that an EU-US Agreement will be beneficial to Ireland. It is my view that Shannon remains an attractive destination across the Atlantic, particularly from the east coast of the US. Aer Lingus has said that there is a strong transatlantic market for Shannon, and that it will continue to serve that market. Any change in Ireland-US or EU-US arrangements will open up new destinations in the US for Aer Lingus, and this presents new opportunities for Shannon. I am convinced that Shannon, with the right cost base for the airport and with the proper competitive environment, can maintain and grow its transatlantic business. The key to future success for Shannon lies in making sure that Shannon is freed up to find its own market niche, and that it provides its services at the best prices, and in the most transparent and cost effective way.

There is no proposal under consideration for the introduction of a public service obligation, PSO, regime in relation to air services between Shannon and the United States. Such an arrangement would not be permitted under the existing EU regulations governing PSOs, which relate solely to intra-regional air services within the EU.

Driving Tests.

550. **Mr. Lowry** asked the Minister for Transport the number of driving testers employed nationally; the number serving each test centre; the number of additionally employed driving testers from 1997 to 2005; and if he will make a statement on the matter. [10093/05]

Minister for Transport (Mr. Cullen): The number of driving testers employed nationally, including a chief tester and supervisory testers, is 122. A further six retired driver testers are engaged on a consultancy basis. The number of driver testers employed since 23 November 1998 is 56.

Driver testers are assigned to headquarter centres within each region. Driver testers are, in turn, assigned from headquarter centres to meet the demand in other test centres. The following table does not include the chief supervisory tester or the ten supervisory testers.

Testers Headquartered at Test Centres.

Driving Test Centres	Testers
<i>North Leinster Region</i>	
Finglas	17
Raheny	9
Dundalk	—
Mullingar	—
Navan	1
<i>South Leinster Region</i>	
Churchtown/Rathgar	15
Tallaght	11
Gorey	—

Driving Test Centres	Testers
Naas	2
Tullamore	—
Wicklow	—
<i>West Region</i>	
Athlone	2
Birr	—
Castlebar	4
Clifden	—
Ennis	3
Galway	6
Loughrea	2
Roscommon	—
Tuam	—
<i>North West Region</i>	
Ballina	—
Buncrana	—
Carrick-on-Shannon	1
Cavan	2
Donegal	—
Letterkenny	3
Longford	—
Monaghan	1
Sligo	3
<i>South East Region</i>	
Carlow	1
Clonmel	2
Dungarvan	—
Kilkenny	2
Nenagh	—
Portlaoise	1
Thurles	—
Tipperary	—
Waterford	3
Wexford	4
<i>South West Region</i>	
Cork	14
Killarney	1
Kilrush	—
Limerick	4
Mallow	—
Newcastle West	—
Shannon	—
Skibbereen	—
Tralee	3

551. **Mr. Lowry** asked the Minister for Transport the date the most recent driving tester was recruited and hired by his Department; if there is a panel of potential driving testers from which his Department can recruit from; if there is such a panel, when the last tester was hired from it; and the length of time that person is in place; and if he will make a statement on the matter. [10094/05]

Minister for Transport (Mr. Cullen): The most recently recruited driver tester was hired on a

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contract basis on 8 October 2001. This contract tester was hired from a panel set up after the 1998 driver tester Civil Service Commission competition. There is no longer a panel in existence.

The Department has also retained the services of former driver testers who were engaged on a short-term basis in recent years.

552. **Mr. Lowry** asked the Minister for Transport if a major recruitment of driving testers will be initiated in order to reduce the average waiting times of almost 12 months for a driving test in many centres; if he will recruit additional administrative and support staff necessary to facilitate speedier driving tests and reduce waiting times; and if he will make a statement on the matter. [10095/05]

Minister for Transport (Mr. Cullen): My Department is in discussions with the Department of Finance on a number of initiatives to improve the overall driver testing service, including the recruitment of additional testers, aimed at reducing waiting times.

Official Engagements.

553. **Mr. Allen** asked the Minister for Transport if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with

him in his official party; the duration of the visit and the cost involved. [10179/05]

Minister for Transport (Mr. Cullen): I did not travel abroad for the St. Patrick's Day celebrations. I attended the parade in Waterford.

Driving Tests.

554. **Mr. Wall** asked the Minister for Transport further to previous parliamentary questions, if the waiting lists for driving tests in Portlaoise, Naas and Carlow centres has decreased; if not, the plans he has to increase the number of testers and driving centres; and if he will make a statement on the matter. [10198/05]

Minister for Transport (Mr. Cullen): The numbers awaiting driving tests have decreased at the Naas centre and have increased at the other two centres since the beginning of this year. Details are set out in the attached table. I have no proposals to increase the number of driving test centres.

My Department's discussions with the Department of Finance about a package of measures to reduce waiting times at all test centres are at an advanced stage. The measures include the recruitment of additional driver testers as well as increased productivity. I expect that my Department will be in a position to proceed with these measures at an early date.

Table: Numbers awaiting a driving test.

Date	Carlow	Naas	Tullamore
1 January 2005	2,397	5,644	1,795
11 April 2005	2,517	5,492	2,060

Road Traffic Offences.

555. **Cecilia Keaveney** asked the Minister for Transport if he will make a statement on the issue of the way in which Northern drivers are getting away with committing offences in this jurisdiction while drivers from the Republic are similarly free to breach legislation in the North. [10221/05]

Minister for Transport (Mr. Cullen): The commission of any offence established under the Road Traffic Acts may lead to the pursuit of a criminal conviction. The only general exception to that principle occurs where a person, having been accused of the commission of an offence that attracts a fixed charge, chooses to pay such a charge, which in turn means that a prosecution will not be pursued.

Where a person is convicted of an offence, the person is required to submit to a penalty, that is, the payment of a fine or imprisonment. In addition, the person may be subject to the imposition of either a driving disqualification or penalty points.

The general question of the degree to which penalties, disqualifications and penalty points can be applied to persons from other jurisdictions who have been convicted of offences must be

considered across the range of penalties and other deterrents established in the Road Traffic Acts in consultation with authorities either under the auspices of the EU or on a bilateral basis.

The question of the development of arrangements for the pursuit of fines imposed on persons from other jurisdictions is, I understand, the subject of a separate question to my colleague, the Minister for Justice, Equality and Law Reform.

Section 9 of the Road Traffic Act 2002 provides the basis for judicial recognition of the EU Convention on Driving Disqualifications. That convention provides that where a disqualification is imposed by a member state on a person from another member state, in respect of any one of a number of particular behaviours, for example, drink driving or dangerous driving, the state where the convicted person resides may apply the disqualification. I understand that the authorities in the UK are considering adopting similar legislation. When that process is finalised, arrangements to facilitate the operation of the provisions of the convention on a bilateral basis between the two countries can be pursued.

The authorities in the Republic of Ireland, Northern Ireland and Great Britain are consider-

ing the issue of the introduction of a scheme to provide for the mutual recognition of penalty points between the United Kingdom and Ireland. This consideration is being pursued under the auspices of the British Irish Council, BIC.

The Department of the Environment — Northern Ireland — and the Department for Regional Development — Northern Ireland — are the lead agencies for transport and road safety related matters under BIC and they have been giving consideration to this matter. This Department has referred the matter to the Attorney General for his advice given the complex legal issues surrounding this area.

The difficulty for the Garda in accessing foreign vehicle registration information, following a detection by camera, is similar to the position encountered by enforcement agencies across Europe. Discussions are taking place at EU level in this respect but are still at an early stage.

Rail Services.

556. **Mr. Naughten** asked the Minister for Transport the plans he has to implement a rail freight subsidy, similar to that in place in other EU countries; and if he will make a statement on the matter. [10442/05]

557. **Mr. Naughten** asked the Minister for Transport the plans he has to provide a rail freight subsidy for the transport of beet by rail to the Mallow sugar factory; and if he will make a statement on the matter. [10443/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 556 and 557 together.

It is my policy that Iarnród Éireann should remain in the rail freight business and I am aware that the company has made great strides in restructuring this element of its operations.

As part of an overall plan to address its difficult financial position, Iarnród Éireann is undertaking a restructuring of its rail freight business including measures to improve efficiencies. Its strategy is to develop the profitable traffic it already has, such as bulk freight and trainload traffic and reshape the container business. In these circumstances, there are no plans to introduce a scheme of rail freight subsidies.

Iarnród Éireann has informed me that the company has reached agreement with Greencore in respect of the movement of sugar beet by rail from Milford and Wellington Bridge to the Mallow factory. Such matters are a commercial matter for the company within its day-to-day responsibilities. I have, therefore, no further details on the matter.

Road Safety.

558. **Mr. Crawford** asked the Minister for Transport if steps are being taken to make it compulsory for pedestrians to wear reflective jackets when walking on public roads; if he accepts how dangerous it is and that it is virtually impossible for car owners to see someone in dark clothes

walking along a dark road; if he will consider using funds to promote the idea of wearing reflective jackets for all pedestrians; and if he will make a statement on the matter. [10444/05]

Minister for Transport (Mr. Cullen): The consensus of public authorities concerned with road safety has been that the wearing of reflective jackets is best promoted on a voluntary basis by way of educational and publicity campaigns such as those undertaken and to be continued, by the National Safety Council, rather than through legislation. The safety of all road users is generally a matter of personal responsibility and in that context the Rules of the Road include a strong recommendation supporting the use at night by pedestrians of reflective armbands outside urban areas. While I do not consider that there should be a regulatory requirement on people to wear such clothing, I will forward the Deputy's suggestion to the National Safety Council.

Road Network.

559. **Mr. O'Dowd** asked the Minister for Transport the plans he has for the buying out of the tolls on M1 on the approaches to Drogheda town. [10462/05]

Minister for Transport (Mr. Cullen): The statutory power to levy tolls on national roads, make toll by-laws and enter into toll agreements with private investors in respect of national roads is vested in the National Roads Authority, NRA, under Part V of the Roads Act 1993, as amended by the Planning and Development Act 2000. I understand from the NRA that it has no plans to buy out the M1 tolling concession.

Road Traffic Legislation.

560. **Mr. Bruton** asked the Minister for Transport if his attention has been drawn to the fact that there is no requirement for the insurance of horse drawn carriages which are used for taxi and tourist purposes on public streets and that persons who sustain injury as a result of an accident caused by a horse have no means of recovering compensation; and if he will take action to update this defect in the laws. [10463/05]

Minister of State at the Department of Transport (Mr. Callely): The Road Traffic Acts provide that the user of a mechanically propelled vehicle in a public place must have third party insurance cover. Horse drawn carriages are not covered by this legislation and I have no plans currently to so include them.

Road Safety.

561. **Mr. Lowry** asked the Minister for Transport when the long overdue guidelines on metric speed limits will be issued to local authorities; the reason these guidelines were not issued prior to the introduction of metric limits on 20 January 2005; and if he will make a statement on the matter. [10483/05]

Minister for Transport (Mr. Cullen): The Road Traffic Act 2004 was enacted on 22 December 2004. Section 9 of this Act came into effect on 20 January 2005 and sets out a new process for the making of speed limit by-laws by the elected members of county and city councils following the changeover to metric speed limits.

The 2004 Act also provides that the Minister for Transport may issue guidelines relating to the making of special speed limit by-laws. Draft guidelines to assist local authorities were forwarded to representatives of the county and city managers association, the National Roads Authority, the Department of the Environment, Heritage and Local Government and the Garda Síochána for their views. In addition, my Department engaged in a consultation process with county and city councils on the draft guidelines during February and into March. That process has been completed and the guidelines are being amended to reflect the views submitted to my Department.

I will be issuing the statutory guidelines to the local authorities on a formal basis very shortly.

Road Network.

562. **Mr. Gilmore** asked the Minister for Transport if he has received correspondence from a person (details supplied) in County Dublin concerning the need for a pedestrian bridge on the new N11 at Loughlinstown, County Dublin; if he will agree to meet with this person; and if he will make a statement on the matter. [10484/05]

Minister for Transport (Mr. Cullen): My office has no record of receiving correspondence from the individual in question in connection with a pedestrian bridge at Loughlinstown. The planning, design and implementation of national road improvement projects, including improvements on the N11 at Loughlinstown, is a matter for the National Roads Authority, NRA, and the local authorities concerned — in this case Dún Laoghaire-Rathdown County Council.

Public Transport.

563. **Mr. J. Higgins** asked the Minister for Transport if he has been informed by Dublin Bus that the 239 bus route from Blanchardstown shopping centre to Liffey Valley is to be cancelled and the frequency of buses on the 238 and 237 local bus routes to Castlknock reduced; and if he will make a statement on the matter. [10495/05]

Minister for Transport (Mr. Cullen): A decision to provide a bus service or to alter the level or route of a bus service is part of the day-to-day responsibilities of Dublin Bus and my Department has no function in these matters. However, since 10 January 2001, Dublin Bus is required by ministerial direction to notify my Department of proposed new services or proposed changes to existing services at least four weeks prior to their introduction. My Department has not received any notifications of service

changes for the bus routes mentioned by the Deputy.

Decentralisation Programme.

564. **Mr. Naughten** asked the Minister for Transport the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10532/05]

Minister for Transport (Mr. Cullen): My Department does not have any office currently based outside Dublin which will be moved to another non-Dublin location under the decentralisation programme.

Fair Trade Campaign.

565. **Mr. P. McGrath** asked the Minister for Transport if his attention has been drawn to the campaign to have fair trade products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such fair trade approved products used in his Department. [10563/05]

Minister for Transport (Mr. Cullen): I am aware of the campaign to have fair trade products widely available and used. Private companies provide catering in my Department. The possibility of having fair trade approved products used by the catering service providers in my Department will be explored.

Driving Tests.

566. **Mr. P. McGrath** asked the Minister for Transport the waiting time for driver theory tests at each test centre. [10584/05]

Minister for Transport (Mr. Cullen): Driver theory test appointments are arranged by the driver theory testing service and not by my Department. The service may be contacted at LoCall number 1890 606106. Correspondence may be addressed to the Customer Service Manager at PO Box 144, Drogheda.

A key performance standard contained in the customer charter for the driver theory testing service is that tests are to be offered at centres undertaking more than 250 tests per annum within two weeks of a candidate's preferred date.

567. **Mr. P. McGrath** asked the Minister for Transport the waiting time for driver tests for motor vehicles, motor cycles and commercial vehicles at each test centre. [10585/05]

Minister for Transport (Mr. Cullen): The waiting times for driving tests for all categories of vehicles are set out in the table below. My Department does not maintain separate waiting lists for different vehicle categories. My Department endeavours to arrange an early test for can-

didates who provide documentary evidence of the need for an urgent test.

Table: Waiting times for Driving Tests at 11 April 2004.

Centre	Average Weeks Waiting
<i>North Leinster Region</i>	
Finglas	24
Dundalk	30
Mullingar	22
Navan	20
Raheny	27
<i>South Leinster Region</i>	
Churchtown/Rathgar	38
Gorey	25
Naas	39
Tullamore	31
Wicklow	32
Tallaght	26
<i>West Region</i>	
Athlone	28
Birr	20
Castlebar	20
Clifden	17
Ennis	18
Galway	25
Loughrea	15
Roscommon	18
Tuam	20
<i>North West Region</i>	
Ballina	21
Buncrana	31
Carrick-on-Shannon	25
Cavan	27
Donegal	17
Letterkenny	27
Longford	21
Monaghan	31
Sligo	16
<i>South East Region</i>	
Carlow	39
Clonmel	43
Dungarvan	42
Kilkenny	31
Nenagh	38
Portlaoise	36
Thurles	44
Tipperary	46
Waterford	29
Wexford	29

Centre	Average Weeks Waiting
<i>South West Region</i>	
Cork	26
Killarney	39
Kilrush	23
Limerick	27
Mallow	27
Newcastle West	25
Shannon	32
Skibbereen	36
Tralee	22

Departmental Funding.

568. **Mr. Broughan** asked the Minister for Transport the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10702/05]

Minister for Transport (Mr. Cullen): My Department does not provide specific financial assistance to men's organisations or organisations and groups providing services primarily for men.

569. **Mr. Broughan** asked the Minister for Transport the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10703/05]

Minister for Transport (Mr. Cullen): My Department does not provide specific grants or other financial assistance to women's organisations or organisations and groups providing services primarily for women.

Public Transport.

570. **Mr. Carey** asked the Minister for Transport if he will establish the timeframe for the introduction of low floor buses in the Dublin area; if his Department has allocated finances to the company for this purpose in the current year; and if he will make a statement on the matter. [10704/05]

Minister for Transport (Mr. Cullen): It is the policy of Dublin Bus to replace all existing buses with low floor buses as they come up for renewal. Since 2000, all buses purchased by Dublin Bus are low floor and to date the company has converted almost 50% of its fleet to low floor buses.

My Department is providing funding of approximately €1.2 million towards Bus Átha Cliath's fleet replacement programme for 2005. It will be a further number of years before the existing buses which are not low floor have reached

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the end of their life and require renewal. It is envisaged that the fleet will be fully accessible by 2012-13, assuming that Bus Átha Cliath maintains its current fleet replacement policy.

Road Safety.

571. **Mr. Broughan** asked the Minister for Transport the position with regard to speed inhibitors on HGVs and other vehicles on roads here; and his views on the usefulness of speed inhibitors for large vehicles and for provisional licence holders. [10705/05]

572. **Mr. Broughan** asked the Minister for Transport his views on the possible use of anti-speeding technology to compel drivers to slow down in built-up areas or at dangerous locations on the roads network. [10706/05]

Minister of State at the Department of Transport (Mr. Callely): I propose to take Questions Nos. 571 and 572 together.

Directive 92/6/EEC requires speed limiters to be fitted to goods vehicles having a design gross vehicle weight exceeding 12,000 kg and passenger vehicles with more than eight passenger seats having a design gross vehicle weight exceeding 10,000 kg so that their speed may not exceed 90 and 100 km/h, respectively. This directive was transposed into Irish law by means of the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1993.

Directive 2002/85/EC extends the requirement to have speed limiters fitted to include goods vehicles having a design gross vehicle weight exceeding 3,500 kg and all passenger vehicles with more than eight passenger seats. The speed limiters are required to be set so that the speed of these vehicles may not exceed 90 and 100 km/h, respectively. The directive's provisions generally apply to these vehicles that are first registered on or after 1 January 2005. I expect to be in a position to make regulations to give effect to Directive 2002/85/EC in Irish law shortly.

The regulatory framework for vehicle standards is set at European level through a harmonised system of motor vehicle type-approval. Standards for new passenger cars in the EU are specified in a range of EU type-approval directives that are incorporated into a system known as EU whole vehicle type approval, WVTA. WVTA facilitates the achievement of a single market for cars through harmonised safety and environmental standards. New cars must have WVTA in order to be placed on the market in the EU. Once a car has WVTA, it must be given access to the EU market and it is not open to a member state to unilaterally require additional equipment to be fitted in a car.

The inclusion in motor vehicles of technology of the type outlined by the Deputy in order to facilitate adherence with localised traffic speed limits is not required under the EU motor vehicle type approval system. Accordingly, it would not

be open to Ireland to require the installation of such equipment in motor vehicles.

The fitting of speed limiters to large vehicles is an important measure in furthering road safety. Given that speed limiters are vehicle specific, it would neither be appropriate nor feasible to require their fitment on the basis of the type of driving licence held by an individual driver.

573. **Mr. Broughan** asked the Minister for Transport if he is considering any major new initiatives or strategies to drastically reduce the continuing appalling carnage on roads here; and if there are any combined initiatives with the Department of Justice, Equality and Law Reform in relation to this matter. [10707/05]

Minister for Transport (Mr. Cullen): The road safety strategy 2004-06 sets a primary target of a 25% reduction in road collision fatalities by the end of 2006 over the average annual number of fatalities in the 1998-2003 period. Achievement of the target will result in no more than 300 deaths per annum by the end of the period of the strategy. This is an ambitious target and one which will require a strategic, integrated approach by all of the road safety agencies.

Unfortunately, we have seen a greater number of road deaths in 2004 than the previous year with provisional end of year figures for 2004 showing 380 deaths on the roads. So far this year there have been 104 deaths on the roads as at 11 April compared to 102 for the same date last year. The recent increase in road deaths is a cause of concern. This places the challenge of meeting the target set for the end of 2006 into stark focus. If we are to realise that target, a significant reversal of the worrying trend that has been noticeable since early 2004 must be achieved.

Achievement of the target depends in the first instance on a continued emphasis on the approach that underpins the strategy. A major independent review of the previous strategy confirms that basing the primary target on the achievement of progress in the areas of speeding, drink driving and seat belt wearing remains the correct approach and these remain the key areas of the new strategy.

The strategy proposes a range of measures in the enforcement, engineering, education and legislation areas to target further reductions in deaths and injuries. An integrated strategic approach will ensure that the road safety agencies, including my Department, the Department of Justice, Equality and Law Reform and the Garda, work together to achieve the targets set out in the new strategy. Specific targets set in regard to speeding, drink driving and seat belt wearing are supported by the determination of associated enforcement targets.

A critical initiative that will have a significant impact on road safety is the establishment of the new Garda traffic corps. The establishment of a dedicated corps of gardaí, as announced late last year by the Minister for Justice, Equality and

Law Reform, under a distinct management structure within the overall force will provide for the significant enhancement of the deterrent effect that emanates from high levels of traffic law enforcement.

The operation of the penalty point system, provided for in the Road Traffic Act 2002, is dependent on the development of a new computerised processing system for the Garda Síochána. Penalty points currently apply to speeding, seat belt wearing, driving without insurance and careless driving offences. The full roll-out of the system will be operational when the IT systems being developed by the Department of Justice, Equality and Law Reform are in place. In overall terms, the introduction of penalty points has had a positive effect on road safety and I am confident that the full roll-out of the system will further enhance that effect.

State Airports.

574. **Mr. F. McGrath** asked the Minister for Transport if the major noise pollution from aircraft over a location (details supplied) in Dublin 9 will be investigated; if he will work closely with Aer Lingus and other airlines on the flight paths of planes over this location; and if he will make a statement on the matter. [10714/05]

Minister for Transport (Mr. Cullen): The reduction of aircraft noise on communities surrounding Dublin Airport is the joint responsibility of the Dublin Airport Authority, DAA, Irish Aviation Authority and the airlines that operate at Dublin Airport.

I am advised by the DAA that in an effort to minimise the impact of aircraft noise the authority has invested almost €1 million in the installation of noise and flight track monitoring equipment which allows the authority to monitor the track flown and noise generated by each and every aircraft arriving and-or departing from Dublin Airport.

I am also informed by the DAA that, in August 2003, new environmental corridors were agreed which define the corridor in which it is permitted for aircraft to normally operate. However, the authority states that there may be occasions when air traffic control may be required to route an aircraft outside these environmental corridors.

To assist the DAA with deviations from the environmental corridors and general noise complaints a free phone aircraft disturbance line has been in operation for some time now — 1800 200 034. The authority assures me that every complaint regarding aircraft noise is logged, investigated and personally responded to, and that they take concerns regarding aircraft noise very seriously and strive to do all they can to minimise any adverse impact on both the communities and the environment in the operation of Dublin Airport.

Telecommunications Equipment.

575. **Mr. Costello** asked the Minister for Transport if his attention has been drawn to the fact that Iarnród Éireann has erected a telecommunications mast at Ballymote Railway Station, County Sligo without planning permission; if his attention has further been drawn to the fact that the planning authority in Sligo advised Iarnród Éireann that planning permission would be required for such a development; his views on semi-State companies ignoring the advice of planning authorities; and if he will make a statement on the matter. [10720/05]

Minister for Transport (Mr. Cullen): This is an operational matter for Iarnród Éireann. However, I understand that the telecommunications mast erected by Iarnród Éireann relates specifically to the enhancement of its centralised traffic control system, CTC, and provides for vital safety-critical communications between drivers and the centralised signalmen located at the CTC centre at Connolly Station in Dublin. Iarnród Éireann is of the view that the erection of this mast in Sligo is an exempted development under the terms of the relevant legislation and is discussing the matter with the local authority in Sligo.

Transport Subventions.

576. **Mr. P. McGrath** asked the Minister for Transport the amount of subsidy which was payable to each airline company which operates to each of the regional airports in 2004; and if he will compute these figures to reflect the amount of subsidy per passenger carried to each airport. [10735/05]

Minister for Transport (Mr. Cullen): Under EU regulations, certain air services are operated under public service obligation, PSO, contracts with my Department.

Aer Arann is contracted to provide scheduled air services on routes linking Dublin with regional airports in Kerry, Galway, Knock, Sligo and Donegal. Loganair operates on the Dublin-Derry PSO route.

The level of subvention payable in respect of services provided during the 2004 calendar year is currently being finalised. It is estimated that the final figures for the 2004 calendar year will be as follows:

	€000
Kerry/Dublin (Aer Arann)	4,176
Galway/Dublin (Aer Arann)	4,786
Knock/Dublin (Aer Arann)	2,891
Sligo and Donegal/Dublin (Aer Arann)	4,800
Derry/ Dublin (Logan Air)	2,583

Based on the above figures, the average amount of subvention payable per passenger for each one-way flight in 2004, would be as follows:

[Mr. Cullen.]

	€
Kerry/Dublin route	47
Galway/Dublin route	45
Sligo/Dublin route	66
Donegal/Dublin route	66
Knock/Dublin route	160
Derry /Dublin route	87

Existing PSO contracts expire on 21 July 2005. New specifications and contractual arrangements have been devised with a view to achieving greater more value for money under the next PSO programme. An EU procurement process for the next three-year round of PSO contracts is currently nearing completion.

577. **Mr. P. McGrath** asked the Minister for Transport the amount of subsidy awarded to Dublin Bus and Bus Éireann in 2004; and if he will compute these figures to reflect the subsidy per passenger journey. [10736/05]

Minister for Transport (Mr. Cullen): The Exchequer provided €61.8 million to Dublin Bus in 2004 for public service obligations. The company carried 149 million passengers in that year and the Exchequer payment, therefore, amounted to approximately 40 cent per passenger.

The Exchequer provided €23.998 million to Bus Éireann in 2004 for public service obligations. No Exchequer payment made in regard to commercial Expressway services provided by Bus Éireann. Bus Éireann carried 48 million passengers in 2004, of whom 39 million were carried on provincial city, Dublin commuter and rural stage carriage services. The Exchequer payment per passenger in respect of these public service obligations bus services was 62 cent.

578. **Mr. P. McGrath** asked the Minister for Transport the amount of subsidy awarded to Irish Rail, DART and Luas in 2004; and if he will compute these figures to reflect the subsidy per passenger journey. [10737/05]

Minister for Transport (Mr. Cullen): The total Exchequer payment for public service obligations to Iarnród Éireann in 2004 was €171.421 million, of which €1.055 million was in respect of DART interest payments. Total passenger journeys on Iarnród Éireann services numbered 34.6 million. The Exchequer payment for each passenger was, therefore, €4.92.

The total Exchequer payment to the Railway Procurement Agency for the operation of Luas services in 2004 was €1.573 million. In 2004 the Luas carried 6.6 million passengers. This equates to an Exchequer payment of 24 cent per passenger. It should be noted that, based on current forecasts, the requirement for Exchequer funding

to meet the cost of operational deficits on Luas red and green lines will cease after 2006.

Public Transport.

579. **Mr. Kenny** asked the Minister for Transport the progress of reinstating the “handy bus” in urban areas of Letterkenny, County Donegal; and if he will make a statement on the matter. [10752/05]

Minister for Transport (Mr. Cullen): My Department issued an annual passenger licence to a bus operator in 1995 under the Road Transport Act 1932, to operate a regular bus service in and around Letterkenny town. The service was known locally as the “handy bus” and operated until 2001 when the operator did not renew the annual passenger licence and ceased operating the service.

The provision of public bus services on specific routes is a commercial and operational matter for bus operators. It is open to any private bus operator that may be interested to apply to my Department for an annual passenger licence under the Road Transport Act 1932 to operate a regular bus service on the route mentioned in the Deputy’s question and my Department would look favourably on any such application. It is also open to Bus Éireann to initiate new services subject to compliance with the necessary regulatory requirement of giving advance notice to my Department and to compliance with the provisions of section 25 of the Transport Act 1958 concerning competition with licensed private operators.

Vehicle Standards.

580. **Ms Burton** asked the Minister for Transport the laws and regulations which govern the fitting of exhaust systems to road vehicles, in particular to private cars; if his attention has been drawn to the fact that many of the exhausts available for purchase and private fitting are designed to create excessive noise and increase speed performance; if the policy of the Government is to further tackle the problem of excessive noise and speed generated by these systems; and if he will make a statement on the matter. [10811/05]

Minister of State at the Department of Transport (Mr. Callely): It is a requirement for the registration and entry into service of new motor vehicles in the European Union that they have type approval in accordance with Directive 70/157/EEC, as amended by Directive 1999/101/EC, which sets down the permissible sound levels and exhaust systems for motor vehicles. Vehicle in-service standards are specified in the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963, which require vehicles to be fitted with a silencer or other device that is suitable and sufficient for reducing to a reasonable level the noise caused by the escape of exhaust gases from the engine. An examination of the silencer to assess its effec-

tiveness in reducing noise is part of the NCT and the roadworthiness test carried out on commercial vehicles. It is an offence to use in a public place a vehicle which causes excessive noise. Enforcement of the law in this regard is a matter for the Garda Síochána.

Road Network.

581. **Mr. Bruton** asked the Minister for Transport if he has issued a policy direction to the National Roads Authority obstructing its proposal to buy back the tolling rights in respect of the M50; the assessment he has undertaken of the analysis by the authority underpinning its original proposal; the reason this conflict of policy has arisen between the authority and his ministry. [10812/05]

Minister for Transport (Mr. Cullen): The statutory power to levy tolls on national roads, to make toll by-laws, and to enter into toll agreements with private investors in respect of national roads is vested in the National Roads Authority, NRA, under Part V of the Roads Act 1993, as amended by the Planning and Development Act 2000.

The NRA has not made any proposal to buy back the tolling rights in respect of the M50. I

have not issued any policy direction on that subject to the authority.

Driving Tests.

582. **Mr. Haughey** asked the Minister for Transport his views on the length of the waiting lists for driving tests, particularly in the Dublin area; the measures he is taking to improve this situation; and if he will make a statement on the matter. [10813/05]

Minister for Transport (Mr. Cullen): My Department's discussions with the Department of Finance about a package of measures to reduce waiting times at all test centres are at an advanced stage. The measures include the recruitment of additional driver testers as well as increased productivity. I expect that my Department will be in a position to proceed with these measures at an early date.

Ministerial Appointments.

583. **Mr. Boyle** asked the Minister for Transport the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10880/05]

Minister for Transport (Mr. Cullen): The information requested by the Deputy is in the following table:

Body	Annual Fee for Chair	Annual Fee for Director
	€	€
Aer Lingus	19,046	12,697
Dublin Airport Authority	19,046	12,697
Cork Airport Authority	15,237	10,158
Shannon Airport Authority	15,237	10,158
Irish Aviation Authority	15,237	10,158
CIE	171,772 as Executive Chairman	12,697
Dublin Transportation Office	15,237	15 members at no remuneration 2 at 6,345
Medical Bureau of Road Safety	7,618	Nil
National Safety Council	12,697	Nil
National Roads Authority	10,158	6,349
Railway Procurement Agency	15,237	10,158
Taxi Regulation Advisory Council	Nil	Nil

Rail Network.

584. **Mr. Stagg** asked the Minister for Transport if he will approve the business case for the Kildare Arrow route project; if not, when he will respond to Irish Rail; if funding is available to proceed with the project from 2005; and if he will make a statement on the matter. [11107/05]

585. **Mr. Stagg** asked the Minister for Transport if he has considered Irish Rail's plan to provide a DART service on the Maynooth suburban line; and if he will make a statement on the matter. [11109/05]

587. **Mr. Curran** asked the Minister for Transport the status of the Kildare route project; and the timeframe, indicating various stages of progress. [11139/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 584, 585 and 587 together.

Iarnród Éireann has submitted a business case to my Department for the development of a greater Dublin integrated rail network, aimed at meeting the projected demand for rail services in the area into the future. Included in the business case are proposals to: provide a tunnel linking Heuston to the docklands; expand and upgrade the Kildare route; and electrify the Maynooth line. The business case for the proposed integrated rail network is being assessed by my Department in the context of the ten-year transport investment framework that is currently being finalised. However, a revised business case specifically related to the Kildare route project is expected from the company shortly and this will

[Mr. Cullen.]
be assessed separately as soon as it is received with a view to an early funding decision in the context of the existing five-year capital envelope.

Rural Transport Services.

586. **Mr. O'Shea** asked the Minister for Transport when the 34 rural transport initiatives groups will be notified of their funding for 2005; and if he will make a statement on the matter. [11137/05]

Minister for Transport (Mr. Cullen): Area Development Management Limited, ADM, administers the rural transport initiative, RTI, on behalf of my Department and has sole responsibility for making specific allocations to individual project groups from funding provided by my Department. I am currently reviewing the funding provision for RTI in 2005 and I will make an announcement shortly.

Question No. 587 answered with Question No. 584.

State Airports.

588. **Ms O. Mitchell** asked the Minister for Transport if officials of his Department have carried out any site assessment studies at Dublin Airport to ensure the selection of an optimum site for a second terminal at same which will best integrate into the overall operation of the airport; and if he will make a statement on the matter. [11158/05]

Minister for Transport (Mr. Cullen): As the Deputy will be aware, I am in the process of finalising proposals for the provision of additional terminal capacity at Dublin Airport and will be submitting these proposals to Government shortly. New capacity is clearly required to cater for expected growth in passenger numbers at the airport and the issue is how best to provide this capacity. Once the Government makes a decision on the matter, the detailed planning and implementation process will address the issue of the location of the next tranche of terminal capacity and all other relevant operational factors such as general access and the management of traffic, both airside and landside, at the airport.

Parking Facilities.

589. **Mr. Durkan** asked the Minister for Transport if his attention has been drawn to the urgent need for park and ride facilities adjacent to each of the rail stations throughout the greater Dublin area with particular reference to the stations in County Kildare, in view of the obvious inadequacies in this area at present; the timescale for such provision; and if he will make a statement on the matter. [11222/05]

Minister for Transport (Mr. Cullen): The provision of park and ride facilities is an operational matter for Irish Rail. Regarding park and ride facilities in County Kildare, I understand that

Irish Rail plans to develop a recently acquired site at Leixlip Louisa Bridge and to expand capacity at its Hazelhatch site.

Dormant Accounts Fund.

590. **Mr. Noonan** asked the Minister for Community, Rural and Gaeltacht Affairs if he will grant aid a project (details supplied) from the dormant accounts fund at his disposal; and if he will make a statement on the matter. [10060/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Decisions on the disbursement of funds from dormant accounts monies are currently a matter for the Dormant Accounts Fund Disbursements Board, an independent body established under the Dormant Accounts Acts. The board has engaged Area Development Management Limited, ADM, to administer the initial round of funding on its behalf, which involves the disbursement of up to €60 million from the fund.

I understand that an application from the group concerned was received by ADM. This application has been evaluated against the criteria set out in the published guidelines and a recommendation made to the Dormant Accounts Fund Disbursements Board for decision. I understand that the board will be meeting shortly to consider a number of applications submitted by ADM for decision, including this application. The group concerned will be advised of the board's decision in due course.

Security of the Elderly.

591. **Mr. J. Breen** asked the Minister for Community, Rural and Gaeltacht Affairs if funding will be made available to provide personal alarms and safety devices to all elderly persons; and if he will make a statement on the matter. [10141/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for older people encourages and assists local support for older people by means of a community-based grant scheme to improve the security of its older members. Funding under the scheme can be provided for window locks, door locks and door chains designed to strengthen points of entry to the dwelling; for smoke alarms; for security lighting; and for the once-off cost of installing socially monitored personal alarm systems. I recently announced the 2005 scheme open for applications.

The scheme is administered by community and voluntary organisations throughout the country with support provided by my Department. Any local voluntary or community-based organisation especially those working with or providing support for older people can apply to the Department for funding under the scheme. Applications are only open to people aged 65 and over who have a genuine need for assistance under this scheme.

Inland Waterways.

592. **Mr. J. Higgins** asked the Minister for Community, Rural and Gaeltacht Affairs if a copy of the report of the independent investigation into Waterways Ireland, completed in November 2004, has been forwarded to his Department; and if he will make the findings of the report public. [10168/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): An investigation into allegations of bullying and harassment and related matters in Waterways Ireland has been jointly carried out, with the consent of the parties involved, by independent investigators appointed by my Department and the Department of Culture, Arts and Leisure in the North. The report of the investigators has been submitted to the Departments and its conclusions and recommendations have been considered and accepted by the Departments. The actions to be taken following the findings of the report have been agreed by the Departments with the chief executive of Waterways Ireland. On 4 April 2005, my Department and the Department of Culture, Arts and Leisure issued a joint statement on the matter, which has been copied to the Deputy. It is not proposed to make any further comment about the investigation.

Official Engagements.

593. **Mr. Allen** asked the Minister for Community, Rural and Gaeltacht Affairs if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10180/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I travelled to Toronto, Canada for the St. Patrick's Day celebrations there. I was accompanied by my wife, the Secretary General of my Department and my secretary. We departed Dublin on 10 March and arrived back on the morning of 16 March. Invoices received to date, including the cost for officials travelling, relating to the Toronto trip come to €15,738.40. For the sake of completeness, I should say that the Secretary General took the opportunity to travel on to Ottawa for meetings with Canadian officials on policy matters of interest to my Department.

Security of the Elderly.

594. **Ms O'Sullivan** asked the Minister for Community, Rural and Gaeltacht Affairs if he will review the system of allocating personal alarms and safety devices to elderly persons; if applications will be processed frequently throughout the year to address the problem of grants to the organisations that administer the system coming out and new applications having to wait for several months; and if he will make a statement on the matter. [10288/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for older people encourages and assists local support for older people by means of a community-based grant scheme to improve the security of its older members. The scheme is administered by community and voluntary organisations throughout the country on an annual basis with support provided by my Department. This allows my Department to assess the amount of funding sought under the scheme in a given year and ensure that the funding available is distributed as equitably as possible to all applicant organisations, be they small wholly voluntary operated or larger well resourced organisations.

My Department recently completed a comprehensive review of the scheme and as a result, I am pleased to advise that the scheme has just been advertised this week, more than three months in advance of last year's scheme. I expect that this will allow for the timely installation of equipment to successful individual applicants.

Community Development.

595. **Mr. Timmins** asked the Minister for Community, Rural and Gaeltacht Affairs the non-CLÁR areas with a 50% and upward population decline for the counties Wicklow and Carlow; if these will be included in the CLÁR programme, in view of the fact that they meet the criteria and there is recognition in the national development plan that the south west region of Wicklow has suffered decline; and if he will make a statement on the matter. [10331/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The information requested by the Deputy is as follows:

DED	Pop. 1926	Pop. 1996	Pop. 2002	Change 1926-1996	Change 1926-2002
				%	%
<i>County Wicklow</i>					
Ballinguile	232	93	114	-59.91	-50.86
Aghowle	433	211	212	-51.27	-51.04
Ballybeg	375	174	170	-53.60	-54.67
<i>County Carlow</i>					
Rathanna	280	126	111	-55.00	-60.36
Ridge	355	211	212	-51.27	-51.04

[Éamon Ó Cuív.]

I refer the Deputy to my reply to his Question No 177 of 02 March 2005. The twofold criterion for inclusion in the CLÁR programme was that the areas suffered an average population loss of 50% and with an aggregate current population of more than 4,000. The Deputy will see from the statistics provided for the DEDs in Counties Wicklow and Carlow that, while the appropriate population decline had occurred, the criterion of an aggregate population of more than 4,000 was not met. The DEDs concerned are not contiguous and adjoining DEDs did not experience comparable population loss. These areas, therefore, were not eligible for inclusion in either the original CLÁR areas or the revised areas following the analysis of the 2002 population census data.

I have no plans for any further review of the boundary of CLÁR areas. No other significant areas fulfil the population criteria for inclusion in CLÁR.

Grant Payments.

596. **Mr. Haughey** asked the Minister for Community, Rural and Gaeltacht Affairs if he will increase the grant to the Northside Community Law Centre; and if he will make a statement on the matter. [10416/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The group in question is being funded by my Department under the scheme of training and supports, which was established under the White Paper, Supporting Voluntary Activity. Funding of €35,000 annually is available over a period of three years from 2003 to 2006. In addition, under the 2004 programme of grants for locally based community and voluntary organisations the group was awarded €9,000 towards the purchase of computer equipment. No additional funding is being considered at the moment.

Decentralisation Programme.

597. **Mr. Naughten** asked the Minister for Community, Rural and Gaeltacht Affairs the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10533/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Deputy will be aware that, under the decentralisation programme, my Department will be decentralising to two locations, namely Knock Airport and Na Forbacha in Galway, which is an existing decentralised location. No section of my Department currently based outside Dublin will be moved to other non-Dublin locations.

International Trade.

598. **Mr. P. McGrath** asked the Minister for Community, Rural and Gaeltacht Affairs if his attention has been drawn to the campaign to have fair trade products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such fair trade approved products used in his Department. [10564/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department has no function in respect of this campaign.

Departmental Funding.

599. **Mr. Broughan** asked the Minister for Community, Rural and Gaeltacht Affairs the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10649/05]

600. **Mr. Broughan** asked the Minister for Community, Rural and Gaeltacht Affairs the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10650/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I propose to take Questions Nos. 599 and 600 together.

Details of the grants and other financial assistance awarded by my Department under the community development programme in each of the past three years to men's and women's organisations and groups or organisations providing services primarily for men or women, including the name of the organisation or group and the amount paid, are set out in the table following.

The community development programme of my Department provides funding to groups for the following purposes: supporting particular disadvantaged groups and individuals to identify and respond to common interests and needs; giving practical assistance to community groups, such as provision of physical resources of photocopying, typing, meeting rooms; provision of funding information and assistance with applications; expertise with planning and project development and facilitation; running adult education and personal development courses especially daytime courses with crèche facilities; training in the areas of leadership and skills development, awareness-raising and social analysis, and planning and evaluation; assisting the development of new groups and initiatives to address unmet needs; providing information and a welfare rights service; developing awareness of the nature, causes and extent of poverty through

training, information-giving, research and lobbying; networking with other groups at local, regional and national level; and creating the conditions for social and economic development and contributing to other local development initiatives through participation in area-based partnerships.

In addition, the local development social inclusion programme is administered by ADM on behalf of my Department. This programme aims

to counter disadvantage and promote equality and social and economic inclusion through the provision of funding and support through ADM to area and community partnerships. Funding of €53.579 million, €44.962 million, €43.171 million and €45.7 million was provided for this programme in each of the years 2002, 2003, 2004 and 2005, respectively. Both women's and men's groups are eligible to apply to their local area or community partnership companies for funding under this programme.

Name of Men's organisation	Amount paid in 2002*	Amount paid in 2003	Amount paid in 2004	Amount paid to date in 2005
	€	€	€	€
Men's Development Project Waterford	97,105	99,800	105,376	25,948
Ballymun Men's Centre Ltd	8,255.00	77,533	15,230	16,224

Name of Women's organisation	Amount paid in 2002*	Amount paid in 2003	Amount paid in 2004	Amount paid to date in 2005
Access 2000 Waterford	63,500	72,800	75,139	23,039
Access 2000 Wexford	84,500	92,000	277,240	23,931
An Cosan/Shanty	75,400	76,020	78,740	29,685
Bawnogue Womens	36,188	39,270	42,130	10,356
Blayney Blades	95,250	95,780	94,410	23,603
Clare Womens Nework	54,800	61,800	69,067	17,000
Claremorris Womens Group	13,400	16,083	16,650	4,329
Clondalkin Womens Network	135,770	129,400	132,000	57,607
Dochas for Women	92,800	96,610	97,970	48,938
Donegal Womens Network	87,080	87,900	97,000	25,220
Independent Mothers Project	0	31,400	38,050	13,000
Irish National Widows	0	12,000	30,000	0
Fermoy Young Mothers	13,400	13,405	14,113	3,475
Lone Parents Tallaght	24,500	20,000	14,000	5,000
Limerick Womens Network	0	0	0	0
National Traveller Womens Forum	58,973	79,850	86,245	21,592
North Leitrim Womens Group	78,600	89,100	90,000	23,400
North Wall Womens Centre	91,400	71,849	92,907	23,375
Northwest Inner City Womens Network	76,276	77,450	23,000	0
PIECE Project	20,000	29,183	29,854	6,765
Ronanstown Womens	107,802	138,505	109,200	26,000
Roscommon Womens Network	0	7,095	0	0
Rowlagh Women	76,000	80,099	€82,784	21,524
Southside Womens Network	0	78,400	81,420	20,473
Southwest Kerry Womens Network	28,800	31,700	42,567	11,250
Tallaght Lone Parents	85,100	89,987	92,754	23,189
Tralee Women	53,475	59,670	65,500	17,000
Western Women's Link	19,100	19,100	31,591	0
Wolf Tone Villas	27,750	41,067	35,524	12,893
Women's of the North West	72,600	75,517	82,637	19,786
Women Together Tallaght	77,400	83,215	87,733	21,455
Women's Project Mullingar	53,400	54,750	56,854	14,877
Women's Aid	251,270	171,884	177,840	45,000

Departmental Bodies.

601. **Mr. Boyle** asked the Minister for Com-

munity, Rural and Gaeltacht Affairs the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10881/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The annual fees paid to each chairperson and director in each statutory board within the ambit of my Department are set out in the following tables.

Arramara Teo

Name	Fee
	€
Tom Hyland (Chairman)	7,618.44
Risteard Mac Donnacha	5,078.88
Marie Tinney	5,078.88

Western Development Commission (WDC)

Name	Fee
	€
Michael Farrell (Chairman)	7,618.43
Greg Jackson	5,078.95
Tish Gibbons	5,078.95
Mary Devine O'Callaghan	5,078.95
Mary Bohan	5,078.95
Des Mahon	5,078.95
Dr Katie Sweeney	5,078.95
Ray O'Donoghue	5,078.95
Pádraig Ó Caomhánaigh	5,078.95
Pat Gilmore	5,078.95
Billy Grimes	5,078.95
Martina Minogue	5,078.95

Dormant Accounts Fund Disbursements Board

Name	Fee
	€
Conleth Bradley (Chairman)	7,618.43
Professor Áine Hyland	5,078.95
Una Henry	5,078.95
Gerry Ryan	5,078.95
Seamus Thompson	5,078.95
Donal O'Siochain	5,078.95
Enda Twomey	5,078.95
Frank Ward	5,078.95

An Foras Teanga/The Language Body

(1) Members with responsibility for exercise of functions through Foras na Gaeilge

Name	Fee
Liam Corey	Stg£4,000.00
Anne Craig	Stg£4,000.00
Gordon McCoy	Stg£4,000.00
Aodhán Mac Poilín	Stg£4,000.00
Gearóid Mac Siachais	Stg£4,000.00
Patrick McGlone	Stg£4,000.00

Name	Fee
Treasa Ní Ailpín	€6,348.69
Caitríona Ní Cheallaigh	€6,348.69
Mairéad Nic Sheaghain	€6,348.69
Maolseachlainn Ó Caolaí	€6,348.69
Leachlainn Ó Catháin (Deputy Chair)	€8,253.30
Pádraig Ó Duibhir	€6,348.69
Gearóid Ó hEara	Stg£4,000.00
Diarmuid Ó Murchú	€6,348.69
Maighréad Úí Mhairtín (Chair)	Stg£6,400.00
Bríd Uí Néill	€6,348.69

(2) Members with responsibility for exercise of functions through Ulster Scots Agency

Name	Fee
	Stg£
Vacancy (Chair)	6,400.00
Pádraig de Bhál	4,000.00
James Devenney	5,200.00
Linda Lunney	4,000.00
Alastair Simpson	4,000.00
Robert Stoker	4,000.00
Dr. Éamonn Ó Domhnaill	4,000.00
Dr. Ian Adamson	4,000.00

Údarás na Gaeltachta

Name	Fee
	€
Cathaoirleach (vacancy)	15,236.86
Ian Mac Aindriú	10,197.90
Tadhg Ó Cuinn	10,197.90
Daithí Alcorn	10,197.90
Gráinne Nic Ghéidigh	10,197.90
Brian Ó Domhnaill	10,197.90
Pádraig Ó Dochartaigh	10,197.90
Séamus Mac Gearailt	10,197.90
Breandán Mac Gearailt	10,197.90
Connie Ní Fhátharta	10,197.90
Séamus Breathnach	10,197.90
Val Hanley	10,197.90
Seán O Creabháin	10,197.90
Seosamh Ó Cuaig	10,197.90
Seán Ó Tuairisg	10,197.90
Fiachra Ó Céilleachair	10,197.90
Micheál Ó Scanaill	10,197.90
Cathal Seoighe	10,197.90
Vacancy	10,197.90
Vacancy	10,197.90

Grant Payments.

602. **Dr. Upton** asked the Minister for Community, Rural and Gaeltacht Affairs the position regarding the payment of money under the young

people's facilities and services fund to a youth centre (details supplied) in Dublin 12. [10963/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Funding of €400,000 was allocated under round II of the YPFSF towards the refurbishment of the Brú Youth Centre in Dublin 12. This funding will be drawn down by Dublin City Council, which is overseeing the development of the centre, as soon as the divestiture of the building from the church has been finalised.

National Lottery Funding.

603. **Mr. Connolly** asked the Minister for Com-

Year	Grant Recipient	Amount
		€
2002	Togra Mhúineadh na Gaeilge, Southwark, London	95,230
2002	Bunscoil Bheanna Boirche, Tuaisceart Éireann	1,219
2003	The Center for Celtic Studies, University of Wisconsin, Milwaukee, USA	17,196
2004	The School of Celtic Languages and Culture, Konigswinter, Germany	3,339
2004	The Center for Celtic Studies, University of Wisconsin, Milwaukee, USA	19,046

In addition, funding is provided from Ciste na Gaeilge to Iomairt Cholm Cille — the Columba initiative, which is a tripartite initiative funded on an equal basis by Scotland, Ireland and Northern Ireland. My Department has responsibility for the funding of the initiative on behalf of the Irish Government. The initiative, which was founded in 1997, aims “to foster support for the Gaelic language and develop links between Gaelic Scotland and Ireland”. The funding provided by my Department is applied towards both the administrative costs of the initiative and the cost of individual projects in the three jurisdictions involved. The amounts paid by my Department since June 2002 are as follows:

Year	Amount paid
	€
2002	97,694
2003	272,545
2004	266,559
2005	60,000 (initial payment for 2005)

Grant Payments.

604. **Cecilia Keaveney** asked the Minister for Agriculture and Food the details of the NeighbourWood scheme; the number of applications expected this year; the funding available; the scope of the projects; the support in relation to insurance issues; and if she will make a statement on the matter. [10286/05]

Minister for Agriculture and Food (Mary Coughlan): The NeighbourWood Scheme offers considerable support to local authorities, community groups, environmental NGOs and private

community, Rural and Gaeltacht Affairs the amount of lottery funding advanced to date on a yearly basis to projects outside this State; and the number of such lottery grants on a yearly basis [11521/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Ciste na Gaeilge is financed from proceeds of the national lottery. It is a fund from which Irish language organisations and initiatives are grant-aided following annual assessment of applications from the organisations. The following details relate to funding made available from Ciste na Gaeilge by my Department since it was established on 6 June 2002 to Irish language organisations or initiatives outside the State:

woodland owners to work in partnership to develop appropriate woodland amenities in and around villages, towns and cities.

Six applications for preliminary approval have been received to date this year. Since this is a demand-driven scheme, it is impossible to say what further applications will be received. Maximum grant levels are: €6,730 per hectare for woodland establishment; €4,444 per hectare for woodland improvement and €2,540 per hectare for the installation of recreational facilities. Insurance is a matter for the woodland owner and would not be an appropriate item for support under a scheme such as this.

I urge all those interested in developing appropriate woodland amenities to come forward with their proposals for consideration as to possible financial support under the current scheme.

605. **Mr. Neville** asked the Minister for Agriculture and Food the outcome of the decision of the single payments appeals committee in connection with a review of the circumstances of a case, including additional information which was carried out by the independent single payment appeals committee regarding a single payment appeals consideration for a person (details supplied) in County Limerick. [10068/05]

Minister for Agriculture and Food (Mary Coughlan): The person named, having been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) 1782/2003, submitted an appeal to the independent single payment appeals committee. Following a full examination of the circumstances of the appeal, the findings of the

[Mary Coughlan.] independent single payment appeals committee were that the original decision taken by my Department should be upheld. However, further information relating to the appeal was received after the date of the appeals committee decision. A full review of the circumstances of the case including this additional information was carried out by the independent single payment appeals committee at their meeting on 23 February 2005. The outcome of the independent single payment appeals committee's further review was that the original decision taken by my Department should be upheld. The person named was notified of this decision on 3 March 2005.

606. **Mr. Lowry** asked the Minister for Agriculture and Food the number of north Tipperary farmers affected by a penalty (details supplied); if she will seek legal advice on the matter; if farmers will be sufficiently informed by her Department prior to this penalty; the steps she will take to minimise the penalty to farmers; and if she will make a statement on the matter. [10097/05]

Minister for Agriculture and Food (Mary Coughlan): Ireland's quota under the special beef premium scheme is 1,077,458 animals, comprising animals in the bull or first age categories. Under the provisions of Council Regulation (EC) 1254/1999, where the quota is breached in respect of the bull or first age category, the overshoot reduction must also be applied to the second age category animals. These provisions were applied when the overshoot reduction was applied in respect of the 2002 scheme.

Under the 2004 scheme, applications for in excess of 2.418 million animals were lodged, of which 1.394 million were quota animals, that is bull or first age animals. During December, applications in respect of 930,000 animals were submitted, compared with 600,000 during December 2003.

Following discussions with the farming organisations in late 2003, it was agreed that any overshoot reduction would not apply to the first 25 animals submitted by individual farmers. This means that any farmer who applied for special beef premium under the 2004 scheme in respect of a total of 25 or fewer animals will not suffer any reduction; all other farmers will be exempt on their first 25 animals.

The extent of the overshoot of the national quota for the special beef premium scheme and the numbers of farmers who will receive a reduced payment can only be definitively established when all applications are fully processed. This processing involves computer validation and, where errors or inconsistencies are highlighted in such validation, those cases require individual attention. Therefore, it will be appreciated that given the volumes of applications involved, it will take further time to establish the definitive level of quota overshoot, as ineligible animals and animals applied on in excess of each applicant's

stocking density limit of 1.8 livestock units per hectare will have to be excluded from the overshoot calculation. However, mindful of the need to expedite balancing payments to farmers affected by the quota excess, I am making arrangements to enable outstanding payments to be made at an early date to special beef, suckler cow and slaughter premium applicants based on an estimated special beef premium scheme overshoot. A final residual payment can issue in respect of the special beef premium when the exact quota position has been established.

Some 220,000 balancing payments totalling over €98 million have already issued to farmers under the 2004 suckler cow, special beef and slaughter premium schemes. These payments have been made to farmers who applied for no more than 25 special beef premium animals.

Ministerial Travel.

607. **Mr. Allen** asked the Minister for Agriculture and Food if she travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with her in her official party; the duration of the visit and the cost involved. [10181/05]

Minister for Agriculture and Food (Mary Coughlan): After attending a Council of Agriculture Ministers meeting in Brussels, I travelled to Paris to meet the French Minister for Agriculture, Food, Fisheries and Rural Affairs on 15 March to discuss EU agricultural matters. I subsequently represented the Government at a number of St. Patrick's Day events in Paris from 16 to 18 March. These events included hosting a reception in the embassy for Irish and French business and community representatives. In addition, I participated in Bord Bia and Bord Iascaigh Mhara export promotion activities as well as launching a new export contract for the sale of Irish beef to a major French retailing group. I was accompanied on the visit by my husband and private secretary. The full cost is not yet available but the cost to date amounts to €2,480.

Sheep Flock Restocking.

608. **Mr. Naughten** asked the Minister for Agriculture and Food the conclusions of the meeting with the author of the Crosby report; her plans to implement the recommendations of the report; and if she will make a statement on the matter. [10199/05]

Minister for Agriculture and Food (Mary Coughlan): A group under the chairmanship of Dr. Crosby examined the question of costs arising following restocking with a particular category of sheep in the case of flockowners where the depopulations occurred during the initial scrapie depopulation regime. In total, 100 flocks were depopulated under this phase and restocking was not permitted for a period of two years. Flockowners received compensation for the capital value of the sheep and for income loss for that

period. In addition, those who restocked in the third year also received compensation for income loss for that year. The terms of the agreement and amounts of compensation and income loss involved were clearly understood and accepted by all concerned at the time of depopulation. Further compensation in respect of later years was not part of this agreement. While my Department agreed to establish a group to examine the costs arising following restocking, it did not give any undertaking regarding the findings of the group.

Afforestation Programme.

609. **Mr. Gormley** asked the Minister for Agriculture and Food if she has made representations at EU level concerning the European Commission's proposal for a Council regulation on support for rural development 2007-13; if her attention has been drawn to the concerns of the Society of Irish Foresters that the proposed major cutbacks in grant aid and support of afforestation will seriously damage the role forestry is now playing in rural Ireland; and if she will make a statement on the matter. [10234/05]

Minister for Agriculture and Food (Mary Coughlan): I am very much aware of the concerns of the Society of Irish Foresters about the proposals for forestry contained in the draft Rural Development Regulation 2007-2013. The draft regulation was first published by the European Commission last summer, and is the subject of ongoing negotiations in Brussels. These are merely proposals at this stage and are some way from agreement in their present format.

From the outset, the Irish position on the draft regulation on forestry has been clear. We have continually and consistently made known our opposition to the Commission's proposals on forestry establishment grants, premiums and associated premium payment periods. We will continue to work at all levels to achieve the best possible deal for Ireland in the admittedly tough negotiations that lie ahead. Early in the process I established a consultative liaison group, comprising representatives of the forestry sector, which meets regularly. Through this group, on which the Society of Irish Foresters is represented, the sector is consulted and informed of developments.

Grant Payments.

610. **Mr. Connaughton** asked the Minister for Agriculture and Food when payment of the 2003 and 2004 headage grants, area based payments and special beef premium will issue to a person (details supplied) in County Galway; and if she will make a statement on the matter. [10254/05]

Minister for Agriculture and Food (Mary Coughlan): Payments under the 2003 and 2004 area-based compensatory allowance scheme were made to the person named on 11 March 2004 and 27 October 2004 respectively. The person named lodged two applications under the 2003 EU

special beef premium scheme, one 18 February 2003, in respect of six animals and one on 19 May 2003, in respect of four animals. Payment in respect of five of the six animals applied on under the application dated 18 February 2003 has issued in full. Payment in respect of the remaining animal has been paid in full, to the person named under a previous application, dated 4 December 2002. Payment in respect of the four animals under the application dated 19 May 2003 has also issued in full. The person named did not apply under the 2004 EU special beef scheme. The person named is not an applicant under the 2003 or 2004 suckler cow premium schemes.

He also participated in 2003 extensification premium. On 10 June 2004, a payable order for €360 issued representing payment on the nine animals that had already qualified for payment of 2003 special beef premium on his holding. In addition, the person named also applied under the 2004 extensification premium scheme but since he did not lodge applications under the 2004 special beef premium or suckler cow premium schemes, he has no eligible animals on which a payment may be based.

611. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take regarding the calling into question by the European Court of Auditors report on Ireland of the aid granted to Coillte Teoranta's reconstitution of woodland after gale damage which they determined had been completed before the approval of the application by the forest service. [10262/05]

612. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take regarding the calling into question by the European Court of Auditors report on Ireland of the aid granted to a person (details supplied) in County Mayo. [10263/05]

613. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take regarding the calling into question by the European Court of Auditors report on Ireland of the aid granted to a person (details supplied) in County Mayo. [10264/05]

614. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take regarding the European Court of Auditors report on Ireland of the aid granted to a company (details supplied) in County Mayo. [10265/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 611 to 614, inclusive, together.

The Deputy is referring to Special Report No. 9, 2004 of the European Court of Auditors concerning forestry measures within rural development policy. This report related to EU-wide for-

[Mary Coughlan.]

estry measures and not those of Ireland as such. Individuals or companies are not mentioned in this report. The cases cited by the Deputy were the subject of confidential correspondence between the Court of Auditors and Ireland two years ago. This correspondence was in the nature of preliminary comment by the court and full responses were given by Ireland. The cases mentioned are not identified other than in the preliminary confidential exchange of views and in the circumstances it would not be appropriate to divulge the details. The court drew attention to the importance of respecting the confidentiality of the exchanges.

615. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take in regard to the calling into question in a report of the European Court of Auditors of Ireland's failure to give social and environmental considerations equal weight to economic consideration and so implement sustainable forestry. [10266/05]

616. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take to ensure that the level of premium aid given to forestry applicants reflects the true loss of income from the land involved and not an inflated value as suggested by the European Court of Auditors report on Ireland. [10267/05]

617. **Mr. Sargent** asked the Minister for Agriculture and Food the measures taken by her Department or which she intends to take to ensure that the level of premia payable to farmers for loss of income is paid only to those who have genuinely farmed the land previous to their application and are not, in fact, investors for whom there is no justification for obtaining the higher compensation, as noted by the European Court of Auditors report on Ireland. [10268/05]

618. **Mr. Sargent** asked the Minister for Agriculture and Food the failures in checks and assessments of forestry funding in the European Court of Auditors report on Ireland and the measures she has taken or intends to take to rectify the matter. [10269/05]

619. **Mr. Sargent** asked the Minister for Agriculture and Food the measures she has taken or intends to undertake to ensure there is a separation of duties of forest inspectors to eliminate the fact that forestry projects are approved and checked by the same person as stated in the European Court of Auditors report. [10270/05]

620. **Mr. Sargent** asked the Minister for Agriculture and Food if she will provide him with the correspondence between the Irish authorities and the European Court of Auditors during the discussions about the forestry audit report on Ireland. [10271/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 615 to 620, inclusive, together on the basis that they refer to issues arising in Special Report No. 9 of the European Court of Auditors concerning forestry measures within the European Union's rural development policy.

This report examines the implementation of the various EU forestry measures across all the member states, not only Ireland, and will be considered by the relevant committee in Brussels in that context. It does not fall to individual member states to respond.

With regard to the issues raised by the Deputy, sustainable forestry is the cornerstone of my Department's strategy for the sector. Ireland has been to the fore in implementing these principles.

On the question of premiums, I am satisfied that the rate paid is fully justified. Only applicants who fulfil the agreed eligibility requirements as farmers are paid the farmer rate of premium.

On controls, this area is kept under constant review and it is always possible to improve any system of controls. The current system is being fully examined in the context of the new IFORIS information technology programme to be introduced later this year.

On supplying a copy of relevant correspondence between the Irish authorities and the European Court of Auditors, this correspondence is of a confidential nature. It relates to the preliminary views of the court on a number of named individual cases, along with the responses of the Irish authorities in each instance. The court has drawn attention to the importance of respecting the confidentiality of this exchange. It is not, therefore, appropriate to provide this private correspondence relating to named individual cases.

Farm Retirement Scheme.

621. **Mr. Naughten** asked the Minister for Agriculture and Food if she will implement the recommendations of the report of the Oireachtas Joint Committee on Agriculture and Food on the early retirement scheme; and if she will make a statement on the matter. [10279/05]

Minister for Agriculture and Food (Mary Coughlan): I formally received the report of the Oireachtas joint committee on 7 April. I have asked my officials to consider the recommendations contained in the report, having due regard to the terms and conditions both of the early retirement scheme and the European Commission regulations under which both the current and previous schemes were implemented.

Grant Payments.

622. **Mr. G. Murphy** asked the Minister for Agriculture and Food when a reactor grant will be awarded to a person (details supplied) in County Cork. [10280/05]

Minister for Agriculture and Food (Mary Coughlan): Compensation for tuberculosis reac-

tors valued under the on-farm market valuation scheme issued to the person concerned on 14 March 2005.

623. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food the entitlements a person (details supplied) in County Cork has under the single payment scheme. [10329/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for consideration both as a farmer who commenced farming during the reference period and under the inheritance measure of the single payment scheme. Following an examination of the applications, the person named was notified that the inheritance measure was successful and his application to be treated as a farmer who commenced farming during the 2000 to 2002 period was rejected as he did not commence farming until January 2003. A statement of provisional entitlements outlining this position issued to the person named on 22 March 2005.

624. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food if consideration will be given to an application under the single payment scheme 2005 national reserve for a person (details supplied) in County Cork. [10330/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has applied to the 2005 single payment national reserve under category B, investment, and category D, new entrant. The position with regard to the national reserve is that all applications are being processed and in view of the number of applications received and accompanying documentation submitted, it will be some time before processing is completed. The Deputy will appreciate, therefore, that it is not possible to indicate at this stage whether the person named will qualify for an allocation of entitlements from the reserve on foot of his application. Applicants will be notified of their eligibility or otherwise as soon as all applications are processed.

Milk Quota.

625. **Mr. Timmins** asked the Minister for Agriculture and Food if she will consider the application for farm partnership for a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [10418/05]

Minister for Agriculture and Food (Mary Coughlan): The milk quota regulations provide for the establishment of milk production partnerships subject to a number of conditions. In certain cases exemptions may be allowed by my Department where some conditions relating to milk production partnerships are not satisfied. Applications for the registration of milk production partnerships can be made to the Dairy Partnership Registration Office, Teagasc, Moorepark, County Cork.

It is understood that the named person manages two farms, one of which appears to be solely held by his father, while the other is owned by a third party. The named person’s father is the producer in regard to the quota held on the family farm and it is he who must satisfy the partnership qualification conditions rather than the named person. From the information supplied, the quota holder does not satisfy the age condition for a partnership and the named person does not qualify under the milk production partnership rules as he is not an existing milk producer.

Grant Payments.

626. **Mr. Neville** asked the Minister for Agriculture and Food the position regarding the payment of 2004 beef premium for three cattle to a person (details supplied) in County Limerick. [10419/05]

Minister for Agriculture and Food (Mary Coughlan): The person named lodged three applications under the 2004 EU special beef premium scheme, one on 2 January 2004 in respect of two animals, one on 1 September 2004, in respect of 14 animals and one on 31 December 2004 in respect of one animal. Payment in full has issued in respect of the first application. Payment in respect of 11 of the 14 animals applied on under the application dated 1 September 2004 has issued in full. The remaining three animals applied on were slaughtered on 27 October 2004 inside the regulatory two month retention period.

Under the terms and conditions of the 2004 EU special beef premium scheme, applicants were required to “own, possess, hold and maintain” the animals applied on for the entire two month retention period, starting on the day after the application is received by the Department. By letter dated 16 September 2004 the person named was advised that this application had been received on 1 September 2004, the retention period would expire on 2 November 2004 and the first date on which any of the animals included on the application could be sold was 2 November 2004.

By letter dated 13 January 2005 the person named was advised that, as the animals in question were slaughtered during the regulatory two month retention period, no payment would be made on the animals and a penalty would be applied in accordance with the terms and conditions. The person named subsequently appealed this decision and, by letter dated 28 February 2005, following consideration of the appeal, was advised that in light of new evidence the penalty as initially proposed would not now apply. However, as the animals were not retained for the regulatory two month retention period, premium cannot be paid. The animals were, therefore, deleted from his application, without penalty, and counted for stocking density purposes, as required. Payment in full has issued in respect of the third application.

Milk Quota.

627. **Mr. G. Murphy** asked the Minister for Agriculture and Food the position regarding the case of a person (details supplied) in County Cork; and if her Department will reconsider including this person under the animal disease flexi-milk allocations. [10426/05]

Minister for Agriculture and Food (Mary Coughlan): Allocations of milk quota from the national reserve are granted on the basis of recommendations from the milk quota appeals tribunal. The tribunal is a body established to consider and advise on applications for additional quota from individual producers who have suffered severe hardship in the context of the milk quota system. It also examines applications from producers whose herds have been restricted by animal disease in the current milk quota year.

The person in question applied for additional quota on the grounds of animal disease in the current 2004-05 quota year. The tribunal examined the application in March but did not recommend making an allocation on that occasion. While every application to the tribunal is treated in a fair and sympathetic manner, it has not been possible, within the constraints of the limited amount of quota available and the sizeable number of applications received, to meet the demands for quota from all applicants. The person concerned has appealed the decision and the tribunal will review all such appeals in the coming weeks.

Afforestation Programme.

628. **Mr. Lowry** asked the Minister for Agriculture and Food the progress to date on the national review of ash tree planting; the process in developing the report; when it is expected to go to public consultation; when it is expected to be complete; and if she will make a statement on the matter. [10466/05]

Minister for Agriculture and Food (Mary Coughlan): I understand that the Deputy is referring to the study on the supply of, and demand for, ash for hurley making as mentioned in my

response to him on 1 March 2005. The study, which will be carried out by Teagasc, is being scoped and costed at present. The basis of the study will be to examine questions of supply and demand for ash plants required for hurley making. The study will look at both the current position and the estimated future position and will place particular emphasis on the native supply of ash suitable for hurley making. It will not involve public consultation as such but I expect Teagasc will consult with individuals and groups in the conduct of the study. I have asked that the study be completed as soon as possible but until the final terms are established I cannot give a final report date at this time.

Potato Sector.

629. **Mr. Lowry** asked the Minister for Agriculture and Food if her attention has been drawn to the crop shortage (details supplied); and if she will make a statement on the matter. [10467/05]

Minister for Agriculture and Food (Mary Coughlan): While potato acreage has declined by 4% in the past five years to 12,600 hectares, production has increased by 11% to 506,000 tonnes. The increased production has led in the past two years to over-supply and a downward pressure on prices. A feature of potato production is the gradual decline in the number of growers. The industry is becoming more concentrated with a small number of large-scale growers producing the main crop varieties.

Rural Environment Protection Scheme.

630. **Mr. Lowry** asked the Minister for Agriculture and Food the number of farmers who took part in the REP scheme programme each year from 2000; the number of farmers who have had a REP scheme inspection each year from 2000; the number of farmers who have had REP scheme audits each year from 2000; and the number of farmers who have had penalties imposed each year from 2000. [10468/05]

Minister for Agriculture and Food (Mary Coughlan): The information requested is set out in the table below.

Year	No. of Participants in each year	No. of Compliance Inspections	No. of Audits	No. of Participants with penalties imposed
2000	44,795	19,709	1,927	4,643
2001	44,672	8,551	590	2,707
2002	39,761	8,570	1,561	2,400
2003	36,818	8,802	1,589	1,904
2004	38,467	9,264	1,668	1,604

Departmental Decisions.

631. **Mr. Lowry** asked the Minister for Agriculture and Food the number of appeals submitted by farmers for each year since 2000; the number of decisions upheld and decisions reversed on appeal since 2000; the average

amount of money involved in each appeal; the length of time taken to return payments to farmers on successful appeals; and if she will make a statement on the matter. [10469/05]

Minister for Agriculture and Food (Mary Coughlan): The Agriculture Appeals Office was

established in May 2002 to deal with appeals from farmers on an independent statutory basis. Since

Year	Received	Successful or Partially Successful	Unsuccessful	Other (Withdrawn, Not Valid, Out of Time etc.)	On Hand
2002	518	191	285	42	—
2003	1,143	438	623	82	—
2004	1,116	352	549	116	99
2005 (to date)	255	11	18	18	208

then the following numbers of appeals have been received:

Before May 2002, appeals concerning livestock schemes were dealt with by the headage and pre-

mia appeals unit of the Department and the following appeals were received from 2000 to 2002:

Year	Received	Successful	Unsuccessful
2000	584	218	366
2001	688	243	445
2002	379	163	216

Appeals concerning the rural environment protection scheme, REPS, were dealt with by the

REPS appeals committee and the following appeals were received from 2000 to 2002:

Year	Received	Successful or Partially Successful	Unsuccessful	Other (Withdrawn, Not Valid, etc.)
2000	472	143	315	14
2001	245	94	141	10
2002	273	112	148	13

The amounts involved in each appeals case are not readily available. The agriculture appeals office gives full consideration to each case under appeal and makes no distinction according to the amount involved. The Department endeavours to make payments on successful appeals as soon as all outstanding issues in individual cases are resolved.

mentation containing certain points of information. In the cases in question, the commercial documentation was inadequate and further documentation is awaited. Following receipt and evaluation of this documentation, a decision on release or otherwise of the meat will be taken.

Pigmeat Sector.

632. **Mr. N. O'Keefe** asked the Minister for Agriculture and Food the position regarding pork and bacon in a chilled warehouse (details supplied) in County Tipperary; and if her Department is considering re-exporting this meat. [10499/05]

Minister for Agriculture and Food (Mary Coughlan): It is assumed that the question concerns consignments of pigmeat that were imported into the European Union and subsequently forwarded to a cold store in County Tipperary during the first three months of this year. All pigmeat imported from non-EU countries is checked for compliance with EU veterinary legislation at the first EU border inspection post where it is presented for completion of import formalities. This legislation includes requirements in regard to animal health and public health status and the veterinary certificates that must accompany consignments.

Subsequent to release into free circulation in the EU, meat moving between EU countries is required to be accompanied by commercial docu-

Farm Retirement Scheme.

633. **Mr. J. Higgins** asked the Minister for Agriculture and Food the immediate steps her Department is taking to implement the recommendations of the report of the Joint Oireachtas Committee on Agriculture and Food on retired farmers. [10500/05]

Minister for Agriculture and Food (Mary Coughlan): I received the report of the joint Oireachtas committee formally on 7 April. I have asked my officials to consider the recommendations contained in the report, having due regard to the terms and conditions both of the early retirement scheme and of the European Commission regulations under which both the current and previous schemes were implemented.

Decentralisation Programme.

634. **Mr. Naughten** asked the Minister for Agriculture and Food the sections of her Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the

[Mr. Naughten.]
numbers and sections involved; and if she will make a statement on the matter. [10534/05]

Minister for Agriculture and Food (Mary Coughlan): The following table shows the sections of my Department currently based outside Dublin which will be moved to other non-Dublin locations under the Government's decen-

Office	Decentralised Location	Number of staff
Cork North and Central Local Offices Hibernian House, South Mall, Cork. Farm Development Office Gooldshill, Mallow. Forest Service, South Mall, Cork.	Fermoy	100
Blood Testing, Dairy Science and Regional Veterinary Laboratories, Model Farm Road, Cork. Dairy Science Laboratory, Killeely Road, Limerick. Regional Veterinary Laboratory, Knockalisheen, Limerick.	Macroom	100

Farm Retirement Scheme.

635. **Mr. Durkan** asked the Minister for Agriculture and Food when she will implement the recommendations of the Joint Oireachtas Committee on Agriculture and Food report on the early retirement scheme; and if she will make a statement on the matter. [10539/05]

Minister for Agriculture and Food (Mary Coughlan): I received the report of the joint Oireachtas committee formally on 7 April. I have asked my officials to consider the recommendations contained in the report, having due regard to the terms and conditions both of the early retirement scheme and the European Commission regulations under which both the current and previous schemes were implemented.

Grant Payments.

636. **Mr. G. Murphy** asked the Minister for Agriculture and Food if she will review the application for the single payment for a person (details supplied) in County Cork; and if she will make a statement on the matter. [10540/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* — exceptional circumstances — under Article 40 of Council Regulation (EC) No. 1782/2003. Following this decision the person named submitted an appeal to the independent single payment appeals committee. A full review of the circumstances of the case will be carried out by the independent single payment appeals committee and the person named will be notified shortly of the outcome.

Farm Retirement Scheme.

637. **Mr. Penrose** asked the Minister for Agriculture and Food if she has received the Joint Oireachtas Committee on Agriculture and Food report (details supplied); if she will take steps at national level and, if necessary, at European

tralisation programme and the likely numbers of staff concerned. Neither of the locations has been included in the first phase of moves as recommended in the November 2004 report of the decentralisation implementation group. It is expected the decentralisation implementation group will report again in the near future and will deal with the locations not included in the first phase then.

Commission level to ensure that the contents of this joint Oireachtas report, in particular the conclusion thereof, will be implemented; and if she will make a statement on the matter. [10541/05]

Minister for Agriculture and Food (Mary Coughlan): I received the report of the joint Oireachtas committee formally on 7 April. I have asked my officials to consider the recommendations contained in the report, having due regard to the terms and conditions both of the early retirement scheme and the European Commission regulations under which both the current and previous schemes were implemented.

Fair Trade.

638. **Mr. P. McGrath** asked the Minister for Agriculture and Food if her attention has been drawn to the campaign to have fair trade products widely available and used; her views on the objectives of this campaign; and if she will endeavour to have such fair trade approved products used in her Department. [10565/05]

Minister for Agriculture and Food (Mary Coughlan): I am aware that OXFAM Ireland is actively involved in a campaign to make fair trade products widely available within Ireland and has been successful in securing support from the major multiples here for its fair trade fortnight in March last. The decision to use any fair trade product by my Department would be subject to compliance with public procurement rules and it is a matter for the enterprises supplying services such as cafeteria services in the Department to make their own commercial decisions in sourcing their supplies. I am pleased the restaurant in Agriculture House, which is a private concern, took a decision some two years ago to stock fair trade coffee, one of the products highlighted by OXFAM in its campaign.

Decentralisation Programme.

639. **Mr. Perry** asked the Minister for Agriculture and Food if she will consider moving smaller sections of the Department of Agri-

culture to regional agricultural offices. [10618/05]

Minister for Agriculture and Food (Mary Coughlan): Under the Government's decentralisation plan, my Department's headquarters in Dublin will relocate to Portlaoise. To achieve the staffing targets set out for Portlaoise in the plan, it is not envisaged that smaller sections of my Department will be transferred to regional or local offices. I am aware that with the introduction of the single payments scheme staff in local offices of my Department will be freed up with the ending of livestock payment schemes. My Department is working with local office managers and staff representatives and other Departments with a view to ensuring staff continue to be gainfully employed.

Agricultural Appeals Office.

640. **Mr. Naughten** asked the Minister for Agriculture and Food the recommendations contained in the agriculture appeals office annual report of 2003 which have not been implemented in full by her Department; the action she will take to implement these recommendations; and if she will make a statement on the matter. [10642/05]

Minister for Agriculture and Food (Mary Coughlan): With regard to the rural environment protection scheme, REPS, the agriculture appeals office made four recommendations. My Department took all of these recommendations into consideration when preparing for the introduction of REPS 3 in 2004.

The first recommendation was that participants be notified of changes to the scheme at the same time as REPS planners or at their next anniversary date. However, there can be up to 20 such changes in a year, most of which are minor and technical in nature and of direct interest only to planners in their professional capacity. My Department advertises fundamental changes to the scheme which are directly relevant to participants and I believe this is adequate.

The second recommendation indicated that my Department should define what time lapse is acceptable for the submission of amended plans in cases where land is transferred and a new applicant is submitting a new plan. In practice, these cases raise few difficulties. My Department considers that the present position in which each case is judged on its merits and dealt with as flexibly as possible, is preferable.

The third recommendation was that my Department examine the delays in notifying farmers of the results of inspections. This is being implemented. The fourth recommendation was that my Department should re-examine its policy relating to clawback of overpayments. This recommendation has been fully implemented.

The agriculture appeals office made six recommendations in regard to livestock schemes. The position is that five of the recommendations are being implemented in full. As regards the CMMS,

a herd profile was issued last month to all farmers with clear instructions as to how to resolve anomalies. In addition, herd profiles may be obtained on request from district veterinary offices of any Department at any stage by individual farmers wishing to verify whether transactions have been recorded on the system. Farmers who register under e-services may also access this information electronically on the Department's website.

Departmental Funding.

641. **Mr. Broughan** asked the Minister for Agriculture and Food the grants and other financial assistance awarded by her Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10643/05]

642. **Mr. Broughan** asked the Minister for Agriculture and Food the grants and other financial assistance awarded by her Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10644/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 641 and 642 together.

While my Department has provided grants and other financial assistance to a variety of organisations over the past three years, such organisations are not gender specific. Consequently, it is not possible to present information relating to such grants and assistance in terms which are gender specific.

Biofuel Crops.

643. **Mr. Kenny** asked the Minister for Agriculture and Food the measures being promoted by her Department to increase the growth and use of biofuel crops to meet Ireland's energy needs; if her Department is working in conjunction with the Department of Communications, Marine and Natural Resources to promote such renewable energy sources; if not, the reason therefor; and if she will make a statement on the matter. [10717/05]

Minister for Agriculture and Food (Mary Coughlan): The promotion and development of renewable energy, including biofuels, are matters in the first instance for the Minister for Communications, Marine and Natural Resources. An interdepartmental group, chaired by the Department of Communications, Marine and Natural Resources and comprising of officials from my own Department, the Departments of Finance and Transport, the Department of the Environment, Heritage and Local Government and Sustainable Energy Ireland, SEI, was set up

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in December 2003 to consider policy options for the development of a biofuels sector in Ireland.

My Department introduced an energy crops scheme in March 2004 in accordance with the provisions of Council Regulation (EC) No 1782/2003. Under this scheme, aid of €45 per hectare is granted for areas sown under energy crops and used for the production of products considered biofuels and electric and thermal energy produced from biomass. Any agricultural raw material, with the exception of sugar beet, may be grown under the energy crops scheme. From 1 January 2005, farmers may claim the energy crop payment in addition to their entitlement under the single farm payment scheme. In addition to this scheme, set-aside land can be used for a variety of non-food uses, including growing of crops for energy purposes, and will, therefore, qualify to activate set-aside entitlements under the single payment scheme.

I am conscious both of the potential to produce energy from biomass and of the value of wood as a carbon-neutral fuel. I consider that the production of energy from biomass offers an important potential market for forest residues. There is real potential to use thinnings from our forests to generate heat and power, thus decreasing our dependence on fossil fuels.

Grant Payments.

644. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) will be awarded the REP scheme payment. [10739/05]

Minister for Agriculture and Food (Mary Coughlan): Processing of this application is almost complete and payment will issue within the next ten working days.

Genetically Modified Organisms.

645. **Mr. Sargent** asked the Minister for Agriculture and Food if she intends to declare Ireland a genetically modified free zone to protect Ireland's natural biodiversity and green food producing image especially in view of Clare County Council's decision to ban genetically modified crops. [10742/05]

Minister for Agriculture and Food (Mary Coughlan): I wish to inform the Deputy that the EU legislation, jointly adopted by the European Parliament and the Council, on the cultivation of GM crops specifically prohibits the unilateral declaration of a GM-free country. There are, however, possible options available to restrict the growing of GM crops within regions of a country. These include the concept of voluntarily developed GM free regions, a concept being explored by a number of regional communities and authorities throughout the Union. Another option is to seek a derogation from the Commission that, on the basis of sound scientific evidence, coexistence is not possible in certain

regions in respect of certain named crops. The cultivation of these crops can then be legitimately prohibited if the case made is accepted by the Commission.

The green food producing image which is associated with Ireland and promoted so successfully by An Bord Bia plays a vital role in the development and promotion of our food industry. The legislative framework on GMOs put in place by the European Parliament and Council of Ministers which is binding on all member states and which is being fully implemented in Ireland provides for a series of controls along the whole supply chain. This ensures that only food which meets the highest possible levels of safety is produced and marketed in this country and any food containing GMOs has to be labelled.

Live Exports.

646. **Mr. Haughey** asked the Minister for Agriculture and Food if she will introduce a ban on the export of live horses for slaughter; if legislation is needed for this purpose; and if she will make a statement on the matter. [10815/05]

Minister for Agriculture and Food (Mary Coughlan): Trade in horses between member states and from member states to third countries is governed by European legislation and specific Commission decisions which establish the health conditions and certification to be applied to such animals for trade purposes. All export licences issued by my Department are in respect of animals for breeding, racing and jumping or sport use and export licences have not issued for horses for slaughter.

Under trade rules in place between Ireland, France and the UK for many years, based on a common animal health position in the equine sector, known as the tripartite agreement, intra-community export or import licences are not required for trade between these countries. However, the animals must be individually identified via their own passports, or a current signed marking sheet, and are subject to spot checks by an official veterinarian at the port of departure.

Although all horses certified by my Department are certified for the purposes I have outlined above, I should however point out that trade in horses for slaughter is covered by relevant EU regulations and is, subject to compliance with animal health and welfare legislation, a legitimate trade.

Grant Payments.

647. **Mr. P. McGrath** asked the Minister for Agriculture and Food when a person (details supplied) in County Cork will be issued with a preliminary entitlement certificate. [10856/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration under the *force majeure* or exceptional circumstances measure of the single payment scheme. Following favourable

consideration of this application, a revised provisional entitlement statement issued to the person named on 6 April 2005.

648. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will receive notification of entitlements under the single payment scheme. [10858/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has submitted an application in respect of the inheritance measure of the single payment scheme. The application did not include the necessary supporting docu-

mentation, a copy of the grant of probate and will of the deceased, that would have enabled my Department to process the application. On receipt of the outstanding documentation requested by my Department, the person named will be informed of the decision in his case.

Departmental Bodies.

649. **Mr. Boyle** asked the Minister for Agriculture and Food the annual fees paid to each chairperson and director in each statutory board under the remit of her Department. [10882/05]

Minister for Agriculture and Food (Mary Coughlan): The information, which relates to the last complete financial year, is presented below:

Statutory Body	Chairperson Fee	Board Member/Director Fee
	€	€
An Bord Bia	15,237	10,158 (*)
Coillte	15,237	10,158
Irish National Stud	10,158	6,349 (*)
National Milk Agency	7,618	No fees paid to members of the board
Teagasc	15,237	10,158 (*)

The figures marked with an asterisk indicate that Department of Agriculture and Food representative on the board does not receive any fees.

Grant Payments.

650. **Mr. Ring** asked the Minister for Agriculture and Food the reason payment of premium forestry grants that was always in March of each year is now being delayed until April; and the reason therefor. [10918/05]

Minister for Agriculture and Food (Mary Coughlan): Payment of the annual forestry premiums is normally made around this time every year. Last year the premium run took place in early April. This year's payments will be a little later, due to the additional work which had to be carried out in order to fully integrate the forestry payment system with the agriculture system, following the transfer of responsibility for the forestry portfolio to my Department last year. This work involved the examination of client details on each and every file on which payment is made, the updating of such information as required and then the linking of each file into the Department of Agriculture payment system. This was a substantial challenge, scoped as a separate sub-project within the IFORIS project, and with its own dedicated team of personnel. Due to the additional work that had to be done this year my Department indicated to the forest owners that the premium run would not take place until the end of April 2005. However, I am pleased to say that the work has been completed ahead of schedule and I expect the first payments to be made before the end of this week.

Biofuel Crops.

651. **Mr. Naughten** asked the Minister for Agriculture and Food the measures being promoted

by her Department to increase the growth and use of biofuel crops to meet Ireland's energy needs and to supplement farm incomes; if her Department is working in conjunction with the Department of Communications, Marine and Natural Resources to promote such renewable energy sources; if not, the reason therefor; and if she will make a statement on the matter. [10944/05]

Minister for Agriculture and Food (Mary Coughlan): The promotion and development of renewable energy, including biofuels, are matters in the first instance for the Minister for Communications, Marine and Natural Resources. An interdepartmental group, chaired by the Department of Communications, Marine and Natural Resources, and comprising of officials from my own Department, the Departments of Finance and Transport, the Department of the Environment, Heritage and Local Government and Sustainable Energy Ireland, SEI, was set up in December 2003 to consider policy options for the development of a biofuels sector in Ireland.

My Department introduced an energy crops scheme in March 2004 in accordance with the provisions of Council Regulation (EC) No 1782/2003. Under this scheme, aid of €45 per hectare is granted for areas sown under energy crops and used for the production of products considered biofuels and electric and thermal energy produced from biomass. Any agricultural raw material, with the exception of sugar beet, may be grown under the energy crops scheme.

From 1 January 2005, farmers may claim the energy crop payment in addition to their entitlement under the single farm payment scheme. In addition to this scheme, set-aside land can be

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used for a variety of non-food uses, including growing of crops for energy purposes, and will, therefore, qualify to activate set-aside entitlements under the single payment scheme.

I am conscious both of the potential to produce energy from biomass and of the value of wood as a carbon-neutral fuel. I consider that the production of energy from biomass offers an important potential market for forest residues. There is, I believe, real potential to use thinnings from our forests to generate heat and power, thus decreasing our dependence on fossil fuels.

Farm Retirement Scheme.

652. **Dr. Upton** asked the Minister for Agriculture and Food the action she will take to ensure the speedy implementation of the Joint Oireachtas Committee on Agriculture and Food's report on the operation of the farmers' early retirement scheme; and if she will make a statement on the matter. [11003/05]

Minister for Agriculture and Food (Mary Coughlan): I received the report of the joint Oireachtas committee formally on 7 April. I have asked my officials to consider the recommendations contained in the report, having due regard to the terms and conditions both of the early retirement scheme itself and of the European Commission regulations under which both the current and previous schemes were implemented.

Road Traffic Offences.

653. **Ms Burton** asked the Minister for Justice, Equality and Law Reform regarding the laws and regulation which govern the fitting of exhaust systems to road vehicles, the agency which is responsible for enforcing the laws and regulations in this area; the number of detections for breaches of the relevant provisions in each of the past five years; the number of prosecutions for breaches of the relevant provisions in each of the past five years; [10811/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Legislation governing road traffic law is a matter for my colleague, the Minister for Transport. The law pertaining to exhaust systems on vehicles is contained in Road Traffic (Construction, Equipment and Use of Vehicle) Regulations 1963, as amended.

These regulations are enforced by the Garda Síochána. The Garda authorities inform me that the number of prosecutions provided by the PULSE System are as follows:

	No Silencer fitted	Smoky Exhaust
2001	24	2
2002	61	10
2003	62	6
2004	150	7
2005 to date	34	1

The figures are provisional or operational and subject to change.

The Road Traffic (National Car Test) Regulations also govern exhaust systems on vehicles. The Department of Transport is the agency for the administration of national car testing.

National Disability Strategy.

654. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform the person who has overall responsibility for the national disability strategy launched by him in September 2004, in particular the person who has a co-ordinating role in regard to the Departmental sectoral plans; and if he will make a statement on the matter. [11129/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Preparation of the national disability strategy has been guided by the Cabinet committee on social inclusion. The approach recognises the crosscutting nature of the issues and elements involved. The committee will continue in its work as the elements of the strategy are being put in place.

The national disability strategy was launched by the Taoiseach, Deputy Bertie Ahern, on 21 September 2004. The launch involved seven Ministers with direct responsibility for the various elements of the strategy. The strategy has been advanced by a cross-departmental group of senior officials reporting to the Cabinet committee and comprises four elements, namely: the Disability Bill 2004, which is the direct responsibility of my colleague, Deputy Fahey, Minister of State in my Department with responsibility for disability equality; the Comhairle (Amendment) Bill 2004, which is the responsibility of the Minister for Social and Family Affairs; six outline sectoral plans which are the responsibility of the Ministers for Health and Children, Social and Family Affairs, Transport, the Environment, Heritage and Local Government, Communications, Marine and Natural Resources and Enterprise, Trade and Employment; and a multi-annual investment programme, from 2005 to 2009, providing over €1 billion for high priority disability support services, mainly in the health and education areas, which was announced as part of the budget on 1 December 2004.

My Department has overall responsibility for the Disability Bill. The Bill commenced Second Stage in the Dáil on 4 November last and has been debated on 18 November 2004, 27 January 2005, 1 February 2005 and 22 February 2005, with further sessions scheduled for today and tomorrow. It is hoped that this Stage will be completed soon and that Committee Stage will commence as soon as possible thereafter.

The Disability Bill requires that each of the six sectoral plan Departments undertake consultation with stakeholders before the plans are finalised for submission to the Oireachtas. The National Disability Authority is arranging a series of regional meetings to facilitate public infor-

mation and consultation on the outline sectoral plans which will take place as follows: 25 April 2005 — Tullamore Court Hotel; 9 May 2005 — Burlington Hotel, Dublin; 16 May 2005 — Silver Springs Hotel, Cork; 20 May 2005 — Landmark Hotel, Carrick-on-Shannon; and 27 May 2005 — Radisson Hotel, Limerick.

The meetings have been advertised and participation is open to people with disabilities and their families, carers, advocates and service providers.

Anti-Racism Measures.

655. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will identify the members of the national advisory committee on racism; the criteria upon which the members were selected; the selection procedure followed; the persons who were invited to nominate members to the committee; the persons who responded to this invitation; the remit of the committee; and the frequency with which the committee meets. [9882/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Deputy is referring to the steering group for the national action plan against racism. I announced the membership of this group on 10 March 2005 and details can be found in the media centre, press release of 10 March 2005, of my Department's website at www.justice.ie. The membership of the steering group is as follows:

Ms Lucy Gaffney, Chair,

Mr. Niall Crowley, CEO of the Equality Authority*

Mr. Michael Farrell, Irish Human Rights Commission*

Mr. Philip Watt, National Consultative Committee on Racism & Interculturalism*

Ms Maria Cronin, Irish Business and Employers Confederation*

Mr. David Joyce, Irish Congress of Trade Unions*

Ms Niamh McCrea, Community & Voluntary Pillar*

Ms Mary McGreal, Irish Farmer's Association*

Mr. Aiden Lloyd, Area Development Management*

Dr. Peter Humphreys, Institute of Public Administration*

Mr. John Haskins, Reception and Integration Agency, Department of Justice, Equality and Law Reform

Sr. Breege Keenan, Vincentian Refugee Centre

Ms Julia Sweeney, Galway Travellers Support Group

Mr. Daniel Pelou, Galway Independent Newspaper

Mr. Chinedu Onyejelem, Editor, Metro Eireann

Ms Lynn Jackson, Holocaust Memorial Day Committee

Dr. Mazhar Ali Bari, Department of Physics, Trinity College Dublin

Mr. Garrett Byrne, Department of Justice, Equality and Law Reform

In establishing the group, my concern was to ensure that it possesses a combination of expertise, sufficient to deal with the challenges of

accommodating a more diverse Irish society, and representativeness, sufficiently broad to deal with the range of issues associated with minority groups in Irish society. The organisations identified by an asterisk above were asked by me to nominate persons as members of the group. I understand the chairman intends that the steering group will meet every two to three months. She has, as a working method, arranged for the establishment of sub-groups to ensure progress under the national action plan. The groups will meet as necessary to complete these tasks.

Closed Circuit Television Systems.

656. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the progress in the provision of a CCTV system for Kilkenny city; and if he will make a statement on the matter. [9951/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, 17 locations throughout the country, including Kilkenny, are set to receive town centre CCTV systems. This expansion is being implemented on a phased basis as follows: phase 1 — Bray, Dundalk, Dún Laoghaire, Finglas, Galway and Limerick; phase 2 — Athlone, Clondalkin, Tallaght and Waterford; and phase 3 — Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo.

The installation of the phase 1 systems in Bray, Dundalk, Dún Laoghaire and Limerick has been completed and these systems are now fully operational. A total of 13 of the 18 cameras in Galway are now fully operational. It is proposed to install the final five cameras in tandem with the major redevelopment works currently being undertaken by Galway City Council in the Eyre Square area.

The issue regarding the provision of suitable space to accommodate the monitoring of CCTV cameras in Finglas Garda station is currently being considered, in conjunction with the Office of Public Works, with regard to the overall accommodation needs of the station. It is hoped that work can proceed to completion in Finglas in 2005. 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.

I am anxious to accelerate the implementation of the remaining CCTV programme, and reduce as far as possible the workload of the Garda Síochána in this regard. The proposed redesign of the tender document provides an opportunity to outsource the installation of Garda CCTV systems to the greatest possible extent, making use not only of the technical but also of the project management expertise in the private sector. In that regard, I have asked the Commissioner to submit proposals for a revised tender document for the eleven locations in the remaining two phases, with a view to achieving implementation in priority locations by the end of 2006.

Deportation Orders.

657. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform if he will make an inquiry into the circumstances surrounding the deportation of a person (details supplied) to Nigeria; his views on whether this person is a high risk case and would have posed a danger had they been able to collect their belongings; and if he will make a statement on the matter. [9952/05]

658. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform the reason for the deportation of a person (details supplied) in their school uniform without identity papers to Nigeria; if his attention has been drawn to the fact that this person was subsequently attacked and molested; and if he will make a statement on the matter. [9953/05]

681. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the reason it was necessary to deport a person (details supplied); and if he will make a statement on the matter. [10227/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 657, 658 and 681 together.

In my statement to the Dáil during the Adjournment Debate on Tuesday, 22 March 2005, I outlined the basis for the deportation of the person concerned and in my statement in the Seanad Adjournment Debate on Thursday, 24 March 2005, I outlined the basis for my decision to allow the person return.

The proposal put to me to deport this person was made in the belief of the proposing immigration service official that the order when made would not be implemented before June, when the young man in question would be sitting the leaving certificate examination for which he had been studying at Palmerstown community school since September 2002.

As is the usual practice in relation to persons in respect of whom deportation orders are made, this person was instructed to present himself to the Garda national immigration bureau, GNIB, on 3 March 2005. He did not do so and was classified as an evader. He subsequently presented himself at GNIB on the day of a deportation flight, rather than on the earlier date specified in a letter written to him. He was, therefore, both arrested as an evader and deported by different officials acting in good faith. The assumption that he would not be deported before June was simply not acted on. So while the deportation was authorised, its actual timing was unfortunate and I reached the view that for me to leave matters stand in those unusual circumstances was inappropriate. The person concerned subsequently returned to Ireland and was assisted to do so by the Irish embassy in Nigeria.

It should be made clear that in respect of every person who has no legal entitlement to remain in the State, including those who have had their applications for asylum refused after consider-

ation by two independent bodies, a letter issues under the terms of section 3(3) of the Immigration Act 1999, as amended, informing him or her of the Minister's intention to deport. The person is allowed 15 days in which to opt for one of the following: make representations to the Minister setting out the reasons he or she should not be deported, that is, be allowed to remain temporarily in the State; leave the State before an order is made; or consent to the making of a deportation order.

If a person opts to return voluntarily, assistance will be provided, including by way of special programmes established in cooperation with the International Organisation for Migration, IOM. For the three-year period up to 31 December 2004, a total of 1,879 voluntary returns have been facilitated by the IOM and my Department.

If a person opts to make representations as to why he or she should not be deported, a range of factors must be taken into account in deciding the matter. The specific legislative provisions are 11 factors, including humanitarian considerations, as set out in section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996. Section 5 forbids the sending of a person in any manner whatsoever to a place where the life or freedom of the person would be threatened on account of that person's race, religion, nationality, membership of a particular social group or political opinion. I have seen reports that the person in question was mugged and assaulted in Nigeria but I am unable to comment on the veracity of those claims. This *refoulement* provision does not mean that persons may not be returned to countries which would have inferior welfare, educational and health services to ours.

The deportation order in this case was made in full accordance with the above legal provisions. I do not understand the reference in the question to the person concerned being a high risk. He was not made the subject of a deportation on that basis nor did the Garda treat him as such. I accept the account of the Garda that its officers offered to escort him to his home to collect his belongings, which he declined. Furthermore, I accept that the officers did not see any adult on the charter flight wearing clothes which could be described as a school uniform. The Nigerian embassy issued a travel document in respect of this person to enable him re-enter Nigeria and, following the revocation of the deportation order against him, he was able to acquire a Nigerian passport allowing him return to Ireland.

Garda Deployment.

659. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of gardai on duty on St Patrick's Day in County Louth by location. [9997/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including person-

nel, that the personnel strength, all ranks, of Ardee, Colon, Drogheda and Dundalk Garda Stations and the Louth and Meath Division on the 17 March 2005 was as follows:

	Number
Ardee	10
Colon	2
Drogheda	87
Dundalk	99
Louth and Meath Division	530

For Garda operational reasons, the Garda Commissioner does not wish to disclose the precise number of gardaí on duty in these areas on the date in question.

Garda Operations.

660. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of arrests made by gardaí on St Patrick's Day in County Louth by location in each case. [9998/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the number of arrests made by gardaí on St Patrick's Day in County Louth and the locations are as set out in the table below.

Location within County Louth	Number of arrests
Dundalk	14
Drogheda	4
Total	18

Citizenship Applications.

661. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position in respect of application for citizenship in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [9999/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned and her son, both of whom are Nigerian nationals, arrived in the State on 15 June 1998 and applied for asylum. Their claim for refugee status was considered under the process then applicable and was refused by the asylum division of my Department. They were notified of the decision on 10 December 1999. The applicants then appealed this decision to the appropriate body at the time, the Appeals Authority, which affirmed the decision of the asylum division. They were notified of this decision on 10 November 2000.

In accordance with section 3 of the Immigration Act 1999, the persons concerned were informed on 14 November 2001 that the Minister proposed to make deportation orders in respect of them. They were, in accordance with the Act, given the options of making representations within 15 working days setting out the reasons

they should not be deported, that is, be allowed to remain temporarily in the State, leaving the State before the deportation orders were made, or consenting to the making of deportation orders. Representations setting out reasons they should not be deported were subsequently received.

I expect the case file in this matter to be submitted to me shortly for decision. This decision will be taken having regard to considerations specified in section 3(6) of the Immigration Act 1999, as amended. These considerations include matters relating to the common good, the person's family and domestic circumstances, as well as humanitarian considerations. Consideration will also be given to the prohibition of *refoulement* which is contained in section 5 of the Refugee Act 1996, as amended. As no final decision has been reached on these persons' application for leave to remain in the State, the issue of their eligibility for citizenship does not arise.

Registration of Title.

662. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when an application for a registration in the land registry office will be completed. [10000/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer of part which was lodged on 7 March, 2005. Dealing No. D2005SM002602K refers. I am further informed that this application was completed on 31 March 2005.

Deportation Orders.

663. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the reason 35 Nigerian nationals were disgracefully deported from here on 15 March 2005 among them children and pupils sitting exams; if this is a blatant contravention of their human rights; and if he will make a statement on the matter. [10006/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda national immigration bureau removed a total of 35 Nigerian nationals on a charter flight to Lagos on the night of 14 to 15 March 2005. The persons concerned were mainly former asylum seekers who had their claims for refugee status refused after full consideration by one or both of the two independent statutory offices established to consider such applications, that is, the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal.

Their cases were further considered individually under section 3 (6) of the Immigration Act 1999, as amended, and section 5, prohibition of *refoulement*, of the Refugee Act 1996, before deportation orders were made in respect of each. Eleven factors, including length of time spent in the State, were considered under section 3 (6) of

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the Immigration Act 1999, as amended, in arriving at the decision to deport.

As I have previously informed the House, a deportation process, after a person's case has been dealt with fairly, is central to the proper running of any immigration and asylum system. This fact is recognised the world over by bodies such as the United Nations High Commission for Refugees, UNHCR. The Government has two basic options whereby we can operate an open door policy where anyone can come to Ireland without restrictions or we can legislate for procedures to control who can or cannot reside in our country. Since the foundation of the State, successive Governments have chosen to do the latter. This is in line with the practice of every other country in the world. I am not aware of a country which does not have immigration controls and which does not have at its disposal the final sanction of deportation.

Garda Stations.

664. **Mr. Rabbitte** asked the Minister for Justice, Equality and Law Reform the number of Garda personnel allocated to Garda stations in Lucan, Clondalkin, Newcastle, Rathcoole, Saggart and Brittas at 1 January 1997 and 1 January 2005; the number of gardaí in the aforementioned areas on each of these dates; and if he will make a statement on the matter. [10018/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Newcastle and Saggart areas are policed by the gardaí attached to Rathcoole Garda Station. Gardaí attached to Tallaght are responsible for policing the Brittas area.

I am informed by the Garda authorities, which are responsible for the detailed allocation of Garda resources, including personnel, that the personnel strength of each of the Garda Stations which serve the areas Lucan, Clondalkin, Newcastle, Rathcoole, Saggart and Brittas on 31 January, 1997 and 1 January, 2005 was as set out in the attached table:

Station	31/01/97	1/01/05
Lucan	52	74
Clondalkin	61	82
Rathcoole	12	28
Tallaght	140	173
TOTAL	265	357

This represents a total increase of 92 in the number of gardaí policing the areas in question between 31 January 1997 and 1 January 2005. The information requested in respect of the number of gardaí serving in these areas on January 1st 1997, is not readily available and can only be obtained by the expenditure of a disproportionate amount of Garda time and resources relative to the information sought. For compara-

tive purposes, therefore, the figures given relate to January 31 1997 and January 1 2005.

As regards Garda resources generally, I am pleased the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the commitment in An Agreed Programme for Government in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of Lucan, Clondalkin, Rathcoole and Tallaght Garda stations will be fully considered within the context of the needs of Garda stations throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Registration of Title.

665. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when an application for registration in the land registry office will be completed. [10069/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transmission on death which was lodged on 24 March 2004. Dealing No. D2004SM002579W refers.

I am further informed that a number of queries issued to the lodging solicitor on 27 May 2004 and a reminder regarding these queries issued on 11 February 2005. I am also informed that the application cannot proceed until all of these queries have been satisfactorily resolved. However, I assure the Deputy that, on receipt of a satisfactory reply, the matter will receive further attention in the Land Registry.

Citizenship Applications.

666. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position in relation to persons (details supplied) who have applied for citizenship under the Irish born child scheme; and if he will make a statement on the matter. [10083/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The adult persons concerned made an application for permission to remain in the State on the basis of their parentage of an

Irish born child under the revised arrangements on 31 January 2005. Their applications were acknowledged on 8 March 2005. Applications are being dealt with as expeditiously as possible and, where possible, in order of receipt. A significant number of incomplete applications are held pending the submission of identity documents or of additional information. Given the number of applications being processed, it will take several weeks before the processing of the applications from the persons concerned will be completed.

Residency Permits.

667. **Mr. Haughey** asked the Minister for Justice, Equality and Law Reform the position regarding citizens from Angola who have applied for residency recently under the revised arrangements who cannot obtain their passports in view of the fact that Angola has no accredited embassy to Ireland and in view of the fact that they cannot leave the State to return to Angola to obtain passports; if such applications will still be considered; and if he will make a statement on the matter. [10089/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is a fundamental requirement for consideration of applications under the revised processing arrangements announced by me on 15 January 2005, that applicants submit a valid passport or national identity document as proof of their identity. I am aware that some applicants are experiencing difficulties in obtaining these documents. In such cases, applicants are being facilitated with temporary travel documents to enable them to obtain the necessary identity document from their embassies or consulates abroad.

668. **Mr. Wall** asked the Minister for Justice, Equality and Law Reform when documents will be returned to a person (details supplied) in County Kildare to permit this person further the information needed in regard to immigration guidelines; and if he will make a statement on the matter. [10091/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 12 July 2003 with his two children and applied for a declaration as a refugee on 14 July 2003. His application was refused following consideration of his case by the office of the Refugee Applications Commissioner on 14 July 2004 and on appeal by the Refugee Appeals Tribunal on 31 January 2005.

Subsequently, in accordance with section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 23 March 2005 that the Minister proposed to make a deportation order in respect of him and his two children. He was given the options to be exercised within 15 working days, of making representations to the Minister setting out the reasons they should be allowed to remain temporarily in the State, leav-

ing the State before an order is made or consenting to the making of a deportation order.

In the normal course of events, this person's case file, including all representations received would fall to be considered under section 3(6) of the Immigration Act 1999, as amended, and under section 5, prohibition of *refoulement*, of the Refugee Act 1996, as amended.

The person concerned, however, made an application for permission to remain in the State on the basis of his parentage of an Irish born child born before 1 January 2005 under the revised arrangements on 8 March 2005. Applications are being dealt with as expeditiously as possible and, where possible, in order of receipt. To date more than 17,800 applications have been received and in excess of 3,400 permissions to remain have been granted. A significant number of incomplete applications are being held pending the submission of identity documents or of additional information.

I wish to advise the Deputy that, given the number of applications being processed, it will take several weeks before the processing of the application from the person concerned will be completed. Original identity and other documents have been checked and copied and have been returned to the person concerned.

Citizenship Applications.

669. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation for a person (details supplied) in Dublin 11 will be approved or otherwise; and if he will make a statement on the matter. [10115/05]

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 27 November 2003. The average processing time for such applications is currently 24 months. On the basis of the current average processing time, therefore, it is likely that the application of the individual concerned will be finalised *circa* November 2005. I will inform both the applicant and the Deputy as soon as I have reached a decision on the application.

Garda Recruitment.

670. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Westmeath who achieved 97th out of approximately 1,100 applicants in an aptitude test for recruitment to the Garda Síochána was not afforded an interview, in view of the fact that they indicated that they were taking their leaving certificate maths examination in June 2005; if leaving certificate persons who are completing their examinations in June 2005 will be likewise precluded from participating in an interview for membership of the Garda Síochána; the further reason they were not informed in

[Mr. Penrose.]
writing that the interview was being cancelled;
and if he will make a statement on the matter.
[10152/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The position is that recruitment to the Garda Síochána is carried out by the Public Appointments Service and any issue concerning an individual application is a matter for that body.

By way of being helpful, I can inform the Deputy that entry to the Garda Síochána is governed by the Garda Síochána (Admissions and Appointments) Regulations 1988, as amended. These regulations set out, *inter alia*, the educational requirements for entry to the force. The specific circumstances outlined by the Deputy are addressed at regulation 5(1)(d), which sets out that the applicant must have the necessary educational qualifications by 1 September of the year in which the competition is advertised. The most recent recruitment competition was advertised in 2004.

Departmental Appointments.

671. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform if he has received correspondence to his business permission unit in respect of an application for employment (details supplied); if his attention has been drawn to the fact that no acknowledgement has been received regarding this application since 15 December 2004; if his attention has further been drawn to the fact that despite repeated attempts to make contact that no response has been received; if he will have this matter examined; and if he will make a statement on the matter. [10153/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made an application for permission to engage in business in the State under the business permission scheme operated by my Department. The application has recently been acknowledged and a request has been made for further information to assist in the determination of the case.

Garda Recruitment.

672. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform if competency in the Irish language forms part of the eligibility criteria for entry to the Garda; and if he will make a statement on the matter. [10154/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Entry to the Garda Síochána is governed by the Garda Síochána (Admissions and Appointments) Regulations 1988 as amended. With regard to the educational requirement in respect of the Irish language, the minimum requirement is to have obtained a grade not lower than C3 at foundation level or a grade not lower than D3 at a level other than foundation level in the leaving certificate examination of the

Department of Education and Science or the leaving certificate vocational programme examination of that Department or must have obtained at least an equivalent grade in another examination. I might direct the Deputy to regulation 5(1) of the 1988 regulations, as amended, for a more comprehensive outline of these educational requirements.

In the light of the Government's decision to approve my proposal to increase the strength of the Garda Síochána to 14,000, I have asked the Garda Commissioner to review the eligibility criteria for entry to the Garda Síochána. I believe this is an opportune moment to ensure that the criteria for entry meet the needs of the Garda Síochána and the society it serves.

One particular aspect which the Commissioner has already studied is the maximum age of entry to the Garda Síochána. On foot of this the Government approved the commissioner's proposal to increase the maximum age of entry to the Garda Síochána from 26 years of age to 35 years of age. This is reflected in the most recent Garda recruitment campaign. There have been no other changes made to the eligibility criteria for entry to the Garda Síochána as far as the current competition is concerned. The educational requirements with regard to the Irish language remain in place.

However, I am of the belief that future intakes of recruits to the Garda Síochána should as far as possible reflect the composition of Irish society, and am anxious to see if there are any possible changes to the existing criteria which might facilitate recruitment from different ethnic backgrounds in our community. With this in mind I have asked the Commissioner, as part of his overall review of the entry requirements for the Garda Síochána, to examine whether any of the existing eligibility criteria militate, however indirectly, against the recruitment of members from ethnic communities in Ireland.

One of the eligibility criteria which would benefit from review in this regard is the requirement for entrants to have an educational qualification in Irish — a matter which, of course, is of particular relevance not only to potential applicants from different ethnic backgrounds but to all those who did not receive their schooling within the Irish educational system.

I should, however, add that, notwithstanding whatever new arrangements might be put in place in this regard in the future, my position is that Irish will continue to have an important place in the Garda Síochána — in line with its constitutional status as the first official language of the State — and that everyone who wishes to must be able to communicate with the force through our native language. In this regard, the Garda Síochána has a strong commitment to delivering a service through Irish. Indeed, proficiency in Irish is strongly promoted within the force, and that will continue to be the case.

Official Engagements.

673. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10182/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I made an official visit to Argentina from 14 to 20 March for the St Patrick's Day celebrations. I assure the Deputy that, in line with Government Policy, I took full advantage of my visit to Argentina to promote Ireland as a modern, democratic State, an attractive tourist destination and a country with a vibrant economy that offers attractive business opportunities. I also availed of the opportunity to explain ongoing developments in regard to the peace process in Northern Ireland. Highlights of my trip included: an address on modern Ireland to the Centro Argentino de Relaciones Internacionales; a meeting at the presidential palace with the Argentine Minister for the Interior, Senor Anibal Fernández; I hosted a lunch for significant Argentine opinion makers including academic, judicial, legal and human rights figures; I attended a meeting with the Irish community of San Antonio de Areco outside Buenos Aires hosted by Mr. Kevin Farrell, President of the Federation of Irish Societies in Argentina and Irish priest, Father Tom O'Donnell; I was guest of honour at the St Patrick's Day reception in Buenos Aires hosted by our Ambassador, Ken Thompson, for members of the expatriate Irish community and leading figures in Argentine cultural and business life, whom I addressed on behalf of the Irish Government and people; I represented the Government at an homage to General Jose de San Martin, founder of the Argentine nation, organised by the Argentine Ministry of Defence; I attended as guest of honour the wreath-laying ceremony organised by the Argentine navy at Admiral Brown's monument, where I addressed the attendance as the representative of the Government; I attended a St. Patrick's Day Mass in the Holy Cross Parish Church, Buenos Aires, followed by a reception hosted by the Federation of Irish Societies, at which I addressed the guests; and I visited a Development Co-operation Ireland funded NGO project in Oberá, northern Argentina, which provides a home for handicapped and abandoned children. I also visited a nearby home for the elderly, also supported by Development Co-operation Ireland. Both of the latter projects are managed by Father Liam Hayes SMA, who as well as securing support from Development Co-operation Ireland over the years, has an extensive Irish support network.

Throughout the visit and on the margins of the official functions I attended, I took every possible opportunity to meet informally with members of the Irish community and influential personalities in Argentine business and official life, to promote Ireland and explore areas of mutual interest. I

also gave interviews to several journalists and these were carried on local radio and TV, in the prestigious *La Prensa*, Argentina's newspaper of record, as well as the English language daily papers in Buenos Aires.

There were seven persons in total in the official party, which included myself, the Secretary General of my Department, our respective spouses, my programme delivery manager, press officer and private secretary. I can confirm that the total cost of the scheduled business flight involved was €35,147.07. The figures relating to the other costs incurred are not yet to hand.

Visa Applications.

674. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if a decision in the case of a person (details supplied) in County Kilkenny will be expedited. [10207/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed that the visa application to which the Deputy is referring is reference no. 1647646. Applications are dealt with strictly in the order of date received.

As we have an obligation to provide the best possible service to all our customers and to deal objectively with all applications received in a fair and transparent manner, applications are not, as a rule, given priority over earlier applications in the queue. In exceptional circumstances, prioritisation of one or more applications may be warranted. However, it does not appear that any such circumstances exist in this case.

As processing times for visa applications are, on average, between four and six weeks, the applicant can expect a decision in this case in the near future.

Citizenship Applications.

675. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of an application to stay in the State in the name of a person (details supplied) in County Kilkenny; if a decision in the case will be expedited. [10208/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in November 2003. Applications of this type are dealt with in chronological order and currently take approximately 16 months to process. However I can advise the Deputy that a request for further information has recently issued to the person in question so that the case can be further processed.

Deportation Orders.

676. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the number of foreign nationals deported to Nigeria on a chartered flight on 14 March 2005; the average time

[Mr. McGuinness.]

each had spent in the State; the numbers arriving on a monthly basis seeking asylum; the average length of time it takes to process an application for asylum; the average length of time it takes to decide on an appeal to stay in the State on humanitarian grounds; the number of cases in each year over the past three years that have been successful in each process; the number of applicants in each process for over four years; the steps taken since 2000 to bring about greater efficiency, transparency and fairness in the process; when a comprehensive immigration policy will be introduced; and if he will make a statement on the matter. [10209/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda national immigration bureau removed a total of 35 Nigerian nationals on a charter flight to Lagos on the night of 14-15 March 2005. The persons concerned were mainly former asylum seekers who had their claims for refugee status refused after full consideration by one or both of the two independent statutory offices established to consider such applications namely, the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal.

Their cases were further considered individually under section 3(6) of the Immigration Act,

Year	Numbers claiming refugee status	Numbers granted refugee status	Numbers granted temporary leave to remain	Number of voluntary returns made via the IOM or Department of Justice
2002	11,634	1,992	158	506
2003	7,900	1,177	86	762
2004	4,766	1,138	175	611

It is difficult to estimate a mean average waiting time for appeals to remain in the State on humanitarian grounds following a refusal of a claim for refugee status. In the context of proposed deportation orders under the Immigration Act 1999, the issue of leave to remain on humanitarian grounds is considered, irrespective of whether an application is made or not. Thus, no statistics are retained on the number of such applications made. Others subsequently received permission to remain on other grounds e.g. marriage to Irish or EU national. Further, it is believed that a significant number of persons who were refused refugee status are entitled to claim residency under the scheme announced by me in January, 2005 in respect of parents of Irish born children born before 1 January 2005. The closing date for this scheme was 31 March 2005 and just under 18,000 applications have been received. When the applications have been fully processed, a more accurate analysis of the situation will be available.

In respect of the number of applications in the asylum and repatriation process over four years, I am advised that in so far as the asylum process is concerned only one such application exists in

1999 as amended, and section 5, prohibition of *refoulement*, of the Refugee Act, 1996, before deportation orders were made in respect of each. The length of time each deportee spent in the State was one of 11 factors considered under section 3(6) of the Immigration Act 1999, as amended, in arriving at the decision to deport.

The years in which each of the deportees arrived in the State and claimed asylum are as follows:

Year	No. who claimed asylum
2000	3
2001	10
2002	9
2003	10
2004	3

The number of persons who claimed asylum in the State last year was 4,766 representing an average monthly figure of just under 400. The figures for the first three months of this year are as follows: January, 393; February, 377; and March, 489.

The table below shows the number of persons granted refugee status and temporary leave to remain in the State in the last three years:

Year	Numbers claiming refugee status	Numbers granted refugee status	Numbers granted temporary leave to remain	Number of voluntary returns made via the IOM or Department of Justice
2002	11,634	1,992	158	506
2003	7,900	1,177	86	762
2004	4,766	1,138	175	611

the ORAC and none in the RAT. I am informed that the ORAC case has been the subject of legal proceedings which have now been completed and it is expected to be disposed of shortly. An accurate figure is not readily available for the repatriation area.

Regarding the efficiency, transparency and fairness of the asylum process, since 2000 the Government has established a comprehensive legislative and organisational framework for the processing of asylum applications. This includes the enactment of the Immigration Act 2003, amending the Refugee Act 1996, to streamline the asylum determination process so as to ensure that those genuinely in need of refugee protection receive that protection more quickly and to deal in a more robust manner with unfounded applications for refugee status. It also includes the establishment of three separate offices to deal with all aspects of asylum applications from initial decision to appeal and to co ordinate accommodation and other support needs of asylum seekers. The offices in question are the Office of the Refugee Applications Commissioner, the Refugee Appeals Tribunal and the Reception and Integration Agency. In addition, the Refugee

Legal Service has been set up to provide legal advice to asylum applicants.

Other services provided to underpin the efficiency, transparency and fairness of our asylum process include comprehensive translation and interpretation services, staff training overseen by the UNHCR and country of origin research supported, as required, by the refugee documentation centre.

The operation of the repatriation process is governed by the Immigration Act 1999 which was further amended by the Illegal Immigrants (Trafficking) Act 2000 in respect of the arrest, detention and removal of non-nationals.

Overall, in the region of €375 million was spent on asylum related services in 2004 a small proportion of which also relates to services provided for non-nationals. This figure was compiled following consultations with a range of Departments and offices which provide services to asylum seekers, namely, the Departments of Justice, Equality and Law Reform — including the Office of the Refugee Applications Commissioner, the Refugee Appeals Tribunal, the Reception and Integration Agency and the Refugee Legal Service — the Department of Social and Family Affairs, Health and Children and Education and Science, the Office of Public Works and the Office of the Chief State Solicitor.

However, it still remains a fact that over 90% of the applicants for asylum, after a fair and transparent determination process, are found not to be in need of refugee protection. Arising from the substantial level of investment which I have just outlined, significant progress has been made in the area of asylum processing over recent years. The progress made to date is illustrated by both the general reduction in processing timescales in the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal and the substantial reduction in the number of asylum applications on hands.

In terms of timescales for processing asylum applications, I would point out that on 24 January 2005, I announced new arrangements for the speedier processing of prioritised applications which were implemented with effect from 25 January. The new arrangements apply in the main to nationals of Nigeria, Romania, Bulgaria, Croatia and South Africa. At present, these applications comprise some 54% of all applications. These new arrangements include the reduction of processing timescales both at the initial stage in ORAC from six weeks to approximately three weeks, and for appeal determinations in RAT from an average of five weeks to three weeks. I am pleased to inform the Deputy that as the operation of the new arrangements has progressed, these anticipated processing timescales have in fact been reduced with an ORAC decision being made within an average of 13 working days and a decision of the RAT issuing within 6.3 working days.

For other cases, the typical processing time in the ORAC is in the region of six months. The average length of time taken to process and complete substantive appeals in the RAT is approximately 16 weeks and appeals which are determined on the basis of papers alone are completed in five to six weeks.

As regards cases on hand, I can inform the Deputy that only 900 cases are in the asylum system for more than six months. This can be contrasted with the fact that there were some 6,500 cases over six months in the system in September 2001 and that some 25,000 asylum applications have been received in total in the State since January 2002. We can be justifiably proud of this result.

Since April 2000, over 36,000 applicants have been accommodated directly by the State under direct provision arrangements. Almost 700 staff has been recruited across the asylum and immigration system, representing the biggest influx of staff in any area of the civil service in decades.

The installation of a new and improved management information system in the repatriation unit of my Department is nearing completion. When fully up and running this will facilitate better tracking and management of repatriation cases. In the case of the processing of applications covered by the accelerated asylum arrangements to which I have just referred, a processing time of eight weeks is in place from the receipt of a negative decision on refugee status to the point of determining whether the person should be deported or granted temporary leave to remain in the State.

Despite some uninformed criticism of the asylum and immigration systems, I am satisfied that our system of determination compares favourably with the best in the world in terms of fairness, decision making, determination structures and support services. I believe that the vast majority of people recognise this and have confidence in the system. The system is also subject to due process and the supervision of courts. It is open to a person to challenge a negative decision any way along the process by way of an application for judicial review to the High Court.

I have indicated on a number of occasions recently that I propose to produce a discussion paper on immigration legislation in preparation for the proposed immigration and residence Bill which I intend to publish later this year. As the Deputy will by now be aware, the discussion document has just today been published. Copies of the document have already been circulated to all of the Members of the Oireachtas.

Child Care Services.

677. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of an application for funding in the name of a group (details supplied) in County Carlow under the equal opportunities childcare programme 2000-06; and if a decision will be expedited. [10210/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that an application for capital grant assistance under the equal opportunities child care programme, EOCP, 2000-06, was submitted by the group in question to my Department some time ago. The EOCP 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.

As the Deputy may be aware, each application for funding undergoes a thorough assessment by area development management ltd, ADM, which has been engaged by my Department to carry out the day to day administration of the EOCP. All assessed applications are then considered by the programme appraisal committee, PAC, which is chaired by my Department, before I make a final decision on the matter.

I understand from the programme appraisal committee consideration of the application that as the project is in close proximity to another child care facility which had already received funding under the EOCP, that the proposal raised issues around possible duplication of services.

I have been informed by the child care directorate of my Department that an appeal has been lodged by the group in question and that this appeal is currently under consideration by ADM. Following receipt of an appeal, ADM reassesses the application in the light of any additional information which might be supplied in support of the application. Following this reassessment, a recommendation will be submitted to the PAC again for consideration. The PAC will also take into account any of the additional information supplied, which may be relevant before making a recommendation to me regarding funding. In the interim, it would be inappropriate for me to comment any further on this matter.

Travel Documents.

678. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of a person (details supplied) in County Kilkenny; if his Department will issue new documents to them as the originals were taken from them when they entered the UK through Holyhead; and if he will respond to correspondence made to his Department. [10211/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question was issued a temporary travel document on 9 November 2004. Correspondence was received from the person in question on 2 February 2005 advising that the document had been seized by UK immigration officials. Further correspondence was received on 23 March providing information relating to the date and location of the incident. Inquiries are being made with the UK authorities to establish the circumstances surrounding the confiscation of the document and seeking its return.

In cases where a travel document is reported as lost or stolen or, as in this case, confiscated, it is the policy not to issue any replacement travel document for 12 weeks to enable appropriate investigations to be made and to allow for the possibility that the document would be located and returned to the holder.

Traffic Fines.

679. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the efforts being made on a North-South basis to have reciprocal arrangements put in place to enable police forces to collect speeding or parking fines from vehicles which breach road traffic laws in each jurisdiction;. [10222/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Article 34 of the Constitution provides that justice shall be administered in courts established by law by judges appointed in the manner provided by the Constitution. On 24 February this year, the Council of the European Union adopted a framework decision on the application of the principle of mutual recognition to financial penalties. This instrument will enable the state of residence to enforce fines imposed by another member state. Legislation will be required to give effect to the framework decision which must be complied with by 24 February 2007.

I understand that further discussions are taking place at EU level on co-operation between the member states in proceedings specifically related to road traffic offences and the enforcement of financial penalties in respect thereof. I also understand that it is likely that there will be a further initiative to the Council containing measures on co-operation between member states in proceedings for road traffic offences.

In general, procedures for requesting or granting mutual assistance are set out in Part VII of the Criminal Justice Act, 1994. This part permits the service in this jurisdiction of a summons issued by, or of a document recording a decision, of, a foreign court. In accordance with the procedures laid down in Part VII, requests for service of such documents are received by the central authority in my Department and are then served either by registered post or by a member of the Garda Síochána. Part VII of the Criminal Justice Act also permits a court here to issue summonses for service abroad. These are transmitted by the central authority to the appropriate authority of the country where the subject lives.

Morris Tribunal.

680. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the reason the Morris tribunal rescinded its decision to move to Letterkenny; and if he will make a statement on the matter. [10223/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is strictly a matter for the tri-

bunal itself to pursue its inquiries as it sees fit. My understanding, however, is that it was never intended to hold hearings in Letterkenny but rather it was intended to sit in Donegal town for two weeks from 4 April 2005. I can only assume that it is the decision not to do so that is the subject of the question from the Deputy. The decision not to sit in Donegal town is a matter for the tribunal.

Question No. 681 answered with Question No. 657.

Citizenship Applications.

682. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform if an application by a person (details supplied) in County Galway for Irish citizenship and for an Irish passport is being processed; and the stage it is at. [10237/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for naturalisation by the person referred to by the Deputy was received in the citizenship section of my Department on 13 May 2003. The case in question is under active consideration at the present time and I will inform both the applicant and the Deputy as soon as I have reached a decision.

Child Care Services.

683. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform if he has received an application for capital grants under the equal opportunities childcare programme from a group (details supplied) in County Mayo; if he has examined this application; and if he will make a statement on the matter. [10246/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that an application for capital grant assistance under the equal opportunities child care programme, EOCP, 2000-06, was submitted by the group to my Department in March 2004. The EOCP 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. As the Deputy may be aware, the group in question has received staffing grant assistance of over €51,000 from the programme.

The level of demand for capital grant assistance was such that I considered it important to increase the capital provision for the present programme. Following discussions with my colleague, the Minister for Finance, an additional capital provision of €90 million was made available over the period 2005-09, in the context of the 2005 budget.

Of this amount, €50 million is being made available under the present programme and the remaining €40 million will flow under the next phase of the post 2006 EOCP. This augments the increased EU funding of some €12 million made available last year in recognition of the progress

of the programme. This brings the total funding available for the programme to €499.3 million and now includes an increased provision for capital developments for which €205 million has been set aside. Since budget 2005, I have announced a record allocation totalling almost €68 million in capital funding to community based not for profit groups, in two tranches, one in December 2004 and another on 4 March 2005.

The availability of the additional capital funding will enable me to make further capital grant assistance available to groups which address significant child care service gaps and where the project proposal represents good value for money when considered in respect of the current guidelines on building costs. In the light of this, the group in question was advised in December 2004, that whilst their project had not been prioritised for immediate funding at that stage, it will be reconsidered in the future. I hope to make further significant capital commitments during the remainder of 2005 and thereafter.

The ongoing assessment of the applications in the pipeline will be concluded as speedily as possible to facilitate the development of additional child care facilities and places at the earliest opportunity. When the assessment on the project in question is completed, the application will then be considered by the programme appraisal committee, chaired by my Department, before I make a final decision. In the interim, it would be premature of me to comment further on this application.

Business Permission Scheme.

684. **Mr. Haughey** asked the Minister for Justice, Equality and Law Reform the position regarding an application by a person (details supplied); and if he will make a statement on the matter. [10251/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question has made an application for permission to engage in a business in the State under the business permission scheme operated by my Department. Information has recently been requested from the person to enable the further processing of the application.

Visa Applications.

685. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform the status of an application for a visa for a person (details supplied) in County Clare; and if he will make a statement on the matter. [10255/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa applications referred to be the Deputy in this and several previously answered parliamentary questions on the same subject, are for the purposes of allowing the son and daughter of a non-EEA national working in the State under the employment permit scheme, travel to the State to reside with her.

[Mr. McDowell.]

The two applications referred to were received on 18 March 2005 and are currently pending examination and consideration by a visa officer of my Department. As the Deputy will be aware from previous correspondence in respect of the same individuals, visa applications are dealt with in strict date received order so as to guarantee fairness for all our customers. Applications are currently taking between four to six weeks on average to process. Consequently, a decision should not be expected until mid to late April. The applicants will be notified of any decision as soon as one is reached.

Departmental Correspondence.

686. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform the consideration he gave to correspondence which he received (details supplied); if he will give a more substantive reply than that which he issued on 19 January 2005; and if he will make a statement on the matter. [10274/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assure the Deputy that it is the aim that all correspondence received in my Department receives adequate attention and is replied to in as comprehensive and timely a manner as possible. I can further inform the Deputy that a substantive reply was given to the person referred to.

Citizenship Applications.

687. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the reason for the delay in processing an application for naturalisation in respect of a person (details supplied); the reason the waiting time has moved from 15 months to two years; if there is a recruitment embargo in operation in this section of his Department; and if he will make a statement on the matter. [10319/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The average processing time for an application for naturalisation is approximately 24 months at present. This is due, primarily to the significant increase in the volume of applications being received in the last few years. A total of 1,004 applications for naturalisation were received in 2000. The equivalent figures in 2002, 2003 and 2004 were 3,574, 3,580 and 4,074, respectively.

A redeployment of staff within the asylum and immigration area of my Department is currently under way. The citizenship area is one of the areas which is benefitting from this process. Between September 2004 and the present, an additional 17 full-time and part-time staff have been assigned to citizenship work and it is anticipated that these additional personnel, coupled with initiatives to which I referred in my answer to Parliamentary Question No. 153 of 24 March 2005, will impact of the processing time for appli-

cations for naturalisation. I will inform both the applicant and the Deputy as soon as I have reached a decision on the application in question.

Child Care Services.

688. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the position on an application for a group (details supplied) in County Donegal; and if he will make a statement on the matter. [10320/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand an application for capital grant assistance under the Equal Opportunities Childcare Programme, EOCP, 2000-2006, was submitted by the group to my Department some time ago. The EOCP 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 level of demand for capital grant assistance was such that I considered it important to increase the capital provision for the present programme. Following discussions with my colleague, the Minister for Finance, an additional capital provision of €90 million was made available over the period 2005-09, in the context of the 2005 budget.

Of this amount, €50 million is being made available under the present programme and the remaining €40 million will flow under the next phase of the post 2006 EOCP. This augments the increased EU funding of some €12 million made available last year in recognition of the progress of the programme. This brings the total funding available for the programme to €499.3 million and now includes an increased provision for capital developments for which €205 million has been set aside. Since budget 2005, I have announced a record allocation totalling almost €68 million in capital funding to community based not for profit groups, in two tranches, one in December 2004 and another on 4 March 2005.

The availability of the additional capital funding will enable me to make further capital grant assistance available to groups which address significant child care service gaps and where the project proposal represents good value for money when considered in relation to the current guidelines on building costs. In the light of this, the group in question was advised in December 2004, that whilst its project had not been prioritised for immediate funding at that stage, it will be reconsidered in the future. I hope to make further significant capital commitments during the remainder of 2005 and thereafter.

The ongoing assessment of the applications in the pipeline will be concluded as speedily as possible to facilitate the development of additional childcare facilities and places at the earliest opportunity. When the assessment on the project in question is completed, the application will then be considered by the programme appraisal committee, chaired by my Department, before I make

a final decision. In the interim, it would be premature of me to comment further on this application.

Residency Permits.

689. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 193 of 9 December 2004, the status of the residency application in question in view of the fact that the application is now with the Department for 16 months; the reason for the delay in processing the application; and if he will make a statement on the matter. [10321/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As previously indicated in my reply of 9 December 2004, Question No. 193, applications for permission to remain in the State based on marriage to an Irish national are dealt with in strict chronological order and take approximately sixteen months to process. Applications of this type received in November 2003 are currently being dealt with and it is envisaged the person in question will be contacted within the next three to four weeks to further process the application.

Equal Opportunities Childcare Programme.

690. **Mr. McHugh** asked the Minister for Justice, Equality and Law Reform if his Department has carried out an appraisal of the application for funding under the equal opportunities childcare programme for a child care facility received from a group (details supplied); if the appraisal has been positive; if a grant will be made available to the group to enable the project to proceed; and if he will make a statement on the matter. [10322/05]

732. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the reason grant-aid has not been allocated to a group (details supplied); and if he will make a statement on the matter. [10695/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Question Nos. 690 and 732 together.

I understand applications for capital and staffing grant assistance under the equal opportunities childcare programme, EOCP, 2000 — 2006, was submitted by the group to my Department some time ago. The EOCP 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 level of demand for capital grant assistance was such that I considered it important to increase the capital provision for the present programme. Following discussions with my colleague, the Minister for Finance, an additional capital provision of €90 million was made available over the period 2005-09, in the context of the 2005 budget.

Of this amount, €50 million is being made available under the present programme and the remaining €40 million will flow under the next phase of the post-2006 EOCP. This augments the increased EU funding of some €12 million made available last year in recognition of the progress of the programme. This brings the total funding available for the programme to €499.3 million and now includes an increased provision for capital developments for which €205 million has been set aside. Since budget 2005, I have announced a record allocation totalling almost €68 million in capital funding to community-based not-for-profit groups, in two tranches, one in December 2004 and another on 4 March 2005.

The availability of the additional capital funding will enable me to make further capital grant assistance available to groups which address significant child care service gaps and where the project proposal represents good value for money when considered in relation to the current guidelines on building costs. In the light of this, the group in question was advised in December 2004, that whilst their project had not been prioritised for immediate funding at that stage, it will be reconsidered in the future. I hope to make further significant capital commitments during the remainder of 2005 and thereafter.

The ongoing assessment of the applications in the pipeline will be concluded as speedily as possible to facilitate the development of additional child care facilities and places at the earliest opportunity. When the assessment on the project in question is completed, the application will then be considered by the programme appraisal committee, chaired by my Department, before I make a final decision. In the interim, it would be premature of me to comment further on these applications for funding.

Business Permission Scheme.

691. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when the application for sole trader for a person (details supplied) in County Mayo will be processed. [10323/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question has made an application for permission to operate a business in the State under the business permission scheme. The application is currently under consideration and it is expected that a decision will be issued shortly.

Registration of Title.

692. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if the Land Registry Office will expedite the application on a folio for a person (details supplied) in County Clare. [10324/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for first regis-

[Mr. McDowell.]

tration which was lodged on 7 April 2004. Dealing number D2004CR003212A refers.

I understand that due to the complicated nature of these type of cases, which require examination of an applicant's entitlement to the property concerned, it is not possible to estimate a date of completion at this time.

I am further informed that queries issued to the lodging solicitors on 4 April 2005 and that the application cannot proceed until all these queries have been satisfactorily resolved. However, I assure the Deputy that on receipt of a satisfactory reply, the matter will receive further attention in the Land Registry.

693. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if the Land Registry Office will expedite the application on a folio for a person (details supplied) in County Clare; and if he will make a statement on the matter. [10325/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer of part which was lodged on 5 July 2001. Dealing number D2001CR004399D refers. I can further inform the Deputy that the application is receiving attention in the Land Registry and will be completed as soon as possible.

694. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if the Land Registry Office will expedite the application on a folio for a person (details supplied) in County Clare. [10326/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transmission which was lodged on 30 July 2001. Dealing number D2001CR005640W refers. I am further informed that this application was completed on 26 August, 2004.

Visa Applications.

695. **Mr. McHugh** asked the Minister for Justice, Equality and Law Reform the reason a visa application was refused to a person (details supplied); the further information required; and if he will make a statement on the matter. [10327/05]

697. **Mr. McHugh** asked the Minister for Justice, Equality and Law Reform the reason a visa application was refused to a person (details supplied); the further information required regarding their appeal; and if he will make a statement on the matter. [10341/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 695 and 697 together.

The applications referred to by the Deputy in his parliamentary questions were for the purposes

of allowing the wife and brother of a non-EEA national employed in the State under the employment permit scheme to travel to the State to reside with him.

My department refused both applications at initial stage on 4 November 2004. The applicants are already aware of the reasons for refusal as written notification was sent by post on 16 February 2005.

The first application related to the wife of the non-EEA national resident in the State. When assessing applications of this type, the visa officer will consider, amongst other factors, whether the level of salary of the worker would come within the ambit of qualifying for payment from public funds. The visa officer will expect to see sufficient evidence of the financial status of the applicant in the form of several payslips and detailed bank statements covering, at a minimum, a two to three month period. The documentation supplied should demonstrate a consistent financial history and evidence of regular income. This application was refused as the visa officer concluded that insufficient evidence had been supplied. Specifically, it was noted that two to three detailed payslips should be submitted.

The second application related to the younger brother of the non-EEA national already resident in the State. General policy provisions governing family reunification for employment permit holders do not extend to adult brothers or sisters of the person in question. Therefore, this application had to be considered in the context of a standard visit visa application. Accordingly, the information on the application form filled in by the applicant, indicating his intention to stay in the State on a long-term or permanent basis was a key consideration. In assessing this type of application, the visa officer will have regard to the information provided in the application and to such factors as the applicant's ties and general circumstances in their country of origin and their immigration history, as well as the relative attractiveness and feasibility of their remaining in the State. The Department's approach in these matters is informed by past experience, including experience of abuse of the system. This application was refused as it was felt that the applicant had not sufficiently demonstrated his intentions to return home to his country of origin.

Appeals were received by my Department in respect of both applications on 1 March 2005. However the visa appeals officer was unable to conclude that the initial decisions to refuse the visas should be overturned. Consequently the applications were refused on appeal on 14 March 2005.

Garda Recruitment.

696. **Mr. N. O'Keefe** asked the Minister for Justice, Equality and Law Reform the proposals in place to call new Garda recruits for training from the panel of those already interviewed. [10340/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that it is proposed to induct 1,100 Garda recruits to the Garda college in 2005, consisting of four intakes of 275 recruits.

The first of these four intakes — 275 — commenced training on the week commencing 7 February, 2005. The remaining three intakes of 275 recruits are scheduled to commence training on 3 May 2005, 2 August 2005 and 7 November 2005. It is estimated that 523 Garda trainees will become attested members of the force in 2005. Current projections indicate that the total strength of the Garda Síochána as at 31 December 2005 will be 12,299, all ranks. Taking into account the projected number of retirements, the new recruitment drive will lead to a combined organisational strength, of both attested gardaí and recruits in training, of 14,000 as early as end 2006.

The commissioner will now draw up plans on how best to distribute and manage these additional resources. Clearly the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high-visibility policing. They will have a real impact.

Question No. 697 answered with Question No. 695.

Garda Stations.

698. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Blessington area, County Wicklow for 2000, 2001, 2002, 2003 and 2004; if he will give consideration to establishing a full time Garda station in the area, due to the rapidly increasing population; and if he will make a statement on the matter. [10342/05]

792. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Blessington area for the years 2000 to 2004 inclusive; if he will establish a full time Garda station in the area, in view of the fact that the population has rapidly increased; and if he will make a statement on the matter. [11260/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I propose to take Questions Nos. 698 and 792 together.

I have made inquiries with the Garda authorities and the information requested by the Deputy is as set out in the following table. I am informed by the Garda authorities that the personnel strength of Blessington garda station, as at 6 April 2005, is 14. Blessington Garda station is open from 10 a.m. to 1 p.m. and from 7 p.m. to 9 p.m., Monday to Saturday and from 11 a.m. to 1 p.m. and from 7 p.m. to 9 p.m. on Sundays. When the station is not open, the public access callbox system and call diversion systems are in operation to the district headquarters at Naas Garda station.

Garda management will continue to appraise the policing and administrative strategy employed in Blessington Garda station with a view to ensuring an effective Garda service is maintained. The situation will be kept under review and when additional personnel next become available, the needs of Blessington Garda station will be fully considered within the context of the overall needs of Garda stations throughout the country.

Headline offences recorded and detected for Blessington sub-district 2000 to 2004

Year	2000		2001		2002		2003		2004*	
	Rec	Dec	Rec	Dec	Rec	Dec	Rec	Dec	Rec	Dec
Homicide	0	0	0	0	0	0	0	0	0	0
Assault	0	0	0	0	3	0	4	2	3	3
Sexual Offences	3	3	2	1	5	3	0	0	2	1
Arson	3	1	2	1	0	0	1	0	4	0
Drugs	0	0	2	2	0	0	1	1	0	0
Thefts	64	23	47	6	60	7	75	15	95	24
Burglary	30	0	45	9	48	8	55	4	52	7
Robbery	1	0	2	0	2	1	0	0	3	1
Fraud	14	13	0	0	6	2	0	0	3	3
Other	0	0	2	1	1	1	0	0	4	4
Total	115	40	102	20	125	22	136	22	166	43

*Statistics for 2004 are provisional/operation and liable to change.

Mobile Telephony.

699. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the actions persons can take regarding abusive text messages on mobile phones; and if he will make a statement on the matter. [10408/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that any incident involving the receipt of abusive text messages on mobile telephones should immediately be brought to the attention of the Garda Síochána. I am assured that all such reports will be fully investigated to ascertain whether there is any breach of the criminal law on the basis of evidence collected during the investigation.

Registration of Title.

700. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform if he will take steps to expedite an application for first registration by a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [10432/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer, charge and first registration which was lodged on 24 March 2005. Dealing number D2005XS005749A refers. I am further informed that the application for first registration is to be withdrawn and that the application for transfer and charge was completed on 5 April 2005.

Closed Circuit Television Systems.

701. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform when closed circuit television will be installed in Drogheda and Ardee in County Louth; and if he will make a statement on the matter. [10445/05]

774. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the position regarding the introduction of closed circuit television for Drogheda, County Louth; and if he will make a statement on the matter. [11156/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 701 and 774 together.

I am informed by the Garda authorities that applications for Garda CCTV systems in both Ardee and Drogheda have been received by the CCTV advisory committee. This committee was established by the Garda commissioner to advise on all matters relating to CCTV systems. These applications are currently under consideration by the advisory committee along with applications from other cities and towns throughout the country.

It should be noted that there are already 17 CCTV schemes nationwide which are either at

installation, tender or planning stages. This expansion is being implemented on a phased basis as follows: Phase 1 — Bray, Dundalk, Dun Laoghaire, Finglas, Galway and Limerick Phase 2 — Athlone, Clondalkin, Tallaght and Waterford Phase 3 — Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo. Phase 1 has been completed in five of the six locations.

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. I am anxious to accelerate the implementation of the remaining CCTV programme and reduce as far as possible the workload of the Garda Síochána in this regard. The proposed redesign of the tender document provides an opportunity to outsource the installation of Garda CCTV systems to the greatest possible extent, making use not only of the technical but of the project management expertise in the private sector. To that end, I have asked the commissioner to submit proposals for a revised tender document for the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations by the end of 2006. The inclusion of other town centre locations in the programme of Garda CCTV systems will be considered in the context of the commissioner's proposals.

Drugs Problem.

702. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform if he will make a statement on the action the Garda are taking and their progress in tackling the growing drug problem in County Louth and the towns of Drogheda, Dundalk and Ardee with particular reference to the increase in use of hard drugs such as heroin and cocaine. [10446/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It has not been possible within the timeframe involved to collate the information required by the Deputy. I will contact the Deputy directly when this information is to hand.

Garda Deployment.

703. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of extra gardaí appointed to Drogheda, Dundalk and Ardee in each of the past five years. [10459/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda, who are responsible for the detailed allocation of resources including personnel, that the personnel strength of Drogheda, Dundalk and Ardee Garda stations as at 1 January, in each of the past five years and as at 5 April 2005, was as follows:

Station	1/1/01	1/1/02	1/1/03	1/1/04	1/1/05	5/4/05
Drogheda	90	89	89	90	89	90
Dundalk	97	99	96	97	101	102
Ardee	10	9	9	10	10	10

On the issue of Garda resources generally, I am very pleased the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the agreed programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now draw up plans on how best to distribute and manage these additional resources. In this context, the needs of Drogheda, Dundalk and Ardee Garda stations will be fully considered within the context of the needs of Garda stations throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high-visibility policing. They will have a real impact.

Grant Payments.

704. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the position regarding an application for funding for a group (details supplied) in County Kerry; and if he will make a statement on the matter. [10492/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that an application for additional capital grant assistance under the Equal Opportunities Childcare Programme, EOCP, 2000-2006, was submitted by the group in question to my Department some time ago. The EOCP 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.

Following a detailed assessment and appraisal process, I recently approved capital grant assistance of €124,000 in respect of this application. This brings the total capital funding approved to the group to more than €1.4 million. I understand my Department's child care directorate has advised the group of my decision.

Area Development Management Limited has been engaged to administer the grants on behalf of the Department of Justice, Equality and Law

Reform and will contact the group regarding the conclusion of a contractual agreement which is necessary to draw down the grant.

Garda Investigations.

705. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, private security companies have been robbed while in the process of transporting cash; the date and time of each incident; the location; if firearms were involved; the amount of money stolen; and if persons have been convicted for each of these crimes. [10510/05]

706. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, that robberies have occurred involving sums of money greater than €5,000; the date and time of each incident; the location; if firearms were involved; the amount of money stolen; and if persons have been convicted for each of these crimes. [10511/05]

707. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, that commercial banks have been robbed; the date and time of each incident; the location; if firearms were involved; the amount of money stolen; and if persons have been convicted for each of these crimes. [10512/05]

708. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, that ATM machines have been robbed; the date and time of each incident; the location; if firearms were involved; the amount of money stolen; and if persons have been convicted for each of these crimes. [10513/05]

709. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, that publicans have been robbed of cash either in their premises or while in transit to or from their premises; the date and time of each incident; the location; if firearms were involved; the amount of money stolen; and if persons have been convicted for each of these crimes. [10514/05]

710. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, that post offices have been robbed; the date and time of each incident; the location; if firearms were involved; the amount of money stolen; and if persons have been convicted for each of these crimes. [10515/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 705 to 710, inclusive, together.

The table shows the total number of robberies of cash-goods in transit and robbery of an establishment/institution in respect of offences against licensed premises, banks and post offices for the years 2002, June to December, 2003 and 2004.

Offences of Robbery of Cash/Goods in transit and Robbery of Establishment/Institution for specified locations*

Year	Offences	Detected	Convictions	Value Taken	Firearm involved
				€	
2002	115	40	27	1,548,674	29
2003	169	61	20	1,602,244	41
2004**	235	119	6	1,832,601	92

* Locations refer to post offices, banks, and licensed premises.

** the figures for 2004 are provisional-operational and subject to change.

Question No. 711 answered with Question No. 127.

Question No. 712 answered with Question No. 100.

Deportation Orders.

713. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times, since June 2002, that persons under the age of 18 years have been deported separately from their parents; the number of families which have been split up by deportations; and the number of children left behind while their parents were deported. [10518/05]

714. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of deportation orders issued, since June 2002, against children who are residents of the State while their parents are not residents of the State. [10519/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 713 and 714 together.

I am not aware of any minor under the age of 18 years who was deported from the State unaccompanied by either a parent or older guardian. When families are being deported every effort is made to maintain the family unit. However, there have been instances where parents have chosen not to take their children with them when being deported. In such instances, the Garda National Immigration Bureau inform the local area Health Service Executive of the situation. Statistics are not kept with regard to the numbers of minors left behind in the State after their parents are deported.

On the issue of children who are residents of the State being in receipt of deportation orders, I take it the Deputy is referring to Irish-born citizen children. If this is the case, deportation orders

There were no aggravated burglary offences recorded for these types of premises in the specified years. I am informed by the Garda that providing the other information in the format requested would require a disproportionate amount of Garda time and resources to compile it.

cannot, and are not, issued in respect of such children.

Decentralisation Programme.

715. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10535/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There are no sections of my Department based outside Dublin that are scheduled to be moved under the Government's decentralisation programme.

Probation and Welfare Service.

716. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 147 of 24 March 2005, the results of his Department's investigation into the death of a resident in the premises referred to; and if he will make a statement on the matter. [10552/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The incident referred to by the Deputy occurred on 4 March 2005 in a premises owned by the Society of St. Vincent De Paul and managed by the De Paul Trust. The said premises provides transitional accommodation for women leaving prison who would otherwise be homeless. The project is funded by my Department through the probation and welfare service. The emergency services and the Garda were alerted on the day of the incident. I am further advised that a coroner's inquest will be held later this year.

Departmental Staff.

717. **Mr. Gregory** asked the Minister for

Justice, Equality and Law Reform the criteria by which certain categories of employees in his Department, for example, cleaners at Garda Headquarters, Phoenix Park, Dublin 7, are accepted as established, giving them significant pension rights; the criteria by which they are refused such rights; and if he will make a statement on the matter. [10553/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Employment in the Civil Service is governed by a particular legal framework with well-defined procedures and practices. The Civil Service Regulation Act 1956 sets out the terms and conditions upon which civil servants are appointed. It also distinguishes between an established civil servant and an unestablished civil servant. Pension terms flow from the employment status of the employee. Established civil servants have access to the superannuation scheme for established civil servants. Unestablished civil servants have access to the non-contributory pension scheme for non-established state employees.

An employee cannot be made a permanent established civil servant unless he or she fulfils the requirements for establishment. For practical reasons certain civil service grades are recruited at local level rather than by an open competition run by the Public Appointments Service. This is the case for a number of grades working in the Garda organisation, such as the cleaners referred to by the Deputy. These staff are employed as unestablished civil servants. However, competitions have been held from time to time at which officers who are serving in an unestablished capacity and who fulfil the eligibility requirements for the competition may compete for establishment. The Public Appointments Service is currently holding such a competition to assess candidates' suitability for establishment.

Garda Operations.

718. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if the gardaí at Mountjoy Garda Station, Dublin 7 liaise with Irish Rail regarding ongoing criminal and anti-social activities at Irish Rail derelict land at Shandon, Dublin 7; if measures will be put in place to prevent attacks on pedestrians on the Royal Canal towpath opposite the site and on the adjoining residences; the number of such attacks to date in 2005; the number of times gardaí have been called to this location to date in 2005; if the fencing off of this site might assist the Garda and if he will make a statement on the matter. [10554/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda that local Garda management liaise with Irish Rail and with local residents on a regular basis on this matter. The issue of fencing at the location has been taken up at meetings with Irish Rail,

which has advised local Garda management that they are examining the issue.

I am further informed by the Garda that, to date in 2005, there are no reports of attacks on pedestrians or adjoining residences at the location referred to by the Deputy. I understand from the Garda that Garda foot patrols are giving coverage and attention to the location mentioned. This is in addition to mobile patrols in the general area. It is not possible to indicate specifically the number of times to date in 2005 gardaí have called to the specific location referred to.

Fair Trade Products.

719. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the campaign to have FAIR-TRADE products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such FAIRTRADE approved products used in his Department. [10566/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that my Department has no responsibility for the subject matter of this question and that products acquired by the Department are purchased in accordance with established Government procurement guidelines.

Inquiry into Child Abuse.

720. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will provide a copy of a report on allegations of abuse at an institution (details supplied) between 1993 and 1995; the outcome in relation to prosecutions; and if he will make a statement on the matter. [10571/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I cannot trace any report within my Department from the information supplied by the Deputy. However, if the Deputy can supply any further details, I will look at the matter again.

Work Permits.

721. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the position regarding a request for family reunification and an application for a work permit for their spouse by a person (details supplied) in Dublin 1. [10576/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person referred to by the Deputy is a non-EEA national employed in the State under the employment permit scheme. The general rule in these cases is that the worker may be joined by his or her spouse and dependent children once the worker has completed one year's service with his or her employer and has been offered a contract for a further year. This is subject to the worker being in a position to sup-

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port his or her family without recourse to public funds.

I am informed that a visa application for the spouse of the person referred to by the Deputy was approved, following appeal, on 3 February 2005. However I am also informed that there is no record of an application having been made by or on behalf of the daughter of the non-EEA national in question. An application should be submitted for each person intending to travel. Therefore, should the daughter of the individual in question still wish to travel, a formal visa application must be submitted on her behalf.

I note that, on the basis of the documentation supplied to my Department, it would appear that the work permit held by the person in question has expired and that the worker is no longer employed by the employer to whom the work permit was issued. With regard to the Deputy's inquiry as to the position regarding an application for a work permit for the spouse of the person in question, this is purely a matter for the Department of Enterprise, Trade and Employment. My Department has no mandate in this area.

Visa Applications.

722. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform if a decision to refuse a re-entry visa to a person (details supplied) will be reviewed; and if he will make a statement on the matter. [10577/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application for a re-entry visa referred to by the Deputy was refused by my Department at initial stage on 10 January 2005. When assessing the application, the visa officer noted that the applicant's permission to remain in the State was due to expire shortly thereafter, on 21 February 2005. Consequently, as it would not have been appropriate to grant a re-entry visa in this case, the application was refused on grounds of immigration history, IH.

An appeal was subsequently received in respect of the application in question. However, based on the additional documentation supplied, the visa appeals officer was unable to conclude that the initial decision should be overturned. Consequently, the application was refused on appeal on 30 March 2005.

If the applicant has, in the interim, applied successfully for an extension of her permission to remain in the State, then it is open to her to submit a fresh application for a re-entry visa via the Department of Foreign Affairs.

Judicial Appointments.

723. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform if the Government will appoint additional district justices in 2005; if there are vacancies for district justices; and if he will make a statement on the matter. [10591/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The level of judicial resources is kept under continuous review. As the Deputy may be aware, the Civil Liability and Courts Act 2004 increased by two the statutory maximum number of District Court judges. The total number of posts is now 55. A vacancy exists by virtue of the retirement of a judge of the District Court on 3 April 2005 and arrangements are in hand to request the Government to nominate a successor.

Prison Staff.

724. **Mr. English** asked the Minister for Justice, Equality and Law Reform if psychologists and addiction counsellors have now been appointed to the Mountjoy Complex, Cloverhill and Wheatfield Prisons; if so, the number of appointments in each category being made; the location of each of these appointments; if these positions have not been filled, when these appointments will be made; the numbers of positions envisaged; the funding allocated; and if he will make a statement on the matter. [10599/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A significant number of psychologists have been appointed to the Irish Prison Service in recent months and this recruitment process is not yet complete. By June of 2005 there will be 14 psychologists working in the Irish Prison Service and, with these increased resources, the psychology service will be better placed to meet the complex and diverse needs of the Irish Prison Service for psychological services.

As a result of this recruitment process, there are now five psychologists assigned to the Mountjoy Complex. This figure is comprised of two psychologists, including a senior psychologist, assigned to the male Prison, one psychologist assigned to the Dóchas Centre, one psychologist assigned to St. Patrick's Institution and one psychologist who was due to take up her appointment in the training unit today.

There is one senior psychologist assigned to Wheatfield Prison. There is also a psychologist assigned to Cloverhill Prison who will also undertake some clinics in Wheatfield Prison. A range of interventions for prisoners with addictions, including addiction counselling, are provided by the medical, psychology and probation and welfare services and the many community and voluntary organisations operating in the prison system. With regard to the appointment of dedicated addiction counsellors, the position is that a joint committee, comprising representatives of the Prison Service and the Health Service Executive, are currently exploring contractual arrangements for an external service provider to provide an enhanced counselling service in prisons and it is envisaged that a tender competition will be held in the near future.

Drug Seizures.

725. **Mr. English** asked the Minister for Justice, Equality and Law Reform if the Garda achieved their target of a 25% increase in the volume of opiates and all other drugs seized by the end of 2004 as set out in the National Drugs Strategy; if he will provide figures of such seizures in each category from 1998 to 2004 inclusive; if the force

can achieve the target of a 50% increase in seizures of opiates and all other drugs by end 2008; and if he will make a statement on the matter. [10600/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda that the data requested by the Deputy is currently only available for the period 2000 to 2003, inclusive. This data is set out in a tabular statement.

Type of Drug	1998	1999	2000	2001	2002	2003
Heroin	38.3 kgs	16.9 kgs	23.9 kgs	29.5 kgs	16.7 kgs	27.05 kgs
Cocaine	333.2 kgs	85.5 kgs	18 kgs	5.3 kgs	31.7 kgs	107.46 kgs
Cannabis Resin	2157 kgs	2511 kgs	379.8 kgs	567 kgs	3,333 kgs	5,349 kgs
Ecstasy	605,306 tabs and capsules	229,138 tabs and capsules	551,357 tabs and capsules	469,862 tabs and capsules	117,046 tabs and capsules	1,291,812 tabs and capsules
Amphetamine	4780 tabs & 45.426 kgs	12,014 tabs & 13.394 kgs	149 tabs & 5.8 kgs	17,96 kgs	12,728 tabs & 16.43 kgs	1,019 tabs & 67.79 kgs
Diazepam		13,389 tabs	1,833 tabs	1,059 tabs	4,080 tabs	7,216 tabs
Flunitrazepam	361 tabs	339 tabs	236 tabs	71 tabs	21 tabs	125 tabs
Flurazepam		1007 capsules	399 capsules	2,599 capsules	633 capsules	4,886 capsules
Temazepam	440 tabs	108 tabs	50 tabs	58 tabs	306 tabs	32 tabs 104 capsules
Methadone	15.6 lts & 360 tabs	579 tabs & 2,043 ml	294 tabs & 1,731ml	647 tabs & 5,677 ml	252 tabs & 6,966 ml	370 tabs & 3,392 ml

The Deputy will note from these figures that the Garda achieved considerable successes in their drug seizure targets under the Government's National Drugs Strategy 2001 — 2008. The base year for these targets is 2000. Heroin seizures increased by 13% between 2000 and 2003. The data also shows significant increases in the volumes of cannabis and stimulant drugs seized. The latter include cocaine, amphetamines and ecstasy. Between 2000 and 2003 seizures of these drugs increased by 497%, 1069% and 132%, respectively. The Garda remain fully committed to further increases in drugs seizures for the remaining period of the national drugs strategy.

Grant Payments.

726. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the capital grant aid provided each year for each of the past five years to provide child care facilities; and the number of places funded by these moneys in each county. [10622/05]

727. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the amount of grant aid provided each year for each of the past five years to pay for staffing costs for child care provision; and the number of such staff funded in each county. [10623/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 726 and 727 together.

The Equal Opportunities Childcare Programme 2000-2006, EOCP, is a central pillar in the Government's child care strategy and is intended to increase the availability and quality of child

care supports for parents in employment, education or training. The programme is funded by the Exchequer and the European Union Structural Funds as part of the regional operational programmes of the national development plan. The programme provides for capital grants to create and enhance new or existing child care facilities, multiannual staffing grants to community-based not-for-profit groups who provide child care services for disadvantaged families and a range of grants to support the enhancement of quality for the child care sector.

Considerable progress has already been achieved in terms of increasing the number of child care facilities and places available, as well as increasing the number of people employed directly in child care facilities and the programme is now ahead of and will exceed its targets.

I understand the data relating to the programme is not readily available on an annual basis as requested by the Deputy due to the roll-over ongoing nature of the programme, which is a seven year strategy. However, I have been informed that provisional figures to the end of 2004 indicate that 24,636 child care places have already been created in new and existing child care facilities, in addition to the 21,000 existing places also receiving staffing grant support under the programme, and that 2,213 child care staff, working directly with children in disadvantaged areas, have been supported under the programme.

I also bring to the Deputy's attention a comprehensive review of progress under the Equal Opportunities Childcare Programme 2000 — 2006 entitled *Developing Childcare In Ireland*

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which was published by my Department during the summer of 2004. This document was circulated to all members of the Oireachtas and was also posted on the Department's web site. A wealth of useful information on the development of child care, up to the end of 2003, is included in this report. It is intended in future to update these statistics periodically. The first such update,

which will cover the period up to end of 2004, is expected to become available over the summer of 2005 and will be posted on the Department's web site as well as being circulated to interested parties, including members of the Oireachtas.

The table details the outturn for capital and current expenditure for the child care measures of my Department for the five year period between 2000 to 2004 and the estimate for 2005:

Year	Out-turn (€ millions)		
	Capital	Current	Total
2000	4.378	7.326	11.704
2001	11.499	18.839	30.338
2002	23.014	35.403	58.417
2003	24.651	41.604	66.255
2004	24.419	43.844	68.233

The Deputy will welcome the increase in the allocation for child care to my Department for 2005 which amounts to €83.432 million. The programme also supports a number of quality improvement initiatives, most notably the funding provided to seven national voluntary child care organisations and 33 city and county child care committees, which is aimed at creating local networks of child care providers and supporting improved training for child care workers.

It may interest the Deputy to know that since it was launched in 2000, funding for the programme for the 2000-06 period has increased from €318 million to €499.3 million or by 57%, the most recent increase being an additional €50 million announced in the 2005 budget under the capital investment framework to 2007. A further €40 million in additional funding for the period from the end of the national development plan to 2009 was also included in the budget announcement.

Residency Permits.

728. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform the position regarding the case of a person (details supplied) who has been informed that her application for residency on the basis of marriage to an Irish national will take approximately 14 to 16 months minimum to process; this person's legal status here; if she has the right to live and work here; when her holiday visa expires and pending determination of her official residency application; the way in which she can acquire documentation to enable her to seek employment pending determination of her

residency status; and if he will make a statement on the matter. [10637/05]

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(Mr. McDowell): The person in question applied for a visa for the stated purpose of a visit. She arrived in the State on 10 October 2004 on a visit visa. She married an Irish national on 7 January 2005 and applied for permission to remain in the State on that basis on 31 January 2005. Applications of this type are dealt with in strict chronological order, in fairness to all applicants, and currently take approximately 16 months to process.

Marriage to an Irish national does not confer any automatic right on a non-EEA national to reside in the State. Her immigration status is that of a pending applicant for residency in the State. Until such time as the application for permission to remain is finalised the person in question does not have legal residence in the State, nor can she work without obtaining a work permit.

Grant Payments.

729. **Mr. Broughan** asked the Minister for Justice, Equality and Law Reform the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men including the name of the organisation or group; the amount paid; and the purpose for which it was paid. [10692/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): The information requested by the Deputy is set out in the following tabular statement:

Year: 2002

Name of Organisation/Group	Amount Paid	Purpose
	€	
Domestic Violence Intervention Project, Dun Laoghaire, Co. Dublin.	118,024.00	Operation of Domestic Violence intervention programme for male perpetrators of domestic violence, on a pilot basis
*Autocrime Diversion	149,754.00	Educational, Vocational and Placement

Name of Organisation/Group	Amount Paid	Purpose
	€	
*Cork Probation Hostel	260,178.00	Residential
*Harristown House	307,455.00	Substance Abuse Treatment (Residential)
*The Lighthouse Project	100,000.00	Counselling
*Lionsvilla Probation Hostel	421,553.00	Residential
*Matt Talbot Services	60,000.00	Educational, Vocational and Placement (Residential)
*MOVE (Men Overcoming Violence) Ireland	51,424.00	Counselling
*Waterford Probation Hostel	351,825.00	Residential

Year: 2003

Name of Organisation/Group	Amount Paid	Purpose
	€	
South East Men's Development Network	50,000.00	Operation of intervention programmes for male perpetrators of domestic violence
MOVE (Men Overcoming Violence) Ireland	1. 100,000.00	1. Operation of intervention programmes for male perpetrators of domestic violence
	2. 53,240.00*	2. Counselling
*Autocrime Diversion	156,385.00	Educational, Vocational and Placement
*Cork Probation Hostel	269,300.00	Residential
*Harristown House	344,000.00	Substance Abuse Treatment (Residential)
*The Lighthouse Project	222,000.00	Counselling
*Kazelian	315,000.00	Residential
*Lionsvilla Probation Hostel	600,000.00	Residential
*Matt Talbot Services	95,203.00	Educational, vocational and placement (residential)
*Waterford Probation Hostel	364,200.00	Residential

Year: 2004

Name of Organisation/Group	Amount Paid	Purpose
	€	
South East Men's Development Network	120,000.00	Operation of intervention programmes for male perpetrators of domestic violence
MOVE (Men Overcoming Violence) Ireland	1. 150,000.00	1. Operation of intervention programmes for male perpetrators of domestic violence
	2. 53,240.00*	2. Counselling
Domestic Violence Intervention Project, Dun Laoghaire, Co. Dublin	160,000.00	Operation of Domestic Violence intervention programme for male perpetrators of domestic violence, on a pilot basis
*Autocrime Diversion	180,000.00	Educational, Vocational and Placement
*Cork Probation Hostel	237,500.00	Residential
*Harristown House	382,000.00	Substance Abuse Treatment (Residential)
*The Lighthouse Project	296,000.00	Counselling
*Kazelian	200,000.00	Residential
*Lionsvilla Probation Hostel	600,000.00	Residential
*Matt Talbot Services	95,000.00	Educational, Vocational and Placement (Residential)
*Waterford Probation Hostel	414,200.00	Residential

*Funding awarded by my Department through the probation and welfare Service.

730. **Mr. Broughan** asked the Minister for Justice, Equality and Law Reform the grants and other financial assistance awarded by his Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women including the

name of the organisation or group; the amount paid; and the purpose for which it was paid. [10693/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in a tabular statement:

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Year: 2002

Name of Organisation/Group	Amount Paid	Purpose
	€	
North Wall Women's Network	3,500.00	Anti-Racism training for young mothers
Longford Women's Centre	1. 3,000.00 2. 4,000.00	1. Day of Intercultural Events 2. Food Nutrition, budgeting. Introduction to Irish seasonal Foods Course for asylum seeker women and those who have received status. Accultural Training and Health issues training
	3. 36,163.00	3. To provide support service to asylum seeking women, women refugees and women with leave to remain. To employ a support worker to provide information and organise relevant training To develop links between refugees/asylum seekers and the local women's groups
Muslim Women's Association	1,000.00	Advice and assistance for mothers and babies
Summerhill Active Retirement Group	34,737.00	To promote Gender Equality
Sinn Fein	11,314.00	To promote Gender Equality
National Training & Development Institute	94,343.00	To promote Gender Equality
Irish Farmers Association	87,338.00	To promote Gender Equality
National Women's Council of Ireland	1. 99,392.00 2. 579,000.00 3. 281.00 4. 71,482.00	1. To promote Gender Equality 2. Annual Grant 3. Grant towards seminar expenses 4. Financial Assistance. Women-In-Decision Making Research Report and Photographic Exhibition
	5. 6,300.00	5. Financial Assistance, Individualisation Report
Suir Community Development Project	45,711.00	To promote Gender Equality
Irish Country Women's Association (ICA)	137,040.00	To promote Gender Equality
LinC	91,568.00	To promote Gender Equality
Age Action Ireland	36,505.00	To promote Gender Equality
Fianna Fáil	52,315.00	To promote Gender Equality
National Youth Council of Ireland	84,247.00	To promote Gender Equality
Women's Pro-Beijing NGO Coalition	97,796.00	To promote Gender Equality
Fine Gael	17,234.00	To promote Gender Equality
Women in the Home	8,000.00	Annual Grant
National Association Ovulation Method Ireland	1,269.00	Re-issue of grant under the National Plan for Women Consultation
National Consultative Committee on Racism and Interculturalism	1,904.61	Re-issue of grant under the National Plan for Women Consultation
Kilkenny Community Action Network	24,178.00	Equality for Women Measure Grant
Cork Women's Poetry Circle	52,911.00	Equality for Women Measure Grant
Congress Information & Opportunity Centre	34,283.00	Equality for Women Measure Grant
SIPTU	24,800.00	Equality for Women Measure Grant
Irish Productivity Centre	52,015.00	Equality for Women Measure Grant
Newbury House Family Centre	32,387.00	Equality for Women Measure Grant
Barrow, Nore, Suir Rural Development	27,144.00	Equality for Women Measure Grant
AONTAS	46,981.00	Equality for Women Measure Grant
Boolavogue Textile Studio	40,255.00	Equality for Women Measure Grant
Ballymun Women's Resource Centre	70,480.00	Equality for Women Measure Grant
Bray Partnership	53,208.00	Equality for Women Measure Grant
Women's Aid	31,953.00	Equality for Women Measure Grant
POWER Partnership	34,769.00	Equality for Women Measure Grant
National Traveller Women's Forum	40,569.00	Equality for Women Measure Grant
Women in Technology & Science	16,271.00	Equality for Women Measure Grant
Inishowen Partnership	55,647.00	Equality for Women Measure Grant
Domestic Violence Response	48,598.00	Equality for Women Measure Grant
Women of the North West	30,803.00	Equality for Women Measure Grant
Ballyhoura Development	58,673.00	Equality for Women Measure Grant

Name of Organisation/Group	Amount Paid	Purpose
	€	
Kilkenny Local Network on Violence Against Women	12,100.00	Grant funding towards “Once is Too Much” exhibition in relation to domestic violence
Kilkenny Rape & Sexual Abuse Centre	10,904.00	Grant funding towards awareness and education programme in schools in relation to sexual violence
Dublin Rape Crisis Centre	4,791.60	Grant towards the publication of information leaflet in relation to rape and sexual assault
AkiDwA(African Women’s Network)	2,000.00	Grant towards conference for women of an ethnic minority on violence against women
Rape Crisis Network Ireland	3,950.00	Grant for development of a standardised Victim Impact Statement for rape and sexual assault cases
V-Day Ireland	6,635.00	Grant towards awareness raising campaign in relation to violence against women
Open Door Network, Kerry	10,729.29	Grant for exhibition in relation to violence against women
European Women’s Lobby	15,000.00	Co-funding towards development of European Observatories on Violence Against Women
Rev. Dr Tony Byrne	10,000.00	Grant towards “Harmony in the Home”, course in relation to domestic violence
Women’s Aid	10,000.00	Grant towards publication of document on Domestic Violence Models of Best Practice
*Tus Nua	305,175.00	Residential
*Ruhama	312,660.00	Counselling
*SAOL	60,947.00	Substance Abuse, Treatment and Placement
*WRENS	78,670.00	Training

Year: 2003

Name of Organisation/Group	Amount Paid	Purpose
	€	
Mallow Multicultural Motherhood Group	1,800.00	Day of Intercultural Events
Women’s Action Group	6,000.00	To raise awareness of racism and to promote an inclusive community in Dublin 12. Awareness and needs analysis training for the different women groups in Dublin 12
AkiDwA Sisters	1. 2,000.00 2. 1,000.00 3. 5,000.00	1. Voter awareness for African women 2. Integration -Social /Cultural Event 3. Grant funding towards seminar to raise awareness of violence against women
Greater Kenmare Women’s Network	1,800.00	To hold a music, dance, food and poetry evening where women and men from various cultures meet
Women’s Community Project Association	2,000.00	To set up a support group for new foreign national women coming to the town
Longford Women’s Centre	1. 4,000.00 2. 26,926.00	1. Music, Art & Drama Workshops 2. To provide support service to asylum seeking women, women refugees and women with leave to remain. To employ a support worker to provide information and organise relevant training. To develop links between refugees/asylum seekers and local women’s groups
Summerhill Active Retirement Group	32,308.00	To promote Gender Equality
Sinn Fein	5,930.00	To promote Gender Equality
National Training & Development Institute	40,172.00	To promote Gender Equality
Irish Farmers Association	64,393.00	To promote Gender Equality
National Women’s Council of Ireland	1. 104,906.00 2. 549,400.00 3. 2,946.00 4. 9,468.90	1. To promote Gender Equality 2. Annual Grant 3. Contribution towards expenses for International Women’s Day event 4. Financial Assistance, Individualisation Research Report
Suir Community Development Project	19,047.00	To promote Gender Equality

Name of Organisation/Group	Amount Paid	Purpose
	€	
Irish Country Women's Association (ICA)	58,314.00	To promote Gender Equality
LinC	81,196.00	To promote Gender Equality
Age Action Ireland	26,982.00	To promote Gender Equality
Fianna Fáil	32,914.00	To promote Gender Equality
National Youth Council of Ireland	58,949.00	To promote Gender Equality
Women's Pro-Beijing NGO Coalition	55,735.00	To promote Gender Equality
Fine Gael	38,998.00	To promote Gender Equality
Women in the Home	7,600.00	Annual Grant
Clare Women's Network	31,957.00	Equality for Women Measure Grant
North Meath Community Development	54,600.00	Equality for Women Measure Grant
Southwest Kerry Women's Association	59,819.00	Equality for Women Measure Grant
Kilkenny Community Action Network	47,250.00	Equality for Women Measure Grant
Cork Women's Poetry Circle	105,816.00	Equality for Women Measure Grant
Congress Information & Opportunity Centre	34,284.00	Equality for Women Measure Grant
SIPTU	39,330.00	Equality for Women Measure Grant
Irish Productivity Centre	80,085.00	Equality for Women Measure Grant
Newbury House Family Centre	73,974.00	Equality for Women Measure Grant
Barrow, Nore, Suir Rural Development	13,574.00	Equality for Women Measure Grant
AONTAS	75,158.00	Equality for Women Measure Grant
BooLAVogue Textile Studio	61,756.00	Equality for Women Measure Grant
Ballymun Women's Resource Centre	146,584.00	Equality for Women Measure Grant
Bray Partnership	88,973.00	Equality for Women Measure Grant
Women's Aid	75,610.00	Equality for Women Measure Grant
Department of Electronic Engineering, TCD	178,463.00	Equality for Women Measure Grant
POWER Partnership	92,848.00	Equality for Women Measure Grant
National Traveller Women's Forum	97,948.00	Equality for Women Measure Grant
Women in Technology & Science	42,412.00	Equality for Women Measure Grant
Inishowen Partnership	86,299.00	Equality for Women Measure Grant
Domestic Violence Response	125,084.00	Equality for Women Measure Grant
Women of the North West	62,084.00	Equality for Women Measure Grant
Ballyhoura Development	121,760.00	Equality for Women Measure Grant
Cork Rape Crisis Centre	10,000.00	Grant towards conference in relation to rape and sexual assault
Mid Western Regional Committee on Violence Against Women	8,000.00	Grant funding towards cost of awareness raising campaign in relation to violence against women
North West Women's Human Rights Forum	1,500.00	Grant funding towards awareness and information workshop in relation to violence against women
Ringsend Action Project Ltd	3,202.00	Grant funding towards training of local community workers on the issue of domestic violence awareness
South Eastern Regional Committee on Violence Against Women	600.00	Grant funding towards launch of information leaflet on rape and sexual assault
Carlow Local Network on Violence Against Women	5,000.00	Grant funding towards hosting of conference on effects of domestic violence on children
Domestic Violence Service Ltd, Dublin	2,000.00	Grant towards conference in relation to violence against women
North Eastern Regional Committee on Violence Against Women	3,653.51	Grant funding towards information leaflet in relation to violence against women
Southill Domestic Abuse Project, Limerick	25,000.00	Grant funding towards awareness raising and prevention project in relation to domestic violence
Western Regional Committee on Violence Against Women	5,000.00	Grant funding towards conference on violence against women
Ruhama Women's Project	12,000.00	Grant funding for "Ireland en Route", a forum to address trafficking of women and children for sexual exploitation
Rev. Dr. Tony Byrne	2,000.00	Grant funding for "Harmony in the Home" course in relation to domestic violence
Rape Crisis Network Ireland	36,018.00	Grant funding for research into attrition rates in rape cases in Ireland

Name of Organisation/Group	Amount Paid	Purpose
	€	
South Leinster Rape Crisis Centre	10,541.00	Grant funding towards awareness and education programme in schools in relation to sexual violence
Women's Aid	12,687.85	Grant funding towards public awareness campaign in relation to domestic violence
European Women's Lobby	15,000.00	Co-funding towards Development of European Observatory on Violence Against Women
National Network of Women's Refugees and Support Services	10,000.00	Grant funding towards research into service provision
*Tus Nua	236,895.00	Residential
*Ruhama	354,660.00	Counselling
*SAOL	60,947.00	Substance abuse, treatment and placement
*WRENS	81,440.00	Training

Year: 2004

Name of Organisation/Group	Amount Paid	Purpose
	€	
National Traveller Women's forum	5,000.00	Produce a publication about the actual experiences of traveller women using positive cases studies
Women's Aid	1. 3,000.00 2. 3,600.00	1. To publish and translate information leaflet into three languages 2. Interagency Working Group on gender mainstreaming
Longford Women's Link	15,328.16	Building on their experience to date, they intend to test their peer education model, the aim of which is to provide continued service to women asylum seekers, refugees and women with IBC's with particular focus in integration
Longford Women's Centre	16,155.60	To provide support service to asylum seeking women, women refugees and women with leave to remain. To employ a support worker to provide information and organise relevant training. To develop links between refugees/asylum seekers and local women's groups
Summerhill Active Retirement Group	12,842.00	To promote Gender Equality
Sinn Fein	692.00	To promote Gender Equality
National Training and Development Institute	65,765.00	To promote Gender Equality
Irish Farmers Association	51,935.00	To promote Gender Equality
National Women's Council of Ireland	1. 41,144.00 2. 524,740.00 3. 500.00 4. 4,416.00	1. To promote Gender Equality 2. Annual Grant 3. Grant to attend UN Conference in Geneva 4. Individualisation Research Report (reprint)
Suir Community Development Project	11,045.00	To promote Gender Equality
Irish Country Women's Association (ICA)	52,480.00	To promote Gender Equality
LinC	41,176.00	To promote Gender Equality
Age Action Ireland	7,936.00	To promote Gender Equality
Fianna Fail	7,174.00	To promote Gender Equality
National Youth Council of Ireland	51,671.00	To promote Gender Equality
Women in the Home	7,260.00	Annual Grant
Clare Women's Network	62,731.00	Equality for Women Measure
North Meath Community Development	124,604.00	Equality for Women Measure
Southwest Kerry Women's Association	126,334.00	Equality for Women Measure
Kilkenny Community Action Network	81,045.00	Equality for Women Measure
SIPTU	43,590.00	Equality for Women Measure
Irish Productivity Centre	84,205.00	Equality for Women Measure
Cork Women's Poetry Circle	105,806.00	Equality for Women Measure
Newbury House Family Centre	92,122.00	Equality for Women Measure
Barrow, Nore, Suir Rural Development	66,419.00	Equality for Women Measure
AONTAS	28,174.00	Equality for Women Measure

Name of Organisation/Group	Amount Paid	Purpose
	€	
Booavogue Textile Studio	97,641.00	Equality for Women Measure
Ballymun Women's Resource Centre	71,709.00	Equality for Women Measure
Bray Partnership	107,294.00	Equality for Women Measure
Women's Aid	81,782.00	Equality for Women Measure
Department of Electronic Engineering, TCD	108,022.00	Equality for Women Measure
POWER Partnership	85,141.00	Equality for Women Measure
National Traveller Women's Forum	104,026.00	Equality for Women Measure
Women in Technology and Science	20,908.00	Equality for Women Measure
Inishowen Partnership	96,965.00	Equality for Women Measure
Domestic Violence Response	102,118.00	Equality for Women Measure
Women of the North West	48,554.00	Equality for Women Measure
Ballyhoura Development	86,442.00	Equality for Women Measure
Mayo Women's Support Service	10,731.00	Grant funding towards exhibition to raise awareness of the issue of violence against women
Kilkenny Rape Crisis & Counselling Centre	2,750.00	Grant funding for conference on violence against women
South Leinster Rape Crisis Centre	6,500.00	Grant funding towards evaluation of schools programme on awareness and prevention of sexual violence
Rape and Sexual Abuse Support Services, Wexford	2,000.00	Grant funding towards cost of production of video of poster exhibition on violence against women
North Eastern Regional Committee on Violence Against Women	2,101.77	Grant funding for information cards in relation to services for women experiencing violence
The Open Door Network, Tralee	6,000.00	Grant funding towards violence against women poster exhibition
Southill Domestic Abuse Project, Limerick	25,000.00	Grant funding towards raising awareness and prevention project in relation to domestic violence
Ruhama Women's Project, Dublin	26,768.00	Grant towards employment of a co-ordinator on trafficking in persons for the purpose of sexual exploitation
Dublin Rape Crisis Centre	27,717.00	Grant funding for research into long term effects of first disclosure of rape or sexual abuse
European Women's Lobby	1. 7,353.75	1.Reimbursement of accommodation costs of European Women's Lobby members attending as speakers at Irish EU Presidency Conference on violence against women
	2. 9,378.00	2. Grant funding towards cost of production of report of Irish Observatory on Violence Against Women
	3. 18,000.00	3. Co-funding towards development of European Observatories on Violence Against Women
Adapt Services, Limerick	5,000.00	Grant funding towards conference on domestic violence
Western Regional Planning Committee on Violence Against Women	3,000.00	Grant towards annual conference in relation to violence against women
Rape Crisis Network Ireland	1. 20,000.00	1. Grant funding towards post of Legal co-ordinator
	2. 36,018.00	2. Grant funding for research into attrition rates in rape cases in Ireland
Pavee Point Travellers Centre	2,260.00	Grant funding towards publication of brochure in relation to violence against women
Ringsend Action Project Ltd	1,200.00	Grant funding towards violence against women awareness campaign
Donegal Domestic Violence Service	500.00	Grant funding towards cost of hosting violence against women poster exhibition
*Tus Nua	300,000.00	Residential
*Ruhama	300,000.00	Counselling
*SAOL	60,000.00	Substance Abuse, Treatment and Placement
*WRENS	80,000.00	Training

* Funding awarded by my Department through the probation and welfare service.

Question No. 731 was answered with Question No. 132.

Question No. 732 answered with Question No. 690.

Question No. 733 answered with Question No. 104.

Deportation Orders.

734. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will revoke the deportation order against a person (details supplied) in Dublin 3; and if this case will be reconsidered. [10713/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Nigerian national, arrived in the State on 11 May 2001 and claimed asylum. Her application was refused by the office of the Refugee Applications Commissioner and she was notified of this recommendation by letter of 18 October 2002. Her subsequent appeal was refused by the office of the Refugee Appeals Tribunal and she was notified of this recommendation by letter of 17 February 2004. In accordance with section 3 of the Immigration Act 1999, the person concerned was informed on 20 May 2004 that the Minister proposed to make a deportation order in respect of her. She was, in accordance with the Act, informed of the three options open to her at that point. She could leave the State voluntarily before the Minister decided whether to make a deportation in respect of her, consent to the making of a deportation order in respect of her or make written representations to the Minister setting out reasons she should be allowed to remain temporarily in the State.

Her case was examined under section 3 of the Immigration Act 1999 and section 5 of the Refugee Act 1996 (Prohibition of Refoulement) including consideration of all representations received on her behalf. A deportation order was made in respect of her on 22 February 2005. The order was served by registered post and she presented herself to the Garda National Immigration Bureau on Thursday 7 April 2005 so that travel arrangements could be put in place to effect her removal from the State. She has been requested to again attend the Garda National Immigration Bureau on 27 April 2005. The enforcement of the deportation order is a matter for the Garda National Immigration Bureau.

Citizenship Applications.

735. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform the status of a citizenship application for a person (details supplied) in County Waterford. [10724/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A declaration of acceptance of Irish citizenship as post-nuptial citizenship was received in the citizenship section of my Department on 11 May 2004 from the person referred to in the Deputy's question. The case in question is under active consideration and I will advise the Deputy and the person in question when that consideration has been concluded.

Visa Applications.

736. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the criteria applied in deciding on the application of nominating parents of a person married to an Irish national to receive a holiday visa; the reason refusals are not accompanied by detailed reasons for the refusal in order that an appeal may address these reasons in a meaningful manner; and the reasons for refusal in the case of persons (details supplied). [10753/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There is an extensive set of criteria applied when assessing any visa application. These criteria depend to a large extent on the context in which the application is made, the personal circumstances of the applicant and the nature and purpose of the application. Government policy of the day will also have an influence on the assessment of applications falling into specific categories. There is no provision in Irish law for granting a visa to a person purely on the basis of parentage of a spouse of an Irish national. Therefore, a person in that situation applying for a visa, will have his or her application processed in accordance with the standard procedure. The central tenet of the visa application system in this State is that the onus is at all times on the applicant to satisfy my Department that it would be appropriate to grant them a visa. Credibility is key and, not surprisingly, inconsistencies on the application form or in the supporting documentation may result in a refusal. Applicants are expected to submit suitable levels of documentation appropriate to their circumstances and the purpose of their proposed trip.

Likewise inconsistencies or questions that arise with regard to an applicant's immigration history or the immigration status of a named reference in Ireland, will similarly result in a refusal, unless the Department's concerns are adequately addressed. Prior visa refusals, while not automatically leading to the refusal of a subsequent application, will be a consideration. It has been the long-standing practice that an applicant is notified as soon as possible after a decision has been made on their application, whether it be a decision to grant or a decision to refuse. This decision is communicated to the applicant via our colleagues in the Department of Foreign Affairs and their overseas missions. This method ensures the most timely and efficient means of informing applicants of a decision. If the application has been refused, the applicant is invited to submit a request in writing for the reasons for refusal, at which time my Department will supply him or her, in writing, with the reasons for refusal to enable them to address the identified shortcomings at appeal stage. This is the normal process that most applicants would be expected to follow.

Due to administrative and technical constraints and the sheer number of embassies, consulates and missions involved throughout the globe, it

[Mr. McDowell.]

has not been possible in the past to operate a system whereby applicants are automatically notified of the reasons for refusal with the notification of the decision. To do so would have required ongoing, extensive manual exercises which would detract from the efficiency of the visa system in general. However, recent developments and significantly increased resources have enabled officials in both my Department and that of my colleague, the Minister for Foreign Affairs, to jointly develop a proposal for a system to facilitate the inclusion of the reasons for refusal, if they apply, on the decision letter that is currently issued to an applicant. I am informed that this system is currently in the implementation stage and it is expected that reasons for refusal will be automatically included on decision letters in the very near future.

With regard to the specific reasons for refusal of the applications in question, in both cases, the visa officer could not reasonably be satisfied on the basis of the documentation supplied to my Department that the applicants would observe the conditions of the visas applied for. In particular, it was felt that the applicants had not displayed evidence of their obligations to return home following the proposed visit. Additionally, it was noted that in both cases, no evidence of finances was supplied. The stated means of support recorded on the applications was “own funds”, however I am informed that none of the required two to three payslips or a detailed bank statement covering a two to three month period, were supplied. Finally, in the case of one of the applications, No. 1340006, it was noted that duly notarised official translations of certain documents were not supplied. Consequently, this application was refused on grounds of insufficient documentation in addition to the reasons listed above that were common to both applications.

It is open to the applicants to appeal the refusal decisions, by writing to the visa appeals officer of my Department within two months of the date of receipt of their decision letter. Any appeal should be accompanied by additional documentation designed to address the reasons for refusal outlined and with regard to the criteria previously explained.

Citizenship Applications.

737. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform further to Question No. 358 of 8 March 2005, the status of an application for a person (details supplied) in County Clare regarding naturalisation; and if he will make a statement on the matter. [10816/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for naturalisation was received from the person in question on 27 April 2004. The average processing time for such applications is 24 months. Since my reply to Question No. 358 of 8 March 2005, it has been decided to grant the person concerned permission

to remain in the State for a further period of three years. A letter has issued to the person concerned advising her of the position.

Departmental Agencies.

738. **Mr. O’Shea** asked the Minister for Justice, Equality and Law Reform the present status of the Land Registry’s Registry of Deeds Statement of Strategy and Business Plan 2002-05; and if he will make a statement on the matter. [10832/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the registrar of titles that the statement of strategy and business plan for the Land Registry and Registry of Deeds was prepared after a wide-ranging consultative process. Progress under the various headings has been reported on in that organisation’s annual report each year and will be further updated when the report for 2004 is published later this year. I am further informed that work has already commenced on the preparation of a new strategic plan to succeed the current statement of strategy and business plan.

Grant Payments.

739. **Ms Lynch** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that a group (details supplied) in County Cork have not yet received their roll-over staffing grant for the period of January to August 2005; when this group will expect to receive their funding; and if he will make a statement on the matter. [10833/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, the Equal Opportunities Childcare Programme, or EOCP, 2000-06 provides grant assistance towards the staffing costs of community based, not-for-profit child care services which have a clear focus on disadvantage. In August 2001, the group in question was awarded a staffing grant of €126,974, over three years under the EOCP. On 20 January 2005, the group was approved staffing continuation funding of €24,689 up to 31 August 2005. All funding approvals are subject to the conclusion of a contractual agreement with Area Development Management limited, ADM, which administers the grants on my behalf.

I understand that ADM was in dialogue with the group on the conditions which must be met on operating hours each day and weeks per year before a contract is finalised. These discussions have concluded and ADM has informed the group that its existing level of staffing grant assistance will be continued up to 31 August 2005 subject to the group maintaining its forecast levels of service and meeting the associated conditions.

Garda Operations.

740. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if a dedicated missing persons bureau has been in existence; if he has

assessed the urgent need to re-establish this bureau; and if he will make a statement on the matter. [10848/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the missing persons bureau in Garda Headquarters is responsible for collating data relating to missing persons. The bureau continues to function.

Name of Statutory Board	Chairperson/Director	Annual Fee Paid
		€
An Garda Síochána Complaints Board	Chairperson	10,157.90
Equality Authority	Chairperson	10,157.90
Courts Service Board *	Seven Members	10,157.92 each
National Disability Authority	1. Chairperson	1. 7,618.43
	2. Director	2. Salary according to the Principal Officer 1 scale
Legal Aid Board	Chairperson	10,158.00
Interim Board of the Land Registry and Registry of Deeds **	1. Chairperson	1. 15,237.00
	2. Five Board Members	2. 10,158.00 each

* Under the Courts Service Act 1998 there are 17 members of the Courts Service board of which the nine judicial appointments and the chief executive officer are not paid a fee in respect of board membership.

** The Department of Justice, Equality and Law Reform official nominated to the board is not paid a fee in respect of board membership.

Registration of Title.

742. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing will be completed in the Land Registry for a person (details supplied) in County Mayo. [10893/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the registrar of titles that this is an application for transfer of part which was lodged on 19 January, 2004. Dealing No. D2004SM000481A refers. I am further informed that the application is receiving attention in the Land Registry and, subject to no queries arising, will be completed within the next few weeks.

Question No. 743 answered with Question No. 81.

Question No. 744 answered with Question No. 77.

International Agreements.

745. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform if the Government intends to continue to stay outside the Schengen area of the European Union; and if he will make a statement on the matter. [7607/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Schengen convention provides for the abolition of checks at the borders of participating states and for the development of enhanced co-operation on law enforcement matters and judicial co-operation. Ireland has successfully applied to operate the elements of

State Bodies.

741. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10883/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the following tabular statement:

the Schengen arrangements which are not concerned with the abolition of border controls. Ireland has not, however, sought to participate in the border control element of the Schengen arrangements as to do so would be inconsistent with the maintenance of the common travel area between Ireland and the United Kingdom. The common travel area could not continue to function if Ireland were to remove border controls with Schengen states generally if the United Kingdom did not do so.

My Department, in conjunction with other relevant parties, is working on the detailed legislative and technical measures which will be necessary to enable Ireland to fulfil its Schengen requirements. The project which will be completed as quickly as possible.

Courts Service.

746. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform if a record is kept of the number of cases of judgments which have been reserved by a particular judge. [10897/05]

747. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform if he has proposals to create a similar system to that in the UK whereby judges are given time off to write up their judgments as opposed to the situation here whereby they sit in one case directly after another. [10898/05]

748. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform his plans to increase the number of judges in the courts; and

[Mr. J. O’Keeffe.]
the number of judges sitting in the court system in 2003, 2004 and 2005. [10899/05]

753. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the procedure employed to deal with a case in which the judgment has been reserved; and if there is a maximum time limit within which a judgement must be issued. [10904/05]

754. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the longest delay there has been between the end of a court case and the issuing of a judgment. [10905/05]

755. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of times the State has been sued over the delays in the issuing of reserved judgments. [10906/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 746, 747, 748, 753, 754 and 755 together.

As the Deputy may be aware, I recently signed the Courts and Court Officers Act 2002 (Register of Reserved Judgments) Regulations 2005, which came into effect on 31 March 2005. The regulations provide for the establishment and maintenance on computer by the Courts Service of a register of the judgments reserved by the Supreme Court, the High Court, the Circuit Court and the District Court. They set out where the various parts of the register are to be kept, the arrangements for getting a copy of an entry in the register and other relevant matters.

The information to be kept in the register includes the date on which judgment was reserved; the court before which the proceedings were heard and the name or names of the judge or judges concerned and, if the court is the District Court or the Circuit Court, the area or place where the judgment was reserved; the title of the proceedings or the nature of the proceedings; the relevant number of the proceedings; where relevant, the date or dates on which the proceedings were listed under section 46(3) of the Courts and Court Officers Act 2002; where relevant, the date specified under section 46(4), on which the judgment is to be delivered; and the date on which the judgment is delivered.

The Deputy has referred to the practice in the UK of giving judges time off to write up their judgments. In this jurisdiction, the allocation of judges and their caseloads is a matter for the President of the Court and, as Minister, I have no function in the matter. The issue of judicial resources is kept under continuous review. As the Deputy may be aware, the Civil Liability and Courts Act 2004 increased the statutory maximum number of judges by eight in total providing three in both the High Court and Circuit Court and two in the District Court. The number of judicial posts as of 31 December 2003 was 122. There are now 130 judicial posts.

The Deputy requested statistics on reserved judgments. Under the Courts Service Act 1998,

the Courts Service is independent in the performance of its functions, which include the provision of statistics. As Minister, I therefore have no function in the matter. In relation to the Deputy’s question on the number of times the State has been sued over the delays in the issuing of reserved judgments, information has not been compiled in such a way to readily provide the information sought. However, I am aware of four cases in which the State was sued in the European Court of Human Rights in recent years over the delays in the issuing of reserved judgments.

Drug Seizures.

749. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the manner in which drugs which are seized by the national drugs unit at Dublin Castle are disposed of; and the period of time they are stored before being disposed of. [10900/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been advised by the Garda Síochána that when seized drugs are no longer required as evidence in a court case or in the event of no prosecution being undertaken by the Director of Public Prosecutions, they are transported to a facility where they are incinerated under the direct supervision of the Garda technical bureau.

750. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the cost to date for renting accommodation for in-service training which formerly took place at the Garda college; the number of these in-service training sessions which have taken place to date in 2005; and the estimated number of in-service sessions due to take place in 2005 which will necessitate rental facilities based on past or actual projections. [10901/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that in-service training, which is now known as continuous professional development, formally transferred to the out-source centre at the Abbey Court Hotel in Nenagh on Monday, 4 April 2005. As rental payments will be made monthly in arrears, no payment has been made to date. The continuous professional development and management and supervisory training courses scheduled to commence at the Abbey Court Hotel, Nenagh, from 6 April are as follows. Continuous Professional Development:

Course Title	No. of Courses
Pre-Retirement Course	8
Community Relations	3
P.S.V. Inspectors	1
CPD Trainers	1
Juvenile Liaison Officer	1
United Nations	2
Traffic Corps Supervisors	1

Course Title	No. of Courses
Crimeline Presenters	1
Finance Officer	1
Immigration	1

Management and Supervisory Training:

Course Title	No. of Courses
Chief Superintendents Development	2
Superintendents Development	2
B.A. Degree Police management	11
Inspectors Development	3
Sergeants Development	6
Court Procedure	2
Project Management	3
Seminars	3
AEPC Information Training	1
CEPOL Knowledge of Policing Systems	1

Question No. 751 answered with Question No. 125.

Crime Levels.

752. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform further to Question No. 240 of 23 March 2005 regarding the figures for the number of firearms stolen, the breakdown of such firearms having been stolen from retail premises or private residences. [10903/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A breakdown of the number of firearms stolen in 2002, 2003 and 2004 by location from which they were stolen is being compiled by the Garda authorities. The figures will be forwarded to the Deputy as soon as they are available.

Questions Nos. 753 to 755, inclusive, answered with Question No. 746.

Garda Operations.

756. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform if he will make a statement on a situation in the Carraig na bhFear and Whitechurch area of County Cork (details supplied); and if he will have discussions with the Commissioner of the Garda to reorganise the management of the Garda resources in the area and transfer the responsibility from the Cobh area to Cork city. [10907/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that the personnel strength — all ranks — of each of the three Garda divisions in County Cork as at 11 April 2005 was as follows.

Division	Strength
Cork City	623
Cork North	239
Cork West	247

I am further informed that local Garda management reports that gardaí in the Carraig na Bhfear and Whitechurch areas have had considerable success in investigating criminal activity in the area. There are currently no plans to change any of the existing divisional boundaries in the southern region. Garda personnel assigned to County Cork, overall policing arrangements and the operational strategy are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources and that the best possible service is provided to the public.

Questions Nos. 757 to 761, inclusive, answered with Question No. 83.

Visa Applications.

762. **Mr. O’Dowd** asked the Minister for Justice, Equality and Law Reform if a visa will be granted to a person (details supplied); and if he will make a statement on the matter. [10913/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was refused by my Department at initial stage on the 22 February 2005 on two separate grounds.

First, the visa officer was not satisfied, on the basis of the documentation supplied in support of the application, that sufficient finances were available to guarantee the support of the applicant whilst in the State, without requiring recourse to public funds.

The visa officer also noted that, on the basis of the documentation supplied, it appeared that the applicant had only met her husband on two occasions, once in July 2004 and again in December 2004, prior to their wedding in January 2005. Based on the supporting evidence available, the visa officer was unable to establish any prior existing relationship.

An appeal was received in respect of this application on the 6 April 2005. To guarantee the provision of a fair and consistent service to all our customers, appeals are dealt with strictly in date-received order and take, on average, three to four weeks to process, consequently a decision in this case should not be expected for some time yet.

Asylum Support Services.

763. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform the procedures which were put in place by his Department to settle 20 non-national families in Dundalk, County Louth who were moved from Athlone; the other Departments which were informed of the move; and if he will make a statement on the matter. [10924/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Reception and Integration Agency, RIA, which operates under the aegis of the Department of Justice, Equality and Law Reform is a cross-departmental multi-agency organisation which has officers seconded to it from the Departments of Health and Children, Environment, Heritage and Local Government, Education and Science, Dublin City Council and the Health Service Executive so that services provided to asylum seekers accommodated by the agency can be delivered in a co-ordinated way.

On 10 March, residents in Athlone who were identified as suitable for transfer to self-catering were offered a transfer so as to facilitate refurbishment of the mobile homes on site. When the transfer offer was made, it was not possible to advise the residents of the location of the new accommodation as the RIA was in negotiation with proprietors of self-catering accommodation in various areas of the country and no contracts were yet in place. Subsequently, a contract was agreed between the RIA and the proprietor of Carroll Village which commenced on 29 March 2005 and residents who wished to move to Dundalk were facilitated. In accordance with normal practice, the RIA liaises with local agencies as required so as to support asylum seekers as they settle into new communities.

Child Care Services.

764. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform when application forms will be issued for staffing grants for community-based child care facilities; when those grants will be awarded; and if he will make a statement on the matter. [10929/05]

765. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform the criteria which are used to allocate staffing grants to community-based child care facilities; if the grant is allocated on the basis of the number of children in the facility or the number of staff, or both; if he has satisfied himself that this is a fair and equitable way of allocating this funding; and if he will make a statement on the matter. [10930/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 764 and 765 together.

As the Deputy may be aware the Equal Opportunities Childcare Programme, EOCP, 2000-2006 provides grant assistance towards the staffing costs of community based/not-for-profit child care services which have a clear focus on disadvantage.

Supports towards staffing costs under the EOCP are only made available to projects which can demonstrate that they are providing child care in areas of significant disadvantage and that they are supporting disadvantaged parents to access employment, education or training. It is

not intended that the EOCP funding will meet the full costs of running a service.

Every consideration is given to all applications when they are being assessed for funding. Applications for staffing funding undergo a thorough assessment by Area Development Management Limited, ADM, which has been engaged by my Department to carry out the day-to-day administration of the EOCP grants. Following this assessment all applications are then considered by the programme appraisal committee, which is chaired by my Department, before I make a final decision in regard to funding.

The criteria used during the assessment and appraisal of all applications for staffing grant assistance includes the socio-economic and demographic profile of the area; the quality of the proposal; the capacity of the group to implement the project; the level of integration and co-ordination; and if the proposal represents value for money. The level of funding will not normally exceed €63,487 per annum for full time services or €31,743 per annum for part time child care services.

In a number of services, the levels of disadvantage among parents are such that the families would be unable to pay economic fees and therefore those services are likely to require ongoing State support towards their staffing costs. My Department is currently reviewing the arrangements for the ongoing support of such services in very disadvantaged areas, in cases where they will have received staffing grant assistance for three or more years, at any date prior to 31 August 2005. Information regarding the outcome of the review will be forwarded to the groups in question as soon as it is available.

The relevant groups have been informed that their existing level of funding for staffing grant assistance will be continued up to 31 August 2005, subject to the groups maintaining their forecast levels of service and implementing any conditions associated with the development of the service in regard to previous grant approvals. The amounts awarded are deemed sufficient to enable the groups to maintain their approved level of service.

Application forms are available from the child care directorate of my Department for first-time applicants for staffing grant assistance. In the interim, it would be premature of me to comment further on future staffing grant assistance.

Asylum Applications.

766. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for temporary permission to remain in the State for a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [10994/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 26 March, 2004 and applied for asylum. Her application was refused following

consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with section 3 of the Immigration Act 1999, as amended, she was informed by letter dated 15 February, 2005, that the Minister proposed to issue her with a deportation order. She was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why she should be allowed to remain temporarily in the State; leaving the State before an order was made or consenting to the making of a deportation order.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

Garda Deployment.

767. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to Ballymun, Finglas, Santry and

Station	Cars	Vans	Bikes	4x4's	Minibuses	Vehicles
Ballymun	2	1	0	0	0	3
Finglas	4	2	0	0	0	6
Santry	22	8	8	1	3	42
Whitehall	5	0	0	0	0	5
Total	33	11	8	1	3	56

In regard to Garda resources generally, I am very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now draw up plans on how best to distribute and manage these additional resources. In this context, the needs of Ballymun, Finglas, Santry and Whitehall Garda stations will be fully considered within the context of the needs of Garda stations throughout the country. The additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. I have already promised that the additional gardaí will not be put on administra-

Whitehall Garda Stations, with a breakdown for each station. [10997/05]

768. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the number of squad cars assigned to Ballymun, Finglas, Santry and Whitehall Garda Stations, with a breakdown for each station. [10998/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Question Nos. 767 and 768 together.

I am informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength, all ranks, in the Garda stations referred to by the Deputy as at 11 April 2005 is as set out as follows:

Station	Personnel
Ballymun	63
Finglas	83
Santry	110
Whitehall	34

I am further informed that the total number of Garda vehicles assigned to the Garda stations as sought by the Deputy is as set out as follows:

tive duties. They will be put directly into front-line, operational, high-visibility policing. They will have a real impact.

Citizenship Applications.

769. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the position regarding the application for residency and citizenship of a person (details supplied) in County Cork. [10999/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in November 2003. Applications of this type are dealt with in chronological order in fairness to all other such applicants and currently take approximately 16 months to process. A request for further documentation issued to the person in question on 4 April 2005 to assist with the processing of the application. Following receipt of the relevant information it is envisaged that the application will be finalised within three to four weeks.

770. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the position regarding the application for residency and citizenship of a person (details supplied) in County Cork; if their application will be processed and dealt with immediately. [11000/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in January 2004. Applications of this type, in fairness to all other such applicants, are dealt with in chronological order and currently take approximately 16 months to process.

771. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform if his Department has received an application under the family reunification scheme for a person (details supplied); if this person will be allowed to join their family here; and if he will make a statement on the matter. [11009/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The immigration division of my Department has recently received correspondence from the person in question concerning residency in the State. My Department has subsequently been in contact with her outlining the various options open to her if she wishes to seek further permission to remain in Ireland.

Question No. 772 answered with Question No. 104.

Closed Circuit Television Systems.

773. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when the code of practice and the technical specifications for community based closed circuit television schemes will be finalised and copies of same issued to all communities and organisations which have expressed an interest in these schemes. [11155/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, in May 2002, my predecessor laid the groundwork for a grant aid scheme to facilitate community-based groups who wish to press ahead with their own local CCTV system.

It is my intention now to implement that scheme with clear details of the application process, terms and conditions, a timescale within which to apply in the first round and a clear commitment as to when funding will be available.

To this end, a project board was convened in January 2005 to arrange the commencement of the community-based CCTV scheme as soon as practical and possible and to oversee the implementation of the scheme. The membership of this project board consists of representatives of my Department, the Garda Síochána, the Department of the Environment, Heritage and Local

Government, the Department of Community, Rural and Gaeltacht Affairs and the Chambers of Commerce of Ireland.

A number of meetings of the board have been held to date where a wide range of topics have been discussed and agreement reached on a number of items, including the code of practice and technical specifications required for the scheme.

I am also delighted to say that further to discussions between our respective Departments, my colleague, the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, has given a commitment to provide successful applications from RAPID areas with a further grant to a maximum of €100,000. This means that RAPID areas wishing to install their own CCTV system will be able to avail of an overall maximum grant of up to €200,000, subject to the terms and conditions of the scheme.

A decision has also been taken to engage Area Development Management Limited, ADM, to administer and project manage the scheme and evaluate applications in light of its experience with the child care and equality for women measures funded by my Department.

There is a demonstrated demand from local communities across Ireland for the provision of community CCTV systems. In some areas, significant work has been done in developing proposals which will allow communities to quickly define their needs and submit high-quality proposals for funding which have broad local support and high levels of sustainability. In many other areas, however, communities will not yet be ready to fully utilise funds and will need time to develop sustainable proposals. ADM will provide pre-development supports for such areas to assist in the formulation of high-quality proposals which will have the necessary elements of local support and sustainability.

Based on the progress of the board to date, I intend to launch this scheme in the coming weeks as outlined. By the end of July 2005 we should know the list of applications to be funded in the first round. By year end, these communities could be well on the way to having their CCTV systems in place.

Question No. 774 answered with Question No. 701.

Citizenship Applications.

775. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if dual Irish-German citizenship will be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [11223/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Since the Deputy has furnished only rudimentary personal details of the person in question, I am not in a position to advise if the person is entitled to Irish citizenship or meets the

criteria for making an application for a certificate of naturalisation.

Information on Irish citizenship and the necessary application forms may be obtained from my Departments website, *www.justice.ie*, or by telephoning the citizenship section helpline, lo-call 1890 551500 on Tuesdays or Thursdays between 10.00 a.m. and 12.30 p.m.

Questions Nos. 776 and 777 answered with Question No. 116.

Question No. 778 answered with Question No. 128.

Garda Strength.

779. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the net number of extra gardaí that have been provided in line with the commitment given in the programme for Government to date; and if he will make a statement on the matter. [11227/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The An Agreed Programme for Government commitment in regard to Garda numbers states: “We will complete the current expansion of the Garda Síochána and increase recruitment so that the numbers will increase by a further 2,000.”

When I became Minister for Justice, Equality and Law Reform in June 2002, the strength of the Garda Síochána stood at 11,748. After June 2002, and despite the cap on public service numbers announced in the budget of 2002, I proceeded with Government approval to increase the strength of the force to 12,200 by 2004, and I am pleased to say that target was achieved on time.

The House will be aware that, in October 2004, the Government approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

As a basis for implementing this commitment the Commissioner has drawn up a project plan which has three key elements: The recruitment of sufficient additional Garda trainees to achieve the target strength; relocating the in-service training facilities from the Garda college so that the college can concentrate on training recruits; expanding the facilities at the Garda college.

A new recruitment campaign for the Garda Síochána was launched in November 2004. It is proposed to induct 1,100 Garda recruits to the Garda college in 2005, consisting of four intakes of 275 recruits. The first of these four intakes, 275, commenced training on the week commencing 7 February, 2005. The remaining three intakes of 275 recruits are scheduled to commence training on 3 May, 2005, 2 August, 2005 and 7 November, 2005.

It is estimated that 523 Garda trainees will become attested members of the force in 2005. Current projections indicated that the total strength of the Garda Síochána as at the 31 of December, 2005 will be 12,299, all ranks. Taking into account the projected number of retirements, the new recruitment drive will lead to a combined organisational strength, of both attested gardaí and recruits in training, of 14,000 as early as end 2006.

I have been informed by the Garda authorities that 1,421 recruits have graduated from the Garda college since the 6 June, 2002. The figure refers to those who have successfully completed the student-probationer education and training programme. I am further informed that a total of 1,235 members, all ranks, have resigned, retired or otherwise left the Garda Síochána since the 6 June, 2002. A total of 1,679 recruits have been attested to the Garda Síochána in the same period.

Garda trainees are attested to the force on successful completion of phase three of their training. On attestation, Garda trainees become serving members of the force. Thus the serving strength of the force at any given time includes those who have been attested following completion of phase three of their training but have not yet formally graduated — formal graduation takes place following the completion of the fifth and final phase of training. The strength of the force has therefore increased by 444 members since June 2002.

The Commissioner will now draw up plans on how best to distribute and manage these additional resources that are coming on stream. The additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Courts Service.

780. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he has allocated sufficient funds to the Courts Service to facilitate current and anticipated requirements with particular reference to the repair and maintenance of courthouses and the administration of the service; if he has received requests for increases under any, all or none of these areas; if he has indicated a willingness to improve the situation or otherwise; and if he will make a statement on the matter. [11228/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Under the Courts Service Act 1998, the Courts Service — which is responsible for the day-to-day management of the courts — is independent in the performance of its functions. I am responsible for ensuring that the service is adequately funded and, in this regard, €96.7 million has been provided for 2005. Furthermore, I have given the go-ahead for the new Criminal Court complex — to be located at Infirmary Road, Dublin — which will be the first public private partnership, PPP, project undertaken in regard to the courts building programme. I recently announced a further PPP package of some €50 million under which courthouse projects in Drogheda, Limerick, Cork, Wexford, Waterford, north Kildare, Swords, Letterkenny and Wicklow will be undertaken.

The funding provided allows the Courts Service to progress the implementation of its strategic plans and policies and I am confident that the level of funding provided is adequate, not only to maintain existing levels of service but also to provide for improvements in services and in court accommodation.

Crime Prevention.

781. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he has given any specific instructions in regard to the methodology to be used to tackle organised crime; if he has sought from or given advice to any of his ministerial colleagues who might have a complementary function in this regard; and if he will make a statement on the matter. [11229/05]

783. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the new proposals to tackle the ever-growing problem of organised crime; and if he will make a statement on the matter. [11231/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 781 and 783 together.

As the Deputy will be aware, police operations are a matter for the Garda Síochána. In the context of regular Government business and bilateral contacts, policy issues concerning the tackling of organised crime are discussed with my ministerial colleagues. A number of multidisciplinary and interdepartmental structures are in place which facilitate an integrated and co-ordinated approach to tackling and-or preventing serious and organised crime, e.g., the Criminal Assets Bureau, the institutional structures under the national drugs strategy and the money laundering contact steering committee chaired by the Department of Finance.

The establishment of specialist Garda units such as the National Bureau of Criminal Investigation, the Criminal Assets Bureau, the Garda Bureau of Fraud Investigation and the Garda National Drug Unit, operating under the assistant commissioner in charge of national support ser-

vices, has enabled the Garda Síochána to tackle organised crime effectively.

Moreover, a broad range of strong legislation is available to the Garda Síochána to confront organised crime. Our criminal legislative framework reflects international developments to respond to the global growth of organised crime and specific measures enacted to meet our own domestic situation and is kept under continuous review.

The Deputy will be aware that the Criminal Justice Bill 2004 provides for a comprehensive package of anti-crime measures which will enhance the powers of the Garda in the investigation and prosecution of offences. In particular, the Deputy may wish to note that Part 3 of the Bill makes provision for the admissibility as evidence in court of statements by witnesses who subsequently refuse to testify or who retract their original statements. In addition, I am considering bringing forward a number of amendments to the Bill, including proposals to provide for criminal offences in relation to participation in a criminal organisation, to increase the sentences for firearms offences and to provide for better controls on firearms.

A further measure which will assist in tackling organised crime is the Criminal Justice (Joint Investigation Teams) Act 2004 which came into effect on 1 October, 2004. The main purpose of the Act, which gives effect to an EU Council Framework Decision, is to provide for the setting up of joint investigation teams by mutual consent of member states of the EU for a specific purpose and limited period. The teams will carry out criminal investigations with a cross-border dimension in one or more of the member states setting up the team. The Act is a further example of the Government's commitment to taking measures to facilitate more effective co-operation in combating crime, particularly serious crime such as terrorism, drug trafficking, fraud and organised crime generally.

The Garda authorities assured me that combating organised crime will remain at the forefront of its operational activities and my Department will continue to review the situation to ensure that organised crime is tackled efficiently.

Money Laundering.

782. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the suggestion that the proceeds of bank or other robberies, extortion, racketeering, protection and drug dealing are being used to acquire property here and overseas; and if he will make a statement on the matter. [11230/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The purchase of properties by persons engaged in criminal conduct is a recognised money laundering technique. While Garda money laundering investigations have shown that the proceeds of serious crime have been used to acquire properties both in Ireland and other juris-

dictions, I would add that the criminal law in this jurisdiction does not make it easy for criminals to launder money or invest the proceeds of crime in the legitimate property market. In this regard, I would refer the Deputy to my comprehensive reply to Parliamentary Question Nos. 8, 294, 295, 296, 297, 298 and 299 tabled for answer on 8 July, 2004.

The efforts of specialist Garda units, such as the Criminal Assets Bureau and the Garda Bureau of Fraud Investigation, have been at the forefront of the drive to tackle the issue of money laundering and the Garda Síochána will continue to focus on this problem in its operational activities.

In addition, amendments earlier this year to the Proceeds of Crime Act 1996, the Criminal Assets Bureau Act 1996 and the Criminal Justice Act 1994 are designed to further ensure that the Garda, the Criminal Assets Bureau and the Director of Public Prosecutions have all the tools available to them to investigate and seize property acquired from the proceeds of criminality, including foreign criminality.

Question No. 783 answered with Question No. 781.

Crime Prevention.

784. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if adequate communication structures exist between the Garda and police in other jurisdictions and Interpol to meet the challenge of international and national organised crime; and if he will make a statement on the matter. [11232/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda authorities that the communications structures currently existing between the Garda Síochána and police forces in other jurisdictions are adequate to meet the challenges posed by domestic and international organised crime.

These structures include the i24/7 system, which is an IT-based method of electronically and securely transferring data between 182 Interpol countries. In addition, the Europol national unit in Garda headquarters has a secure electronic link with Europol in the Hague and with the liaison bureau in the Hague.

I am further informed that there is an excellent network of Garda liaison officers in France, Spain, the Netherlands and the United Kingdom which has proved to be very successful in tackling international organised criminal activity.

Garda Deployment.

785. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the extent by which the number of gardaí deployed to each Garda station in Dublin and the greater Dublin area has increased in the past three years; and if he will make a statement on the matter. [11233/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the personnel strength of each Garda station in the Dublin metropolitan region as at 31 March 2002 and 31 March 2005 was as follows:

Station	31/3/2002	31/3/2005
Pearse St	212	245
Harcourt Terrace	75	76
Kevin Street	109	115
Kilmainham	72	82
Donnybrook	111	122
Irishtown	53	54
Crumlin	86	87
Sundrive Rd	57	64
Rathfarnham	66	72
Tallaght	156	171
Rathmines	79	70
Terenure	64	88
Santry	82	106
Whitehall	39	34
Ballymun	65	63
Dublin Airport	58	25
Coolock	84	86
Malahide	41	41
Swords	57	68
Raheny	62	66
Clontarf	58	66
Howth	38	43
Blanchardstown	124	169
Cabra	81	63
Finglas	75	82
Lucan	72	70
Leixlip	18	26
Ballyfermot	68	73
Clondalkin	71	82
Ronanstown	69	80
Rathcoole	22	26
Store St.	217	263
Fitzgibbon St	106	114
Mountjoy	74	87
Bridewell	152	162
Dun Laoghaire	111	105
Dalkey	23	25
Kill-O-Grange	32	33
Cabinteely	40	40
Bray	74	81
Enniskerry	6	5
Shankhill	49	60
Greystones	27	27
Blackrock	69	68
Dundrum	61	68
Stepaside	38	32
TOTAL	3,403	3,685

This represents an increase of 282 or 8.3% in the number of gardaí allocated to stations in the DMR from 31 March 2002 to 31 March 2005.

[Mr. McDowell.]

In regard to Garda resources generally, I am very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now draw up plans on how best to distribute and manage these additional resources. In this context, the needs of the DMR will be fully considered within the context of the needs of Garda stations throughout the country. The additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high-visibility policing. They will have a real impact.

786. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the extent to which he has increased or decreased the number of gardaí attached to the various Garda stations throughout County Kildare in the past three years; his plans to increase this number; and if he will make a statement on the matter. [11234/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength of each Garda station in County Kildare as at the 31 of March, 2002 and the 31 of March, 2005 was as follows:

Station	Strength (31/03/02)
Naas	77
Clane	5
Kill	1
Celbridge	19
Maynooth	14
Kildare	29
Newbridge	29
Robertstown	3
Kilcullen	3
Carbury	2
Monasterevin	3
Rathangan	3
Athy	17
Castledermot	1

Station	Strength (31/03/02)
Ballytore	1
Ballymore Eustace	1
Leixlip	18
Kilcock	6
Total	232

Station	Strength (31/03/05)
Naas	75
Clane	6
Kill	3
Celbridge	19
Maynooth	16
Kildare	27
Newbridge	28
Robertstown	3
Kilcullen	3
Carbury	2
Monasterevin	3
Rathangan	3
Athy	16
Castledermot	2
Ballytore	1
Ballymore Eustace	0
Leixlip	26
Kilcock	5
Total	238

I am further informed that there is one Garda post at Ballymore Eustace Garda station. This post is currently vacant and it is the intention of local Garda management to fill this vacancy as soon as possible.

In regard to Garda resources generally, I am very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now draw up plans on how best to distribute and manage these additional resources. In this context, the needs of the Garda stations in County Kildare will be fully considered within the context of the needs of Garda stations throughout the country. The additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-

line, operational, high-visibility policing. They will have a real impact.

Garda Stations.

787. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if the condition and level of technology available at the various Garda stations in County Kildare is in accordance with modern requirements; if not, his plans to address this issue; and if he will make a statement on the matter. [11235/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that generally, with the exception of the Garda national radio network and the public access callbox system, Garda communications and IT systems nationwide, including those in County Kildare, are relatively modern and up-to-date. The currency of these systems is reviewed on a yearly basis and, subject to the appropriate funding being available, are upgraded, enhanced or extended, appropriate to operational requirements.

Station	Cars	Vans	Bikes	4x4's	Vehicles
Leixlip	2	0	0	0	2
Athy	2	0	0	0	2
Celbridge	2	0	0	0	2
Clane	1	0	0	0	1
Kilcullen	1	0	0	0	1
Kildare	2	0	0	0	2
Kill	1	0	0	0	1
Maynooth	1	0	0	0	1
Monasterevin	1	0	0	0	1
Naas	9	2	4	1	16
Newbridge	3	0	0	0	3
Robertstown	1	0	0	0	1
Total	26	2	4	1	33

The transport fleet attached to Garda stations in County Kildare is composed of modern vehicles which are adequately equipped with modern equipment to enable gardaí to perform their duties effectively and to maintain high standards.

I am further informed that all vehicles used by the Garda Síochána are continuously assessed for their suitability in the performance of Garda duties.

Garda Stations.

789. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he expects to increase the opening hours of the various Garda stations throughout County Kildare; and if he will make a statement on the matter. [11237/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel that the personnel strength of the Carlow-

I have previously indicated my plans in regard to the provision of a new national digital radio system for the force. In addition, it is planned to commence a national replacement of the public access callbox system during 2005. Other developments include an upgrade to PULSE computer workstations and printers which is currently under way and will be completed over the coming months.

Garda Transport.

788. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if the quality and number of Garda patrol cars available for use from and through the various Garda stations throughout County Kildare is in keeping with modern requirements; and if he will make a statement on the matter. [11236/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities, who are responsible for the detailed allocation of resources, that the total number of Garda vehicles assigned to the various Garda stations throughout County Kildare is as set out in the following table:

Kildare division as at the 11 of April, 2005 was 324, all ranks.

The number of hours each Garda station in County Kildare are open during a 24-hour period is as set out as follows:

Station	Hours
Naas	24 hours
Celbridge	9 Hours
Clane	3 Hours
Maynooth	9 Hours
Kill	3 Hours
Kildare	24 Hours
Newbridge	24 Hours
Robertstown	3 Hours
Kilcullen	3 Hours
Carbury	3 Hours
Monasterevin	3 Hours
Rathangan	3 Hours

[Mr. McDowell.]

Station	Hours
Athy	10 Hours
Castledermot	3 Hours
Ballytore	2 Hours
Ballymore Eustace	2 Hours
Kilcock	3 Hours
Leixlip	3 Hours

Local Garda management state that resources are utilised to ensure that stations are opened for the periods outlined, in conjunction with ensuring car patrols, foot patrols and all other areas of policing are also addressed.

I am further informed that local Garda management do not intend to extend the opening hours of any of the stations in County Kildare attached to the Carlow-Kildare division, at this time, as it is considered that the extension of the opening hours of any of those stations would necessitate the employment of more staff on indoor administrative duties who may be employed more productively on outdoor policing duties.

In regard to Garda resources generally, I am very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of the various Garda stations throughout County Kildare will be fully considered within the context of the needs of Garda stations throughout the country. The additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. I have already promised that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Crime Levels.

790. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the number of public order incidents detected or reported in County Kildare in each of the past three years; the number of convictions arising therefrom; and if he will make a statement on the matter. [11239/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will contact the Deputy when the information is to hand.

Prison Building Programme.

791. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform his views on concerns (details supplied) on the proposed prison at Thornton Hall, County Dublin; and if he will make a statement on the matter. [11259/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The site selection process was undertaken by a committee which included the Irish Prison Service, the Department of Justice, Equality and Law Reform, the Office of Public Works and a commercial property expert. The minutes of the committee's deliberations have been published. I am satisfied that proper procedures were followed and I reject any suggestion to the contrary.

Question No. 792 answered with Question No. 698.

Garda Deployment.

793. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform his plans to locate a full time Garda presence in Dunlavin, County Wicklow; and if he will make a statement on the matter. [11261/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that Dunlavin Garda station forms part of the Baltinglass area. The personnel strength of Dunlavin Garda station as at today, 12 April 2005, is one garda. The personnel strength of the Baltinglass district as today is 54, all ranks.

I am further informed that Dunlavin Garda station is open to the public from 3 p.m. to 5 p.m. daily, depending on the member's rostered tour of duty. If the resident member is not available, the area is policed by gardaí attached to Baltinglass Garda station. A detective garda attached to Blessington Garda station assists with the investigation of serious crime in the area.

The allocation of Garda resources to Dunlavin, together with overall policing arrangements and operational strategy are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible service is provided to the public.

794. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the requests he has received over the past 12 months for an increased Garda presence in the in the Carnew area of County Wicklow, in view of the number of serious crimes that have occurred there in

recent times; if he will increase Garda strength in the area; and if he will make a statement on the matter. [11262/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength of Carnew Garda station as at today, 12 April, 2005 is one garda. In addition, I am informed that local Garda management has allocated an additional garda to Carnew Garda station on a temporary basis since 3 January, 2005. Policing at Carnew is augmented by patrols from Gorey, Bunclody and the divisional traffic unit. The allocation of Garda resources to Carnew, together with overall policing arrangements and operational strategy is continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources and the best possible service is provided to the public.

As regards resources generally, I am, of course, very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of the Carnew Garda station will be fully considered within the context of the needs of Garda stations throughout the country. The additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Special Educational Needs.

795. **Mr. Durkan** asked the Minister for Education and Science if his attention has been drawn to the special classes being provided by the Celbridge branch of the Dyslexia Association of Ireland at both primary and second level and to the urgent need for financial assistance, in view of the wide range of classes being provided and the obvious costs involved; if he will consider an application for assistance with a view to meeting the ongoing funding requirements of the association in Celbridge; and if she will make a statement on the matter. [10546/05]

909. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to the special classes being provided by the Celbridge branch of the Dyslexia Association of Ireland at both primary and second level and to the urgent need for financial assistance, in view of the wide range of classes being provided and the obvious costs involved; if she will consider an application for assistance with a view to meeting the ongoing funding requirements of the association in Celbridge; and if she will make a statement on the matter. [10545/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 909 and 795 together.

My Department has provided annual funding of €63,500 to the Dyslexia Association of Ireland since 1999. I understand this funding has helped the association to operate an information service for members and the public. In addition, it is understood that part of this funding has assisted in meeting the costs associated with the attendance of some children from disadvantaged backgrounds at workshops and programmes organised by the association. The Department has received representations from certain branches of the Dyslexia Association of Ireland expressing concern at the escalating costs of running the workshops. It is in communication with the association at central level in relation to its funding requirements.

Human Rights Issues.

796. **Mr. Allen** asked the Minister for Education and Science the actions which have been taken to implement UN Resolution A/RES/53/243; and the initiatives the Government is undertaking to make Decade for a Culture of Peace and Non-Violence for the Children of the World more visible. [10993/05]

Minister for Education and Science (Ms Hanafin): In the context of the UN resolution referred to by the Deputy, my Department funded the New Releases Project. This project, which addressed themes related to the UN Decade for a Culture of Peace and Non-Violence for the children of the World, was conducted on a North-South basis. In 2003, the project held creative medium competitions for secondary and primary schools, North and South. The project culminated by sending six secondary students, three from the North and three from the South on a visit to the UN in New York for a week in December 2003. My Department also funds, on an on-going basis, several projects in a North-South context which promote peace and reconciliation.

Deportation Orders.

797. **Mr. Gogarty** asked the Minister for Education and Science if a person (details supplied) will be allowed to sit the leaving certificate exams at a suitable location in Nigeria; if she will raise at Cabinet; the circumstances of this person's

[Mr. Gogarty.]
deportation and forthcoming leaving certificate; and if she will make a statement on the matter. [9954/05]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the circumstances of the person concerned have now changed and he has since been granted leave by the Minister for Justice, Equality and Law Reform to return to Ireland to complete his leaving certificate here.

Schools Building Projects.

798. **Mr. Hogan** asked the Minister for Education and Science when a decision will be made on an application for a school extension to a school (details supplied) in County Kilkenny; and if she will make a statement on the matter. [9955/05]

Minister for Education and Science (Ms Hanafin): An application form for major capital works has been issued for completion to the school to which the Deputy refers. It is intended that officials of my Department will visit there shortly in order to progress the application by the school concerned.

799. **Mr. McGuinness** asked the Minister for Education and Science when approval is likely to be given to an application for an extension to a school (details supplied) in County Carlow; if she will expedite the application; and if she will make a statement on the matter. [9956/05]

846. **Mr. Howlin** asked the Minister for Education and Science further to Parliamentary Question No. 571 of 8 February 2005 if her attention has been drawn to the fact that an application for funding has now been located within her Department; the position regarding this application from a school (details supplied) for the upgrading of existing accommodation; if sanction for temporary accommodation at the school will be granted in the near future; and if she will make a statement on the matter. [10186/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 799 and 846 together.

The application for major capital funding from the school authority to which the Deputies refer was assessed against the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners. The application has been assigned a band rating and its progress is currently being considered in the context of the school building programme.

On receipt of confirmation as to the allocation of the additional teaching post the school authority will be notified of the decision regarding their application for temporary accommodation.

School Staffing.

800. **Mr. Hayes** asked the Minister for Education and Science when the issue of class sizes and staffing will be addressed at a school (details supplied) in County Tipperary; and if she will make a statement on the matter. [9957/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and two mainstream class teachers, based on an enrolment of 68 pupils at 30 September 2003. The average class size in this school is 23. The Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to the Department by the board of management, the enrolment on 30 September 2004 in the school in question was 63 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule. As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and the Department and its decision is final. Appeals must be submitted to the primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005-06 school year has been issued.

801. **Mr. Grealish** asked the Minister for Education and Science if her Department will provide an additional teacher for a school (details supplied) where the average pupil staff ratio is 27:1. [9958/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a

decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and seven mainstream class teachers based on an enrolment of 185 pupils at 30 September 2003. In addition, the school have the services of a learning support teacher and three resource teachers, hence the pupil:teacher ratio is 17:1.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to the Department by the board of management, the enrolment on 30 September, 2004 in the school was 188 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

School Accommodation.

802. **Mr. Grealish** asked the Minister for Education and Science if she will provide funding for additional permanent accommodation of two classrooms for a school (details supplied); and if she will make a statement on the matter. [9959/05]

803. **Mr. Grealish** asked the Minister for Education and Science if a grant can be provided retrospectively for a school (details supplied) to meet the cost of completion of a car park at the school, which was necessary for safety reasons; and if she will make a statement on the matter. [9960/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 802 and 803 together.

The application for additional accommodation at the school to which the Deputy refers is being examined in the school planning section of my Department. This process involves the consideration of all relevant factors, including enrolment and demographic trends in the area and the capacity of any other schools in the area to meet the anticipated demand. When these issues have been fully investigated by the Department, a decision will be made on how best to provide for the school's long term accommodation needs.

The position as regards the construction of a carpark is that the project was progressed by the school without the prior agreement of my Department, and retrospective funding was sought by way of an application under the 2004 summer works scheme. The application was rejected on the basis that it is not my Department's policy to sanction retrospective funding for any project progressed by a school authority without my Department's prior approval.

School Staffing.

804. **Mr. Grealish** asked the Minister for Education and Science if an additional teacher will be

provided for a school (details supplied) which has an average staff pupil-ratio of 27:1; and if she will make a statement on the matter. [9961/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and eight mainstream class teachers based on an enrolment of 207 pupils at 30 September, 2003. In addition, the school has the services of a learning support teacher and two resource teachers, where the pupil-teacher ratio is 19:1.

The school is included in the rural dimension of my Department's giving children an even break programme. The school is benefiting from supplementary funding, and has the services of a rural co-ordinator under the programme to provide additional educational supports to be targeted at disadvantaged pupils.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to the Department by the board of management the enrolment on 30 September, 2004 in the school was 212 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

805. **Mr. McCormack** asked the Minister for Education and Science if an extra class teacher will be appointed to a school (details supplied) in County Galway; and if she will make a statement on the matter. [9966/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and eight mainstream class teachers based on an enrolment of 210 pupils at 30 September, 2003.

[Ms Hanafin.]

In addition, the school have the services of a learning support teacher and a resource teacher.

My Department will finalise the staffing schedule for the 2005/2006 school year shortly and thereafter notify school boards of management. According to data submitted to the Department by the board of management the enrolment on 30 September 2004 in the school was 209 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Pupil Teacher Ratio.

806. **Mr. P. Breen** asked the Minister for Education and Science the plans in place in her Department to reduce class sizes in primary schools throughout County Clare; and if she will make a statement on the matter. [9978/05]

Minister for Education and Science (Ms Hanafin): Since 1997, the Government has dramatically increased the number of teachers in primary schools. In that time more than 4,000 additional teachers, including nearly 2,500 resource teachers, have been employed. These additional teaching posts have been used to reduce class sizes, tackle educational disadvantage and provide additional resources for children with special needs.

Average class size has been reduced from 26.6 in 1996-97 to 23.9 in 2003-04. With regard to primary schools in County Clare, I am pleased to say that the average class size in the 2003-04 school year was 23.2.

In line with Government policy, the Department of Education and Science will continue to provide further reductions in the pupil-teacher ratio within available resources subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Schools Building Projects.

807. **Mr. Kehoe** asked the Minister for Education and Science when funding will become available for the new school (details supplied) under the school building programme; and if she will make a statement on the matter. [9979/05]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers opened with provisional recognition in September 2004. Newly established schools are required to undergo a period of provisional recognition during which, the operation of the school and the growth of pupil numbers are monitored. During that period it is the responsibility of the school patron to provide suitable accommodation. This accommodation should be capable of fully meeting the needs of the developing school until permanent recognition has been secured and my Department is in a position to

acquire a site and provide permanent accommodation.

Pupil Teacher Ratio.

808. **Mr. Durkan** asked the Minister for Education and Science when the pupil-teacher ratio envisaged in the programme for Government with particular reference to the needs of individual schools throughout the country and County Kildare will be achieved; if present pupil/teacher ratios are unacceptable and amongst the worst in Europe; her plans to achieve specific objectives in early date; and if she will make a statement on the matter. [9980/05]

809. **Mr. G. Mitchell** asked the Minister for Education and Science if the commitments in the Fianna Fáil-Progressive Democrats Agreed programme for Government on primary school pupil-teacher ratio and class sizes will be fully implemented during the term of the Government. [9981/05].

903. **Mr. Hayes** asked the Minister for Education and Science when the Agreed Programme for Government in relation to the reduction of the pupil-teacher ratio in schools will be implemented; and if she will make a statement on the matter. [10488/05]

914. **Mr. O'Shea** asked the Minister for Education and Science her proposals to address the crisis in regard to class size in County Waterford primary schools (details supplied); and if she will make a statement on the matter. [10613/05]

925. **Mr. Connolly** asked the Minister for Education and Science the progress that has been made towards the commitment in the programme for Government 2002 to reduce the pupil-teacher ratio in our schools, and over the succeeding five years to progressively introduce maximum class size guidelines to ensure that the average size of classes of children under nine years old will be below international best practice guidelines of 20:1; and if she will make a statement on the matter. [10655/05]

1033. **Aengus Ó Snodaigh** asked the Minister for Education and Science when she will take the required steps to reduce class sizes in primary schools in line with the commitment in the programme for Government (details supplied). [11252/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 808, 809, 903, 914, 925 and 1033 together.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes. The Deputies should note that significant improvements have been made in this area in recent years. The average

class size at primary level is now 23.9, down from 26.6 in 1996-97. The pupil-teacher ratio, which includes all the teachers in the school including resource teachers, has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in 2003-04. More than 4,000 additional teachers have been employed in our primary schools since 1997. These additional teaching posts have been used to reduce class sizes, to tackle educational disadvantage and to provide additional resources for children with special needs.

Significantly smaller class sizes have been introduced in disadvantaged schools involved in the giving children an even break-breaking the cycle programme, with approximately 47,700 pupils in 243 participating schools availing of reduced class sizes of either 15 or 20 pupils per class.

In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Schools Refurbishment.

810. **Mr. G. Mitchell** asked the Minister for Education and Science if funds will be made available this year to upgrade the toilets at a school (details supplied). [9982/05]

Minister for Education and Science (Ms Hanafin): The schools referred to by the Deputy applied for summer works scheme — SWS — 2005 for complete replacement of windows. I am pleased to announce the school's application was successful. With regard to upgrade of toilet facilities at the school, those works are appropriate to the summer works scheme. It is open to the management authority of the school to apply for SWS 2006, details of which I will announce shortly.

Special Educational Needs.

811. **Mr. Kirk** asked the Minister for Education and Science if her Department has had a chance to consider the paper read by a person (details supplied) which outlines the results of research on the issue of social problems and educational disadvantage; her plans for a new approach for this vital area; and if she will make a statement on the matter. [9983/05]

Minister for Education and Science (Ms Hanafin): I am aware of the paper to which the Deputy refers. It highlights the importance of success in school as a major factor in preventing crime, alcohol and drug abuse.

Approximately €600 million is being provided by my Department in 2005 for measures specifically designed to tackle educational disadvantage in accordance with the Government's National Action Plan against Poverty and Social Exclusion 2003-05, and Sustaining Progress. While these measures provide a continuum from early child-

hood to adulthood, there is a key focus on preventative strategies, targeting and integrated community responses.

Following completion of a review of the measures in place, I will shortly publish a new framework for tackling disadvantage in education. The new action plan will build on the success of existing programmes, while addressing the issues that have diluted the overall effectiveness of some measures. The new approach to tackling disadvantage will include better identification of levels of disadvantage in our schools and a single integrated programme of supports for schools with concentrated levels of disadvantage which will bring together, and build upon, some ten existing schemes and initiatives.

Each school in the programme will benefit from a package of supports, with the highest level of assistance being targeted at children in the most disadvantaged schools. Critical attention will be paid to literacy and numeracy issues. The new framework will be introduced on a phased basis, starting in the next school year, and will involve an additional annual investment of €40 million and provision of some 300 additional posts across the system on full implementation.

I am aware of the importance of preventive programmes in the area of substance abuse being appropriately tailored to the social and cultural background of students. Social, personal and health education, SPHE, is a mandatory part of the curriculum in primary schools and at junior cycle in post-primary schools. The curriculum is designed to promote personal development and the health and well-being of students, to help them create supportive relationships and encourage the values and skills for responsible decision-making. Issues as regards belonging and integrating, handling conflict constructively, dealing with peer pressure, influences on decision-making, substance misuse, relationships and sexuality are dealt with specifically.

In addition, all schools are required to have an agreed school policy and a suitable relationships and sexuality education programme in place for senior cycle pupils. An integrated SPHE programme at senior cycle incorporating RSE is being developed. The curriculum is supported by guidelines for teachers and a full-time support service operating in collaboration with the health boards. An evaluation of the implementation of SPHE is currently under way and is being carried out by the author of the paper referred to in this question. The Department will examine carefully the issues and recommendations arising from his report in this area.

812. **Mr. P. McGrath** asked the Minister for Education and Science if an SNA review was carried out in a school (details supplied) in County Westmeath by the National Council for special education; if a report was returned to her Department; the date this report was returned; the recommendations which were in this report; and

[Mr. P. McGrath.]
when the recommendations will be implemented. [9984/05]

Minister for Education and Science (Ms Hanafin): I can confirm that a review of the special needs assistant, SNA, support in the school in question was carried out by a representative of the National Council for Special Education and a report was subsequently submitted to my Department in December 2004. The report recommended that the level of SNA support in the school should be increased from part-time hours to a full-time special needs assistant post.

A letter approving this additional support was issued to the school authorities on 18 March 2005.

Pupil-Teacher Ratio.

813. **Mr. Howlin** asked the Minister for Education and Science if, in view of the commitment in the 2002 programme for Government to reduce the pupil teacher ratio in our schools, the reason the average class size in a school (details supplied) remains at 29:4; when the progressive introduction of maximum class guidelines in this school will begin; if at least one additional teacher will be appointed to this school in time for the school year beginning September 2005; and if she will make a statement on the matter. [9985/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 200-05 is a principal and eight mainstream class teachers based on an enrolment of 236 pupils at 30 September, 2003. In addition, the school has one full-time resource teacher and the services of a shared learning support teacher.

The Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to the Department by the board of management, the enrolment on 30 September 2004 in the school was 235 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which has fallen from 22.2:1 in 1996-97 to 17.44:1 in 2003-04. In line with Government policy, my Department will continue to provide further reductions in the pupil teacher ratio within available

resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Special Educational Needs.

814. **Mr. F. McGrath** asked the Minister for Education and Science the position regarding the case of a person (details supplied) in Dublin 5. [10013/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the National Council for Special Education, NCSE, which was established recently and which has been operational since 1 January 2005, is responsible for processing applications for special educational needs supports.

Seventy one special educational needs organisers, SENOs, have been recruited throughout the country and will be a focal point of contact for schools and parents. My officials have been advised by the NCSE that no application for SEN supports for the pupil has been made to the SENO. It is open to the school to contact the SENO directly regarding any special education needs that the pupil may have.

Pupil-Teacher Ratio.

815. **Mr. Perry** asked the Minister for Education and Science if her attention has been drawn to the inadequate staffing level that exists at a school (details supplied) in County Sligo; if her attention has further been drawn to the fact that in September under present criteria they will lose a teacher even though the numbers will have risen again; and if she will make a statement on the matter. [10054/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 11 mainstream class teachers based on an enrolment of 314 pupils at 30 September, 2003. In addition, the school has a full time resource teacher, a learning support teacher and a resource teacher for traveller children. The Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to the Department by the board of management the enrolment on 30 September, 2004 in the school

was 288 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and the Department and its decision is final.

Appeals must be submitted to the primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005-06 school year has been issued.

816. **Mr. Perry** asked the Minister for Education and Science if class sizes will be reduced at a school (details supplied) in County Sligo; if her attention has been drawn to the fact that a second aim of this campaign is to focus on and improve resources for pupils with special educational needs; if she will allocate extra resources; and if she will make a statement on the matter. [10055/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school are greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school for the school year 2004-05 is a principal and 11 mainstream class teachers based on an enrolment of 314 pupils at 30 September 2003. In addition the school has a full-time resource teacher, a learning support teacher and a resource teacher for Traveller children.

The Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to the Department by the board of management the enrolment on 30 September 2004 in the school referred to by the Deputy was 288 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and the Department and its decision is final. Appeals must be submitted

to the primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005-06 school year has been issued.

As confirmed above, the school referred to by the Deputy currently has the services of one full-time resource teacher, one full-time learning support teacher and a full-time resource teacher for Traveller children.

I trust that the Deputy is aware of the proposed new system for resource teacher allocation which 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. This system also applies to those with learning support needs, that is, functioning at or below the tenth percentile on a standardised test of reading and or mathematics.

I am conscious of difficulties that could arise with the proposed model for children in small and rural schools, if it were implemented as currently proposed. Accordingly, my Department is reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review involves consultation with educational interests, including the National Council for Special Education, NCSE. The revised procedure for providing a general allocation of resource hours to schools will be announced in the coming weeks, in time to be implemented for the next school year.

The NCSE, which was established recently, and which has been operational since 1 January 2005, is responsible for processing applications for special educational needs supports. Seventy one special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents.

Abuse Allegations.

817. **Mr. F. McGrath** asked the Minister for Education and Science if a person (details supplied) left college over allegations of abuse; if this third level institution will accept responsibility and show compassion to the victims. [10057/05]

Minister for Education and Science (Ms Hanafin): The issue covered in the Deputy's question is, in the first instance, a matter for the third level institution in question. Officials in my Department have recently been in contact with the president of the institution concerned to get his views on the matter. When this response is available I will forward it directly to the Deputy.

Grant Payments.

818. **Ms O. Mitchell** asked the Minister for Education and Science when an application for a home tuition grant for a person (details supplied)

[Ms O. Mitchell.]
in Dublin 18 will be sanctioned by her Department. [10063/05]

Minister for Education and Science (Ms Hanafin): An application for a home tuition grant for the person in question has been received in my Department. My officials have made contact with the person's parent and the matter is under consideration. A decision will be conveyed to the parent as soon as this process has been completed.

Special Educational Needs.

819. **Mr. Morgan** asked the Minister for Education and Science when a special needs assistant support will be provided at a school (details supplied) in County Louth for a person who suffers from attention deficit hyperactivity disorder; and when this person will have access to an occupational therapist. [10070/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that my Department has approved full-time special needs assistant support for the school in question to cater for this and another pupil's care needs. A letter of confirmation was issued to the school on 18 March 2005.

With regard to the matter of access to an occupational therapist, the Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the HSE has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of occupational therapy services. Accordingly, the Department of Health and Children has requested the chief officer for the Health Service Executive's north-eastern area to investigate the matter raised and to reply directly to the Deputy.

820. **Mr. Neville** asked the Minister for Education and Science the details of a meeting with a school group (details supplied) in County Limerick. [10071/05]

Minister for Education and Science (Ms Hanafin): I take it that the Deputy is referring to concerns in the school group's area regarding the proposed model of resource allocations for pupils in the high incidence disability categories.

In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This model, which was announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories.

The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

The advantages of using a general allocation model are as follows: it facilitates early intervention as the resource is in place in the school when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it gives more security to special education teaching posts and makes special education teaching a more attractive option; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services; and it will automatically adjust a school's general allocation on the basis of changing enrolment.

I have made it clear that while I am in favour of using a general allocation model for the reasons I have just given, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. For this reason I have asked the Department to conduct a review of the model announced last year. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year.

School Transport.

821. **Mr. Kenny** asked the Minister for Education and Science if school transport will be provided for persons (details supplied) in County Mayo; and if she will make a statement on the matter. [10074/05]

Minister for Education and Science (Ms Hanafin): A report on this case has been requested from Bus Éireann. The Deputy will be advised of the position when the report has been received and assessed.

School Accommodation.

822. **Mr. Timmins** asked the Minister for Education and Science the position of an application from a school (details supplied) in County Wicklow that has applied to the Department to fund the necessary renovations to Marine House and to sanction its accommodation there until 2008; if this can be dealt with; and if she will make a statement on the matter. [10081/05]

Minister for Education and Science (Ms Hanafin): An application has been received from the school towards the cost of renting and renovating the premises which it occupies. This application is under consideration in the school planning section of my Department. A decision will be taken in the matter as soon as possible. The school has been granted permanent recognition effective from 1 September 2004. A letter to this

effect issued to the school authority on 24 March 2005.

823. **Mr. Timmins** asked the Minister for Education and Science the position for making a school (details supplied) in County Wicklow more wheelchair accessible for persons who will be attending the school in the future; her Department's position on making schools more wheelchair accessible; and if she will make a statement on the matter. [10082/05]

Minister for Education and Science (Ms Hanafin): The scope of works required at the school is appropriate for consideration under the summer works scheme. I recently announced the list of successful applications under the 2005 programme. It is open to the school authority to apply for the works under the 2006 summer works scheme, details of which will be published by my Department at the end of April 2005.

It is the policy of my Department to provide all new schools with access for all facilities and special toilets for disabled teachers and students. Additionally, new schools with two or more storeys are provided with lifts. My Department advises school authorities and their design teams of accessibility requirements during the architectural planning process of projects.

Concerning access for all to existing school buildings my Department will respond as promptly as possible to a request from a school authority for funding for adaptations necessary to allow any person with mobility problems access the building.

Parent-Teacher Meetings.

824. **Mr. Andrews** asked the Minister for Education and Science if she will furnish Department guidelines for parent-teacher meetings in schools in the State. [10084/05]

934. **Mr. Andrews** asked the Minister for Education and Science if she will provide guidelines for parent-teacher meetings for schools in the State. [10723/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 824 and 934 together.

In October 2004 my Department issued details to all primary and post-primary schools regarding arrangements for parent-teacher meetings for the school year 2004-05. These arrangements were agreed by the parties to the Teachers Conciliation Council on foot of proposals from the Teachers Arbitration Board. In post-primary schools in respect of three formal parent-teacher meetings per year, meetings will commence at 4.15 p.m. in all schools with each school closing 15 minutes earlier than normal and will conclude at 6.45 p.m. In accordance with good practice parents who are waiting at 6.45 p.m. will be seen if this can reasonably be done.

In the small number of cases, where a parent is unable to attend the formal meeting, current

practice, whereby the parent is facilitated to meet a teacher he or she wishes to meet, will apply and a time mutually convenient will be agreed.

There will be one formal parent-teacher meeting held in each school year in primary schools. This meeting will normally commence at 3.15 p.m. and will end at 5.45 p.m. unless otherwise agreed at local level between all relevant parties. The school will close 15 minutes early on the day of the formal parent-teacher meeting. If such a meeting cannot be facilitated at a formal parent-teacher meeting then the parent will be offered a suitable and convenient appointment for same.

Teachers' Remuneration.

825. **Mr. Ring** asked the Minister for Education and Science, further to Parliamentary Question No. 199 of 10 March 2005, the name of the person who was responsible for the error that caused the overpayment to a person (details supplied) in County Mayo of €16,000; the name of the person who did it again in 2003; and if she will make a statement on the matter. [10087/05]

Minister for Education and Science (Ms Hanafin): Some 44,000 serving teachers and 6,000 special needs assistants employed in primary, secondary and community-comprehensive schools are paid by my Department on a fortnightly basis on behalf of the boards of management which are the employers. My Department is also responsible for the payment of approximately 14,000 retired teachers on a fortnightly basis.

The input of data to ensure correct payment of the teachers and special needs assistants on an ongoing basis is a huge task for the staff of my Department. Prior to April 2001, boards of management were responsible for the payment of the special needs assistants they employed and were reimbursed the employment costs by my Department. In April, 2001 the new payroll operated by my Department was introduced which has helped to reduce the workload for boards of management and facilitated the introduction of improved conditions of service for the special needs assistants. The data necessary to place the special needs assistants on payroll was obtained from the boards. This data was input to the payroll.

The original error occurred when the data was being input onto the new payroll. The data were input at the level of clerical officer in my Department. The subsequent error in the determination of the scale point in 2003 was made at the level of executive officer.

School Transport.

826. **Mr. Lowry** asked the Minister for Education and Science if previous correspondence has been brought to her attention (details supplied); if she will extend the bus route; and if she will make a statement on the matter. [10096/05]

Minister for Education and Science (Ms Hanafin): A report on this case has been

[Ms Hanafin.]
requested from Bus Éireann. The Deputy will be advised of the position when the report has been received and assessed.

Pupil-Teacher Ratio.

827. **Mr. Lowry** asked the Minister for Education and Science if her Department will use class size rather than pupil-teacher ratio as the measure for staffing levels in each primary school when pupil-teacher ratios are distorting as they include special needs teachers, resource teachers and administrative principals; and if she will make a statement on the matter. [10098/05]

Minister for Education and Science (Ms Hanafin): The pupil-teacher ratio as published in my Department's annual statistical report is calculated by dividing the total enrolment in all primary schools by the total number of full-time teaching posts. The total enrolment includes all children in ordinary and special schools and the total teaching posts include administrative principals, learning support teachers and recognised teachers of pupils with special needs in ordinary primary schools as well as teachers in special schools.

The national pupil-teacher ratio is an indicator of the ratio of overall full-time teaching staff to pupils at primary level. It takes account of all teachers in a school. The pupil-teacher ratio provides a picture of all of the teaching resources available to provide service to primary school children. The improvements in the pupil-teacher ratio in recent years show the significant levels of additional teaching resources made available to primary schools.

My Department also publishes details of average class size in the annual statistical reports. This indicator includes mainstream class teachers only and refers to ordinary pupils in ordinary classes. The average class size indicator provides a picture of the size of classes at primary level. Since this indicator takes account only of mainstream classroom teachers, resource teachers and teachers other than classroom teachers at primary level are not captured by this indicator even though these are teaching resources available to pupils. These are included in the calculation of pupil-teacher ratio. While both indicators are different, they are complementary.

Significant improvements have been made in this area in recent years. The average class size at primary level is now 23.9, down from 26.6 in 1996-97. The pupil-teacher ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in 2003-04. More than 4,000 additional teachers have been employed in our primary schools since 1997. These additional teaching posts have been used to reduce class sizes, to tackle educational disadvantage and to provide additional resources for children with special needs. Significantly smaller class sizes have been introduced in disadvantaged schools involved in the giving children an even break/ breaking the cycle programme, with

approximately 47,700 pupils in 243 participating schools availing of reduced class sizes of either 15 or 20 pupils per class. In line with Government policy, the position will be further improved in the future within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

828. **Mr. Lowry** asked the Minister for Education and Science when the average class size of 25 pupils and 20 pupils in disadvantaged areas will be achieved; and if she will make a statement on the matter. [10099/05]

Minister for Education and Science (Ms Hanafin): Under existing schemes for tackling educational disadvantage, 47,700 pupils in 243 schools are in classes of either 15 or 20 at junior level. Pupils in senior classes in these schools are in classes of 27. The new policy framework which I will be publishing shortly will extend smaller class sizes of 20 at junior level to children in more schools, based on the results of a new survey of the levels of disadvantage in primary schools to be carried out by the Educational Research Centre, starting this month. This survey will enable schools who did not qualify the last time a survey was conducted to qualify for smaller class sizes next year.

The extra staffing to provide for more classes of 20 at junior level in disadvantaged schools and classes of 25 at senior level in the most disadvantaged schools will be put in place in the next school year. Ensuring that more children from disadvantaged areas are taught in smaller classes is a priority for me as an important step in delivering on the Government's commitments on class size in the primary school system.

Special Educational Needs.

829. **Mr. Lowry** asked the Minister for Education and Science if she will publish the special needs teacher allocation for primary schools before the end of the academic year; and if she will make a statement on the matter. [10100/05]

Minister for Education and Science (Ms Hanafin): In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This model, announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most

disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

There are advantages of using a general allocation model. It facilitates early intervention as the resource is in place in the school when the child enrolls. It reduces the need for individual applications and supporting psychological assessments. It puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels. It gives more security to special education teaching posts and makes special education teaching a more attractive option. It allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services. It will automatically adjust a school's general allocation on the basis of changing enrolment.

While I am in favour of using a general allocation model for these reasons, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. I have asked my Department to conduct a review of the model announced last year. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year.

Schools Building Projects.

830. **Ms Burton** asked the Minister for Education and Science the position regarding the proposal to provide a purpose-built gym for a school (details supplied); when the gym will be built and ready for occupation; the estimated cost of the project; and when funding will be allocated. [10102/05]

Minister for Education and Science (Ms Hanafin): As part of a review of all projects for the 2005 capital programme, the application for capital funding from the school authority was assessed against the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners. Under this review all projects were assigned a band rating and the progress of individual projects is being considered in the context of the schools building programme from 2005 onwards. It is my Department's policy not to release the estimated costs of projects to prevent the tendering process from being undermined.

831. **Ms Burton** asked the Minister for Education and Science the progress made in acquiring a site for a second level school for the Castaheany-Littlepace-Ongar area of Dublin 15 as repeatedly promised by her Government, in view of the fact that there are now more than 6,000 occupied houses in the catchment area for this school with many thousands more in the planning pipeline. [10103/05]

849. **Mr. Crowe** asked the Minister for Education and Science the progress in purchasing a site for a post-primary school in Phibblestown,

Dublin 15; and if she will make a statement on the matter. [10192/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 831 and 849 together.

In view of the level of housing developments and consequent growth in the school going population, my Department recognises the need for a school at post-primary level to serve the general Castaheany-Littlepace-Phibblestown area of Dublin 15. It is intended to locate the proposed school at Phibblestown. My officials are working with Fingal County Council to make a suitable site available for the school. Negotiations regarding the acquisition of a site are at an advanced stage and are progressing satisfactorily.

School Accommodation.

832. **Ms Burton** asked the Minister for Education and Science the cost and value of the proposed second hand prefab for a school (details supplied) in Dublin 15; the estimated cost for installing it on site; the location of the prefab; when the work will be completed; and the acquisition of the reserved primary school site for the Castaheany/Ongar area. [10104/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department for site acquisitions, has identified a site for the school. Discussions between the Office of Public Works and the landowner are ongoing. My Department is not in a position to indicate the estimated cost of relocating existing temporary accommodation to the school as this is regarded as commercially sensitive information. My Department's school building section is accessing the available temporary accommodation and will be in contact with the management authorities of the school with a view to progressing the matter as quickly as possible. My Department will ensure that sufficient accommodation is available for September 2005.

833. **Ms Burton** asked the Minister for Education and Science her proposals to deal with the 101 children waiting for a place at a school (details supplied) who have been refused admission for September 2005 due to the school only making provision for 90 pupils; the proposals to provide for an adequate number of school places in the Castaheany-Littlepace-Ongar area. [10105/05]

843. **Mr. J. Higgins** asked the Minister for Education and Science the reason, due to the fact that there are 101 children on the waiting list for a place in a school (details supplied) in Dublin 15, her Department only purchased a three-acre site and built a 16-room school in 2004, when a five acre site was available and a larger school could have been built to cope with the demand. [10158/05]

844. **Mr. J. Higgins** asked the Minister for Education and Science the reason there are two classrooms lying vacant in a school (details supplied) in Dublin 15; and the measures her Department proposes to take to ease the pressure of numbers on the waiting list. [10159/05]

847. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the fact that 101 children are on the waiting list for a school (details supplied) in Dublin 15; and if her Department will reconsider the decision not to purchase the adjacent two acre site and give the school increased capacity to have a 32 class school. [10190/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 833, 843, 844 and 847 together.

I am fully conscious that the Dublin 15 area is one of the most rapidly developing areas in the State and, as a result of this, there has been a marked increase in the demand for school places, particularly at primary level. My Department is taking a number of measures to increase the capacity of existing schools in the area concerned along with the development of new schools to meet this growing demand. A building project to provide a new building for the school is on site. To further expand capacity at this school, my Department has approached the school's board of management to discuss the possibility of expanding the school to cater for a four stream intake at junior infant level for next September. This could be achieved by the school expanding to a 32 classroom school or re-organising to form a junior and senior school. I am confident this development will cater for the needs of pupils wishing to attend this school for next September. In addition, a building project underway at Huntstown national school will increase the capacity of that school to 32 classrooms. This project is nearing completion.

The area is also served by Castaheany Educate Together national school. My Department is pursuing the issue of site acquisition for this school and the provision of a permanent school building for it will be prioritised in my Department. It is envisaged that the demand for places is such that this school will need to grow to a 24 classroom school which will facilitate an annual intake of three junior infant classes. In the interim, temporary accommodation will be provided to meet the school's immediate needs for next September.

I am confident that a combination of the measures outlined will alleviate demand for pupil places in the area for the foreseeable future.

Schools Refurbishment.

834. **Ms Burton** asked the Minister for Education and Science her proposals for the replacement or refurbishment of a school (details supplied); if her attention has been drawn to the fact that the school authorities are now waiting for over five years for the promised replacement

or refurbished school; the estimated cost of the project as approved by her Department; the time-scale for the work to be done; and when the work will be completed and available for occupation by staff and pupils. [10106/05]

Minister for Education and Science (Ms Hanafin): As part of a review of all projects for the 2005 capital programme, the application for capital funding from the school authority was assessed against the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners. Under this review all projects were assigned a band rating and the progress of individual projects is being considered in the context of the school building programme.

Higher Education Grants.

835. **Mr. Stagg** asked the Minister for Education and Science when a third level grant application which is under examination in her Department (details supplied) will be determined; and if she will make a statement on the matter. [10117/05]

Minister for Education and Science (Ms Hanafin): Documentation regarding the student is under review in my Department. A response will issue to Dublin City Council, the assessing authority in this case, as soon as possible.

Special Educational Needs.

836. **Mr. Kehoe** asked the Minister for Education and Science the right of appeal a person (details supplied) in County Wexford has following a decision of the National Council for Special Education; and if she will make a statement on the matter. [10126/05]

Minister for Education and Science (Ms Hanafin): In the absence of a formalised appeals process, the National Council for Special Education will undertake to review the relevant decision on resource teaching supports on foot of a request from the school or parents/guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The National Council for Special Education has outlined this process in its circular 01/05.

In this case, the application for four hours resource teacher support for the pupil concerned was referred to the local special educational needs organiser for determination. The organiser examined the application and expressed the opinion that the pupil's special educational needs appear to be within the high incidence disability category and, therefore, does not qualify for individual hours resource teaching support.

In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with edu-

cational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This model, announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

There are advantages of using a general allocation model. It facilitates early intervention as the resource is in place in the school when the child enrolls. It reduces the need for individual applications and supporting psychological assessments. It puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels. It gives more security to special education teaching posts and makes special education teaching a more attractive option. It allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services. It will automatically adjust a school's general allocation on the basis of changing enrolment.

While I am in favour of using a general allocation model for these reasons, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. I have asked my Department to conduct a review of the model announced last year. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year.

Schools Building Projects

837. **Ms McManus** asked the Minister for Education and Science when she will sanction the acceptance of the tender to begin works in view of a promise made by the Government to provide funding for a sports hall at a school (details supplied) in County Wicklow; if she will include the sports hall for the school in the funding for building projects to be announced shortly; and if she will make a statement on the matter. [10127/05]

Minister for Education and Science (Ms Hanafin): As part of a review of all projects for the 2005 capital programme, the application for capital funding from the school authority was assessed against the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners. Under this review all projects were assigned a band rating and the progress of individual projects is being considered in the context of the school building programme from 2005 onwards.

School Accommodation

838. **Mr. Kehoe** asked the Minister for Education and Science if she will accept the invitation to visit a school (details supplied) in County Wexford; if the officials in her Department will agree to a meeting to discuss the serious problems with the extension and refurbishment programme; and if she will make a statement on the matter. [10132/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is assessing the application for additional accommodation and refurbishment from the school. Contact will be made directly with the school authority when a decision is taken on the matter. I have no plans to visit the school at this time.

Pupil — Teacher Ratio.

839. **Mr. Kehoe** asked the Minister for Education and Science the position regarding the reduction of classroom sizes for a school (details supplied) in County Wexford to deal with the serious overcrowding; and if she will make a statement on the matter. [10136/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school for the school year 2004-05 is a principal and eight mainstream class teachers based on an enrolment of 236 pupils at 30 September 2003. In addition the school has one full-time resource teacher and the services of a shared learning support teacher. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school in question, the enrolment on 30 September 2004 was 235 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

School Placement.

840. **Mr. Noonan** asked the Minister for Education and Science the steps she intends to ensure that a person (details supplied) in County Limerick who attends an all-Irish primary school is enabled to continue education in secondary

[Mr. Noonan.] school through the medium of Irish; and if she will make a statement on the matter. [10155/05]

Minister for Education and Science (Ms Hanafin): Section 29 of the Education Act 1998 provides parents with an appeal process where a board of management of a school or a person acting on behalf of the board refuses to enrol a student. The Secretary General of my Department may direct a school to enrol a pupil only where an appeal under section 29 is upheld. The appeal against the decision of the school in question was not upheld. The school was over-subscribed for the 60 available places for enrolment to first year 2005-06. The appeals committee found that, in allocating the available places, the school adhered to the terms and provisions of its enrolment policy and the criteria for the selection of successful applicants. It also adhered to the procedures for the implementation of that policy including the use of random selection. It further adhered to the provisions and spirit of Limerick city post-primary schools common application form.

It is my Department's policy to support the provision of all-Irish school facilities at primary and post-primary level in all areas where a demand for such provision is clearly demonstrated and no alternative exists within a reasonable distance. Where a demand for such provision exists, it is open to school management authorities to make an application to my Department for the necessary supports. Each application submitted is examined having regard to the level of anticipated demand and existing similar provision available in the area. My Department is in receipt of a proposal from Limerick city vocational education committee to establish a Gaelcholáiste in Limerick from September 2006 and this is under active consideration.

Schools Refurbishment.

841. **Mr. Neville** asked the Minister for Education and Science when a general purpose room, library resource, teaching room, principal's office, storage facilities and multipurpose room will be sanctioned and construction commenced for a school (details supplied) in County Limerick. [10156/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. The proposed project at the school will be considered in the overall context of the school building and modernisation programme 2005-09.

Pupil-Teacher Ratio.

842. **Mr. Penrose** asked the Minister for Education and Science if her Department has received correspondence from a school (details

supplied); the steps she will take to ensure that the average size of classes in the school is reduced significantly from its current level of 29 pupils per class; and if she will make a statement on the matter. [10157/05]

Minister for Education and Science (Ms Hanafin): I can confirm that the commission on school accommodation, an associate agency of my Department, has received correspondence from the school.

The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school for the school year 2004-05 is a principal and 13 mainstream class teachers, based on an enrolment of 354 pupils at the 30 September 2003. In addition, the school has one learning support teacher and two full-time resource teachers.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment of the school in question on the 30 September 2004 was 372 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and the agreed staffing schedule.

Significant improvements have been made to the pupil teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. Average class size nationally has fallen from 26.5 in 1996-97 to 23.9 in 2003-04. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio and average class sizes at junior level within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Question Nos. 843 and 844 answered with Question No. 833.

Ministerial Travel.

845. **Mr. Allen** asked the Minister for Education and Science if she travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with her in her official party; the duration of the visit and the cost involved. [10183/05]

Minister for Education and Science (Ms Hanafin): I travelled to Philadelphia and New York for the St Patrick's Day celebrations, accompanied by two persons in my party. The duration of the visit was nine days and the total cost of the trip has not yet been finalised.

Question No. 846 answered with Question No. 799.

Question No. 847 answered with Question No. 833.

Site Acquisitions.

848. **Mr. Crowe** asked the Minister for Education and Science the progress in acquiring a site for a school (details supplied) in Dublin 15. [10191/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department for site acquisitions, has identified a site for the school. Discussions between the Office of Public Works and the landowner are ongoing.

Question No. 849 answered with Question No. 831.

Physical Education Facilities.

850. **Mr. Wall** asked the Minister for Education and Science the number of schools that have had to use their physical education rooms as general class rooms at the behest of her Department to overcome space problems for classes in primary and secondary schools in each of the past three years; the alternative offered to such schools to obtain physical education facilities; and if she will make a statement on the matter. [10193/05]

Minister for Education and Science (Ms Hanafin): It is the policy of my Department to provide for the delivery of a broad and balanced physical education curriculum at both primary and post-primary levels. Many schools have general purposes rooms or physical education halls and practically all schools have outdoor play areas which are utilised for teaching different aspects of the physical education programme. Many schools also use adjacent local facilities, including community halls, public parks, playing fields and swimming pools.

The provision of general purposes rooms and multipurpose spaces for primary schools is considered within the design brief for new schools and-or renovation-extension school building projects. This is done in the context of available resources and the published criteria for prioritising school building projects. Detailed information in the format requested is not available, but should the Deputy have a question on a particular school, I will be happy to provide a response.

School Discipline.

851. **Mr. Wall** asked the Minister for Education and Science the number of cases of physical violence or injury by students against teachers reported to her Department in primary and secondary level for each of the past three years; and if she will make a statement on the matter. [10194/05]

Minister for Education and Science (Ms Hanafin): As responsibility for dealing with cases of assaults by pupils against teachers rests with the board of management, such cases may not come to the attention of my Department, except where teachers apply for assault leave. My Department received applications for assault leave in respect of six primary teachers in the last three years, two in 2002-03, three in 2003-04 and one in the current school year. No applications were received at post-primary level in the same period.

Pupil-Teacher Ratio.

852. **Mr. J. Higgins** asked the Minister for Education and Science the steps her Department will take to reduce the pupil teacher ratio in a school (details supplied) in Dublin 15. [10201/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 15 mainstream class teachers based on an enrolment of 419 pupils at 30 September 2003. In addition, the school has two resource posts, one learning support post, one temporary resource post for Traveller children and one temporary language support post. Hence, the pupil teacher ratio in the school is 19.95:1. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school in question, the enrolment on 30 September 2004 was 426 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with

[Ms Hanafin.]

Government policy, my Department will continue to provide further reductions in the pupil teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Schools Building Projects.

853. **Ms Enright** asked the Minister for Education and Science when her Department will report on the examination of the sites of two schools (details supplied) in County Laois; when a decision will be made on whether a new school will be provided; and if she will make a statement on the matter. [10202/05]

Minister for Education and Science (Ms Hanafin): My Department is obliged to provide a suitable cost effective accommodation solution for the delivery of any proposed new school. In this regard, it must at all times seek to maximise the use of existing accommodation ahead of a greenfield site solution. In compliance with this requirement, a technical assessment of the existing buildings in question was recently carried out to ascertain which, if any, would be suitable to act as host for the new school concerned.

In the context of this assessment, the likely floor area requirements for a school of the size in question has been established and architectural assessment of the potential of the existing schools to meet these requirements is under way and is expected to be completed shortly. Following examination of the technical assessment report, the school planning section of my Department should be in a position to decide on how the accommodation needs of the new school can be met. When this decision has been taken, inclusion of the project in a capital programme by way of the appointment of a design team can be considered at an early date.

Institutes of Technology.

854. **Ms O'Sullivan** asked the Minister for Education and Science when a decision will be made on funding phase 1A of the development plan of the Institute of Technology, Tallaght; and if she will make a statement on the matter. [10203/05]

Minister for Education and Science (Ms Hanafin): In November 2004, I announced the end to the freeze on third level capital funding following the report of the review group on the prioritisation of all capital projects in the third level sector — the Kelly report — when I gave immediate approval for key projects in the sector. The projects selected were identified as being of a high national priority and include a number of new facilities to support the provision of additional health skills places and the expansion of teacher training places. I also announced the re-introduction of a devolved grant scheme for minor capital works in the institutes of tech-

nology sector. The Institute of Technology, Tallaght, received funding under this scheme.

These announcements are the first steps in the process of addressing the infrastructural deficit in the third level sector. There are many further higher education projects recommended for funding in the Kelly report, including the projects at IT Tallaght. I am considering how best to advance a number of these projects in the context of the capital envelope of funding available to me.

School Staffing.

855. **Cecilia Keaveney** asked the Minister for Education and Science if she will review the staffing levels and class supports available for a school (details supplied) in County Donegal in view of the sizes of class and the efforts being made to push out the boundaries of the educational experience given to both the pupils and the pre-school students; and if she will make a statement on the possibilities of the provision of an early start teacher in this location. [10217/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and seven mainstream class teachers based on an enrolment of 191 pupils at 30 September 2003. In addition, the school has the services of a learning support teacher and a resource teacher. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 184 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

The provision of extra supports for children in disadvantaged areas has been considered by my Department as part of a review of all the schemes at pre-school, primary and post-primary level, including Early Start. As a result of this review, a new action plan for tackling disadvantage will be published shortly which will provide extra supports for the most disadvantaged schools.

856. **Mr. McCormack** asked the Minister for Education and Science if her Department will appoint an extra full-time classroom teacher to a

school (details supplied) in County Galway; and if she will make a statement on the matter. [10224/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and eight mainstream class teachers based on an enrolment of 224 pupils at 30 September 2003. In addition, the school has the services of a learning support teacher and a resource teacher. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 235 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

857. **Mr. Connaughton** asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in County Galway is in danger of losing a teacher; if her attention has further been drawn to the fact that if this happens it will result in a pupil teacher ratio of 27:3 and a minimum of three class groupings for at least two teachers; and if she will make a statement on the matter. [10225/05]

876. **Mr. McHugh** asked the Minister for Education and Science if staffing levels at a school (details supplied) in County Galway will be maintained for the academic year 2005/06. [10298/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 857 and 876 together.

The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and three mainstream class teachers based on an enrolment of 95 pupils at 30 September 2003. In addition, the school has the services of a learning support teacher, a resource teacher and a resource teacher for Travellers. My Department will finalise the staffing schedule for the 2005-06

school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 93 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

858. **Mr. Connaughton** asked the Minister for Education and Science the reason a school (details supplied) in County Galway is set to lose one of its four teachers in September 2005 given that this school is in a disadvantaged area and operates the Giving Children an Even Break scheme; and if she will make a statement on the matter. [10226/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and my Department and its decision is final. Appeals must be submitted to primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005-06 school year has issued.

Under the rural dimension of my Department's Giving Children an Even Break programme, aimed at combating educational disadvantage, the school to which the Deputy refers has the services of a rural co-ordinator and additional financial resources to provide educational supports to be targeted at disadvantaged pupils.

Higher Education Grants.

859. **Ms O'Sullivan** asked the Minister for Education and Science if she will give a breakdown, county by county, in tabular form, of the new awards of higher education grants under socio-economic categories for the 2003-04 academic year; and if she will make a statement on the matter. [10230/05]

860. **Ms O'Sullivan** asked the Minister for Education and Science if she will give a breakdown, county by county, in tabular form, of the new awards of higher education grants under socio-economic categories for the 2002-03 academic year; and if she will make a statement on the matter. [10231/05]

861. **Ms O'Sullivan** asked the Minister for Education and Science if she will give a breakdown

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in tabular form of the new awards of higher education grants under socio-economic categories for the 2003-04 academic year; and if she will make a statement on the matter. [10232/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 859 to 861, inclusive, together.

The information requested by the Deputy is not immediately available in my Department.

School Accommodation.

862. **Mr. Crawford** asked the Minister for Education and Science the position on the building extension programme for a school (details supplied) in County Monaghan; and if she will make a statement on the matter. [10241/05]

Minister for Education and Science (Ms Hanafin): An application for additional accommodation has been received from the management authority of the school mentioned by the Deputy. The application is being examined in the school planning section of my Department. This process involves consideration of all relevant factors, including enrolment and demographic trends in the area and the capacity of any other schools in the area to meet the anticipated demand. When these issues have been fully considered by my Department a decision will be taken on how best to provide for the school's long-term accommodation needs. The application will then be progressed in the context of the school building and modernisation programme 2005-09.

Schools Building Projects.

863. **Mr. Crawford** asked the Minister for Education and Science the position on the extension building programme for a school (details supplied) in County Monaghan; her views on the fact that it is totally unacceptable that so many pupils should have to survive in portacabins for so many years; and if she will make a statement on the matter. [10242/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. The project is being considered for progression in the context of the school building and modernisation programme 2005-09.

School Curriculum.

864. **Mr. Lowry** asked the Minister for Education and Science if she will review primary circular 32/03 to amend the PC 32/03 to allow primary school pupils to repeat sixth class in their primary school or an alternative school if they are younger than 12 years old on entering post-pri-

mary education; and if she will make a statement on the matter. [10256/05]

919. **Mr. Lowry** asked the Minister for Education and Science the reasons for introducing primary circular 32/03; the consultation which took place with parents prior to its introduction; and if she will make a statement on the matter. [10635/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 864 and 919 together.

My Department's policy on the retention of pupils in primary schools is set out in primary circular 32/03 which issued to all primary schools in December 2003. Under my Department's policy, pupils should only repeat a year for educational reasons and under no circumstances should an additional grade level — middle infants or repeat sixth class — operate through the retention of all or a substantial number of pupils for a second year at a grade level. The level of provision now available should enable pupils to make progress in keeping with their needs and abilities and to move consecutively through the different class levels in the school in keeping with their peers.

In addition, pupils who have completed sixth class must not transfer to another primary school to repeat sixth class. In the event that a school were to enrol pupils from another school to repeat sixth class, the pupils shall not be included as eligible pupils for staffing and other purposes. Capitation and other grants in respect of such pupils shall not be paid.

The primary school curriculum is designed as an eight-year course, including a two-year infant cycle followed by six years in standards from first to sixth, with children progressing to the next grade at the end of each school year. I am aware that there may be individual cases where a principal teacher, following consultation with the learning support teacher-resource teacher, class teacher and parent or parents of the pupil may conclude that a pupil would benefit educationally by repeating a grade level. In such cases, as outlined in circular 32/03, my Department would allow the retention provided there is an educational basis for it and there is a clear programme for the pupil to follow.

The compulsory school starting age in a national school is six years of age and rule 64 (1) of the rules for national schools provides that a child must be at least four years of age before she or he may be enrolled in a national school. In accordance with the rules and programme for secondary schools, a child may be enrolled as a recognised pupil in a post-primary school provided that he or she is not less than 12 years of age on 1 January of the school year and who has, as a rule, completed a full course of primary education.

Primary circulars are reviewed regularly by the officials in the primary branch of my Department in consultation with the inspectorate to ensure that there is clarity for schools in the operation

of various schemes. Circular 32/03 was issued following such a process. My officials are in regular contact with the education partners, including parents, about the provision of education services in the primary school system. There are no plans at present to review circular 32/03.

Pupil-Teacher Ratio.

865. **Mr. Bruton** asked the Minister for Education and Science the number of national school classes in the Dublin 24 area which have 30 or more children in the classes; the number of teachers in national schools in the Dublin 24 area employed by her Department in each year over the past five years; and if she will make a statement on the matter. [10257/05]

Minister for Education and Science (Ms Hanafin): The information requested is not readily available in my Department. If the Deputy would like information on a particular school, I would be happy to provide it.

Schools Building Projects.

866. **Mr. Kenny** asked the Minister for Education and Science if she has received an application in respect of a school (details supplied) in County Mayo; if her attention has been drawn to the fact that a section of this school has been condemned since 2001; if she will examine this application; and if she will make a statement on the matter. [10272/05]

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.

I have made a number of announcements relating to the 2005 school building programme since the beginning of the year which included details of 122 major school building projects countrywide which will prepare tenders and move to construction during the next 12 to 15 months; 192 projects to be delivered by way of devolved funding; 20 schools that will be provided with prefabricated accommodation already in the system; 43 schools that have been authorised to commence architectural planning; and 590 schools approved for funding under the 2005 summer works scheme.

I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future on the schools building programme to include projects which will be progressed through the design process. All projects in architectural planning, including the school in question, are being considered as part of this process.

Pupil-Teacher Ratio.

867. **Mr. Wall** asked the Minister for Education and Science the plans her Department has to address the serious problems being encountered by a school (details supplied) in County Kildare

with the pupil-teacher ratio; and if she will make a statement on the matter. [10278/05]

956. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the pupil-teacher ratio at a school (details supplied) in County Kildare now stands at 30:1; when the Government undertaking to reduce the pupil-teacher ratio to 20:1 will be applied to this school; and if she will make a statement on the matter. [10959/05]

982. **Mr. Durkan** asked the Minister for Education and Science if extra teaching staff will be offered to a school (details supplied) in County Kildare based on the class size and number of pupils attending; and if she will make a statement on the matter. [11178/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 867, 956 and 982 together.

The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputies for the school year 2004-05 is a principal and 21 mainstream class teachers based on an enrolment of 591 pupils at 30 September 2003. In addition, the school has two learning support teachers, two special class teachers, two full-time resource teachers, one shared resource teacher and one temporary language support teacher. Hence, the pupil teacher ratio in the school is 20.37:1. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 588 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

School Placement.

868. **Ms Burton** asked the Minister for Education and Science the plans she has to address the problems for persons (details supplied) who cannot obtain places for their children at a school. [10290/05]

869. **Ms Burton** asked the Minister for Education and Science the plans she has to address the problems for persons (details supplied) who cannot obtain places for their children at a school. [10291/05]

870. **Ms Burton** asked the Minister for Education and Science the plans she has to address the problems for persons (details supplied) who cannot obtain places for their children at a school. [10292/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 868 to 870, inclusive, together.

The compulsory school starting age in a national school is six years of age. Enrolment in individual schools is the responsibility of the managerial authority of those schools and my Department does not seek to intervene in decisions made by schools in such matters. My Department's main responsibility is to ensure that schools in an area can between them cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard, a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with section 7 of the Equal Status Act 2000.

Where a board of management refuses to enrol a student in a school, the parent of the student or, where the student has reached 18 years of age, the student himself or herself, following the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act to appeal that decision to the Secretary General of the Department of Education and Science. A committee is established to hear the appeal with hearings conducted with a minimum of formality. In most cases, appeals must be dealt with within 30 days. Where appropriate, the Secretary General may give whatever directions to the board of management that are considered necessary to remedy the matter complained of.

Schools Building Projects.

871. **Mr. Penrose** asked the Minister for Education and Science if she will confirm that her

Department has received an application for a small increase in additional funding, to permit a new school (details supplied) in County Westmeath to be built; if, in this context, it represents excellent value for money; and if she will make a statement on the matter. [10293/05]

Minister for Education and Science (Ms Hanafin): My Department has received a request from the board of management of the school in question for an increase in funding. However, additional information is required and has been requested from the school management authority to facilitate my officials in their deliberations in this matter. Upon receipt of the requested information further consideration will be given to the matter and the school will be notified directly of the final outcome.

School Transport.

872. **Mr. Wall** asked the Minister for Education and Science the plans her Department has to provide safe school transport for persons attending a school (details supplied); and if she will make a statement on the matter. [10294/05]

Minister for Education and Science (Ms Hanafin): The case referred to by the Deputy has been considered by the school transport appeals board which found that the present level of service to the school in question is reasonable and that the benefits of an exclusive service would not justify the costs involved. In the circumstances, it is not open to me to re-examine the case.

Pupil-Teacher Ratio.

873. **Mr. Durkan** asked the Minister for Education and Science the steps she proposes to address the issue of the high pupil-teacher ratio, with particular reference to bringing Ireland into a more favourable position in this regard in the European league; the way in which she expects schools in County Kildare, such as a school (details supplied), to be affected in the future; and if she will make a statement on the matter. [10295/05]

983. **Mr. Durkan** asked the Minister for Education and Science if extra teaching staff will be allocated to a school (details supplied) in County Kildare based on the class size and number of pupils attending; and if she will make a statement on the matter. [11179/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 873 and 983 together.

The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally

because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and nine mainstream class teachers based on an enrolment of 244 pupils at 30 September 2003. In addition, the school has one learning support teacher, one special class teacher, one resource teacher and one shared temporary language support teacher. Hence, the pupil teacher ratio in the schools is 19:1, not including the shared post. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 243 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

874. **Cecilia Keaveney** asked the Minister for Education and Science the pupil-teacher ratio of a school (details supplied) in County Donegal; the supports gained by that school in the form of resource, remedial and classroom assistants over the past five years; and if she will make a statement on its needs into the future to reduce class sizes. [10296/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and eight mainstream class teachers based on an enrolment of 217 pupils at 30 September 2003.

In addition, the school has one resource teacher and the services of a learning support teacher. The school also has two full-time special needs assistants and a part-time special needs assistant. The information regarding the supports gained by the school concerned over the past five years is not readily available in my Department but such supports would have been sanctioned based on the assessed needs of individual pupils.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and there-

after notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 217 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

School Staffing.

875. **Mr. McHugh** asked the Minister for Education and Science if she will approve the appointment of an additional teacher for a school (details supplied) in County Galway; and if she will make a statement on the matter. [10297/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and three mainstream class teachers based on an enrolment of 104 pupils at 30 September 2003. In addition, the school has one learning support teacher, one resource teacher and the services of a resource teacher for Travellers. Hence, the pupil teacher ratio in the school is 17.33:1. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 113 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made in the pupil teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities

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within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Question No. 876 answered with Question No. 857.

School Accommodation.

877. **Mr. Naughten** asked the Minister for Education and Science the reason her Department has refused to approve the allocation of a portacabin for a school (details supplied) in County Roscommon; if she will review this decision; and if she will make a statement on the matter. [10299/05]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers applied for grant aid for temporary accommodation for inclusion in the schools building programme 2005. The application from the school referred to was unsuccessful on this occasion.

Residential Institutions Redress Scheme.

878. **Mr. Neville** asked the Minister for Education and Science her views on whether solicitor fees of 20% of the awards by the Residential Institutions Redress Board is an excessive charge; and if she will make a statement on the matter. [10332/05]

Minister for Education and Science (Ms Hanafin): The issue of legal costs relating to an application to the Residential Institutions Redress Board is addressed in section 27 of the Residential Institutions Redress Act 2002. This section provides that the redress board shall pay an applicant to whom the board has made an award a reasonable amount for expenses incurred by the applicant in the preparation and presentation of the application to the board. The board also pays the costs of any proceedings instituted by the applicant that arise from the circumstances of the application to the board and to which the waiver under section 13(6) applies. In the event that agreement cannot be reached between the board and the applicant or the applicant's legal representative, the matter is referred to the taxing master of the High Court for a decision.

The redress board deals with each bill of costs separately and there is no agreement on a fixed fee of 20% per case. In the Comptroller and Auditor General's report on the redress scheme, a figure of 15% was identified as an estimate for legal and other application costs and 5% for the board's administration costs. Based on information available to my Department from the redress board, the average amount paid to date in legal and other application costs, including costs of other proceedings instituted, is in the region of 15%. This level of costs is significantly below the average costs paid to date in civil cases settled by my Department.

Schools Refurbishment.

879. **Mr. Neville** asked the Minister for Education and Science the reason a school (details supplied) was not granted funding under the summer works scheme. [10333/05]

Minister for Education and Science (Ms Hanafin): The management authority of the school to which the Deputy refers applied for the provision of a play area under the summer works scheme for 2005. The application fell under category 9 of the published prioritisation criteria for the scheme. Due to the level of demand for funding for higher priority projects, it was, unfortunately, not possible to fund the project in question this year.

Schools Building Projects.

880. **Mr. N. O'Keeffe** asked the Minister for Education and Science if she will grant permission to a post-primary school (details supplied) in County Cork to purchase a site for the development of its new school building; and if approval will be given for stage one report. [10334/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria and is being considered for progression in the context of the school buildings and modernisation programme 2005-09.

I have made a number of announcements about the 2005 schools building programme since the beginning of the year. I will make further announcements on projects which will progress, on a phased basis, into the architectural planning process in the next 12 to 15 months.

Higher Education Grants.

881. **Mr. N. O'Keeffe** asked the Minister for Education and Science the position regarding an education grant application by a person (details supplied) in County Cork to Cork County VEC. [10335/05]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third level grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except in exceptional cases where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired. It appears that no such advice or instruction has, to date, been sought in the case of the student referred to by the Deputy.

If an individual applicant considers that he or she has been unjustly refused a maintenance grant or that the rate of grant awarded is not the correct one, he or she may appeal to the relevant local authority or VEC. Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC, and

remains of the view that the body has not interpreted the schemes correctly in his or her case, a letter outlining the position may be sent to my Department. Alternatively, as already indicated, the local authority or VEC may itself, in exceptional circumstances, seek clarification on issues from my Department. However, it is not open to me or my Department to depart from the terms of the maintenance grants schemes in individual cases.

882. **Mr. N. O’Keeffe** asked the Minister for Education and Science the position regarding an application for a person (details supplied) in County Cork for a student grant with Cork County VEC. [10336/05]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third level grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except in exceptional cases where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired. It appears that no such advice or instruction has, to date, been sought in the case of the student, referred to by the Deputy.

If an individual applicant considers that he or she has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, he or she may appeal to the relevant local authority or VEC. Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC, and remains of the view that the body has not interpreted the schemes correctly in his or her case, a letter outlining the position may be sent to my Department. Alternatively, the local authority or VEC may, in exceptional circumstances, seek clarification on issues from my Department. However, it is not open to me or my Department to depart from the terms of the maintenance grants schemes in individual cases.

School Libraries.

883. **Mr. Ardagh** asked the Minister for Education and Science the funding avenues open to a disadvantaged school (details supplied) in Dublin 8 to establish a school library which would include a wider community remit. [10337/05]

Minister for Education and Science (Ms Hanafin): My Department provides library facilities of 100 sq.m. in second level schools with an enrolment of 200 to 499 students, while it provides 136 sq.m. of accommodation for a library in schools with more than 500 students. Schools below 200 are examined individually.

Responsibility for the stocking of school libraries falls to be met by individual school authorities from within normal school budgets. In recent years two grants, amounting to €6.6 million, have been issued to second level schools in the free education scheme to assist them with the

development of their library resource materials. Schools were informed that the grants were to be used to improve the range and quality of library books and an information note offering advice on book purchases was issued. The provision of general library services for the community at large, including the school referred to by the Deputy, is a matter for Dublin City Council. My Department understands that the council’s library section would be prepared to discuss any proposals in this regard with the school.

School Staffing.

884. **Mr. McCormack** asked the Minister for Education and Science the plans she has for the reduction of school classes in primary schools in line with the commitment in the programme for Government; if her attention has been drawn to the fact that the average primary school class in Galway city is currently 25:1 while many schools and classes with 30 or more children; if she will make a statement on her intention and the progress so far in the reduction of class sizes and particularly the reduction of class sizes in Galway city primary schools; if her attention has further been drawn to the fact that a school (details supplied) in County Galway has four senior classes with more than 30 children in each class and junior classes with 30 children; and the steps she will take to rectify this situation. [10359/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

Since 1997, the Government has dramatically increased the number of teachers in primary schools. In that time, more than 4,000 additional teachers, including nearly 2,500 resource teachers, have been employed. These additional teaching posts have been used to reduce class size, tackle educational disadvantage and provide additional resources for children with special needs. Average class size has been reduced from 26.6 in 1996-97 to 23.9 in 2003-04. With regard to primary schools in Galway city, I am pleased to say that the average class size in the 2003-04 school year was 23. In fact, the number of pupils in classes of more than 30 in Galway city halved between 1996-97 and 2003-04. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 11 mainstream class teachers based on an enrolment of 310 pupils on 30 September 2003. In addition, the school has the services of a learning support teacher and a

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resource teacher. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 312 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made in the pupil teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil teacher ratio and average class size for junior classes within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

885. **Mr. McCormack** asked the Minister for Education and Science if her Department will appoint an extra full-time classroom teacher and special needs assistant to a school (details supplied) in County Galway; and if she will make a statement on the matter. [10360/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and two mainstream class teachers based on an enrolment of 65 pupils on 30 September 2003. In addition the school has the services of a learning support teacher and two resource teachers. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 73 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

The Deputy may be aware that the National Council for Special Education, which was established recently and which has been operational since 1 January 2005, is responsible for processing

applications for special educational needs supports.

A total of 71 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents. My Department officials have been informed by the NCSE that there is no application for a special needs assistant from the school in question. It is open to the school to contact the special educational needs organiser directly regarding the appointment of a special needs assistant.

Higher Education Grants.

886. **Ms O'Sullivan** asked the Minister for Education and Science if she will change the system of qualification for mature students whereby if they live outside the country in the autumn of the commencement of their course, they cannot qualify for a third level grant subsequently at any stage during their course; and if she will make a statement on the matter. [10361/05]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's 2004 third level student maintenance grant schemes, students entering approved courses for the first time are eligible for grants where they satisfy the prescribed conditions with regard to age, residence, means, nationality and previous academic attainment.

The condition relating to residency requires, in the case of a candidate under 23, the candidate's parents or guardians to have been ordinarily resident in the administrative area of a local authority or VEC from 1 October 2003. In the case of an independent mature candidate, he or she must have been ordinarily resident in the administrative area of a local authority or VEC from 1 October 2003. The local authority or VEC has discretion to waive this requirement in exceptional circumstances. A mature candidate is defined as a student who is at least 23 years of age on 1 January of the year of entry or re-entry to an approved course.

Mature candidates are categorised as either independent mature candidates or mature candidates dependent on parents. An independent mature candidate is defined to mean a mature candidate who was not ordinarily resident at home with his or her parents from 1 October 2003. Independent mature candidates are assessed without reference to either their parents' income or residence. For the purpose of the residency requirement, normal residence is defined to mean the permanent or ordinary address of the candidate's parents or guardians from 1 October 2003, or, in the case of an independent mature candidate, his or her ordinary or permanent address from 10 October 2003.

Candidates continue to be assessed under the terms and conditions, including the residency requirement, of the scheme appropriate to their year of entry to an approved course. There is, however, provision under the terms of the

schemes for candidates who are re-entering as mature students, following a break in study of at least one year, to pursue or complete an approved course for the first time. Such candidates may be assessed with reference to the terms of the scheme appropriate to the year in which they re-enter. Under this provision, candidates who do not meet the residency requirement of the scheme relevant to the year of first entry may subsequently be eligible with reference to the residency requirement prescribed in the scheme relevant to the year of re-entry.

An example of the type of circumstances where it would be considered appropriate for the local authority or VEC to use its discretion to waive the residency requirement would be in the case of an independent mature candidate who has been outside the State for a short time during the period from 1 October 2003 but who can provide satisfactory proof that he or she had been permanently resident in the State prior to going abroad and subsequently resumed independent permanent residency in the State after the brief period abroad.

School Placement.

887. **Mr. Ferris** asked the Minister for Education and Science the reason a person (details supplied) in County Kerry has been told that they are living in the catchment area for Killahan national school which is over three miles from their home, rather than Ardfert national school which is a distance of two miles. [10383/05]

Minister for Education and Science (Ms Hanafin): The pupil to whom the Deputy refers resides nearer to a school that closed and amalgamated with Killahan national school. In the case of amalgamations, the national school children for whom the closed national school would have been the nearest, had it remained open, are eligible for transport to the school of amalgamation only. However, as there is no school transport service to Killahan national school on which the pupil can be accommodated, concessionary fare-paying transport may be offered to Ardfert national school. In the event that the family hold medical card, the concessionary fare of €26 per term may be waived.

Pupil-Teacher Ratio.

888. **Mr. Quinn** asked the Minister for Education and Science if her attention has been drawn to the special circumstances of a school (details supplied) in Dublin 14 in view of the large number of persons in that school who have English as a second language; the recorded pupil-teacher ratio in that school; if the school's request for an additional teacher will be considered; if so, the stage the request is at; and if she will make a statement on the matter. [10384/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment

of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and ten mainstream class teachers based on an enrolment of 272 pupils on 30 September 2003. The school also has a learning support post and a resource post, hence the pupil teacher ratio in the school is 20.92:1. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 271 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule. Schools catering for non-national pupils who have significant English language deficits are entitled to assistance to enable these pupils gain full access to the curriculum. The school referred to by the Deputy has one permanent post and two temporary posts to cater for such pupils.

Schools Building Projects.

889. **Mr. Ring** asked the Minister for Education and Science the number of schools in Mayo which applied for funding under the summer works scheme 2005 and the number which were successful. [10413/05]

Minister for Education and Science (Ms Hanafin): My Department received 58 applications from schools in County Mayo under the summer works scheme 2005, of which 21 applications were successful.

Vocational Education Committees.

890. **Mr. P. Breen** asked the Minister for Education and Science when the position of chief executive officer of Clare VEC, which was advertised sometime ago, will be filled; and if she will make a statement on the matter. [10414/05]

Minister for Education and Science (Ms Hanafin): The process of advertising and interviewing for the appointment a chief executive officer of a vocational education committee is a matter for the Public Appointments Service. The closing date for receipt of applications for the post referred to by the Deputy has closed. The Public Appointments Service intends to conduct interviews in the near future and is making arrangements with a view to concluding the appointment processes as speedily as possible.

891. **Mr. P. Breen** asked the Minister for Education and Science when the inquiry which was conducted by a person (details supplied) into the involuntary resignation of the CEO of County Clare VEC and other related matters will be published; and if she will make a statement on the matter. [10415/05]

Minister for Education and Science (Ms Hanafin): Issues have been raised with my Department on the terms of reference of the inquiry referred to by the Deputy. These are being dealt with. I expect that the officer appointed to conduct the inquiry will soon be in a position to advance the matter and present a report to my Department. When the report is received, I will be considering it in advance of making it available to the VEC and other interested parties.

Educational Appointments.

892. **Mr. Neville** asked the Minister for Education and Science if she has plans to appoint an extra teacher to a school (details supplied) in County Limerick. [10421/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and five mainstream class teachers based on an enrolment of 163 pupils at 30 September 2003. In addition the school has the services of a learning support teacher and a resource teacher. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 158 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and my Department and its decision is final. Appeals must be submitted to primary payments section of the Department of Education and Science in Athlone, on the standard application form, clearly stating the criterion

under which the appeal is being made, after the schedule for the 2005-06 school year has issued.

State Examinations.

893. **Mr. O'Dowd** asked the Minister for Education and Science if a reader and spelling waiver will be granted to a person (details supplied) sitting the leaving certificate in 2005; and if she will make a statement on the matter. [10422/05]

Minister for Education and Science (Ms Hanafin): On foot of a Government decision, the then Minister for Education and Science formally established the State Examinations Commission on 6 March 2003. The commission now has statutory responsibility for operational matters relating to the certificate examinations. Accordingly, I have passed the query to the chief executive officer of the commission for direct reply.

School Staffing.

894. **Mr. Penrose** asked the Minister for Education and Science if she will take steps to ensure that a person (details supplied) in County Westmeath who has been employed at a national school in County Westmeath since September 2002 as a special needs assistant, is paid the additional hour; if this situation will be rectified; and if she will make a statement on the matter. [10433/05]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education, which has been operational since 1 January 2005, is responsible for processing applications for special educational needs supports. A total of 71 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents. My Department officials have been informed by the NCSE that the matter was referred to the local special educational needs organiser, who has since been in contact with the school authorities regarding the matter.

895. **Mr. Penrose** asked the Minister for Education and Science if she will take steps to ensure the appointment of an extra class teacher to a school (details supplied) in County Westmeath from the 1 September 2005; and if she will make a statement on the matter. [10434/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and four mainstream class teachers, based on an enrolment of 117 pupils on 30 September 2003. In addition, the school has the service of a learning support teacher. My Department will finalise the staffing

schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 137 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and my Department and its decision is final. Appeals must be submitted to the primary payments section of the Department of Education and Science in Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005-06 school year has been issued.

Capitation Grants.

896. **Mr. Naughten** asked the Minister for Education and Science the steps she intends to take to ensure that the primary school capitation grant covers the basic costs of running the schools; if she has satisfied herself that the capitation grant covers these costs; and if she will make a statement on the matter. [10437/05]

Minister for Education and Science (Ms Hanafin): Primary school running costs are met by my Department's scheme of capitation grants. These grants are intended to contribute towards the general operating costs of schools which would include heating, lighting, cleaning, insurance, painting, teaching aids and other miscellaneous charges.

The capitation grant for primary schools has been increased substantially in recent years. Since 1997, the standard rate of capitation grant has been increased from €57.14 per pupil to €121.58 with effect from 1 January 2004 and has been further increased by €12 per pupil with effect from 1 January 2005, bringing the standard rate to €133.58. This represents an increase of almost 134% in the standard rate of capitation grant since 1997. The latest increase in the level of capitation grant is a clear demonstration of my commitment to improve the financial position of primary schools.

Schools Building Projects.

897. **Mr. O'Dowd** asked the Minister for Education and Science the plans she has for the expansion of existing primary schools in County Louth or the construction of new schools to facilitate the large growth in population in the county. [10451/05]

898. **Mr. O'Dowd** asked the Minister for Education and Science the plans she has for the expansion of existing secondary schools in County Louth or the construction of new schools

to facilitate the large growth in population in the county. [10452/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 897 and 898 together.

I am aware that Louth, like many areas located within close proximity to Dublin, continues to experience population growth, a position that almost inevitably places some strain on existing educational provision. However, a range of significant measures has been undertaken by my Department to address the current and future need for pupil places in these areas. In 2004 extensions were provided at Walshestown national school, Tullyallen national school, Scoil Náisiúnta Mhuire in Muchgrange, and Scoil Náisiúnta Mhuire Gan Smal in Cartown. In 2005 11 primary schools in Louth have been invited to participate in the devolved small schools initiative to provide additional accommodation at their schools and to date all have accepted this initiative. Details of the conditions for drawing down the grant are being forwarded to the schools in question. In addition, a new 32-classroom school is proposed for Drogheda, and an eight classroom extension is proposed for scoil náisiúnta Mhuire na nGael in Dundalk. Both of these projects are starting architectural planning this year.

At post-primary level, an extension to Scoil Uí Mhuire, Dunleer, is under construction. An extension to Ardee Monastery is due to go to tender and construction this year. In addition, the extension projects at Drogheda and Dundalk Grammar Schools are at early architectural planning. These initiatives represent huge capital investment and demonstrate my commitment to meeting the needs of the area concerned. The school planning section of my Department will keep the position under review to ensure that any additional emerging needs are met as expeditiously as possible.

A new school planning model involving published area development plans is being piloted in five areas over the current school year. Drogheda is included in the pilot scheme as part of an overall plan for the north Dublin, east Meath and south Louth area. The need for additional primary and post-primary schools in that area will be considered in this context. The purpose of this new approach to school planning is to ensure that the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties from a locality will have the opportunity to have their voices heard in the process.

Arising from this process, an individual plan will set out the blueprint for the future of educational provision in an area, which will be the touchstone against which all decisions in relation to capital investment will be made for the next decade. The draft plan for north Dublin, east Meath and south Louth area is nearing completion in the school planning section of my

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Department and I hope to be in a position to publish it soon.

Modern Language Teaching.

899. **Mr. Howlin** asked the Minister for Education and Science if she will take steps to ensure that legislation intended to curb bogus language schools here does not have the effect of preventing non-EU persons attending bona fide educational establishments here on a short to medium term basis from undertaking part-time employment to alleviate their living expenses; and if she will make a statement on the matter. [10454/05]

Minister for Education and Science (Ms Hanafin): The Department of Justice, Equality and Law Reform has determined that with effect from 18 April 2005, new students who are citizens from outside the European Union, the European Economic Area or Switzerland, registering with the Garda national immigration bureau will not be permitted access to employment unless they are attending a full-time programme of at least one year's duration leading to a qualification recognised by the Minister for Education and Science.

Following a publicly advertised application process, a register of programmes approved by me is being compiled and will be available on my Department's website from 18 April 2005. Programmes listed on this register will have proven quality assurance and validation procedures in place and will lead to awards which are nationally recognised or are approved under the inspection scheme of the advisory council for English language schools. The duration criteria governing a full time programme is 25 weeks and 375 student timetabled hours, including a minimum of 250 tuition hours. Language providers have largely welcomed the introduction of these new procedures in providing a measure of protection for international students coming to Ireland to study.

School Transport.

900. **Mr. Lowry** asked the Minister for Education and Science if she will release the school transport report finalised last year; the plans she has to increase the charges associated with school transport; and if she will make a statement on the matter. [10472/05]

Minister for Education and Science (Ms Hanafin): The review of the school transport scheme within my Department is at an advanced stage. I have no plans to introduce charges for pupils attending primary schools or to increase charges for pupils attending post-primary schools.

Pupil-Teacher Ratio.

901. **Mr. Howlin** asked the Minister for Education and Science if her attention has been drawn to the circumstances at a school (details

supplied) in County Wexford; the timeframe for reduction of the pupil-teacher ratio and improvement in learning supports for this school; if she will consider an application for funding to enable the board of management to provide additional accommodation; and if she will make a statement on the matter. [10474/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on the 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and a mainstream class teacher based on an enrolment of 46 pupils on 30 September 2003. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 44 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule. The school has the services of part time resource teaching hours and a shared learning support teacher.

There is a proposed new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with higher incidence of special educational needs. This system also applies to those with learning support needs, such as those functioning at or below the tenth percentile on a standardised test of reading and mathematics. I am conscious of difficulties that could arise from the proposed model for children in small and rural schools if it were implemented as currently proposed. Accordingly, my Department is reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review involves consultation with educational interests, including the National Council for Special Education. The revised procedure for providing a general allocation of resource hours to schools will be announced in the coming weeks in time to be implemented for the next school year.

The NCSE, which has been operational since 1 January 2005, is responsible for processing applications for special educational needs supports and 71 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents.

With regard to accommodation, my Department's building unit wrote to the school in July 2002, recommending the appointment of a consultant architect to prepare tender documentation for the purchase of a temporary classroom to accommodate the school's resource teacher. The school authorities did not reply and therefore the

matter went no further. If the school authorities still propose to extend the school's mainstream accommodation, they must submit an application to the planning section in my Department which will assess the application against the published criteria. The project will be considered in the context of the schools building programme from 2006 onwards.

Schools Refurbishment.

902. **Mr. Walsh** asked the Minister for Education and Science if she will make a statement regarding the grant application for a school (details supplied) in County Cork. [10485/05]

Minister for Education and Science (Ms Hanafin): My Department's school building section has no record of having received an application from the school in question for the refurbishment of science laboratories at the school. However, the school did apply for grant aid for the purchase of equipment to enable it provide the revised science syllabus for the junior certificate examination and was allocated a grant of €24,300 in December 2004. It is open to the school in question to submit an application for the refurbishment of their science laboratories for consideration under the summer works scheme 2006, the details of which will be announced later in the year.

Question No. 903 answered with Question No. 808

School Staffing.

904. **Mr. G. Mitchell** asked the Minister for Education and Science if she will take urgent steps to address the concerns of a school (details supplied) in Dublin 10; and if she will make a statement on the matter. [10502/05]

1032. **Aengus Ó Snodaigh** asked the Minister for Education and Science when the overcrowding of classes will be addressed at a school (details supplied) in Dublin 10. [11251/05]

1034. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in Dublin 10 is in an area designated as being disadvantaged, that it is a local drugs task force area, that Ballyfermot has the lowest educational attainment levels in Ireland and that failure to give the necessary resources to the school to employ an additional class teacher is adding to the pressures; and when steps will be taken to address this shortfall. [11253/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 904, 1032 and 1034 together.

The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The

system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and ten mainstream class teachers based on an enrolment of 288 pupils on 30 September 2003. The school also has resource teachers, a resource teacher for Travellers, special class teachers and an extra post due to its disadvantage status. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 281 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made in the pupil teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

There is a new proposed new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs, such as borderline mild and mild general learning disability and specific learning disability. This system also applies to those with learning support needs, such as functioning at or below the tenth percentile on a standardised test of reading and-or mathematics. My Department is reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review involves consultation with educational interests including the National Council for Special Education before it is implemented in September 2005.

The ancillary services grant scheme provides additional *per capita* grants for primary schools towards caretaking and secretarial services. This scheme does not provide for the linking of the grants to any particular pay scale. The scheme, by its nature, is flexible and gives boards of management discretion as to the manner in which caretaking and secretarial services are provided.

The level and extent of services provided is a matter for the school authorities which, through the discretion afforded by the scheme, apply diverse arrangements for secretarial services as

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resources permit. As the secretaries are employees of individual schools, this Department does not have any role in determining the pay and conditions under which they are engaged. These are matters to be agreed between the staff concerned and the school authorities.

It is a matter for each individual school, to decide how best to apply the funding to suit the school's particular needs. The standard rate of the ancillary services grant has been increased from a rate of €102 per pupil in 2002 to €133 per pupil this year. The question of increasing the rate of grant in the future will be considered in the context of available resources and priorities within the education sector.

The school to which the Deputy refers is currently included in the disadvantaged areas scheme and Giving Children an Even Break scheme and benefits from a range of supports under both of these programmes.

Schools Building Projects.

905. **Mr. Walsh** asked the Minister for Education and Science the position regarding an extension to a school (details supplied) in County Cork. [10521/05]

Minister for Education and Science (Ms Hanafin): An application for an extension has been received from the management authority of the school referred to by the Deputy. The application is being examined in the school planning section of my Department. When a decision is taken on how best to provide for the school's accommodation needs, the application will be progressed in the context of the schools building and modernisation programme 2005-09.

Decentralisation Programme.

906. **Mr. Naughten** asked the Minister for Education and Science the sections of her Department based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if she will make a statement on the matter. [10536/05]

Minister for Education and Science (Ms Hanafin): My Department has already decentralised with offices in Tullamore and Athlone.

There is also a network of regional offices set up throughout the country. Under the Government's decentralisation plan, the Dublin offices will be moved to either Athlone or Mullingar, with 300 staff moving to Mullingar and 100 staff moving to Athlone. This will be done in two separate phases while at the same time maintaining existing services. In planning how the organisation should be structured post-decentralisation, the criteria to be applied includes minimising the disruption to existing decentralised locations. However, as part of optimising the future struc-

ture of the Department, there is an opportunity to integrate business units where there is a high degree of interaction or co-dependancy and where these units are split among different locations. While there may be some movement from existing decentralised locations where there is a business case to be made for such a move, the overall numbers in each location will remain constant.

Higher Education Grants.

907. **Mr. G. Murphy** asked the Minister for Education and Science the reason a person (details supplied) in County Cork did not qualify for a higher education grant. [10543/05]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third level grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except in exceptional cases where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired.

It appears that no such advice or instruction has to date been sought in the case of the student referred to by the Deputy.

If an individual applicant considers that he or she has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, he or she may appeal to the relevant local authority or VEC. Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC and remains of the view that the body has not interpreted the schemes correctly in his or her case, a letter outlining the position may be sent to my Department. Alternatively, as already indicated, the local authority or VEC may in exceptional circumstances, seek clarification on issues from my Department. However, it is not open to me, or my Department, to depart from the terms of the maintenance grants schemes in individual cases.

Early School Leavers.

908. **Mr. Gregory** asked the Minister for Education and Science her views on correspondence from a school (details supplied) in Dublin 9 regarding the stay in school retention initiative; if funding through the School Completion Programme will be reconsidered for this school in view of the issues detailed in the correspondence; and if she will make a statement on the matter. [10544/05]

933. **Mr. Costello** asked the Minister for Education and Science if the stay in school retention initiative will be retained at a school (details supplied) in Dublin 9; and if she will make a statement on the matter. [10722/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 908 and 933 together.

The new policy framework to be published shortly is the result of a full review of the measures that have been put in place to support pupils from disadvantaged areas over the past two decades. It will be introduced on a phased basis, starting in the next school year, and will involve an additional annual investment of €40 million on full implementation and the provision of some 300 additional posts across the education system.

Apart from the additional investment under the new policy framework, resources and supports will continue on the existing basis for the next school year for schools involved in current schemes and programmes for addressing disadvantage, including the 53 schools involved in the stay in school retention strand of the school completion programme.

Question No. 909 answered with Question No. 795

Education Welfare Service.

910. **Mr. Gregory** asked the Minister for Education and Science the assistance her Department will give to the parent of a person (details supplied) in Dublin 3. [10551/05]

Minister for Education and Science (Ms Hanafin): This issue is a matter for the National Educational Welfare Board, which was established under the Education (Welfare) Act 2000 as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education. I am arranging to pass the Deputy's query to the NEWB for direct reply to him.

Fair Trade Products.

911. **Mr. P. McGrath** asked the Minister for Education and Science if her attention has been drawn to the campaign to have fair trade products widely available and used; her views on the objectives of this campaign; and if she will endeavour to have such fair trade approved products used in her Department. [10567/05]

Minister for Education and Science (Ms Hanafin): I am aware of the fair trade campaign and am supportive of the objectives of the campaign.

In so far as my Department is concerned, the potential use of fair trade products would probably be confined to our staff restaurants. This issue has been raised with the catering managers in our Dublin, Athlone and Tullamore offices who have agreed to investigate the availability of such fair trade products and the feasibility of their use in these locations. I am also open to the potential use of other fair trade products that may

become available, subject to the normal criteria of suitability and value for money.

Schools Building Projects.

912. **Mr. Neville** asked the Minister for Education and Science the position with regard to plans to construct a new community college at Croom, County Limerick. [10570/05]

Minister for Education and Science (Ms Hanafin): An application for an extension has been received from the management authority of the school referred to by the Deputy. The application is being examined in the school planning section of my Department. When a decision is taken on how best to provide for the school's accommodation needs, the application will be progressed in the context of the school building and modernisation programme 2005-09.

Educational Projects.

913. **Mr. English** asked the Minister for Education and Science if a full evaluation of the Walk Tall and On my Own Two Feet programmes has been carried out; the main findings of this evaluation; and if she will make a statement on the matter. [10612/05]

Minister for Education and Science (Ms Hanafin): Walk Tall and On My Own Two Feet are resource programmes for implementation, by primary and postprimary schools respectively, in the context of social and personal health education, SPHE. They are designed to assist schools in educating pupils in the area of substance use and in preventing substance misuse.

In 2003, at the request of my Department, an evaluation of Walk Tall was carried out by Dr. Mark Morgan, St. Patrick's College, Drumcondra. Following the launch of Walk Tall in the mid-1990s, an earlier "formative" evaluation of the pilot phase had also been carried out, in 1981, by Dr. Morgan.

The recent, 2003, evaluation was concerned with an outcome evaluation based mainly on the perceptions of the teachers who were involved in the programme. It was concerned with how the programme fulfilled the main aims that it was intended to achieve, frequency of implementing the programme, satisfaction with the methodology of Walk Tall and the associated lesson plans.

The main findings are as follows. An analysis of the results of the questionnaire indicated that teachers held a very positive view of the programme in terms of its potential outcomes for children, including safety, drug prevention, self-esteem, personal responsibility and decision-making. About 90% of the teachers had taught the Walk Tall programme at least on a monthly basis and the perception of these teachers was that the children enjoyed those lessons. In relation to lesson plans, teachers expressed a high level of satisfaction especially with respect to appropriateness

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of lessons for class, opportunity for activities and having the correct amount of material.

There was almost unanimous agreement that there was “a great need”/ “a very great need” for a programme like Walk Tall. Findings confirmed that the Walk Tall programme has a widely accepted rationale and is based on principles that are in line with modern thinking on prevention. The relevant in-service programme was well received by teachers. The questionnaires to the various parties involved — teachers, trainers and children — indicated that it was seen as an important contribution to the curriculum. About 90% of the teachers had taught the Walk Tall programme at least on a monthly basis and the perception of the vast majority was that the children enjoyed the lessons. In the teachers’ views, the Walk Tall programme links in extremely well with SPHE in the curriculum. This is of importance, particularly in relation to the contextualisation of Walk Tall in the curriculum, as well as addressing the issue of “time available within school day”, which emerged as a concern for teachers.

The evaluation found that there was inadequate progress in schools in relation to policy development on substance misuse prevention. It should be noted that considerable attention had been devoted to this matter in the meantime and that a new survey of schools is in preparation in order to determine the current situation regarding such policies in schools.

A full on evaluation of On My Own Two Feet has not been carried out. However, a full evaluation of SPHE implementation at post-primary level is about to be carried out and this will include references to how useful post-primary schools find On My Own Two Feet as a resource. In the meantime, informal reports through the SPHE support service indicate that post-primary schools regard On My Own Two Feet as a valuable source.

Question No. 914 answered with Question No. 808.

School Transport.

915. **Mr. Walsh** asked the Minister for Education and Science if a decision will be made on a school transport service (details supplied) in County Cork. [10614/05]

Minister for Education and Science (Ms Hanafin): I should explain that for the purpose of the post-primary education scheme, the country has been divided into catchment areas, each of which has its own post-primary centre. While it is the prerogative of parents to send their children to the school of their choice, it is not the object of the school transport scheme to facilitate parents in exercising that choice. Recognised post-primary pupils who live at least 4.8 kilometres from the post-primary centre of the catchment area in which they reside, are eligible for

transport under the scheme to that centre. Eligible pupils who wish to attend a post-primary centre other than their appropriate one may be allowed transport from within the catchment boundary of the centre being attended, subject to there being spare accommodation available on the service and provided that no additional State cost is incurred.

It is the practice of my Department to consult local educational interests, where any adjustment is being proposed to the existing catchment boundary arrangements. My Department has no plans to review the catchment areas in question.

School Accommodation.

916. **Mr. P. McGrath** asked the Minister for Education and Science if her attention has been drawn to the shortage of school places in the Mullingar area for pupils wishing to commence primary school or to register in a primary school on moving residence to that town; if she will undertake a review of availability of places and school accommodation in the Mullingar area; and if she will make a statement on the matter.

[10625/05]

Minister for Education and Science (Ms Hanafin): The Mullingar catchment area is served by 21 primary schools, including a gaelscoil and a new multi-denominational school which commenced operation last September. Excluding the gaelscoil, which has developed into an eight teacher school, as expected, and the new multi-denominational school which is developing, the total number of extra primary school pupils which came on stream in the Mullingar catchment area between the years 1999/2000 and 2003-04 is 190. At current pupil-teacher ratios, this equates to approximately an extra 6.5 class groups. While this would have a significant impact on a single school, it is not unreasonable to expect that 19 schools could between them cater for this number.

In recent years my Department has provided temporary accommodation in a number of schools in the area to ease pressure. This includes provision at two schools — Curraghmore and Gainstown — which, between them, are catering for almost 100 of the 190 extra pupils referred to above. Two other schools received funding under the new devolved initiatives to improve accommodation.

It is important to understand that many parents, when enrolling pupils, do so in a number of schools. This has the effect of distorting pre-enrolment lists and creating the impression that there is a shortage of places. In addition, some parents may be disappointed in not obtaining a school of first choice especially if a school is particularly popular. This can also be interpreted as representing a shortage of places.

One of my Department’s chief concerns in any given area is to ensure that schools can between them cater for the number of pupils presenting. This is the case in Mullingar. Boards of manage-

ment are expected to manage the situation to reflect this position.

While there is pressure on some schools for places, one school in particular, in the centre of the town, has lost 50 pupils in the last five years. With the exception of an extra demand for places in the gaelscoil, which my Department is taking action to rectify, there has been no indication whatsoever that pupils have had difficulties in gaining access to schools last September.

In the Mullingar town plan for 2002 to 2008, the local authority specifically states “the existing school infrastructure is considered to be of a capacity to meet the needs of the school-going population over the period of the plan”. My Department accepts that Mullingar is a developing town in the medium to long term and is taking a number of steps to ensure that its future needs are met in a timely fashion. First, a number of extension projects will be considered for progress under the 2005 school building programme. Second, the extension of the gaelscoil to 16 classrooms to provide an extra 240 pupil places is being pursued together with the development of the new multi-denominational school to 16 classrooms which will provide an extra 480 pupil places. Third, a senior Department inspector recently visited all primary schools in the area and his findings will form part of an in depth analysis of both primary and post-primary infrastructural provision in Mullingar which will be carried out as soon as possible.

Pupil-Teacher Ratio.

917. **Mr. Quinn** asked the Minister for Education and Science if her attention has been drawn to a national school (details supplied) in Dublin 4 which has a split class in which there are 13 junior infants and 15 senior infants in the same classroom under the care and supervision of one teacher; the way in which this relates to the commitment in the programme for Government which states that the average set of classes for children under nine will be below the international best practice guideline of 20:1; and if she will make a statement on the matter. [10628/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and three mainstream class teachers based on an

enrolment of 95 pupils at 30 September 2003. The school also has a resource teaching post.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 91 pupils. The staffing for the 2005/2006 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made in the pupil teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. Average class size has also fallen from 26.5 in 1996-97 to 24.9 in 2003-04. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio and class size at junior level within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

918. **Ms Shortall** asked the Minister for Education and Science if she will provide a breakdown of class sizes for every class of every school for primary and post-primary schools in Dublin 9 and Dublin 11. [10631/05]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not readily available in my Department. If the Deputy would like information on a particular school, I would be happy to provide it.

Question No. 919 answered with Question No. 864.

School Capital Programme.

920. **Mr. Howlin** asked the Minister for Education and Science the amount spent from the school capital programme on primary schools in County Wexford in 2004; and if she will make a statement on the matter. [10638/05]

Minister for Education and Science (Ms Hanafin): A sum of €4,329,738 was spent on specific capital projects in primary schools in County Wexford in 2004. In addition, each primary school in the county received both a minor works grant in the amount of €3,809 per school and €12.70 per pupil and a science grant in the amount of €1,000 per school and €10 per pupil. The science grant is to assist in the acquisition of appropriate resources for science classes. Under the schools information and communication technologies programme, 95 primary schools in Wexford received a total sum of £374,793 in 2004.

Information relating to payments made for asbestos and radon remediation is not stored on a county basis. Therefore, it is not possible to quantify the investment in these programmes on a county basis.

Special Educational Needs.

921. **Mr. Howlin** asked the Minister for Education and Science the number of applications for special needs assistants submitted to her Department from primary schools in County Wexford in 2004; the number of special assistants employed by schools in County Wexford during 2004; and if she will make a statement on the matter. [10639/05]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is not readily available. I will make arrangements to have the available information supplied directly to the Deputy.

922. **Mr. Howlin** asked the Minister for Education and Science the number of applications for special needs assistants submitted to her Department from secondary schools in County Wexford in 2004; the number of learning support teachers employed by schools in County Wexford in 2004; and if she will make a statement on the matter. [10640/05]

Minister for Education and Science (Ms Hanafin): The position is that my Department has allocated 17.5 learning support teaching posts to post-primary schools in County Wexford. The number of applications for special needs assistants is being compiled by my Department and I will forward it to the Deputy as soon as it is available.

Every effort is made to ensure that children with special educational needs receive an education appropriate to their needs. Decisions regarding the most appropriate model of response in each particular case are based on the professionally assessed needs of the individual child.

923. **Mr. Connolly** asked the Minister for Education and Science the functions carried out by the special needs organisations; and if she will make a statement on the matter. [10653/05]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education, NCSE, was established in December 2003, as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order 2003. There are 71 special education needs organisers, SENOs, employed by the council since September 2004, who have been deployed on a nationwide basis, with at least one SENO being deployed in each county. Each SENO is responsible for the primary and second level schools in their area and they have made contact with each of their schools and informed them of their role. A recruitment process for a further nine SENOs has been commenced by the council to bring their total up to 80 persons nationwide.

With effect from 1 January 2005, the NCSE has taken over responsibility for processing resource applications for children with disabilities who

have special educational needs. Under the new arrangements, the council, through the local SENO will process the relevant application for resources and inform the school of the outcome.

The establishment of the NCSE will greatly enhance the provision of services for children with special educational needs, SEN, and result in a timely response to schools which have made application for SEN supports. The local service delivery aspect of the council's operation through the SENOs will provide a focal point of contact for parents-guardians and schools and will, I am confident, result in a much improved service for all.

Student Councils.

924. **Mr. Connolly** asked the Minister for Education and Science her proposals to encourage the development of student representative councils for post-primary schools; and if she will make a statement on the matter. [10654/05]

Minister for Education and Science (Ms Hanafin): Officials of my Department are participating in a working group on student councils, which was established in June 2003 by the National Children's Office. The working group, as part of its brief, will seek to identify the barriers, if any, to the establishment of student councils and the measures needed to encourage the establishment of student councils, including supports for student council structures at national and local level.

The working group on student councils, which is chaired by the National Children's Office and is representative of students and all the partners in education, was set up to encourage the establishment of effective and democratic student councils in all post-primary schools in the country. This is in accordance with the Education Act 1998, which encourages the establishment of student councils in all post-primary schools and with goal 1 of the national children's strategy which is to give children and young people a voice in matters that affect their lives.

Under section 27 of the Education Act 1998, students in a post-primary school may establish a student council, the role of which is to promote the involvement of students in the affairs of the school in co-operation with the board of management, parents and teachers. This development originated in my Department's recognition that students have a voice and a contribution to make to their school and these councils can play an integral and important role in the school community by providing a representative structure through which students can debate issues of concern and undertake initiatives of benefit to the school and the wider community.

In 2002, my Department issued comprehensive guidelines on student councils to all second level schools. The guidelines, entitled, Student Councils: A Voice for Students, provide practical guidance for school management, teachers and

students in relation to the establishment and operation of student councils.

The working group will report on its findings, including a proposed three-year strategy to support the establishment and development of student councils, to the Minister of State with responsibility for children by June 2005.

Question No. 925 answered with Question No. 808.

Third level Courses.

926. **Mr. Connolly** asked the Minister for Education and Science the number of third level places provided for speech and language therapy students per year; her proposals to address the shortage of speech and language therapists; and if she will make a statement on the matter. [10656/05]

Minister for Education and Science (Ms Hanafin): In May 2002, the then Minister for Education and Science announced the provision of 175 additional therapy training places to tackle shortages of physiotherapists, occupational therapists and speech and language therapists as identified in the report *Current and Future Supply and Demand Conditions in the Labour Market for Certain Professional Therapists*, which was undertaken by Dr. Peter Bacon and Associates in 2001 — the Bacon Report.

As part of this initiative, an additional 75 speech and language therapy places were provided at University College Cork, UCC, the University of Limerick, UL, and the National University of Ireland Galway, NUIG. Intake to these courses commenced in the 2003-04 academic year and all of the places were filled. The provision of these extra places has meant that the number of places on speech and language therapy courses has quadrupled from 25 in the 2002-03 academic year to 100 for the 2003-04 academic year.

Adult Education.

927. **Mr. Connolly** asked the Minister for Education and Science if she proposes to implement the McIver report on adult education; and if she will make a statement on the matter. [10657/05]

Minister for Education and Science (Ms Hanafin): The McIver report on the post-leaving certificate review was commissioned by my Department to examine the sector and make recommendations regarding the organisational, support, development, technical and administrative structures and resources required in schools and colleges with large-scale post-leaving certificate or PLC provision, having regard to good practice in related areas across the system and in other countries. The final report was completed in April 2003. The report contains 21 over-arching recommendations, incorporating over 90 sub-recommendations.

My Department is engaged in discussions with the Irish Vocational Education Association in

relation to the structural changes envisaged in the report, their implications and costs.

School Placement.

928. **Mr. Carey** asked the Minister for Education and Science if a person (details supplied) will be allocated a place in a school in Dublin 8; and if she will make a statement on the matter. [10659/05]

Minister for Education and Science (Ms Hanafin): Officials of my Department have been in contact with the National Educational Welfare Board in relation to the child referred to by the Deputy. The educational welfare officer for the area has been and will continue to work with the child's mother to assist her in securing a school place for her child. I understand that application for enrolment has been made to a number of schools, including the school referred to by the Deputy. When a decision on enrolment is communicated to the child's mother and if that decision is to refuse enrolment, then that decision can be appealed to the Secretary General of my Department under section 29 of the Education Act 1998.

Section 29 of the Education Act 1998 provides parents with an appeal process to the Secretary General of my Department, where a board of management of a school or a person acting on behalf of the board refuses to enrol a student. Where an appeal under section 29 is upheld, the Secretary General of my Department may direct a school to enrol a pupil. The educational welfare officer can assist parents in submitting an appeal under section 29 of the Education Act 1998.

As an interim measure, the child is now in receipt of a grant for home tuition hours for the remainder of the 2004-05 school year.

Grant Payments.

929. **Mr. Broughan** asked the Minister for Education and Science the grants and other financial assistance awarded by her Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the name of the organisation or group; the amount awarded; and the purpose for which it was awarded. [10660/05]

Minister for Education and Science (Ms Hanafin): Various business units of my Department fund organisations that provide services for both men and women. The youth affairs section of the Department administers the youth service grants scheme. The continued funding of voluntary youth organisations through this scheme is intended to ensure the emergence, promotion, growth and development of youth organisations with distinctive philosophies and programmes aimed at the social education of young people.

Funding for the support of voluntary youth work is made available on an annual basis to 31 national and major regional voluntary youth organisations through this scheme. Of these 31

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youth organisations, four provide services exclusively for females and one provides services exclusively for males. Funding under the youth service grants scheme for the last three years, male only, was as follows: Boys Brigade, 2004, €16,510; 2003, €15,860; and 2002, €15,427.

The further education section of the Department funds the education equality initiative. Its objective is to address gaps in the provision of education and training for educationally disadvantaged men and women and specific marginalised groups. Funding is intended to be used to seed innovation and learning which will inform future practice, particularly in ensuring effective strategies for those who are most in need. It provides for education, training and supports to develop models of good practice and to promote community education models to disadvantaged adults.

Funding under the education equality initiative, phase 2, male only, is as follows. The Mevagh Resource Group was awarded €138,659 in 2004 under phase 2 of the education equality Initiative. This project was set up to identify the educational needs of rural men.

Nexus Europe Limited was awarded €300,000 in 2004 under the education equality initiative, phase 2. This project was set up to address educational needs of older single men in two west of Ireland communities.

The gender equality unit of the Department has funded the Men's Development Network which received a development grant of €20,916 in 2003. The grant was awarded to upgrade their website to incorporate information on the gender equality unit of the Department of Education and Science, develop a database, and develop a monthly newsletter.

930. **Mr. Broughan** asked the Minister for Education and Science the grants and other financial assistance awarded by her Department in each of the past three years to women's organisations and groups or organisations providing services primarily for women, including the name of the organisation or group; the amount awarded; and the purpose for which it was awarded. [10661/05]

Minister for Education and Science (Ms Hanafin): Various business units of my Department fund organisations that provide services for both men and women. The youth affairs section of the Department administers the youth service grants scheme. The continued funding of voluntary youth organisations through this scheme is intended to ensure the emergence, promotion, growth and development of youth organisations with distinctive philosophies and programmes aimed at the social education of young people.

Funding for the support of voluntary youth work is made available on an annual basis to 31 national and major regional voluntary youth organisations through this scheme. Of these 31 youth organisations, four provide services exclus-

ively for females and one provides services exclusively for males.

Funding under the youth service grants scheme for the last three years, female only, was as follows:

Year	€
<i>Catholic Guides of Ireland</i>	
2004	290,481
2003	279,309
2002	267,308
<i>Girls Brigade</i>	
2004	48,772
2003	46,896
2002	43,112
<i>Girls Friendly Society</i>	
2004	31,681
2003	30,434
2002	26,553
<i>Irish Girl Guides</i>	
2004	415,662
2003	399,675
2002	363,014

The youth affairs section of the Department also administers the special projects for youth scheme. The continued funding of special projects through this scheme is intended to provide out-of-school youth work programmes and services for young people in particular need i.e those young people who are deemed to be at risk due to a number of factors, including substance abuse, early school-leaving, crime and homelessness. Projects facilitate the personal and social development of participants, thus enabling them to realise their full potential. This aim underpins all programmes and activities of special projects for youth. Funding was made available on a once-off basis in 2004 to one project providing services exclusively for females as follows: Young Mothers in Education project, Galway received €25,000 in 2004.

The further education section of the Department funds the education equality initiative. Its objective is to address gaps in the provision of education and training for educationally disadvantaged men and women and specific marginalised groups. Funding is intended to be used to seed innovation and learning which will inform future practice, particularly in ensuring effective strategies for those who are most in need. It provides for education, training and supports to develop models of good practice and to promote community education models to disadvantaged adults.

Funding under the education equality initiative, phase 2, female only, is as follows. Ballyfermot Partnership was awarded €244,000 in 2004 under the education equality initiative, phase 2. This project is designed to empower adults to be

involved in an holistic learning experience with their children.

Ennis Community Development Project was awarded €97,600 in 2004 under the education equality initiative, phase 2. This project promotes intercultural relationships and awareness. The Irish Countrywomen's Association were awarded 23,000 in 2003 and 2004 for community education.

The gender equality unit has funded a project being carried out by the Women of the North West Limited. This is a research project on how a community-based approach to education and training encourages rural women to participate in local civil society. The research was carried out between 2002 and 2004 at a cost of €11,220. A report will be published shortly.

Teenage parenting projects were in receipt of funding under the fund for the development of targeted educational responses to certain children at risk from 1999 to 2003. The objective of the children at risk fund is to develop preventative and supportive programmes, which are targeted at children and young people who are at risk of educational disadvantage and social exclusion. The fund is administered by the social inclusion unit of the Department.

The Limerick teenage parents education support project for pregnant teenage parents under 19 years of age received €30,000 in 2002 and €30,000 in 2003. Waterford student mothers' group for student mothers in five second level Waterford schools aged 15 to 19 years old received €98,000 in 2002 and €98,000 in 2003. Galway teenage parents education support project for pregnant teenagers-teen parents under 20 years of age received €43,200 in 2002 and €43,200 in 2003. Barnardos teenage parents support project, EHB, for pre- and post-natal teenagers under 20 years of age in the Dublin 8, Dublin 24, Drimnagh and Crumlin areas received €35,000 in 2002 and €35,000 in 2003.

Cork University Hospital teenage parents' education programme, Cork city, employs a part-time project worker who is available to attend with the maternity social worker at antenatal clinics. This person sets up support classes to explore options and solutions where necessary for problems particular to the pregnancy. This would include educational status and intentions of the pregnant parent/s. This project received €29,203 in 2002.

From 2004, the education element of six teenage parenting projects under the Crisis Pregnancy Agency, in Galway, Waterford, Limerick, North Eastern Health Board, Coolock and Barnardos in Dublin, are being funded as a specific gender equality strand under the school completion programme.

The young parents supported by the teenage parenting projects are given the opportunity to reach their full potential through continued participation in education and training. This will improve their life opportunities and reduce the likelihood of the young family experiencing pov-

erty and social exclusion and being long-term dependants on State support.

2004-05 funding under SCP

Project	€
Galway Teenage Parenting	28,800
Limerick Teenage Parenting	20,000
Waterford Teenage Parenting	65,350
Barnardos EHB	23,350
Coolock Teenage Parenting	25,000
NEHB Teenage Parenting	20,000

School Staffing.

931. **Mr. Connaughton** asked the Minister for Education and Science if her attention has been drawn to the fact that there is a need to maintain a full-time resource teacher at a school (details supplied) in County Galway; if her attention has further been drawn to the fact that the current enrolment is 133; that there are five mainstream class teachers which means an average class size of 26.6 with one classroom alone having 31 pupils; and if she will make a statement on the matter. [10662/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school for the school year 2004-05 is a principal and four mainstream class teachers based on an enrolment of 129 pupils at 30 September 2003. In addition, the school has one learning support teacher based in the school sharing with one other school and one full-time resource teacher.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school referred to by the Deputy was 135 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

A revised system for allocating resource teachers and learning support teachers was announced last year and a review of this system is taking place with particular reference to its impact on small and rural schools. I expect this

[Ms Hanafin.]
review to be completed in the coming weeks in time to be implemented for the next school year.

Psychological Service.

932. **Mr. S. Ryan** asked the Minister for Education and Science if her attention has been drawn to the fact that there are pupils attending a school (details supplied) in County Dublin who have had psychological assessments recommending learning support and that the board of management is unable to meet their needs due to the fact that there is no learning support teachers in the school; and if she will recommend the appointment of such a teacher for the school as a matter of urgency. [10721/05]

Minister for Education and Science (Ms Hanafin): I am aware of the situation in the school in question. I trust that the Deputy is aware of the proposed new system for resource teacher allocation announced by my predecessor in 2004 which 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, i.e., functioning at or below the tenth percentile on a standardised test of reading and/or mathematics.

I am conscious of difficulties that could arise in relation to the proposed model for children in small and rural schools, if it were implemented as proposed. Accordingly, my Department is currently reviewing the proposal to ensure that it provides an automatic response for pupils with higher incidence special educational needs. The review involves consultation with educational interests, including the National Council for Special Education, NCSE. The revised procedure for providing a general allocation of resource hours to schools will be announced in the coming weeks, in time to be implemented for the next school year. My officials will liaise with the school following the completion of the review process.

Question No. 933 answered with Question No. 908.

Question No. 934 answered with Question No. 824.

School Staffing.

935. **Mr. P. Breen** asked the Minister for Education and Science the status of an application for a full-time resource teacher for Travellers for a school (details supplied) in County Clare; when the application will be processed; and if she will make a statement on the matter. [10738/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has the services of a resource teacher for Travellers post shared with another school. I can confirm that the school has submitted an application

for a resource teacher post for traveller pupils to be based full time in the school. A decision on the application will be conveyed to the school as soon as the application has been considered.

Higher Education Grants.

936. **Mr. G. Mitchell** asked the Minister for Education and Science if he will review the decision not to approve a degree course for grant purposes for a person (details supplied) in Dublin 10; and if she will make a statement on the matter. [10741/05]

Minister for Education and Science (Ms Hanafin): The third level student support schemes administered by the local authorities and the vocational education committees, under the aegis of my Department, offer financial assistance to eligible students attending approved third level courses. Students entering approved courses for the first time are, generally speaking, eligible for grants where they satisfy the relevant conditions as to age, residence, means, and nationality.

An approved course for the purpose of the schemes means a full-time undergraduate course of not less than two years duration and a full-time postgraduate course of not less than one years duration pursued in an approved institution.

As the course referred to by the Deputy does not meet the definition of an approved course for the purposes of the schemes, it has not been approved for inclusion in the maintenance schemes. The course referred to by the Deputy is not recognised for grant assistance purposes.

The terms and conditions of the schemes are reviewed by my Department annually and revised where necessary. Additional courses may be approved under the schemes only where they meet the prescribed definition of an approved course.

School Staffing.

937. **Mr. Hayes** asked the Minister for Education and Science when resource hours will be sanctioned for a person (details supplied) in County Tipperary. [10757/05]

Minister for Education and Science (Ms Hanafin): I can confirm that an application for resource teaching support for the pupil in question was considered by my Department. Resource teaching support was not granted as the assessed intellectual ability is not in the required range.

The Deputy may be aware that the National Council for Special Education, NCSE, which became operational on 1 January 2005, now processes applications for special educational needs, SEN, supports. The NCSE will undertake to review the decision on resource teaching supports on foot of a request from the school or parents-guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The NCSE has outlined this process in its circular 01/05, which issued to all primary schools.

My officials have been in contact with the local special educational needs organiser, SENO, who has confirmed that no additional information has been received in this case. However, if additional information is made available the SENO will further review the case and notify the school accordingly.

Special Educational Needs.

938. **Mr. Haughey** asked the Minister for Education and Science if she will advance proposals submitted to her Department by parents to establish a class for children with Asperger's syndrome at a school (details supplied) in Dublin 3; and if she will make a statement on the matter. [10807/05]

Minister for Education and Science (Ms Hanafin): My Department has been actively engaged in pursuing the development of a second level unit for children with Asperger's syndrome on Dublin's north side. The management authority of the school referred to by the Deputy has accepted a proposal to host such a unit and this is now being established in that school.

School Placement.

939. **Ms Burton** asked the Minister for Education and Science the position in relation to the enrolment of a person (details supplied) at a school in Dublin 15; and if she will make a statement on the failure of this person to be offered a place at the school despite having been on the waiting list for the school for a number of years. [10808/05]

Minister for Education and Science (Ms Hanafin): The compulsory school starting age in a national school is six years of age. Enrolment in individual schools is the responsibility of the managerial authority of those schools and my Department does not seek to intervene in decisions made by schools in such matters. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard, a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with section 7 of the Equal Status Act 2000.

Where a board of management refuses to enrol a student in a school, the parent of the student or, where the student has reached 18 years of age, the student himself or herself, following the conclusion of any appeal procedures at school level,

has a statutory entitlement under section 29 of the Education Act to appeal that decision to the Secretary General of the Department of Education and Science. A committee is established to hear the appeal with hearings conducted with a minimum of formality. In most cases appeals must be dealt with within 30 days. Where appropriate, the Secretary General may give whatever directions to the board of management that are considered necessary to remedy the matter complained of.

Pupil-Teacher Ratio.

940. **Mr. O'Shea** asked the Minister for Education and Science her views on whether 2500 additional trained teachers will be required to bring class sizes in primary schools in line with the accepted best practice size of 20:1; if it will be possible to provide those additional teachers by the end of this decade; and if she will make a statement on the matter. [10821/05]

Minister for Education and Science (Ms Hanafin): The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. The number of teachers required to implement any adjustment to the staffing schedule will depend on the level of improvement introduced and on pupil numbers. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

The total intake to the colleges of education has more than doubled since 1995-96, from 500 students in 1995-96 to 1,280 students this year. In addition, graduates of the new primary teacher training course, which is being accredited by HETAC and delivered by Hibernia College, an on-line third level educational company, will be recognised for the purposes of primary teaching.

Each year my Department decides on the number of places to be provided on teacher training programmes, both in respect of school-leavers and postgraduate applicants, in the colleges of education having regard to the projected demand for qualified primary teachers. This process will continue in the future with due regard to any improvements being made in average class size.

School Curriculum.

941. **Mr. O'Shea** asked the Minister for Education and Science, further to Parliamentary Question No. 156 of 17 February 2005, when it is anticipated that the National Council for Curriculum and Assessment will report on its ongoing review of languages in the post-primary curriculum and the feasibility of expanding provision at primary level; and if she will make a statement on the matter. [10822/05]

Minister for Education and Science (Ms Hanafin): My Department launched a pilot project for modern languages in primary schools in September 1998. The aims of the pilot project included the development of communication skills in four target languages which are French, German, Spanish and Italian, the fostering of positive attitudes to language learning and the diversification of the languages taught in schools. To achieve these aims in the project schools the teaching of a modern European language to pupils in 5th and 6th classes was introduced. Currently, 394 schools are participating in the initiative at primary level.

At the request of my Department, the National Council for Curriculum and Assessment, NCCA, has carried out a feasibility study of the teaching of modern languages in the primary curriculum. The report, completed last year, recommended that any decision on the place of modern languages in the primary curriculum should be deferred until the revised primary curriculum has been implemented in full. This will be 2007 at the earliest. Until then, the initiative will continue with support provided by a team of language specialists and funded by my Department. Also, the NCCA is engaging in additional research and some pilot projects with initiative schools to further inform its advice when the primary curriculum has been fully implemented.

My Department is working closely with language experts from the Council of Europe to facilitate the analysis of language practice at primary and post-primary level, with a view to the formulation of an integrated language policy. This analysis will include Irish as well as the development of criteria for decision-making on issues such as the inclusion of additional languages in the curriculum. This will complement ongoing work by the NCCA, which is engaged in reviewing languages in the post-primary curriculum and the feasibility of expanding provision at primary level.

Schools Building Projects.

942. **Mr. Durkan** asked the Minister for Education and Science if and when funding for school building and budget will be authorised for a school (details supplied) for children with autism which has the capacity to accommodate 30 autistic children, providing specialised education; and if she will make a statement on the matter. [10823/05]

Minister for Education and Science (Ms Hanafin): An application for funding in relation to a temporary structure provided by Stepping Stones, Meath ABA School was recently the subject of an appeal in my Department. The appeals process is now finalised. An official from my Department's school building section recently met with members of Stepping Stones Meath ABA Limited to discuss the outcome. Further consideration is now required on behalf of Stepping Stones Meath ABA Limited and upon

receipt of the required information the matter will be progressed further by my Department.

Special Educational Needs.

943. **Mr. Durkan** asked the Minister for Education and Science if a person (details supplied) in County Kildare will continue to receive two and a half hours resource teaching at a school (details supplied); and if she will make a statement on the matter. [10824/05]

Minister for Education and Science (Ms Hanafin): The school in question has the services of two full-time resource teachers and a shared learning support teacher. It is a matter for the school to deploy these resources to meet the special educational needs, SEN, of the pupils in the school. It would be expected that this pupil's SEN can be met from within the current resource-learning support teaching allocation available to the school.

In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This model, which was announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. I have made it clear that while I am in favour of using a general allocation model, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. For this reason I have asked my Department to conduct a review of the model announced last year. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year.

Departmental Rates.

944. **Mr. Boyle** asked the Minister for Education and Science the annual fees paid to each chairperson and director in each statutory board under the remit of her Department. [10884/05]

Minister for Education and Science (Ms Hanafin): The information which the Deputy has sought is as follows: the Higher Education Authority chairperson is paid a departmental Secretary General level salary. The 18 ordinary board members, who are directors, receive an annual fee of €6,348.69.

The Residential Institutions Redress Board chairperson is a High Court judge who is paid a salary from the Courts Service. The ten ordinary members of the board are paid a daily rate of €825 with an upper remuneration ceiling of €149,184 per annum.

The Residential Institutions Redress review committee chairperson is a judge and is paid a salary from the Courts Service. The three ordinary members of the review committee are paid a daily rate of €825 with an upper remuneration of €149,184 per annum.

An annual allowance of €10,157.90 is paid to the chairperson of the board of the State Examinations Commission and €6,348.69 is paid to each of the four commissioners.

Schools Building Projects.

945. **Mr. J. O’Keeffe** asked the Minister for Education and Science the average cost of new two teacher schools, built over the past three years. [10914/05]

Minister for Education and Science (Ms Hanafin): Only one new two classroom school has been built in the past three years at a cost of €444,395. Another new two classroom school was approved to go to tender and construction on the 2004 school building programme. This project went to tender in late 2004. However, the tender outcome was significantly in excess of the budget for the project. My Department has advised the school authority that the project can proceed as early as possible in 2005 provided significant cost reductions are achieved. The briefs for other two classroom schools on the school building programme comprised a combination of new build and renovation. In recent years, my Department has provided funding for smaller schools through the small schools’ initiative to enable these schools refurbish and extend existing properties or build new two teacher schools.

Special Educational Needs.

946. **Mr. Neville** asked the Minister for Education and Science when a one to one resource teacher will be available to a person (details supplied) in County Limerick. [10915/05]

Minister for Education and Science (Ms Hanafin): An application for resource teaching hours for the pupil referred to by the Deputy was considered by my Department. The school was advised that the pupil’s special education needs, SEN, appear to be within the high incidence disability category. It would be expected that the pupil’s SEN can be met from within the current resource-learning support teaching allocation available to the school. The school has the services of a shared learning support teacher and resource teaching hours. It is a matter for the school to deploy these resources to meet the SEN of the pupils in the school.

In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This

model, which was announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. The model was constructed in order that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

The advantages of using a general allocation model are as follows: it facilitates early intervention as the resource is in place in the school when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it gives more security to special education teaching posts and makes special education teaching a more attractive option; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services; it will automatically adjust a school’s general allocation on the basis of changing enrolment.

I have made it clear that while I am in favour of using a general allocation model for the reasons I have just given, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. For this reason, I have asked my Department to conduct a review of the model announced last year. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year.

Schools Building Projects.

947. **Mr. J. Higgins** asked the Minister for Education and Science the action her Department proposes to take to upgrade a school (details supplied) in Dublin 20. [10916/05]

Minister for Education and Science (Ms Hanafin): The scope of the works required at the school concerned is appropriate to the summer works scheme. The school referred to by the Deputy applied under the scheme 2005 for the installation of security lighting. I am pleased to announce that the school’s application was successful. I will announce details of the summer works scheme 2006 shortly and it will be open to the management authority of the school to apply for further projects under that scheme.

The school in question also has an application with my Department for a major capital project, which has been assessed in accordance with the published prioritisation criteria. This project is being considered in the context of the school buildings and modernisation programme.

School Enrolments.

948. **Mr. Morgan** asked the Minister for Edu-

[Mr. Morgan.]

cation and Science the notification which was received from the Department of Justice, Equality and Law Reform regarding the 20 non-national families moved by that Department from Athlone to Dundalk; the advance actions which were taken to accommodate the educational needs of the families; if schools in the area were consulted regarding these needs; and if she will make a statement on the matter. [10920/05]

Minister for Education and Science (Ms Hanafin): The school planning and the primary administration sections or the relevant regional offices of my Department did not receive any notification of the transfer of non-national families from Athlone to Dundalk as referred to by the Deputy, nor would such notification necessarily be required. Arrangements may have been made locally with the relevant school authorities in the normal way in relation to meeting the educational needs of any pupils newly enrolled in the area concerned.

949. **Mr. S. Ryan** asked the Minister for Education and Science if her attention has been drawn to the alarming situation that has developed in Skerries, County Dublin whereby parents are unable to secure places for their children in primary schools in Skerries, Balbriggan or Lusk; the action she intends to take to resolve this issue. [10952/05]

Minister for Education and Science (Ms Hanafin): Enrolments at the two primary schools in Skerries are stable and I have not been made aware of particular difficulties regarding demand for primary school places in the area. However, officials in the school planning section of my Department are reviewing the overall primary educational needs of the area. As the Deputy will be aware, a new school planning model involving published area development plans is being piloted in five areas in the current school year. Included in the pilot scheme is an overall plan for the north Dublin-east Meath and south Louth area. The need for additional primary facilities in that area will be considered in this context.

The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties from a locality will have the opportunity to have their voices heard in the process. Arising from this process, an individual plan will set out the blueprint for the future of educational provision in an area, which will be the touchstone against which all decisions in relation to capital investment will be made for the next decade. The draft plan for north Dublin-east Meath and south Louth area is nearing completion in the school planning section of my Department and I hope to be in a position to publish it shortly.

Special Educational Needs.

950. **Mr. Stagg** asked the Minister for Education and Science if any assessment has been carried out of the effectiveness of the policy of integration of special needs pupils into mainstream classrooms in which the pupil-teacher ratio is above the 20:1 recommended and planned ratio, particularly in cases in which the pupil-teacher ratio is in excess of 25:1; and if she will make a statement on the matter. [10953/05]

Minister for Education and Science (Ms Hanafin): My Department has not carried out any assessment of the effectiveness of the policy of integration of special needs pupils into mainstream classrooms that is related to class size, nor am I aware of research internationally. Conducting such research to draw reliable conclusions would be difficult because of the variety of variables involved such as children's skills and knowledge on entry, socio-economic level, gender, home influences and parental input, intelligence and concentration quite apart from the individual children's special educational needs.

My Department will continue to provide additional teaching and special needs assistant resources for schools to enable them provide assistance for pupils with special educational and care needs and learning delays.

School Staffing.

951. **Mr. Stagg** asked the Minister for Education and Science if she has received a request from a school (details supplied) for a special needs teacher; if the criteria for such a post has been met and established by the school; when a decision on the request will be made; and if she will make a statement on the matter. [10954/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has the services of two full-time learning support teachers, a full-time resource teacher and a part-time resource teacher. The school has submitted an application for an additional resource teaching post for Traveller pupils. A decision will be conveyed to the school as soon as the matter has been considered.

Pupil-Teacher Ratio.

952. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the pupil-teacher ratio at a school (details supplied) in County Kildare now stands at 27.7:1; when the Government undertaking to reduce the pupil-teacher ratio to 20:1 will be applied to this school; and if she will make a statement on the matter. [10955/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In

accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 21 mainstream class teachers based on an enrolment of 593 pupils at 30 September 2003. In addition, the school has two learning support posts, seven resource posts, two temporary language support posts and one temporary disadvantaged concessionary post, hence the pupil-teacher ratio in the school is 17:1.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 586 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

953. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the pupil-teacher ratio at a school (details supplied) in County Kildare now stands at 26.5:1; when the Government undertaking to reduce the pupil-teacher ratio to 20:1 will be applied to this school. [10956/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 19 mainstream class teachers based on an enrolment of 534 pupils at 30 September 2003. In addition the school has two learning support teachers, one resource teacher and one temporary language support teacher, hence the pupil-teacher ratio in the school is 21:1.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 504 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule. Significant improvements have been made to the pupil-teacher ratio at primary level, which has

fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

954. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the pupil-teacher ratio at a school (details supplied) in County Kildare now stands at 27:1; when the Government undertaking to reduce the pupil-teacher ratio to 20:1 will be applied to this school; and if she will make a statement on the matter. [10957/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and nine mainstream class teachers based on an enrolment of 243 pupils at 30 September 2003. In addition, the school has one learning support teacher and the services of a resource teacher, hence the pupil-teacher ratio in the school is 22:1, not including the shared post.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 243 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

955. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the pupil-teacher ratio at a school (details supplied) in County Kildare now

[Mr. Stagg.] stands at 29:1; when the Government undertaking to reduce the pupil-teacher ratio to 20:1 will be applied to this school; and if she will make a statement on the matter. [10958/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and ten mainstream class teachers based on an enrolment of 269 pupils at 30 September 2003. In addition, the school has two resource teachers, the services of a learning support teacher and a resource teacher for Traveller children.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 242 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Question No. 956 answered with Question No. 867.

957. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the pupil-teacher ratio at a school (details supplied) in County Kildare now stands at 28.5:1; when the Government undertaking to reduce the pupil-teacher ratio to 20:1 will be applied to this school; and if she will make a statement on the matter. [10960/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between

my Department and the education partners. In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 21 mainstream class teachers based on an enrolment of 599 pupils at 30 September 2003. In addition, the school has four resource teachers and two learning support teachers, hence the pupil-teacher ratio in this school is 21:1.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 597 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Schools Refurbishment.

958. **Dr. Upton** asked the Minister for Education and Science if she will give consideration to an application under the SWS for badly-needed fencing at schools in the Dublin 10 area (details supplied). [10961/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy applied for summer works Scheme 2005 but was unsuccessful as the application was not accompanied by the necessary consultant's report. The appeal by the school and subsequent professional's report is being re-assessed in the school planning section of my Department. Contact will be made directly with the school authority when a decision is taken on the matter.

School Accommodation.

959. **Dr. Upton** asked the Minister for Education and Science if she will give consideration to an application from a school (details supplied); and if she will make a statement on the matter. [10962/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy applied for grant aid under summer works scheme 2005 to facilitate an access for all project and I am pleased to inform the Deputy that the school's application was successful. The school also received sanction recently for additional temporary accommodation. The school planning section of my Department is also in receipt of an application for major capital grant aid from the

school. The proposed building project has been assessed in accordance with the published prioritisation criteria, and the project is being considered in the context of the school buildings and modernisation programme.

School Staffing.

960. **Mr. McCormack** asked the Minister for Education and Science if her Department will appoint an extra full-time classroom teacher to a school (details supplied) in County Galway; and if she will make a statement on the matter. [11004/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004/2005 is a principal and 11 mainstream class teachers based on an enrolment of 305 pupils at 30 September, 2003. In addition the school has the services of a learning support teacher. My Department will finalise the staffing schedule for the 2005/2006 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 313 pupils. The staffing for the 2005/2006 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in Primary Circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and my Department and its decision is final. Appeals must be submitted to primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005/2006 school year has issued.

961. **Dr. Upton** asked the Minister for Education and Science the steps she will take to improve the pupil-teacher ratio at a school (details supplied) in Dublin 8; and if this school will retain its special needs assistants. [11007/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment

of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. In accordance with the staffing schedule, the staffing of the school for the school year 2004/2005 is a principal and nine mainstream class teachers based on an enrolment of 239 pupils at 30 September 2003. In addition, the school has a full time resource teacher, two learning support teachers, three special class teachers, one home school liaison post, a disadvantaged concessionary post and a language support post. Hence, the pupil teacher ratio in the school is 12.58:1. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the school's enrolment on 30 September 2004 was 248 pupils. The staffing for the 2005/2006 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in Primary Circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and my Department and its decision is final. Appeals must be submitted to primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005/2006 school year has issued.

The Deputy may be aware that the National Council for Special Education which was established recently, and which has been operational since 1 January 2005, is responsible for processing applications for special educational needs supports. To date, 71 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents.

Schools Building Projects.

962. **Mr. Ó Feargháil** asked the Minister for Education and Science if she will give urgent priority to the proposal by the County Kildare VEC to build a new community college in Athy; and if she will make a statement on the matter. [11090/05]

963. **Mr. Ó Feargháil** asked the Minister for Education and Science the progress that has been achieved in the proposed amalgamation of schools (details supplied) in County Kildare; if the necessary capital will be provided to facilitate the coming together of these two schools; and if she will make a statement on the matter. [11091/05]

964. **Mr. Ó Feargháil** asked the Minister for Education and Science the progress that will be achieved in building a new primary school at a school (details supplied) in County Kildare; and

[Mr. Ó Feargháil.]
if she will make a statement on the matter.
[11092/05]

971. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required extension to a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [11099/05]

974. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required 17 additional classrooms to a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [11102/05]

1004. **Mr. Durkan** asked the Minister for Education and Science if consideration will be given to progress an application by a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [11202/05]

1006. **Mr. Durkan** asked the Minister for Education and Science if adequate provision has been made to meet the accommodation and other requirements at a school (details supplied) in County Kildare; the timetable in this regard; and if she will make a statement on the matter. [11204/05]

1007. **Mr. Durkan** asked the Minister for Education and Science if adequate provision has been made to meet the accommodation and other requirements at a school (details supplied) in County Kildare; the timetable in this regard; and if she will make a statement on the matter. [11205/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 962, 963, 964, 971, 974, 1004, 1006 and 1007 together.

I have made a number of announcements relating to the 2005 school building programme since the beginning of the year, which included details of 122 major school building projects country wide which will prepare tenders and move to construction during the next 12 to 15 months: 192 projects to be delivered by way of devolved funding; 20 schools that will be provided with prefabricated accommodation already in the system; 43 Schools that have been authorised to commence architectural planning, and 590 schools approved for funding under the 2005 summer works scheme.

I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future in relation to the school building programme to include projects which will be progressed through the design process. All projects in architectural planning, including those at the schools in question, are being considered as part of this process.

Schools Building Projects.

965. **Mr. Ó Feargháil** asked the Minister for Education and Science the progress that has been made towards the delivering of a new building for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [11093/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works which acts on my behalf in relation to site acquisitions generally is continuing to explore the possibility of acquiring a site for the school in question. The question of the development of the school building will be considered in the context of the school building programme when the site has been acquired.

966. **Mr. Walsh** asked the Minister for Education and Science if she will sanction an extension to a school (details supplied) in County Cork. [11094/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. The project is being considered for progression in the context of the school building and modernisation programme 2005-2009.

967. **Mr. Stagg** asked the Minister for Education and Science when she expects tenders to be invited for the new school for a school (details supplied) in County Kildare; the anticipated time frame for construction; and if she will make a statement on the matter. [11095/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed among the large scale projects on the capital programme for 2005 which have been approved to move to tender and construction over the next 12 to 15 months. Planning permission for the new school was applied for in February 2005. It is envisaged that the tenders will be sought in the latter half of 2005 and the contract period for the construction of the school will be approximately 12 months.

968. **Mr. Stagg** asked the Minister for Education and Science when she expects tenders to be invited for the required extension to a school (details supplied) in County Kildare; the anticipated timeframe for construction; and if she will make a statement on the matter. [11096/05]

Minister for Education and Science (Ms Hanafin): The project to which the Deputy refers is one of the 122 projects proceeding to tender and construction in the next 12 to 15 months. Approval was recently given to the school authority County Kildare VEC to proceed to pre-selection of contractors for tendering. It is the

responsibility of the VEC to progress the project to tender and construction within the approved budget.

School Accommodation.

969. **Mr. Stagg** asked the Minister for Education and Science the amount allocated to a school (details supplied) in County Kildare for the provision of temporary accommodation; and when the prefab will be in place at the school. [11097/05]

Minister for Education and Science (Ms Hanafin): My Department is not in a position to indicate the estimated cost of relocating an existing mainstream temporary classroom to the school in question as this is regarded as commercially sensitive information. My Department's school building section is currently accessing the available temporary accommodation and will be in contact with the management authorities of the school in question shortly with a view of progressing the project as quickly as possible.

970. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the serious problem with accommodation at a school (details supplied) in County Kildare; the measures to overcome this problem; and if she will make a statement on the matter. [11098/05]

973. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required renovations to a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [11101/05]

986. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11182/05]

987. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11183/05]

988. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11184/05]

989. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11185/05]

990. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11186/05]

991. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11187/05]

1009. **Mr. Durkan** asked the Minister for Education and Science if adequate provision has been made to meet the accommodation and other requirements at a school (details supplied) in County Kildare; the timetable in this regard; and if she will make a statement on the matter. [11207/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 970, 973, 986, 987, 988, 989, 990, 991 and 1009 together.

Applications for capital funding from the schools in question are being considered as part of a review of all projects which did not proceed to construction as part of the 2004 school building programme. Under this review, all projects are being assessed against the published prioritisation criteria which were revised last 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 school building programme from 2005 onwards. In addition in 2004, a new school planning model involving published draft area development plans was piloted in five areas. Included in the pilot scheme is the area around the N4/M4 from Leixlip to Kilbeggan. Included in this are the areas referred to by the Deputies.

The purpose of this new approach to school planning is to ensure that in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties in the locality will have the opportunity to have their voices heard in the process.

The commission on school accommodation recently completed the public consultation process on the draft area development plan for the N4/M4 area and it will bring forward its report as soon as possible. Applications for capital funding from schools in this area will continue to be processed under the review mentioned above. When the commission's report becomes available, the appropriate adjustments will be made where necessary.

Question No. 971 answered with Question No. 962.

Schools Building Projects.

972. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required extension to a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [11100/05]

Minister for Education and Science (Ms Hanafin): My Department is moving towards a model of devolving the responsibility of building projects to school management authorities where appropriate. The devolving of funding to local level will accommodate school authorities to have responsibility and ownership of their building projects and assist in moving projects in a specific timeframe through the design process, to tender action and construction.

I am pleased to inform the Deputy that the school in question has accepted the grant for the provision of an extension under the 2005 permanent initiative which I announced recently.

Question No. 973 answered with Question No. 970.

Question No. 974 answered with Question No. 962.

975. **Mr. Stagg** asked the Minister for Education and Science if the OPW has investigated the site for the new national school for Kill, County Kildare; when a report on the site investigation will issue to the school board of management; when a decision will be made in relation to purchasing the site; and if she will make a statement on the matter. [11103/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department with regard to site acquisitions generally, is continuing to explore all possibilities on the acquisition of a site for a new national school in Kill. Every effort is being made to ensure that a site is acquired as soon as possible.

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 website when the relevant acquisitions have been completed.

Schools Recognition.

976. **Mr. Stagg** asked the Minister for Education and Science if permanent recognition of a school (details supplied) in County Kildare has been sanctioned; and if she will make a statement on the matter. [11104/05]

998. **Mr. Durkan** asked the Minister for Education and Science when a decision on permanent school recognition will be made in relation to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [11194/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 976 and 998 together.

The school in question has been granted permanent recognition effective from 1 September 2004. A letter to this effect issued to the school authority on 24 March 2005.

Schools Building Projects.

977. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the urgent need to address the provision of a covered walkway at a school (details supplied) in County Kildare; her plans to deal with this issue; and if she will make a statement on the matter. [11106/05]

1014. **Mr. Durkan** asked the Minister for Education and Science the position regarding the provision of the covered walkway at a college (details supplied) in County Kildare; and if she will make a statement on the matter. [11212/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 977 and 1014 together.

County Kildare VEC submitted an application on behalf of Confey College, Leixlip for grant-aid under the summer works scheme 2005 for a covered walkway. The school also applied for two other projects and a list of all successful applicants has now been published by my Department.

I can confirm that this school's highest priority project, for roof repair and conversion works, was successful and a letter has issued to the board of management regarding same.

Special Educational Needs.

978. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science if sanction will be given for the appointment of a part-time or full-time learning support teacher at a school (details supplied) in County Cavan. [11126/05]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that my Department's records show that the school in question currently has the services of a shared learning support teacher post, supporting a total enrolment of 63 pupils in the school.

I trust that the Deputy is aware of the proposed new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs of mild and borderline mild general learning disability and dyslexia.

I am conscious of difficulties that could arise with regard to the proposed model for children in small and rural schools, if it were implemented as currently proposed. Accordingly, my Department is currently reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review involves consultation with educational interests, including the National Council

for Special Education, NCSE. The revised procedure for providing a general allocation of resource hours to schools will be announced in the coming weeks, in time to be implemented for the next school year.

School Staffing.

979. **Mr. Curran** asked the Minister for Education and Science the areas of greatest shortages in terms of teacher numbers in the second level system. [11152/05]

Minister for Education and Science (Ms Hanafin): I am sure the Deputy is aware that the teacher supply and demand issue at second level is very complex. Analyses undertaken by my Department in the past indicated that while there are regional and subject variations there is no overall shortage in teacher numbers. Another complicating factor is that vacancies in second level schools usually require specific subject combinations.

My Department and the HEA are continuing to review the supply and demand of second-level teachers on an ongoing basis.

Student Support Schemes.

980. **Mr. J. O’Keeffe** asked the Minister for Education and Science if she has satisfied herself with the operation of the grants scheme for third level education; if her attention has been drawn to the major dissatisfaction and hardship arising from delays in payment of grants to students; and if she will make a statement on the matter. [11153/05]

Minister for Education and Science (Ms Hanafin): My Department funds four maintenance grant schemes for third level and further education students. These are the higher education grants scheme, the vocational education committees’ scholarships scheme, the third level maintenance grants scheme for trainees and the maintenance grants scheme for students attending post leaving certificate courses. The higher education grants scheme is administered by the local authorities. The other three schemes are administered by the vocational education committees. The process of assessing eligibility for third level or further education grants is a matter for the relevant local authority or VEC. Among the factors which give rise to delays in processing applications is where the administering body is awaiting further information and/or documentation from applicants.

My Department, in recognition of the importance of the timely provision of payment to eligible students, is engaged in on-going consultations with the Irish Vocational Education Association and the County and City Managers’ Association with a view to improving the existing arrangements and ensure the earlier processing of applications and the making of payments to eligible students. In this regard, a working group with representatives from both associations has

been established. The broad terms of reference of this group is to examine on-going operational issues with the current system of administration of the schemes. Issues regarding the early payments of grants to eligible students are included in the discussions and-or deliberations of this group.

My Department is also in discussions with the existing stakeholders on the future administration of the schemes. My intention is that whatever future administration of the schemes we put in place, it will be one which delivers a quality and timely service to students, and ensures consistency of application and client accessibility.

Schools Building Projects.

981. **Mr. J. O’Keeffe** asked the Minister for Education and Science the position on the long promised extension to a school (details supplied) in County Cork; and if she will make a statement on the matter. [11154/05]

Minister for Education and Science (Ms Hanafin): An application for an extension and refurbishment has been received from the management authorities of the school to which the Deputy refers.

The Deputy will be aware that I have made a number of announcements relating to the 2005 school building programme which included details of 43 school projects which are being authorised to proceed to architectural planning immediately. I will be making further announcements on projects which will progress, on a phased basis, into the architectural planning process in the next 12 to 15 months. The proposed extension and refurbishment project for the school referred to will be considered in this regard.

Question No. 982 answered with Question No. 867.

Question No. 983 answered with Question No. 873.

School Staffing.

984. **Mr. Durkan** asked the Minister for Education and Science if extra teaching staff will be allocated to a school (details supplied) in County Kildare based on the class size and number of pupils attending; and if she will make a statement on the matter. [11180/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at

[Ms Hanafin.]

local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-2005 is a principal and four mainstream class teachers based on an enrolment of 139 pupils at 30 September 2003. In addition, the school has the services of a resource teacher.

My Department will finalise the staffing schedule for the 2005-2006 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 148 pupils. The staffing for the 2005-2006 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

Schools Building Projects.

985. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in 2005; and if she will make a statement on the matter. [11181/05]

Minister for Education and Science (Ms Hanafin): My Department is moving towards a model of devolving the responsibility of building projects to school management authorities where appropriate. The devolving of funding to local level will accommodate school authorities to have responsibility and ownership of their building projects and assist in moving projects in a specific timeframe through the design process, to tender action and construction.

I am pleased to inform the Deputy that the school in question has accepted the grant for the provision of an extension under the 2005 permanent initiative which I announced recently.

Questions Nos. 986 to 991, inclusive, answered with Question No. 971.

992. **Mr. Durkan** asked the Minister for Education and Science the position on a school (details supplied) in conjunction with the County Kildare VEC relating to relocation and extension of the school's capacity to 1000 pupils; the progress she expects in 2005; and if she will make a statement on the matter. [11188/05]

Minister for Education and Science (Ms Hanafin): County Kildare VEC which is the management authority of St. Patrick's post primary school is currently progressing plans to relocate the school and extend its capacity to 1,000 pupils.

Discussions have been held with County Kildare VEC, the local authority and representatives of a developer on the matter. It is not possible to indicate at this stage when all matters relating to the school will be concluded.

993. **Mr. Durkan** asked the Minister for Education and Science when the new accommodation will be completed at a school (details supplied) in County Kildare to cater for pupil numbers; and if she will make a statement on the matter. [11189/05]

Minister for Education and Science (Ms Hanafin): I wish to inform the Deputy that the extension project at the school to which he refers is due to be completed in May 2005.

School Accommodation.

994. **Mr. Durkan** asked the Minister for Education and Science if extra temporary accommodation required by a school (details supplied) in County Kildare is in place in addition to its accommodation requirements for September 2005; and if she will make a statement on the matter. [11190/05]

Minister for Education and Science (Ms Hanafin): The accommodation needs of the school for September 2005 are being met by the provision of temporary accommodation.

Schools Building Projects.

995. **Mr. Durkan** asked the Minister for Education and Science if the classroom extension at a school (details supplied) in County Kildare is on target to be completed in the latter half of 2005; and if she will make a statement on the matter. [11191/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well under way on the extension at the school referred to by the Deputy and the project is on target for completion in the latter half of 2005.

996. **Mr. Durkan** asked the Minister for Education and Science the position on the provision of extra facilities at a school (details supplied) in Dublin 24; when she expects the tender process to be completed; the timeframe for completion of the project; and if she will make a statement on the matter. [11192/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed among the large scale projects on the 2005 school capital programme which have been approved to move to tender and construction over the next 12 to 15 months.

The school's design team is currently preparing the pre-tender documentation for this project. My Department expects to be in a position to authorise the school authority to proceed to tender with this project in the near future. It is envisaged that the project will take approximately 12 months to complete.

997. **Mr. Durkan** asked the Minister for Education and Science the position on the provision of extra facilities at a school (details supplied) in

County Kildare; when the tender process will be completed; the timeframe for completion of the project; and if she will make a statement on the matter. [11193/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed among the large scale projects on the 2005 school capital programme which have been approved to move to tender and construction over the next 12 to 15 months.

Planning permission for the new school was applied for in February 2005. It is envisaged that the tenders will be sought in the latter half of 2005 and the contract period for the construction of the school will be approximately 12 months.

Question No. 998 answered with Question No. 976.

999. **Mr. Durkan** asked the Minister for Education and Science if a classroom extension at a school (details supplied) in County Kildare is on target; when same is likely to be completed; and if she will make a statement on the matter. [11195/05]

Minister for Education and Science (Ms Hanafin): I wish to inform the Deputy that the extension project at the school to which he refers is due to be completed in May 2005.

1000. **Mr. Durkan** asked the Minister for Education and Science if an extension, ancillary accommodation and an autistic unit are on target at a school (details supplied) in County Kildare; when same is likely to be completed; and if she will make a statement on the matter. [11196/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well under way on the extension at the school referred to by the Deputy and the project is on target for completion in the first half of 2006.

Schools Refurbishment.

1001. **Mr. Durkan** asked the Minister for Education and Science when a decision will be made in relation to an application for a major refurbishment project by a school (details supplied) in County Kildare; if she expects to be in a position to augment the project in 2005; and if she will make a statement on the matter. [11197/05]

Minister for Education and Science (Ms Hanafin): As part of a review of all projects for the 2005 capital programme, the application for capital funding towards the refurbishment of the school to which the Deputy refers, was assessed against the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners.

Under this review all projects were assigned a band rating and the progress of individual pro-

jects is being considered in the context of the school building programme from 2005 onwards.

Schools Building Projects.

1002. **Mr. Durkan** asked the Minister for Education and Science if a school extension at a school (details supplied) in County Kildare is on target to complete in the latter half of 2005; and if she will make a statement on the matter. [11200/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well underway on the extension at the school referred to by the Deputy and the project is on target for completion in the latter half of 2005.

1003. **Mr. Durkan** asked the Minister for Education and Science if a classroom extension at a school (details supplied) in County Kildare is on target to complete in the latter half of 2005; and if she will make a statement on the matter. [11201/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well underway on the extension to the school referred to by the Deputy and the project is on target for completion in the latter half of 2005.

Question No. 1004 answered with Question No. 962.

1005. **Mr. Durkan** asked the Minister for Education and Science if extra facilities and resources will be offered to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [11203/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department has no trace of a record of a current application for extra capital facilities and resources from the authorities of the school in question.

Questions Nos. 1006 and 1007 answered with Question No. 962.

1008. **Mr. Durkan** asked the Minister for Education and Science if the construction work at a school (details supplied) in County Kildare is on target to complete in the anticipated 18 month timeframe; and if she will make a statement on the matter. [11206/05]

Minister for Education and Science (Ms Hanafin): The new school project to which the Deputy refers is under construction. This project is progressing well and there is nothing to indicate that construction will not be completed within the timeframe.

Question No. 1009 answered with Question No. 970.

1010. **Mr. Durkan** asked the Minister for Education and Science if a school extension at a school (details supplied) in County Kildare is on target to complete in the latter half of 2005; and if she will make a statement on the matter. [11208/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction work is well underway on the new school referred to by the Deputy and project is on target for completion in the latter half of 2005.

1011. **Mr. Durkan** asked the Minister for Education and Science the position on tender applications in the case of a school (details supplied) in County Kildare; the timeframe for commencement of construction; and if she will make a statement on the matter. [11209/05]

Minister for Education and Science (Ms Hanafin): The project to which the Deputy refers is one of the 122 projects proceeding to tender and construction in the next 12 to 15 months. Approval was recently given to the school authority, County Kildare VEC, to proceed to pre-selection of contractors for tendering. It is the responsibility of the VEC to progress the project to tender and construction within the approved budget.

1012. **Mr. Durkan** asked the Minister for Education and Science if a classroom extension at a school (details supplied) in County Kildare is on target to complete in the latter half of 2005; and if she will make a statement on the matter. [11210/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well underway on the project referred to by the Deputy and the extension is on target for completion in the latter half of 2005.

Site Acquisitions.

1013. **Mr. Durkan** asked the Minister for Education and Science the position on site acquisition to meet the requirements of alternative or new school facilities at a school (details supplied); if it is anticipated that this project will advance further in the next 12 months; and if she will make a statement on the matter. [11211/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department on site acquisitions generally, has identified a number of site options for the school referred to by the Deputy. Discussions between the relevant landowners and OPW are ongoing. 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 website when the relevant acquisitions have been completed. The question of the pro-

vision of new accommodation for the school will be considered further when a site has been acquired.

Question No. 1014 answered with Question No. 977.

Schools Building Projects.

1015. **Mr. Durkan** asked the Minister for Education and Science when works will commence at a college (details supplied) in County Kildare regarding roof repair and conversion works; and if she will make a statement on the matter. [11213/05]

Minister for Education and Science (Ms Hanafin): My Department is moving towards a model of devolving the responsibility of building projects to school management authorities where appropriate. The devolving of funding to local level will accommodate school authorities to have responsibility and ownership of their building projects and assist in moving projects in a specific timeframe through the design process, to tender action and construction. I am pleased to inform the Deputy that County Kildare VEC has been allocated a grant under the summer works scheme 2005 in respect of conversion works at the college in question.

Site Acquisitions.

1016. **Mr. Durkan** asked the Minister for Education and Science the position regarding the acquisition of a site for a new national school (details supplied) in County Kildare; if her attention has been drawn to the need to expedite the process in view of the proximity of the present school to a major road works project and safety concern arising therefrom; and if she will make a statement on the matter. [11214/05]

1020. **Mr. Durkan** asked the Minister for Education and Science her proposals to meet the accommodation needs of children attending a school (details supplied) in County Kildare; if her attention has been drawn to the urgent necessity to acquire a new site for the school; if she intends to achieve this at an early date; and if she will make a statement on the matter. [11218/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1016 and 1020 together.

The property management section of the Office of Public Works, which acts on behalf of my Department on site acquisitions generally, is continuing to explore all possibilities in relation to the acquisition of a site for the school referred to by the Deputy. Every effort is being made to ensure a site is acquired as soon as possible. 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 website when the relevant acquisitions have been completed.

Special Educational Needs.

1017. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the extra facilities and funding for the Saplings project; and if she will make a statement on the matter. [11215/05]

Minister for Education and Science (Ms Hanafin): I take it that the Deputy is referring to the Saplings facility in Kill, which is one of eight applied behavioural analysis specific facilities funded by my Department. The educational approach used at the Saplings project is based on the principles of Applied Behavioural Analysis, ABA. This consists predominantly of one-to-one teaching. The ABA method is one of a range of models of approach to the education of children with autism. The ABA approach is based on understanding a set of behaviours, breaking down the components of the tasks involved in learning and the application of consequences to reduce-weaken or increase-strengthen a particular behaviour or set of behaviours. My Department allocated €1,149,192 to Saplings for the 2004-05 school year. An application by Saplings for additional facilities or funding will be considered in the normal manner by my Department.

Institutes of Technology.

1018. **Mr. O'Shea** asked the Minister for Education and Science if following the formal endorsement by the Cabinet on 22 April 2005 of the review and recommendations of the OECD on third level education it is policy that there will be no further institutional transfers into the university sector; and if she will make a statement on the matter. [11216/05]

Minister for Education and Science (Ms Hanafin): The OECD review of higher education in Ireland recommended the development of a unified strategy for the higher education sector, including the creation of a single management authority. The report identified the differentiated nature of the provision of higher education as a key factor in our having successfully met the varying needs of students, the economy and society. The report advocated the maintenance of this diversified approach within a unified system with a strong emphasis on inter-institutional collaboration.

The Government recently considered and approved of the broad thrust of the OECD report, while noting that an extensive process of consultation with interested parties is ongoing with a view to developing a detailed response to the recommendations. Institutes of technology can apply for university status as provided for in the Universities Act 1997.

Schools Building Projects.

1019. **Mr. Durkan** asked the Minister for Education and Science the way in which she expects to meet the enrolment need of parents in the

Sallins, Naas, Kill areas of County Kildare at primary and post-primary level in the next five years; and if she will make a statement on the matter. [11217/05]

Minister for Education and Science (Ms Hanafin): I am aware that Sallins, Naas and Kill, like many areas located within close proximity to Dublin, continue to experience population growth, a position that almost inevitably places some strain on existing educational provision. However, a range of significant measures has been undertaken by my Department to address the current and future need for pupil places in these areas.

At primary level, an entire new school has been provided at Killashee, while temporary accommodation has been provided at Scoil Corbain, St. Conleth's and St. Mary's national school and St. Conleth's Naofa in Naas. Temporary accommodation has also been provided at one of the two nearby national schools at Caragh. In addition approval has been given to St. Corban's and Gaelscoil Nás na Ríogh in Naas, Scoil Naomh Bríghde, Kill, and Caragh national school for additional accommodation for September 2005.

A seven classroom extension is under construction at Sallins national school. When completed, this extension will increase capacity from nine classrooms to 16 classrooms. An extension to bring the school up to 24 classroom is being allowed into architectural planning this year. A brand new state-of-the-art 16 classroom school together with a double autistic unit is under construction in Naas town. This project, in particular, will assist in easing any difficulties for primary pupil places that may exist in Naas. Additionally, there are proposals to improve accommodation at St. David's national school and Two Mile House national school. The accommodation needs of the national schools at Ballycane, Caragh and Convent of Mercy in Naas are also being assessed.

At post-primary level, the management authority of St Patrick's post-primary school, County Kildare VEC, is progressing plans to relocate the school and extend capacity to 1000 pupils. Additionally, an extension project is under construction at St Mary's College, which will increase capacity at the school to 900 pupils. A similar extension is under construction at Meanscoil Iognaid Ris and further accommodation needs at the school are in planning.

All these initiatives represent significant capital investment and demonstrate my commitment to meeting the needs of the areas concerned. The school planning section of my Department will keep the position under review going forward to ensure additional emerging needs are met as expeditiously as possible.

Question No. 1020 answered with Question No. 1016.

1021. **Mr. Timmins** asked the Minister for Education and Science the status or band rating for funding for the construction of a school for the

[Mr. Timmins.]
gael scoil in Wicklow town; and if she will make a statement on the matter. [11240/05]

1022. **Mr. Timmins** asked the Minister for Education and Science the status or band rating for funding for the construction of a school for the gael scoil in Arklow, County Wicklow; and if she will make a statement on the matter. [11241/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1021 and 1022 together.

As part of a review of all projects for the 2005 capital programme, applications for capital funding from the gael scoileanna in Wicklow town and Arklow were assessed against the published prioritisation criteria for large scale building projects, which were revised last year following consultation with the education partners. Under this review, all projects were assigned a band rating and the progress of individual projects is being considered in the context of the school building programme from 2005 onwards.

School Enrolments.

1023. **Mr. Stanton** asked the Minister for Education and Science the number of primary schools in the State; the number of classes in these primary schools; the number of these classes that have 25 or more students enrolled; and if she will make a statement on the matter. [11242/05]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is set out below and refers to ordinary classes only for the 2003-04 school year:

Number of ordinary national schools 3,150

Number of classes 18,011

Number of classes with 25 or more pupils 9,018

School Staffing.

1024. **Mr. Stanton** asked the Minister for Education and Science if she has received an application from a school (details supplied) in County Cork regarding the need to retain the existing quota of classroom teachers in the school and the appointment of an extra class teacher to the school from 1 September 2005; the present enrolment of the school and the corresponding pupil-teacher ratio; the projected enrolment for September 2005 and the expected pupil-teacher ratio; and if she will make a statement on the matter. [11243/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of

29 in each school. Where classes in a school have numbers greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and 11 mainstream class teachers based on an enrolment of 301 pupils at 30 September 2003. The pupil-teacher ratio for the school measures the number of pupils for each teacher in the school, including the principal and resource and learning support teachers. In addition to the having a principal and 11 mainstream class teachers, this school also has the services of a learning support teacher and a resource teacher for Travellers. My Department will finalise the staffing schedule for the 2005-06 school year shortly and, thereafter, notify school boards of management.

According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 292 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule. As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and the Department and its decision is final. Appeals must be submitted to primary payments section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005-06 school year has issued.

Special Educational Needs.

1025. **Mr. Stanton** asked the Minister for Education and Science if under the new circular for special needs (details supplied) specific learning disability, borderline mild general learning disability and mild general learning disability are no longer to be included as categories of disability qualifying for resource teacher hours; if this is a change that has resulted from this new circular and amendments named therein; the way in which she proposes to provide support and assistance to these students in the future; and if she will make a statement on the matter. [11244/05]

Minister for Education and Science (Ms Hanafin): In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This model, which was announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent

resource in primary schools to cater for pupils in these categories. Circular SP ED 09/04, which issued to schools in June 2004, introduced this new model.

The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard. The advantages of using a general allocation model are as follows: it facilitates early intervention as the resource is in place in the school when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it gives more security to special education teaching posts and makes special education teaching a more attractive option; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services; and it will automatically adjust a school's general allocation on the basis of changing enrolment.

This is a model for resource allocation to schools. These resources may, in turn, be allocated, as appropriate, by schools to those pupils with special educational needs in the categories mentioned and to pupils with learning support requirements. While I favour using a general allocation model for the reasons I have just given, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. For this reason I have asked my Department to conduct a review of the model. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year.

School Accommodation.

1026. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that at a school (details supplied) in Dublin 8 several classes with up to 30 pupils have to be accommodated in classrooms of less than 45 square metres; and the steps she will take to alleviate this overcrowding. [11245/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy applied to my Department for additional temporary accommodation for September 2005 and I am pleased to announce that the school's application was successful. The school building section of my Department is liaising with the management authority of the school with regard to the installation of this extra mainstream classroom.

Schools Building Projects.

1027. **Aengus Ó Snodaigh** asked the Minister for Education and Science if consideration has

been given to building a replacement school for a school (details supplied) in Dublin 8 to alleviate overcrowding and to allow for future anticipated increase in pupil numbers and the full delivery of her Department's and the school's curriculum. [11246/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy applied for temporary accommodation for September 2005 and I am pleased to inform the Deputy that the school's application was successful.

The school planning section of my Department has also received an application for major capital funding from the school's management authority. The proposed building project at the school has been assessed in accordance with the published prioritisation criteria, and the project is being considered in the context of the school buildings and modernisation programme. I recently announced details of 43 school projects which are being authorised to proceed to architectural planning immediately. I will make further announcements on projects which will progress, on a phased basis, into the architectural planning process.

1028. **Aengus Ó Snodaigh** asked the Minister for Education and Science when a school (details supplied) in Dublin 8 will be advised whether it has been successful in its application to be included in the summer works scheme for 2005. [11247/05]

Minister for Education and Science (Ms Hanafin): On 9 March 2005, the school building section of my Department notified the management authority of the school referred to by the Deputy that its application for summer works scheme 2005 was successful. A letter of acceptance was received from the school on 23 March 2005.

1029. **Aengus Ó Snodaigh** asked the Minister for Education and Science the allocation being made for a school (details supplied) in Dublin 8 in 2005; when official confirmation will issue; and when the school will be advised of its application for funding under the temporary works scheme. [11248/05]

Minister for Education and Science (Ms Hanafin): On 9 March 2005, the school Building section of my Department notified the management authority of the school referred to by the Deputy that its application for summer works scheme 2005 was successful. A letter of acceptance was received from the school on 23 March 2005. The school has also recently received sanction for additional temporary accommodation to deal with increased enrolments in September 2005.

School Accommodation.

1030. **Aengus Ó Snodaigh** asked the Minister

[Aengus Ó Snodaigh.]
for Education and Science her views on whether it is not cost effective to continually add a prefab a year to a school (details supplied) in Dublin 8 as has happened since 2001, to address the overcrowding of classrooms. [11249/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has recently received sanction for additional temporary accommodation to cater for enrolments in September 2005. It is necessary to adopt this approach pending a final determination on how the school's long-term accommodation needs are to be met.

The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school referred to by the Deputy. The proposed building project at the school has been assessed in accordance with the published prioritisation criteria, and the project is being considered in the context of the school buildings and modernisation programme. I recently announced details of 43 school projects which are being authorised to proceed to architectural planning immediately. I will make further announcements on projects which will progress, on a phased basis into the architectural planning in the next 12 to 15 months.

1031. **Aengus Ó Snodaigh** asked the Minister for Education and Science the way in which teachers at a school (details supplied) in Dublin 8 are expected to deliver the national school curriculum on physical education and drama if the yard or classes are too small; and the action she will take to address the space constraints. [11250/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has recently received sanction for additional temporary accommodation to cater for enrolments in September 2005. While I appreciate that this may not be the ideal situation for the school, it is necessary to adopt this approach pending a final determination on how the school's long-term accommodation needs are to be met.

The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school referred to by the Deputy. The proposed building project at the school has been assessed in accordance with the published prioritisation criteria, and the project is being considered in the context of the school buildings and modernisation programme. I recently announced details of 43 school projects which are being authorised to proceed to architectural planning immediately. I will make further announcements on projects which will progress, on a phased basis into the architectural planning in the next 12 to 15 months.

Question No. 1032 answered with Question No. 904.

Question No. 1033 answered with Question No. 808.

Question No. 1034 answered with Question No. 904.

Special Educational Needs.

1035. **Aengus Ó Snodaigh** asked the Minister for Education and Science if a school (details supplied) will not lose any of the services of its special needs assistants, resource teacher or learning support hours when her Department implements its new weighted system. [11254/05]

1036. **Aengus Ó Snodaigh** asked the Minister for Education and Science if a school (details supplied) will be allocated additional resources in the area of special needs, resource teaching and learning supports to cater adequately for the special needs of the pupils in the school. [11255/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1035 and 1036 together.

In light of the reality that pupils in the high-incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in those disability categories. That model, which was announced by my predecessor in 2004, to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in those categories.

The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

The advantages of using a general allocation model are as follows: it facilitates early intervention, as the resource is in place in the school when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it gives more security to special education teaching posts and makes special education teaching a more attractive option; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services; and it will automatically adjust a school's general allocation on the basis of changing enrolment.

I have made it clear that while I am in favour of using a general allocation model for the reasons I have just given, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced.

For that reason I have asked my Department to conduct a review of the model, something announced last year. The review will be completed in the coming weeks, and its outcome will be announced in time to be implemented for the next school year.

The Deputy may be aware that the National Council for Special Education, NCSE, which was established recently, and which has been operational since 1 January 2005, is responsible for processing applications for special educational needs, SEN, supports. Some 71 special educational needs organisers, SENOs, have been recruited throughout the country and will be a focal point of contact for schools and parents.

School Staffing.

1037. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) draws its children from an area designated as disadvantaged, a drugs taskforce area, and that it currently has classes which are above the targets set in the programme for Government. [11256/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

In accordance with the staffing schedule, the staffing of the school referred to by the Deputy for the school year 2004-05 is a principal and nine mainstream class teachers based on an enrolment of 239 pupils at 30 September 2003. In addition, the school has one disadvantaged concessionary post, two learning support posts, two permanent special class posts, one temporary special class post, one permanent resource post, two language support posts, one Giving children an even break post and one shared home-school-community liaison post. The pupil-teacher ratio in this school is only 12:1, excluding the shared HSCL post.

My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management of the school, the enrolment on 30 September 2004 was 248 pupils. The staffing for the 2005-06 school year will be determined on the basis of that figure and in accordance with the agreed staffing schedule.

Significant improvements have been made to the pupil-teacher ratio at primary level, which fell from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year.

In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

The provision of extra supports for children in disadvantaged areas has been considered by my Department as part of a review of all the schemes at pre-school, primary and post-primary level. As a result of that review, a new action plan for tackling disadvantage will be published shortly which will provide extra supports for the most disadvantaged schools.

1038. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that schools (details supplied) are in an area designated a drugs taskforce area, a partnership area and also a disadvantaged area, and that her Department's withdrawal of resource, learning support or special needs teachers or resources could have detrimental effects on work being done to address those problems. [11257/05]

1039. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that schools (details supplied) are in danger of losing resource teachers if her Department goes ahead with the weighting system as presently constructed and that this affects nearly 80 pupils in an area which statistically has Ireland's lowest educational attainment; and if she will make a statement on the matter. [11272/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1038 and 1039 together.

I am aware that the schools referred to by the Deputy have designated disadvantaged status, and my Department has provided additional supports to the schools as a consequence of that designation.

I trust that the Deputy is aware of the proposed new system for resource teacher allocation. In light of the reality that pupils in the high-incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. That model, which was announced by my predecessor in 2004, to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in those categories.

The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

[Ms Hanafin.]

The advantages of using a general allocation model are as follows: it facilitates early intervention, as the resource is in place in the school when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it gives more security to special education teaching posts and makes special education teaching a more attractive option; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services; it will automatically adjust a school's general allocation on the basis of changing enrolment.

I have made it clear that while I am in favour of using a general allocation model for the reasons I have just given, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced.

For that reason, I have asked my Department to conduct a review of the model, something announced last year. The review will be completed in the coming weeks, and its outcome will be announced in time to be implemented for the next school year. In carrying out the review, my Department is consulting with representative interests, including the National Council for Special Education.

School Services Staff.

1040. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in Dublin 10 has no full-time secretarial support and that the burden falls therefore on the principal; and when resources will be made available to employ a full-time secretary for the school to ensure that the fullest attention can be given by the teachers and principal to delivering on their educational commitments. [11273/05]

Minister for Education and Science (Ms Hanafin): My Department provides funding towards the cost of secretarial and caretaking services in primary schools under two separate schemes. One scheme is the 1978-79 scheme for the employment of full-time secretaries and caretakers in primary schools, under which my Department meets the full cost of salary. That scheme is being phased out as posts become vacant, and no new posts are being created. That scheme has been superseded by a more extensive grant scheme now referred to as the ancillary services grant.

The ancillary services grant provides additional funding for primary schools towards the cost of secretarial and caretaking services. The scheme does not provide for the linking of the grants to any particular pay scale and is flexible by nature, giving boards of management discretion as to the manner in which secretarial and caretaking ser-

vices are provided. The school referred to by the Deputy receives secretarial grant assistance under that scheme.

The amount of grant paid to an individual school is determined by the enrolment in the school, subject to a minimum grant being paid in the case of a school with 60 pupils or less and a maximum grant being paid in the case of a school with 500 or more pupils, and whether the school in question has either caretaking or secretarial services under an existing Department scheme. The standard rate of grant was increased from €102 to €127 per pupil in 2004 and was increased by a further €12 per pupil this year. The rate that applies in the case of a school which already has either caretaking or secretarial services under an existing Department scheme, as is the case of the school referred to by the Deputy, is €66.50 per pupil.

The level and extent of services provided is a matter for the school authorities who, through the discretion afforded by the scheme, apply diverse arrangements for secretarial services as resources permit. As the secretaries are employees of individual schools, my Department does not have any role in determining the pay and conditions under which they are engaged. These are matters to be agreed between the staff concerned and the school authorities. It is a matter for each individual school to decide how best to apply the funding to suit the school's needs.

The question of increasing the rate of the ancillary services grant in the future will be considered in the context of available resources and priorities in the education sector.

National Lottery Funding.

1041. **Mr. Connolly** asked the Minister for Education and Science the amount of lottery funding advanced to date on a yearly basis to projects outside this State; the number of such lottery grants on a yearly basis [11523/05]

Minister for Education and Science (Ms Hanafin): All lottery funding accounted for in my Department's Vote is designated for projects within the State.

Pension Provisions.

1042. **Mr. Durkan** asked the Minister for Defence if and when military service allowance will be awarded to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [10830/05]

Minister for Defence (Mr. O'Dea): Military service allowance, MSA, was made pensionable in the case of Defence Forces personnel retiring on or after 1 August 1990 on foot of a recommendation of the Commission on Remuneration and Conditions of Service in the Defence Forces, the Gleeson commission. That approach is fully consistent with settled public service pensions policy, which provides that the benefit of an allowance being made pensionable for serving

personnel does not extend to existing pensioners. As the person in question retired before 1 August 1990, he is not eligible to have MSA taken into account in the calculation of his pension.

1043. **Mr. Noonan** asked the Minister for Defence if he will amend the Army Pensions Act to remove the anomaly which he identified in a question that he put to the then Minister for Defence in February 1997 (details supplied); and if he will make a statement on the matter. [10066/05]

1045. **Ms O'Sullivan** asked the Minister for Defence if his Department has given further consideration to including people with a psychiatric condition in the qualifying criteria for an Army disability pension; and if he will make a statement on the matter. [10358/05]

Minister for Defence (Mr. O'Dea): I propose to take Question Nos. 1043 and 1045 together.

The Army Pensions Acts provide that a disability pension may, following retirement, be granted to a former member of the Permanent Defence Force in respect of permanent disablement due to a wound or injury attributable to military service, whether at home or abroad, or to a disease attributable to or aggravated by overseas service with a United Nations force. A wound is defined in broad terms in those Acts as "an interruption of the normal continuity of body tissue caused by direct or indirect violence". An application for a disability pension in respect of psychiatric or depressive illness could be considered if the condition was due to a wound or injury or to overseas service.

The specific provisions in the Army Pensions Acts covering disease attributable to or aggravated by overseas service with the United Nations were introduced in 1960 in the context of the additional risks and dangers associated with such service. Similar provisions previously applied only where the disease was attributable to home service during the 1922-24 period or the emergency period of 1939-45 because service conditions during each of these periods were regarded as exceptional.

The advice of the military medical authorities is that there is no reason to believe that the incidence of psychiatric and depressive illness amongst military personnel is different from that of the general population or, where depressive illness does occur, that it is related to or is a direct result of military service.

Under existing superannuation arrangements, viz. the Defence Forces pensions schemes, an NCO or private with 12 or more years' service who is discharged on medical grounds qualifies for a service pension and a retirement gratuity regardless of whether the medical condition is service-related. In addition to benefits under those schemes and the Army Pensions Acts,

NCOs and privates are insured for the full range of benefits under the Social Welfare Acts, including unemployment benefit, disability benefit and invalidity pension. They are also covered for hospital and medical services, including medical cards, under the Health Acts on the same basis as other members of the community.

Ministerial Travel.

1044. **Mr. Allen** asked the Minister for Defence if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10184/05]

Minister for Defence (Mr. O'Dea): I did not travel abroad for the St. Patrick's Day celebrations.

Question No. 1045 answered with Question No. 1043.

Decentralisation Programme.

1046. **Mr. Naughten** asked the Minister for Defence the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10537/05]

Minister for Defence (Mr. O'Dea): There are currently no plans to move sections of my Department which are based outside Dublin to other non-Dublin locations.

Fair Trade.

1047. **Mr. P. McGrath** asked the Minister for Defence if his attention has been drawn to the campaign to have fair trade products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such fair trade-approved products used in his Department. [10568/05]

Minister for Defence (Mr. O'Dea): I am aware of the fair trade campaign and its laudable objective of having fair trade products widely available and used. Procurement by my Department, including the Defence Forces, must be carried out in accordance with Government contracts procedures and the European Union directives, under which the award of contracts is primarily based on the quality of the product and cost.

It is not open to me, therefore, to have fair trade-approved products directly purchased by my Department. However, such products would be considered in the normal way if tendered in a procurement competition.

Departmental Bodies.

1048. **Mr. Boyle** asked the Minister for Defence the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10885/05]

Minister for Defence (Mr. O’Dea): The information sought by the Deputy is as follows.

Army Pensions Board: the chairperson and a civilian doctor receive annual fees of €7,619 and €5,077 respectively.

Coiste an Asgard: there are no annual fees paid to the chairperson or directors of an coiste.

Civil Defence Board: there are no annual fees paid to the chairperson or directors of this board.

National Lottery Funding.

1049. **Mr. Connolly** asked the Minister for Defence the amount of lottery funding advanced to date on a yearly basis to projects outside this State; the number of such lottery grants on a yearly basis [11522/05]

Minister for Defence (Mr. O’Dea): No lottery funds have been provided by my Department for projects outside the State.

Greenhouse Gas Emissions.

1050. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if the coming into effect of the Kyoto Protocol will result in an easing of restrictions on the building of wind farms and bio-gas plants. [10748/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Wind energy projects and bio-gas plants are considered development within the meaning of the Planning and Development Acts 2000 to 2004 and consequently require planning permission from the planning authority where the developments are proposed. There is no intention to change planning requirements for such developments.

Guidelines for planning authorities on the development of wind energy projects were published in draft format for public consultation in August 2004. I intend publishing them in definitive form in the near future. The guidelines will encourage a plan-led approach to the development of our wind energy resources, and planning authorities should indicate, through their development plans, the appropriate locations for wind farms, having regard to such factors as visual impact and impact on the surrounding environment and landscape. The guidelines will replace the guidelines published in 1996.

Regarding bio-gas plants, the potential, *inter alia*, of anaerobic digestion to deliver multiple environmental benefits, including reduced water

pollution potential, lower greenhouse gas emissions and reduced odours from agricultural slurries, is recognised. It can also deliver positive outcomes for policy objectives with respect to global warming and renewable energy. Any such installations would, however, require to be controlled, as appropriate, under the Waste Management Acts 1996 to 2003 or the Environmental Protection Agency Acts 1992 and 2003, in accordance with the requirements of Directive 96/61/EC concerning integrated pollution prevention and control.

Election Management System.

1051. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if the decision by the European Parliament’s budgetary committee to spend €8 million on a biased pro-EU constitution campaign is consistent with the Referendum Act 2001; the restrictions imposed on such a campaign by the Act. [9881/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Referendum Acts 1998 and 2001 provide for the establishment of a referendum commission whenever a referendum falls to be held. A referendum commission has the statutory role of explaining the subject matter of the referendum to the electorate and providing any other relevant information which it considers appropriate. Since 2001, the commission must also promote public awareness of the referendum and encourage the electorate to vote at the poll.

Regarding the referendum on the European constitution, the Government has made clear its commitment to ensuring that the commission to be established in respect of the referendum will have the time and resources that it requires to fulfil its mandate.

I understand that the additional funding made available to the European Commission through this year’s EU budget has been allocated to all member states on a *per capita* basis to support the provision of non-partisan information on the European constitution to all EU citizens, including initiatives at Commission level, such as an information website and distribution of information brochures. I further understand that the proportionately small element of the funding allocated to Ireland is being used by the Commission office in Dublin to ensure that an adequate supply of copies of the constitution is available free of charge to members of the public. The Commission and the European Parliament office are also distributing copies of the constitution to public representatives, civil society organisations, schools, libraries and other such bodies.

Having regard to the above, while the activities of the European institutions are not subject to the

provisions of the Referendum Acts, I am confident that the information campaign will complement the work of the referendum commission and is consistent with the principles of the Referendum Acts.

Local Authority Housing.

1052. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the number of houses built in County Louth on a

Local Authority Housing Completions or Acquisitions

Local Authority	2000	2001	2002	2003	2004
Louth County Council	19	38	54	43	41
Drogheda Borough Council	31	53	56	77	68
Dundalk Town Council	43	24	52	54	61

Local Authority Housing Expenditure

Local Authority	2000	2001	2002	2003	2004
	€	€	€	€	€
Louth County Council	2.5	4.9	7.4	7.6	5.9
Drogheda Borough Council	3.4	5.2	6.9	6.6	8.7
Dundalk Town Council	1.7	7.8	6.8	3.7	15.5

Register of Electors.

1053. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government his views on whether having to visit more than one post office to get a voter registration application form and subsequently having to make a visit to the Garda station with identification to be included on the supplementary voting register is a disincentive to people registering to vote; if he has proposals to change this system in view of the fact that the old system of visiting each house to check the applicants no longer applies. [10033/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The compilation and publication of the register of electors is a matter for the appropriate local authority in accordance with electoral law and involves the carrying out of house-to-house or other local inquiries, including in many cases delivering registration forms to households for completion. In addition, application forms for inclusion on the register of electors, or the supplement to the register, are widely available from local authorities, post offices, Garda stations and public libraries, and increasingly may be accessed via local authority websites.

In making voter registration as accessible as possible, it is important to have appropriate measures in place to guard against potential personation or abuse of the electoral system. It is, therefore, a legal requirement that completed application forms for inclusion on the supplement to the register of electors are witnessed by a

yearly basis since 2000; and the funds allocated to each local authority for housing in County Louth for each year since 2000. [9986/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information on the number of houses completed and capital expenditure by the three authorities in County Louth for each of the years 2000 to 2004 under the local authority housing construction and acquisition programme is set out in the following tables.

member of the Garda Síochána before being returned to the appropriate local authority. If a person cannot attend the local Garda station, his or her application may be witnessed by an official of the local authority. If, because of a physical illness or disability, a person cannot attend either the local Garda station or the local authority, his or her application form can be accompanied by a medical certificate.

I am concerned to ensure that the legislative and administrative arrangements in place regarding registration are as flexible and user-friendly as possible consistent with maintaining the security and integrity of the electoral process. While I will continue to keep current practice under review, I am satisfied that the present arrangements strike a reasonable balance.

Local Authority Levies.

1054. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he proposes to have penalties and levies under the Derelict Sites Act 1990 increased on a sliding scale; and if moneys raised will be used to fund the purchase of local land banks for future developments. [10034/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Section 23 of the Derelict Sites Act 1990 provides for the imposition of an annual derelict sites levy in respect of urban land registered by the relevant local authority for the purposes of the Act. The amount of this levy is 3% of the market value of

[Mr. Roche.]
the urban land concerned and remains payable until such time as the land ceases to be derelict.

I am satisfied that this levy, consistently applied and rigorously enforced, constitutes a sufficient financial incentive to property owners to eliminate dereliction, and I have no proposals at this time to increase the amount of the levy.

Revenues from the derelict sites levy may be applied by a local authority for the purpose of their functions generally and may be directed to the purchase of lands at the discretion of the local authority.

Waste Management.

1055. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the percentage of businesses obliged under regulations to take responsibility for their waste; and if he will make a statement on the matter. [10036/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Waste Management Acts 1996 to 2003 place a general duty of care on any holder of waste not to hold, transport, recover or dispose of waste in a manner that causes or is likely to cause environmental pollution. Local authorities have specific powers under the Acts to require measures to be taken to prevent or limit environmental pollution caused by the holding or disposal of waste and mitigate or remedy the effects on the environment of any such activity.

While enforcement is a matter for the local authorities and the Office of Environmental Enforcement, I will continue to ensure that the regulatory framework and the resources for effective enforcement are appropriate to deal with the problem. Very significant powers were made available to local authorities under the Waste Management Act 1996 to enable them to tackle illegal waste activity, and those powers were further strengthened by the Protection of the Environment Act 2003. Those grant an authorised person of a local authority powers to halt vehicles and inspect premises for any purpose connected with the Acts. Maximum penalties attaching to illegal waste activities are substantial and were increased in the 2003 Act.

To assist local authorities further in acting on those powers, for the second consecutive year, over €7 million has been allocated from the environment fund to support a more vigorous approach to environmental enforcement, with a particular emphasis on combating dumping and other unauthorised waste activities. That is now being reflected in the presence of additional enforcement personnel on the ground.

On a related matter, as part of the very successful Race Against Waste campaign, two initiatives aimed specifically at the business community were launched with a view to heightening awareness among businesses of their obligations regarding waste and of the need to increase recycling rates. The Small Change initiative was launched in February 2004 and provides step-by-step information on how to reduce, reuse, recycle

and compost waste in the workplace for small and medium-sized businesses. It was run in partnership with the Chambers of Commerce of Ireland and included a printed guide, website and seminars, all of which remain highly popular and in constant demand since the programme's launch.

In February 2005, I launched the Action at Work programme, which targets large organisations and aims to teach such organisations how to implement a better waste management strategy; provide information on what permits waste contractors should have; focus on waste minimisation and recycling; notify organisations of their legal obligations; and present examples on how other organisations are implementing reduce, reuse, recycle policies, such as my Department, Dublin Bus and the Department of Social and Family Affairs.

The programme comprises an action at work guide produced in print and CD format as well as nationwide seminars from running from March to June 2005 along with website and lo-call phone line support.

1056. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the number of prosecutions taken against businesses for failing to comply with packaging waste legislation since 1997; the prosecuting local authority; the companies prosecuted; the penalties imposed; and if he will make a statement on the matter. [10037/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The detailed information requested is not available in my Department. Nonetheless, I regard the effective operation of the regulatory regime for the waste sector as a key priority for my Department. Failure by any business or person to comply with waste legislation is unacceptable and will not be tolerated. To that end, several significant initiatives designed to achieve more vigorous enforcement of the waste code have been introduced. Those are designed to support the activities of the local authorities who are the primary enforcement authorities.

The Protection of the Environment Act 2003 provides new enforcement powers and increases the maximum fines for contraventions of the waste code. Conviction on indictment for an offence under the Waste Management Acts now carries a maximum fine of €15 million as well as a term of imprisonment of up to ten years.

Second, the Office of Environmental Enforcement, OEE, located within the Environmental Protection Agency, EPA, has been established and is fully operational. While it has a wide remit, the OEE is focusing on waste-related enforcement activities in its early stages and has established a national enforcement network to ensure a consistent standard of enforcement quality and evenness of activity across local authorities in the area. Several working groups have been established under the auspices of the national enforcement network to examine local authority enforcement activities over a range of specific areas, including packaging waste.

Third, the importance of providing additional resources to underpin the waste enforcement effort has been acknowledged. In that regard, €7 million from the environment fund was allocated to local authorities in 2004 to support the first year of a major five-year programme of local authority waste enforcement activities. A further €7 million is being provided in 2005. The aim is to provide a stronger and more visible local authority enforcement presence on the ground and to ensure more frequent inspections and speedier responses to reported allegations of non-compliance with waste legislation. Local authorities have been requested to give particular priority to enforcement of the 2003 packaging regulations in their functional areas.

I intend to continue to place a major emphasis on the importance of effective enforcement by competent authorities — local authorities and the EPA or OEE — across all environmental legislation and will continue to consider further measures which may prove necessary to further progress in this area.

1057. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the annual lost revenue due to non-compliance with packaging waste regulations; and if he will make a statement on the matter. [10038/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information sought is not available in my Department. Enforcement of the Waste Management (Packaging) Regulations 2003, as amended, is primarily a matter for local authorities. In that regard, it should be noted that €7 million was allocated to local authorities in 2004 from the environment fund to support stepped-up enforcement of waste management legislation generally, and a further €7 million is being allocated for 2005. Local authorities have been requested to give particular priority to enforcement of the 2003 packaging regulations in their functional areas.

In addition, the Office of Environmental Enforcement, OEE, located within the Environmental Protection Agency, EPA, has now been established and has in turn established a national enforcement network to ensure a consistent standard of enforcement quality and evenness of activity across local authorities in this area. Several working groups, including one on packaging waste, have been established under the auspices of the national enforcement network to examine local authority enforcement activities over a range of specific waste-related areas.

In light of the above, I am confident that the comprehensive new structures now being put in place are delivering a significantly enhanced waste enforcement service. The allocation of dedicated waste enforcement staff to local authorities, coupled with the efforts of the national enforcement network in co-ordinating activities and providing training, means that we are now in a better position to identify and tackle non-compliance with waste legislation, including the

packaging regulations, in a more targeted and focussed manner.

The 2003 packaging regulations, which revised and replaced previous regulations made in 1997, are intended to facilitate the achievement by Ireland of the 50% packaging waste recovery target by the end of 2005 as set out in Directive 94/62/EC on packaging and packaging waste. Those regulations were streamlined further in amending regulations made last year. The current body of regulations provides the necessary legal framework to facilitate the recovery and recycling of packaging waste in Ireland.

Under those regulations, all producers participating in the placing of packaging on the Irish market are obliged to segregate the packaging waste arising on their own premises into specified waste streams, that is, waste aluminium, fibre-board, glass, paper, plastic sheeting, steel and wood and have it collected by authorised operators for recycling. In addition, major producers, that is, those who have an annual turnover in excess of €1 million and who place more than 25 tonnes of packaging on the Irish market, have additional responsibilities with regard to the recovery of packaging waste from their customers.

Major producers have the option of either complying directly with their producer responsibility obligations, that is, self-compliance, or alternatively getting an exemption from those requirements by becoming a member of a packaging waste compliance scheme. Repak Limited, established by Irish industry in 1997 to promote, co-ordinate and finance the collection and recovery of packaging waste with a view to achieving Ireland's packaging waste recovery and recycling targets under Directive 94/62/EC on packaging and packaging waste, is the sole approved compliance scheme for the recovery of packaging waste in Ireland.

While it is not possible to ascertain with any degree of certainty the level of non-compliance among business, I am aware that membership of the Repak scheme now stands at circa 1,900, up from 700 at the end of 2000, which reflects not only the efforts of Repak in its drive to recruit new members but also in large part the increased and more targeted enforcement activities by local authorities in this regard.

Housing Grants.

1058. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government if central heating for the elderly and disabled is covered under his Department's guidelines to local authorities for the disabled person's grants; and if not, if he will issue such a directive. [10039/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The provision of appropriate heating systems is eligible for funding under both the disabled persons and essential repairs grant schemes. Decisions on the type and extent of work which may be grant aided in individual cases are matters for the local authorities, which

[Mr. N. Ahern.]
are responsible for the administration of the schemes.

Under the terms of the special housing aid for the elderly scheme, which is operated by the Health Service Executive, provision of a suitable heating system appropriate to the needs of the elderly person in the context of the other improvements and repairs works to dwelling may also be funded. In addition, in July 2004, my Department introduced a new central heating programme to assist local authorities in providing central heating facilities in their rented dwellings which lack them. That scheme has been extended for a further period in 2005.

Road Network.

1059. **Mr. G. Murphy** asked the Minister for the

Environment, Heritage and Local Government if he will issue figures showing the amount of money per kilometre granted to each county for regional and county roads. [10040/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The total grant allocated to each county council in 2005 under the non-national road grant allocations is set out in column 1 of the following table.

The only grant categories which are calculated by reference to length of road are the discretionary improvement and maintenance and restoration maintenance categories. The funding per kilometre allocated to each County Council under those categories is set out in column 3 of the table.

Separate grants are allocated to urban authorities, none of which is calculated by reference to length of roads in their areas.

	Column 1	Column 2	Column 3
County Councils	Total 2005 Grant Allocation	Total Non-national Road Length in County Council Area (km)	2005 Allocation per km under discretionary improvement and maintenance and restoration maintenance grants
	€		€
Carlow County Council	5,933,072	1,153	1,230
Cavan County Council	14,588,225	2,876	1,229
Clare County Council	16,845,333	3,940	1,229
Cork County Council	40,710,561	11,574	1,229
Donegal County Council	26,302,155	6,022	1,230
Dún Laoghaire-Rathdown County Council	8,901,296	652	2,459
Fingal County Council	9,360,432	1,022	1,844
Galway County Council	24,163,573	6,072	1,230
Kerry County Council	17,608,128	4,224	1,230
Kildare County Council	27,606,720	2,090	1,230
Kilkenny County Council	10,864,021	2,850	1,230
Laois County Council	8,311,234	1,973	1,229
Leitrim County Council	9,613,026	2,053	1,230
Limerick County Council	15,365,246	3,404	1,230
Longford County Council	7,069,578	1,466	1,229
Louth County Council	6,534,192	1,147	1,229
Mayo County Council	20,150,208	5,878	1,230
Meath County Council	29,429,220	2,925	1,230
Monaghan County Council	13,296,076	2,374	1,229
North Tipperary County Council	9,520,405	2,431	1,230
Offaly County Council	8,442,548	1,943	1,230
Roscommon County Council	12,861,484	3,720	1,229
Sligo County Council	10,434,662	2,499	1,230
South Dublin County Council	14,170,464	792	1,844
South Tipperary County Council	10,531,110	2,736	1,230
Waterford County Council	10,146,627	2,457	1,230
Westmeath County Council	8,220,961	2,004	1,230
Wexford County Council	14,173,051	3,188	1,230
Wicklow County Council	12,322,095	1,984	1,229

Water and Sewerage Schemes.

1060. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if funding has been granted to Sligo County Council

for the proposed new sewerage scheme for Rathcormac, County Sligo: the amount of funding granted; and if he will make a statement on the matter. [10047/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Rathcor-mac sewerage scheme was seventh on the list of nine waste-water schemes submitted by Sligo County Council in response to my Department's request to all local authorities to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The priority lists were taken into account in the framing of the Water Services Investment Programme 2004-2006 published in May 2004.

In view of the priority afforded to the scheme by Sligo County Council, it was not possible to include it in the programme.

1061. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if funding has been granted to Sligo County Council for the upgrading of the water treatment plant at Lough Talt, County Sligo: the amount of funding granted; and if he will make a statement on the matter. [10048/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Lough Talt water supply scheme has been approved for construction under my Department's Water Services Investment Programme 2004-2006, at an estimated cost of €1.8 million.

My Department is awaiting submission by Sligo County Council of a brief for the appointment of consultants to prepare a preliminary report for the scheme.

1062. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if funding has been granted to Sligo County Council for the proposed Sligo main drainage waste water sewerage treatment plant: the amount of funding granted; and if he will make a statement on the matter. [10049/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Sligo main drainage scheme has been included in the Department of the Environment, Heritage and Local Government's water services investment programme 2004-06 to commence construction this year at an estimated cost of €24.15 million. The Department approved Sligo County Council's contract documents for the scheme in March 2004 and is awaiting submission of the council's tender recommendation.

1063. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if funding has been granted to Sligo County Council for upgrading of the sewerage treatment facility at Tubbercurry and provision of sewerage connections to houses at Ballyara, Tubbercurry under the SLI scheme; the amount of funding granted; and if he will make a statement on the matter. [10050/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Tubbercurry sewerage scheme has been approved for funding under the serviced land initiative

measure of the Department of the Environment, Heritage and Local Government's water services investment programme 2004-06 at an estimated cost of €1.3 million. The Department is examining additional information received from Sligo County Council relating to the preliminary report for the scheme and that will be dealt with as quickly as possible. Details of the precise areas to be served by the scheme may appropriately be sought from the council.

Regional Road Network.

1064. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if funding will be granted to Sligo County Council for works on the Knocknagore to Culfadda road in County Sligo: the amount of funding granted; and if he will make a statement on the matter. [10051/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision and improvement of non-national roads in County Sligo is a matter for Sligo County Council to be funded from its own resources, supplemented by State grants. In 2004, the Department of the Environment, Heritage and Local Government sought applications from road authorities for funding under the 2005 EU co-financed specific improvements grant scheme. The initial selection of projects to be submitted for consideration for funding under the scheme is a matter for local authorities. Sligo County Council submitted a number of applications, which did not include an application for funding for works on the Knocknagore to Culfadda road.

It will be open to the council to prioritise works on the route for funding under the EU co-financed specific improvement grant scheme in 2006, if eligible, when applications are sought later this year by the Department of the Environment, Heritage and Local Government. Sligo County Council may use the discretionary improvement grant provided by the Department for the carrying out of such works. The discretionary improvement grant provided to the council in 2005 is €1.533 million. The initial selection and prioritisation of projects to be funded from the grant is a matter for the council.

Water and Sewerage Schemes.

1065. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the progress made on the water supply and sewerage treatment plants in Ballinacarrow, County Sligo; if funds will be put in place and in operation in 2005; and if he will make a statement on the matter. [10053/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Ballinacarrow sewerage scheme has been approved for funding under the serviced land initiative measure of the Department of the Environment, Heritage and Local Government's water services investment programme 2004-06 at an estimated cost of €683,000. The Department is awaiting the submission by Sligo County Council of a prelimi-

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 nary report for the scheme. The council will be in a position to proceed to tender after the Department has approved the preliminary report. The Department has not received any proposals from the council about the water supply for the area.

Local Authority Housing.

1066. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of housing units made available in West Cork under Part V of the Planning and Development Act 2000 since the Act was introduced. [10072/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): According to information supplied by the local authority to the Department of the Environment, Heritage and Local Government, six housing units have been provided in west Cork on foot of Part V agreements with developers to the end of 2004.

Waste Management.

1067. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government when he expects to receive details of the contract between Dublin City Council and a company (details supplied) to design, build, operate, maintain and finance an incinerator in Ringsend; if he has decided to approve such a contract; if not, the criteria he will apply in deciding whether to approve this contract; the person with whom he will consult in making this decision; and if he will make a statement on the matter. [10077/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A waste to energy plant is being procured by Dublin City Council on behalf of the four Dublin local authorities, in the context of the regional waste management plan, by means of public private partnership. I understand that the process is well advanced. The Department of the Environment, Heritage and Local Government has not received a submission from the local authority in this regard. The Department will not deal with planning or environmental issues relating to the project because such matters are decided on independently by An Bord Pleanála and the EPA respectively. Given the intention to use public private partnership to deliver the project, however, the Department will wish to be satisfied that the procurement process has been properly conducted in accordance with national and EU requirements and that the selected tenderer's offer constitutes good value. The Department will not have any further involvement in sponsoring or financing the project.

Registration of Title.

1068. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his views on whether a registration system should be put in place for contractual agreements that

give parties an option to purchase building land. [10119/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The All-Party Committee on the Constitution, in its ninth progress report on private property, recommended that the existence of options should be included in the categories of transactions to be revealed publicly as a measure to achieve transparency in property markets generally. While the registration of land is not be a matter for the Department of the Environment, Heritage and Local Government, the recommendation will be addressed in the context of the Government's overall response to the committee's report.

Waste Management.

1069. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government his views on the fact that sewage sludge is not being treated properly in this country; if he will take the necessary steps to ensure that sewage sludge from various plants will be treated to EU standards; and if he will make a statement on the matter. [10133/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Sewage sludge is an inevitable and potentially useful by-product of advanced waste water treatment processes. The national volume of sewage sludge is increasing as a result of the continuing major investment in waste water treatment facilities under the national development plan. It is desirable and in accordance with EU requirements that sewage sludge should be reused where appropriate. I note that the recent EPA report on urban waste water discharges in Ireland confirms that sludge reuse in agriculture increased significantly from 23.9% in 1998-99 to 63% in 2002-03.

When sewage sludge is reused in agriculture it is subject to compliance with the Waste Management (Use of Sewage Sludge in Agriculture) Regulations 1998, as amended, which give effect to Council Directive 86/278/EC on the protection of the environment and, particularly, of the soil when sewage sludge is used in agriculture. The regulations specify sampling, analyses and monitoring requirements, set limit values for metal concentrations for the use of sewage sludge in agriculture and require that sewage sludge is used only in accordance with a nutrient management plan. The regulations also place a responsibility on local authorities to plan, control and enforce the disposal or reuse of sewage sludge within their functional areas.

Waste Disposal.

1070. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to illegal dumping taking place in Somalia; if he has raised the issue at European Union level; and if he will make a statement on the matter. [10135/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There is

ongoing concern within the United Nations environment programme about the possibility of large scale illegal dumping of toxic materials in Somalia. I understand that the programme is undertaking further investigations following the recent tsunami which is reported to have uncovered evidence of such materials. As parties to the Basel Convention on the control of transboundary movements of hazardous waste, for which the UN programme is responsible, Ireland, the EU Commission and other member states are committed to the regulation of waste transshipments in an environmentally responsible way.

All exports of waste from the EU to African states are prohibited under Article 18 of Council Regulation (EEC) No. 259/93, which gives effect to the Basel Convention. Regular inspections take place under corresponding Irish regulations to ensure compliance with all requirements of the EU waste transshipment regulation. Ireland, through its participation together with its EU partners in the Basel Convention and its ongoing and increased support of the UN programme, will continue to support the objective of full compliance with agreed protocols in this important matter.

Planning Issues.

1071. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government if he will review the practice of developers being able to apply for retention permission as this undermines the integrity of the planning system. [10166/05]

1104. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if the provisions of the Planning and Development Act 2000 and subsequent Acts prohibiting planning applications for retention have been brought into force; his plans in this regard; and if he will make a statement on the matter. [10809/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1071 and 1104 together.

All provisions of the Planning and Development Act 2000 are now in force. Neither the Act nor the subsequent amendments to it contain provisions prohibiting planning applications for retention. The retention permission system allows for the assessment of an unauthorised development to determine whether it meets the criteria, including environmental impact assessment where relevant, for development consent. Allowing an application for retention permission for an unauthorised development does not ignore the offence that has been committed by the developer. Planning legislation was amended in 2000 so that an application for retention permission is no longer a defence to a prosecution for unauthorised development. The legislation clearly envisages a situation where a developer might apply for and obtain retention permission, while being simultaneously fined in the courts for his or her original breach of the law.

There are many other strengthened enforcement provisions in the Planning and Develop-

ment Act 2000. Planning authorities must take action in response to well-founded complaints about unauthorised development, unless it appears to the planning authority that the development in question is of a trivial or minor nature. The 2000 Act greatly increased fines, with a maximum penalty on conviction on indictment of €12.7 million and two years' imprisonment. Planning authorities are now entitled to retain fines imposed by courts for planning offences to help finance more active planning control. The period for taking action was extended from five to seven years in the 2000 Act, which increased the fees for retention permission. The Department of the Environment, Heritage and Local Government does not propose to add to or amend the recently reviewed provisions of planning legislation on unauthorised development and retention.

Asbestos Removal.

1072. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government his plans to introduce a scheme of assistance for householders who are removing asbestos from their homes. [10169/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): It is not proposed to introduce a scheme of assistance for private householders who are removing asbestos from their homes. It is a matter for individual local authorities, which are responsible for housing maintenance, to consider the desirability in particular circumstances of removing any asbestos-containing materials from their rented housing stock. It is not considered necessary to instigate a specific programme in this respect, as the Department been requested by local authorities to do so. An information leaflet, *Asbestos in your Home*, is available from ENFO, the Department of the Environment, Heritage and Local Government's public information service on environmental matters. The leaflet, which includes advice on the maintenance, removal and disposal of asbestos materials, advises the public to contact the Health and Safety Authority to obtain information about the handling and use of asbestos.

Ministerial Travel.

1073. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he travelled abroad for the St. Patrick's Day celebrations; the persons who travelled with him in his official party; the duration of the visit and the cost involved. [10185/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I visited Shanghai and Beijing in China, from 13 March to 20 March last, for the St. Patrick's Day celebrations, building on the successful visit by the Taoiseach and his delegation to that country. During my visit, on which I was accompanied by my wife and my private secretary, I met the vice-mayor of Shanghai and the president of Fudan university in Shanghai, where I presented the prize for the

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George Bernard Shaw essay competition. I met the vice-minister responsible for China's environmental protection administration. I attended a St. Patrick's Day reception hosted by the ambassador in Beijing. I met representatives of the Irish community in both cities. I attended a presentation, Green Olympics, by the Beijing Olympic committee. The cost to the Department of the visit amounts to €17,813, excluding accommodation costs which are not yet to hand. It should be noted that I paid a personal visit to Singapore at the end of my visit to China, at my own expense. I took the opportunity during the visit to meet the environment minister of Singapore.

Private Rented Accommodation.

1074. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government if it is compulsory for all private landlords who have tenants in receipt of rent supplement over 18 months to transfer to the rental accommodation scheme; and if he will make a statement on the matter. [10204/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the rental accommodation scheme, local authorities enter into arrangements with private landlords to provide accommodation to persons in receipt of rent supplement who are deemed to have a long-term housing need. Landlords are not obliged to participate in the scheme. Local authorities will seek to secure suitable accommodation for rent supplement recipients whose landlords do not wish to participate. Agreement between a local authority and a landlord also depends on the rent sought for the property, compliance with approved standards, registration of the tenancy with the Private Residential Tenancies Board and the landlord's tax affairs being in order.

Register of Electors.

1075. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if his Department has examined the possibility of reforming the electoral system so that Irish citizens living abroad will be able to vote in referendums and general elections; and if he will make a statement on the matter. [10235/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The compilation of a register of electors is a matter for the appropriate registration authority in accordance with electoral law. To be able to vote, a person's name must be entered in the register of electors for the constituency in the State in which the person ordinarily resides. A person's citizenship determines the polls at which he or she is entitled to vote. Irish citizens who are registered to vote may vote at all polls. British citizens may vote at Dáil, European and local elections, EU citizens other than Irish and UK citizens may vote at European and local elections and non-EU citizens may vote at local elections only.

Postal voting is provided for certain categories of person as specified in electoral law. The Electoral Act 1992 provides for postal voting for members of the Garda, whole-time members of the Defence Forces and Irish diplomats serving abroad and their spouses. The Electoral (Amendment) Act 1996 extended postal voting to electors living at home who are unable to vote because of a physical illness or disability. The Electoral Act 1997 extended postal voting to electors whose occupation, service or employment makes it likely that they will be unable to vote in person at their local polling station on polling day, as well as to full-time students registered at their home who are living elsewhere while attending an educational institution in the State. The Electoral (Amendment) Act 2001 extended postal voting to certain election staff employed at the poll outside the constituency in which they reside.

The question of voting rights for Irish citizens living abroad has been considered in detail on a number of occasions, most recently by the All-Party Committee on the Constitution in its examination of the Parliament. The committee's seventh progress report was published in March 2002. The section of the report that deals with emigrant participation in political life concluded that the right to vote in Dáil elections should remain confined to citizens ordinarily resident in the State and that the right to vote at referendums should not be granted to emigrants. While electoral law is subject to ongoing review, there are no proposals to alter the existing arrangements.

Planning Issues.

1076. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government if he will consider amending the planning law so that effective enforcement action will be taken in respect of incomplete estates in which residents are living, before the five years during which a planning application remains valid for completion works; and if he will make a statement on the matter. [10236/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Planning and Development Act 2000 contains significant provisions regarding the completion of housing estates. A planning authority may require as a condition of a planning permission for the development of an estate that the development be satisfactorily completed within a period of not less than two years from the commencement of works. The 2000 Act also provides that a planning authority may attach a condition to a planning permission requiring the giving of adequate security for the satisfactory completion of a development and, if the development is not subsequently satisfactorily completed, it may apply the security to that satisfactory completion. It is the responsibility of the local authority to ensure that adequate security for the completion of estates is obtained.

Section 180 of the 2000 Act provides that if an estate is not completed satisfactorily by the devel-

oper, a planning authority must, if requested to do or by the majority of the qualified electors who are owners or occupiers of the houses involved, initiate the procedures for taking an estate in charge. The decision on whether to take the estate in charge is ultimately one for the democratically elected members. It should be noted that the enforcement of planning control provisions have been considerably strengthened in the 2000 Act. Fines have been greatly increased. Planning authorities are obliged to follow up genuine complaints about breaches of planning control within a given time period and are entitled to retain fines imposed by courts for planning offences. Moreover, that an application for retention permission has been made is no longer a defence to a prosecution for unauthorised development.

The 2000 Act contains a further relevant provision in this regard. Section 35 provides that the planning authorities may apply to the High Court for authorisation to refuse to grant planning permission to a developer who has substantially failed to comply with the conditions of a previous permission. A Private Members' Bill, the Planning and Development (Amendment) Bill 2005, proposes to amend this provision. The Government did not oppose the second reading of the Bill despite reservations about possible legal difficulties. The Department of the Environment, Heritage and Local Government is considering the Bill and has sought the advice of the Office of the Attorney General.

1077. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government the number of quarries legally registered with planning permission in County Donegal; if he can provide a list of them and when they were last inspected; if the same procedures apply to older established quarries that predate the introduction of presently applied legislation on quarrying; and if not, when the present legislation will be applied to those older established quarries. [10261/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Planning authorities are responsible for the granting of planning permission and the registration of quarries within their functional area. The Department of the Environment, Heritage and Local Government does not have information on the number of quarries with planning permission registered with Donegal County Council. Section 261 of the Planning and Development Act 2000 introduced a one-off system of registration for all quarries, other than those for which planning permission was granted in the five years prior to 28 April 2004. 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. The information must be supplied by 27 April 2005.

A planning authority may, following registration, impose conditions on the operation of quarries which were in existence before the intro-

duction of the planning code in October 1964. In certain circumstances, it may require an application for planning permission and the submission of an environmental impact statement. Planning authorities will be able to restate, modify or add to conditions on the operation of post-October 1964 quarries which received planning permission more than five years ago.

Local Authority Housing.

1078. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the details of the seven pilot projects affecting 5,000 local authority housing applicants relative to their application for housing and their private rented accommodation; if each will be asked to pay differential rent or will the existing rent levels continue; and if he will make a statement on the matter. [10301/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the rental accommodation scheme announced by the Government in July 2004, local authorities will over a four-year period progressively assume responsibility for accommodating supplementary welfare allowance rent supplement recipients of 18 months or more continuous duration with a long-term housing need. The scheme is a collaborative project between the Department of the Environment, Heritage and Local Government, local authorities, the Department of Social and Family Affairs and the community welfare service.

All local authorities are due to implement the new arrangements in 2005. Roll-out has commenced in an initial group of lead authorities, namely, Dublin, Galway and Limerick city councils, south Dublin, Donegal, Offaly and Westmeath county councils and Drogheda Borough Council. The main actions to date have been to put in place the structures necessary to commence the project, identify and resolve issues arising and to engage resources needed to support implementation.

Programme managers have been appointed initially to assist the lead authorities but thereafter to be available to support other authorities over the implementation period. Regional and local implementation groups in the lead authority areas have been established to ensure effective ongoing liaison and co-operation locally between housing authorities, Health Service Executive areas and other welfare agencies. A number of seminars have been held in the lead authorities to inform accommodation providers of the new scheme and to receive their views.

Work is ongoing in the lead authorities towards identifying those on rent supplement who are in need of long-term housing support. Starting with persons who have been in receipt of rent supplement for 18 months or more, community welfare officers in Health Service Executive areas have commenced a review of cases which, subject to meeting eligibility criteria, are in the process of being transferred to the relevant housing authority for the purposes of establishing long-term housing need. If a long-term housing need is iden-

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 tified by the local authority, it will start to source suitable accommodation for the household under the rental accommodation scheme as quickly as possible. The pilot local authorities have already initiated contact with accommodation providers in their areas. Pilot projects to secure long-term contracts for the supply of rented accommodation are also being advanced.

The rental accommodation scheme is an additional housing option. Eligible persons can indicate their preference to be accommodated by local authorities under the scheme or social housing, or to be considered under both. Tenants will initially make the same rent contribution under the rental accommodation scheme upon transfer as they have done before now under the rent supplement scheme, subject to there being no change in the tenant's family circumstances. The contribution under the rental accommodation scheme will be brought in line with the differential rents scheme for the area over time.

Serviced Land Initiative.

1079. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Question No. 222 of 27 January 2005, the position regarding the status of the application; and if he will make a statement on the matter. [10385/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I have recently approved funding for revised water services proposals at Lanesboro Road in Roscommon under the serviced land initiative measure of the Department of the Environment, Heritage and Local Government's water services investment programme. It is a matter for Roscommon County Council to proceed with the preparation of contract documents for the works.

Services for People with Disabilities.

1080. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if he is satisfied with the rate of compliance with Part M of the building regulations; if he will make improvements to legislation so as to improve access to disabled persons, especially to public buildings; his views on whether the definition of a public building should be broadened to include even the parts of a building that members of the public would not generally access; and if he will make a statement on the matter. [10386/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Building Control Act 1990, compliance with Part M of the building regulations, which relates to access of people with disabilities, is primarily the responsibility of the designers, builders and owners of buildings. The enforcement of Part M is the function of the local building control authority.

The Department of the Environment, Heritage and Local Government, with the co-operation of building control authorities, conducted a survey of such compliance in the case of non-domestic

buildings in 2003, as part of the European year of people with disabilities. Almost 600 buildings were covered by the survey, of which over one third did not fully comply with Part M. Local authorities sought to achieve full compliance by seeking the co-operation of building owners or by instituting enforcement action.

The results of the survey confirm a disappointing level of compliance with Part M. The Department has for some years been pressing building control authorities to step up enforcement and, in particular, to give priority to the enforcement of Part M. It is clear that seeking full compliance with Part M in a completed building involves serious practical problems and that such problems should be avoided by checking compliance at the design stage. Accordingly, the proposed building control (amendment) Bill will provide for the introduction of a disability access certificate system, as recommended by the report of the Commission on the Status of People with Disabilities. Under this system, the designs of non-domestic buildings and apartment blocks will have to be certified by the local building control authority as being compliant with Part M before work commences. This will be similar to the existing fire safety certificate system, whereby designs are certified as compliant with Part B — fire safety — of the building regulations.

Part M of the 1997 building regulations required disabled access within a building, but it was restricted to those parts of a building to which it is reasonable to have access. This restriction has been removed by amending Part M regulations made in 2000 which require, without qualification, that adequate provision should be made to enable people with disabilities to access independently and use a building.

Social and Affordable Housing.

1081. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if his Department has a scheme of priorities for affordable housing. [10387/05]

1082. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if his Department has an input into the way in which points are allocated for affordable housing or is this done solely by the local authorities themselves. [10388/05]

1099. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the details of affordable housing schemes in which a lottery scheme of allocation was used with respect to affordable housing units completed in the past five years. [10728/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1081, 1082 and 1099 together.

The allocation of houses under the affordable housing schemes is a matter for each local authority, in accordance with the scheme of allocation priorities adopted by its elected members. Each local authority must establish a scheme that determines the order of priority to be accorded

to persons to whom affordable houses are made available for sale, where the number of persons applying for such houses exceeds the number of houses available. A working group of officials from the Department of the Environment, Heritage and Local Government and a number of local authorities was established to assist local authorities in preparing schemes. Following the working group's consideration, guidelines on a model scheme of allocation priorities were prepared and circulated to local authorities in June 2001. Notwithstanding this, the making and amending of a scheme is a reserved function and, accordingly, it is a matter for the elected members to decide the precise form the scheme should take, having regard to the requirements of the relevant legislation. The Department does not have information on the composition of the various schemes operated by local authorities. It does not have details of affordable housing schemes where a lottery was used for allocation purposes.

Departmental Offices.

1083. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government the position concerning an application for funding by Westmeath County Council concerning the erection of new civic offices for the said council (details supplied) in County Westmeath; and if he will make a statement on the matter. [10427/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Westmeath County Council wrote to the Department of the Environment, Heritage and Local Government in June 2004 outlining its plans to develop a new county council headquarters at Mullingar, with an anticipated borrowing requirement of €35 million. While no formal application was made for sanction to borrow, the council was advised that the overall allocation for local authority borrowing for office accommodation in 2004 was already fully committed to existing projects. The Department of the Environment, Heritage and Local Government is examining the office accommodation borrowing requirements for the local government sector in 2005 in terms of the projects which are under way and those which are awaiting sanction to borrow. The Department will be in touch with the relevant local authorities as soon as this is completed.

Commercial Rates.

1084. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government the percentage rates of increase levied in respect of commercial rates by all local authorities for the year 2005; and if he will make a statement on the matter. [10428/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The following table, which has been compiled from information supplied to the Department of the Environment, Heritage and Local Government by local authorities, sets out the percentage increase in the

annual rate on valuation by each local authority in 2005, compared to 2004.

	Percentage Increase
<i>County Council</i>	
Carlow	5.00
Cavan	5.00
Clare	5.90
Cork	5.83
Donegal	5.00
Dún Laoghaire-Rathdown	2.50
Fingal	3.99
Galway	8.00
Kerry	5.01
Kildare	5.48
Kilkenny	5.99
Laois	6.00
Leitrim	6.03
Limerick	5.50
Longford	4.02
Louth	5.01
Mayo	5.49
Meath	11.03
Monaghan	3.17
North Tipperary	4.00
Offaly	6.01
Roscommon	5.00
Sligo	4.91
South Dublin	5.00
South Tipperary	4.02
Waterford	5.02
Westmeath	4.52
Wexford	4.99
Wicklow	6.00
<i>City Council</i>	
Cork	2.93
Dublin	4.98
Galway	5.49
Limerick	3.60
Waterford	5.04
<i>Borough Council</i>	
Clonmel	3.99
Drogheda	4.99
Kilkenny	5.00
Sligo	5.29
Wexford	3.99
<i>Town Council</i>	
Arklow	4.90
Athlone	6.00
Athy	4.99
Ballina	3.51
Ballinasloe	0.00
Birr	6.00
Bray	5.97
Buncrana	4.23
Bundoran	5.02
Carlow	5.00

	Percentage Increase
Carrickmacross	3.99
Carrick-on-Suir	5.01
Cashel	6.00
Castlebar	5.00
Castleblaney	5.00
Cavan	5.00
Clonakilty	6.00
Clones	5.56
Cobh	8.00
Dundalk	5.00
Dungarvan	5.02
Ennis	5.91
Enniscorthy	5.00
Fermoy	5.72
Kells	7.50
Killarney	5.00
Kilrush	5.99
Kinsale	3.93
Letterkenny	3.00
Listowel	3.86
Longford	4.50
Macroom	7.88
Mallow	5.99
Midleton	9.81
Monaghan	4.99
Naas	4.61
Navan	4.98
Nenagh	4.80
New Ross	4.50
Skibbereen	8.59
Templemore	6.99
Thurles	4.81
Tipperary	4.00
Tralee	3.50
Trim	8.99
Tullamore	6.00
Westport	4.74
Wicklow	5.99
Youghal	8.49

Motor Vehicle Registration.

1085. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Question No. 223 of 27 January 2005, when the review of the vehicle registration certificate will take place; and if he will make a statement on the matter. [10438/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The installation of new software in the national vehicle and driver file during this year will enable the year of manufacture of vehicles to be included in the revised vehicle registration certificate from the autumn.

Tidy Towns Competition.

1086. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government

the financial assistance his Department will offer to the Ardee tidy towns committee in County Louth. [10448/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Department of the Environment, Heritage and Local Government does not provide direct financial assistance to tidy towns committees. Available funding goes towards the organisation of the tidy towns and related competitions and the maintenance of a substantial prize fund, which this year will exceed €180,000, spread over more than 200 prize categories. Financial and other assistance may be available to tidy towns committees from local authorities and other local agencies, such as Leader groups. It is also open to committees to raise finance through the organisation of local fund raising events and sponsorship from local businesses.

Capital Loan and Subsidy Scheme.

1087. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the delay in approving the funding for a group (details supplied); and if he will make a statement on the matter. [10476/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Certain clarifications regarding the design of the project and the application submitted under the capital loan and subsidy scheme by South Tipperary County Council, which is responsible for the detailed administration of the scheme in its area, were sought from the council. The documentation requested has been received and the application is being considered. The council will be advised of the outcome as soon as possible.

Local Authority Housing.

1088. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the progress being made on an application for budget cost approval for Phase 1 of a scheme (details supplied) in County Tipperary; and if he will make a statement on the matter. [10477/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): An application has been received by the Department of the Environment, Heritage and Local Government from Carrick-on-Suir Town Council seeking approval for the construction of 35 local authority houses at Coolnamuck Road in Carrick-on-Suir. It is one element of the proposed housing scheme and no application has been received in respect of the voluntary housing element of the proposal. The Department is in contact with the town council seeking clarification on how it is proposed to proceed with the construction of the entire project.

Environmental Policy.

1089. **Mr. N. O’Keeffe** asked the Minister for the Environment, Heritage and Local Government the areas of the country which are designated nitrate vulnerable zones; and the action programme which is in place in these designated areas. [10497/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The European Communities (Protection of Waters Against Pollution from Agricultural Sources) Regulations 2003 formally designated the national territory of Ireland as the area to which a national nitrates action programme would apply. Consequently, no particular areas of the country are designated as nitrate vulnerable zones.

Decentralisation Programme.

1090. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the sections of his Department currently based outside Dublin which will be moved to other non-Dublin locations under the decentralisation programme; the location from and to which officials are being transferred; the numbers and sections involved; and if he will make a statement on the matter. [10538/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There are no proposals under the decentralisation programme to move sections of the Department of the Environment, Heritage and Local Government which are based outside Dublin to other locations outside the city.

Fair Trade.

1091. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the campaign to have fair trade products widely available and used; his views on the objectives of this campaign; and if he will endeavour to have such fair trade approved products used in his Department. [10569/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am aware of the campaign to have fair trade products widely available and in particular the launch in Cork on 1 March 2005 of the fair trade fortnight 2005 campaign, which aims to raise consumer awareness in this area. I support the campaign’s objective, which is to promote justice in trade between people in Ireland and people in developing countries. The company providing catering services in the headquarters of the Department of the Environment, Heritage and Local Government has and will continue to make a number of fair trade products available.

Building Regulations.

1092. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government

the reason officials of his Department are required to inspect for and produce floor area compliance, when similar work is already undertaken by local authority officials in assessing compliance with building regulations. [10594/05]

1110. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if he will consider an arrangement whereby, in order to avoid duplication and potential misinterpretation of compliance with building regulations, a floor area compliance certificate be issued on receipt of certification by a qualified architect, engineer or surveyor. [10986/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1092 and 1110 together.

Under the Building Control Act 1990, local authorities inspect buildings for compliance with the building regulations. However, my Department’s housing inspectorate is involved in the inspection of houses in connection with various grant schemes and with certification for taxation and other benefits. This includes inspections carried out for floor area compliance certificates, the requirements of which include, but are not limited, to compliance with the building regulations.

It is appropriate, at a time of record activity in the construction sector, that standards are maintained at a high level. An independent inspection service such as that provided by the Department is an important contribution to the achievement of consistent standards in the current circumstances.

Significant State benefits, by way of tax and stamp duty relief, accrue to those providing and purchasing new houses and the present inspection system helps to ensure protection of these tax expenditures and also to provide a measure of consumer protection. Where differences of interpretation and misunderstandings arise my Department’s inspectorate meets the relevant parties with a view to clarifying and where possible resolving such issues.

Local Authority Housing.

1093. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if it is correct that in future local authority tenants who are being de-tenanted because of refurbishment of flats complexes and so on will not be given priority in new accommodation; if any memorandum on this matter has been issued by the Department to city and county managers; if so, the contents of such a memorandum; and if he will make a statement on the matter. [10619/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The detenanting of dwellings that are to be subject to refurbishment works is a

[Mr. N. Ahern.]

matter for local authorities and my Department has no function in the matter. My Department, in design guidelines issued to local authorities in 1999 on refurbishment works undertaken under the remedial works scheme, states that the issue of whether tenants should remain in occupation of their dwellings during refurbishment work or be relocated is a matter for consideration by the local authority. I am not aware of any particular difficulty in respect of the transfer of tenants whose dwellings are being refurbished and my Department has not communicated with local authorities generally in this regard.

Social and Affordable Housing.

1094. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if, in the context of the purchase of affordable houses from local authorities by qualifying individuals and the subsequent sale of those houses by those same individuals within a short period, he has satisfied himself that the clawback mechanism is fair; and if he will give examples of how this claw back is calculated. [10624/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The clawback provisions provide that if a house purchased under the affordable housing schemes at a discount from market value is resold before the expiration of 20 years from the date of the purchase, the person selling the property shall pay to the local authority a percentage of the proceeds of the sale. This percentage is equal to the percentage discount allowed by the local authority on the original sale of the house where the house is resold within the first ten years. The amount payable is reduced by 10% in respect of each complete year after the tenth year during which the person who purchased the property has been in occupation as his or her normal place of residence.

For example, if an affordable house is purchased from a local authority for €120,000 and has a market value at the time of purchase of €150,000, the discount received is 20%, and this is the clawback percentage payable in the event of a resale. If the house was resold after five years for €180,000, taking account of improvements by the purchaser, the clawback payable to the local authority would be 20% of this amount, €36,000. If the house were resold after 12 years for €200,000, the clawback would amount to €32,000.

The provision for a clawback is necessary to ensure that there is no short-term profiteering on the resale of a house provided by a local authority at a discount from market value. I am satisfied that the provision works well in protecting the State's interest in these affordable houses.

Recycling Policy.

1095. **Mr. Connolly** asked the Minister for the Environment, Heritage and Local Government his initiatives to establish a recycling lottery with a view to encouraging households to become more environmentally conscious; and if he will make a statement on the matter. [10663/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Race Against Waste campaign funded by my Department is an extended environmental awareness campaign to promote better waste management at home and in the workplace. The campaign, which was launched in November 2003, comprises a waste awareness media campaign and a communications strategy. The media campaign encourages people to prevent, reduce, reuse and recycle or compost their waste while the communications strategy informs the public about waste issues generally and of the need for an integrated approach to waste management.

The campaign has included a number of competitions, including one on national radio to promote good waste management practices among householders. Christmas tree decorations competitions for children, run in conjunction with local authorities, have also been a feature of the campaign. In addition, the national tidy towns competition for 2004 included a waste module and it is planned to repeat this in the current year's competition. The scope for holding further competitions that could further the aims of the campaign will continue to be kept under review as part of the day to day management of the campaign.

Departmental Funding.

1096. **Mr. Broughan** asked the Minister for the Environment, Heritage and Local Government the grants and other financial assistance awarded by his Department in each of the past three years to men's organisations and groups or organisations providing services primarily for men, including the names of the organisations or groups; the amounts awarded; and the purposes for which they were awarded. [10664/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under Section 10 of the Housing Act 1988, my Department recoups to local authorities 90% of their expenditure for the provision of accommodation and related services for homeless persons. The following table sets out details of this recoupment for organisations providing services for men. Total expenditure over the last three years amounted to €138 million, of which €22.7 million was for services exclusively for men. Men can, of course, access the wider range of mixed gender accommodation and related services provided across all local authority areas.

Assistance Provided to Male Organisations 2002-2004

Local Authority	Organisation	2002	2003	2004
		€	€	€
<i>City Councils</i>				
Cork	St. Vincent de Paul	152,021.00	745,038.00	670,979.00
Dublin	Depaul Trust	102,769.00	479,719.00	619,405.00
	Crosscare	184,772.00	433,755.00	574,956.00
	Salvation Army	2,003,372.00	2,453,923.00	2,177,669.00
	Iveagh Trust	241,200.00	241,200.00	241,200.00
	DCC	1,477,635.00	1,411,444.00	1,459,262.00
	Arrupe	45,900.00	48,195.00	49,882.00
	Respond	0.00	185,400.00	369,197.00
	Focus Ireland	420,364.00	509,355.00	527,182.00
	ONE	109,710.00	109,710.00	109,710.00
Galway	COPE	0.00	197,084.00	349,173.00
Limerick	Novas Ireland	141,817.00	307,469.00	332,573.00
	Congregation of Alexian Brothers	108,448.00	115,486.00	128,115.00
Waterford	St. Vincent de Paul	98,203.00	214,752.00	267,038.00
<i>Borough Councils</i>				
Drogheda	Drogheda Homeless Aid Assoc	197,377.00	184,372.00	106,041.00
Sligo	Sligo Social Services	100,278.00	85,753.00	92,032.00
Wexford	St. Vincent de Paul	0.00	275,841.00	151,896.00
<i>County Councils</i>				
Cork	Missionaries of Charity	52,586.00	48,884.00	45,181.00
	Renewal Sheltered Housing	8,640.00	28,080.00	52,704.00
Fingal	BOND	0.00	54,000.00	54,000.00
Kilkenny	Good Shepherd Centre	187,738.00	188,252.00	188,252.00
<i>Town Councils</i>				
Longford	St. Vincent de Paul	19,428.00	62,100.00	90,684.00
Total		5,652,258.00	8,379,812.00	8,657,131.00

Social and Affordable Housing.

1097. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of persons on waiting lists for affordable housing across the various affordable housing schemes in existence; and the breakdown of these figures by initiative and by local authority area. [10726/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The information sought is not available in my Department.

1098. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of households which have been housed in affordable housing units in each of the past five years; and the average incomes of those households. [10727/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information on the number of housing units provided under the various affordable housing schemes in each local authority area

is published in my Department's housing statistics bulletins, copies of which are available in the Oireachtas Library. The annual housing statistics bulletins provide information on the income categories of purchasers under the shared ownership and the 1999 affordable housing schemes.

Question No. 1099 answered with Question No. 1081.

House Prices.

1100. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the percentage increase in house prices since January 2002. [10729/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The information requested on the percentage increase in house prices is available on a quarterly basis and is set out in the accompanying table.

New and Second hand house prices % change, quarter over previous quarter

	New House prices	Second-hand house prices
	%	%
Q1 '02	4.8	5.8
Q2 '02	3.7	6.4
Q3 '02	1.2	1.0
Q4 '02	3.8	5.1
Q1 '03	3.4	1.1
Q2 '03	4.0	9.9
Q3 '03	1.3	-0.4
Q4 '03	4.6	4.3
Q1 '04	1.0	-1.3
Q2 '04	3.5	10.0
Q3 '04	1.2	-2.8

Social and Affordable Housing.

1101. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the percentage increase in the loan limits under the affordable housing and shared ownership schemes since January 2002. [10730/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The maximum loan which may be advanced by local authorities for the acquisition of a house under the affordable housing and shared ownership schemes is €165,000. This is 26.9% higher than the maximum in 2002.

Recycling Policy.

1102. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if he will increase central Government support for recycling in view of the recent growth in the sector following the spread of pay-by-volume schemes. [10750/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I intend to continue providing a subvention to local authorities towards the operating costs of their recycling facilities. Local authorities continue to roll out recycling facilities which will help facilitate the considerably higher levels of recycling now anticipated following the introduction of pay-by-use waste charges. I expect to announce a further significant tranche of grants towards the provision of waste recycling and recovery facilities towards the end of May. Some €50 million has been allocated from the environment fund to over 90 projects and I am satisfied with the impact of this funding already.

Library Projects.

1103. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government when he will provide the funding to build the new county library in Clones, County Monaghan; and if he will make a statement on the matter. [10756/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 7 October 2003, my Department issued approval in principle to Monaghan County Council for the construction of a new library headquarters and branch library at Clones at an estimated total cost of €4.963 million. My Department is awaiting the submission of a detailed design and cost plan for the project from Monaghan County Council. Further advancement of the project is a matter for the council.

Question No. 1104 answered with Question No. 1071.

Homelessness Strategy.

1105. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the proposals he has to meet the concerns of a person (details supplied) in County Waterford regarding the housing and homelessness crisis; and if he will make a statement on the matter. [10825/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Government is continuing to work towards ensuring that housing needs, and in particular social housing needs, are adequately addressed. The Government's strategy on housing has the overarching aim of enabling every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and, as far as possible, at the tenure of its choice. The general strategy for realising the overall policy aim is that those who can afford to do so should provide housing for themselves, with the aid of the fiscal incentives available, and that those unable to do so from their own resources would have access to social housing or income support to rent private housing. Existing legislation and funding programmes support this strategy. Consequently, the Government believes that it would be inappropriate to legislate for a specific right to housing on the basis that the funding commitment to the various housing programmes is leading to increased outputs and that decisions on the allocation of financial resources are a matter for the democratically accountable Government.

Within the current legislative framework, the Government has been able to place a strong focus on assisting homeless households in recent years. According to the assessment of housing need carried out by local authorities in March 2002, there were a total of 3,773 homeless households in the country at the time of assessment compared to 3,743 households in 1999. The vast majority of these were in homeless accommodation ranging from emergency to long term supported housing rather than on the streets.

As part of the Government's homeless strategy, local authorities, together with health boards and other statutory and voluntary bodies, are required to draw up local action plans to tackle homelessness. These plans are now being implemented under the aegis of the local homeless fora and significant progress is being made

in meeting the accommodation and care needs of homeless persons. A wide range of additional accommodation has been provided, ranging from emergency night shelter to long-term sheltered accommodation, to enable homeless persons move out of emergency accommodation into long-term accommodation that is more suited to their needs. Increased levels of day care facilities as well as specific provisions to meet the needs of people with addiction problems or who are sleeping rough as well as homeless offenders have been put in place. Further facilities will be provided as part of the full implementation of the homeless action plans.

While the emphasis to date has been on the provision of emergency accommodation, the focus is now shifting to the provision of long-term accommodation and the supports required to meet the non-accommodation needs of homeless persons. This aspect will be addressed in the context of the Department's social housing programmes in future years.

Substantial additional funding has been made available to support the implementation of the homeless strategies. Capital funding for the direct provision by local authorities of accommodation for homeless persons is being doubled from €25.4 million to €50.8 million during the period 2001-05. Funding continues to be made available to the voluntary sector for the provision of accommodation for homeless persons under the Department's capital assistance scheme.

Current funding provided by my Department for accommodation related homeless services has increased substantially from €12.6 million in 2000 to €51 million this year. This brings the total provision since 2000 to €236 million. Substantial funding is also provided via the Department of Health to meet the care and support needs of homeless persons. An independent review of the operation of the homeless strategies and action plans is underway. I anticipate that the draft outcome of the review will be available around the end of May.

In addition to homelessness, the Government has been very conscious of the need to address a broad spectrum of housing need. Over €2 billion will be spent in 2005 on a range of targeted housing measures. This is double the level of investment in 2000. It is anticipated that existing social and affordable housing measures will assist approximately 15,000 to 16,000 households in 2005, including households assisted through the new rental accommodation scheme. Resources are also being used to improve the living environment of existing tenants of social rented accommodation and to adapt homes of people with special housing needs in owner occupied housing. Recently introduced five-year action plans for social and affordable housing prepared by local authorities at city-county level will ensure that these resources are used effectively to provide the optimum level of quality housing in a manner which breaks cycles of dependency and disadvantage.

Water and Sewerage Schemes.

1106. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 245 of 23 February 2005, if the reports of Waterford County Council on tenders for the civil and mechanical and electric works relating to the new source of water from the Mahon River and the pumping station and rising mains to the Ballyshunnock impoundment have been dealt with; and if he will make a statement on the matter. [10826/05]

Minister for the Environment Heritage and Local Government (Mr. Roche): The works referred to form part of the east Waterford water supply scheme, stage 2, phase 2, which has been approved for construction in my Department's water services investment programme 2004-06. I have approved Waterford County Council's tender recommendations in respect of the civil and mechanical and electrical works related to this element of the scheme and it is now a matter for the council to arrange for the carrying out of the works.

Youth Services.

1107. **Mr. Lowry** asked the Minister for the Environment, Heritage and Local Government when details and the application process of a project (details supplied) will be confirmed; and if he will make a statement on the matter. [10841/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 20 February 2005, I announced my intention to introduce a new initiative to provide, on a pilot basis, facilities for teenagers, such as skateboard parks. My Department is developing this proposal and I intend to announce specific details as soon as possible.

Seanad Elections.

1108. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government the measures which are being put in place to ensure that Seanad electoral rolls of the National University and Dublin University are being kept up to date, in view of the continuing presence of several dozen names on each register of those who graduated from as long ago as 1920. [10862/05]

Minister for the Environment, heritage and Local Government (Mr. Roche): In accordance with section 9 of the Seanad Electoral (University Members) Act 1937, the registration officer for each of the university constituencies, appointed by the appropriate university governing body, is responsible for the maintenance and annual revision of their respective registers. The revised registers must be published by 1 June each year, when they come into effect. The registers are currently in the process of being revised and copies of the registers as revised will be available from the relevant registration officer at each university.

The report on Seanad reform by the Seanad Sub-Committee on Seanad Reform, published in

[Mr. Roche.]

April 2004, sets out a coherent and comprehensive package of recommendations for further consideration and action concerning the composition, functions and future role of Seanad Éireann. These include proposals to widen the electorate for the higher education constituency and ancillary matters such as nomination procedures, franchise and registration of electors, and methods of voting and counting.

At the Taoiseach's request, I have agreed to chair an informal all-party parliamentary group to establish the extent of cross-party agreement on the report's recommendations and to advance, with consensus, proposals for the implementation

of Seanad reform. I have written to party leaders and am awaiting nominations for the informal all-party group.

Statutory Boards.

1109. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government the annual fees paid to each chairperson and director in each statutory board under the remit of his Department. [10886/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The following table contains details of the annual fees paid to each chairperson and director in each statutory board under the aegis of my Department:

Name of Statutory Body	Name of Chairperson/ Director/Board member	Details of annual fees paid
An Bord Pleanála		No fees payable. The Chairperson and directors are paid salaries.
Building Regulations Advisory Body	Professor J. Owen Lewis (Chairperson)	€7,618.43
An Comhairle Leabharlanna	Sean Ryan (Chairperson)	€8,510
Comhar		This position of Chairperson is currently vacant. The annual fee paid to the previous Chairperson was €32,293. No fees or salaries are payable to other board members.
Dublin Docklands Development Authority	Lar Bradshaw (Chairperson)	€15,263.86
	Angela Cavendish	€10,157.90
	Donal Curtin	€10,157.90
	Sean Fitzpatrick	€10,157.90
	Declan McCourt	€10,157.90
	Mary Moylan	NIL
	Joan O'Connor	€10,157.90
	Niamh O'Sullivan	€10,157.90
Environmental Protection Agency		No fees payable. The Director General and directors are paid salaries.
Fire Services Council		No fees or salaries payable
Heritage Council	Dr. Tom O'Dwyer (Chairperson)	€7,618.42
	Simon Berrow	€5,078.96
	Mary Bryan	€5,078.96
	Con Costello	€5,078.96
	Ruth Delaney	€5,078.96
	Nessa Dunlea	€5,078.96
	Maurice Healy	€5,078.96
	Michael McMahon	€5,078.96
	Michael McNamara	€5,078.96
	Tomás O'Caoimh	€5,078.96
	Nicolas O'Conchubhair	€5,078.96
	William Smyth	€5,078.96
	Virginia Teehan	€5,078.96
	Primrose Wilson	€5,078.96
	Eamonn McEaney	€5,078.96
	Mary Moylan	NIL
	Deirdre Ellis-King	NIL

Name of Statutory Body	Name of Chairperson/ Director/Board member	Details of annual fees paid
Housing Finance Agency	Edward Coffey (Chairperson) Jim Hehir (Managing Director) Fr. Pat Cogan Maureen Lynott Michael D. Hayes Jackie Maguire Teresa White Lorcan Allen Mary Malcolm Thomas Reilly Maria Graham Aine Stapleton	€10,158 NIL €6,349 €6,349 €6,349 NIL NIL €6,349 €6,349 €6,349 NIL NIL
Irish Water Safety Association		No fees or salaries payable
Local Government Computer Services Board		No fees or salaries payable
Local Government Management Services Board		No fees or salaries payable
National Building Agency	Richard Howlin (Chairperson) Gus Byrne Alison Boyle Jim Barrett Des Dowling Margaret Doyle Pat Leahy Ann McGuinness John McCloskey Mary Nevin Sandra Nowlan Joan O'Connor Matt O'Connor Joe Behan	€10,158 €6,349 €6,349 NIL NIL €6,349 €6,349 NIL €6,349 €6,349 €6,349 €6,349 €6,349 €6,349 €6,349
Private Residential Tenancies Board	Tom Dunne (Chairperson) James Bridgeman Anne Colley Aideen Hayden Mary Heaslip Sheila McMahon Fintan McNamara Marjorie Murphy Conn Murray	€387 per day fee for Tribunal hearings, €100 fee per Board meeting €248 per day fee for Tribunal hearings, €80 fee per Board meeting €248 per day fee for Tribunal hearings, €80 fee per Board meeting €248 per day fee for Tribunal hearings, €80 fee per Board meeting €248 per day fee for Tribunal hearings, €80 fee per Board meeting NIL €248 per day fee for Tribunal hearings, €80 fee per Board meeting €248 per day fee for Tribunal hearings, €80 fee per Board meeting NIL

Name of Statutory Body	Name of Chairperson/ Director/Board member	Details of annual fees paid
	Liam O'Donnell	€248 per day fee for Tribunal hearings, €80 fee per Board meeting
	Eoin O'Sullivan	€248 per day fee for Tribunal hearings, €80 fee per Board meeting
	Derval Quinn	€248 per day fee for Tribunal hearings, €80 fee per Board meeting
	Bairbre Redmond	€248 per day fee for Tribunal hearings, €80 fee per Board meeting
	Pat Riney	€248 per day fee for Tribunal hearings, €80 fee per Board meeting
	Tony Taaffe	€248 per day fee for Tribunal hearings, €80 fee per Board meeting
Radiological Protection Institute of Ireland	Dr. Francis Mulligan (Chairperson)	€10,158
	Frank Turvey	€6,349
	James Fitzmaurice	€6,349
	Darina Muckian	€6,349
	Adi Roche	€6,349
	Professor Kieran Byrne	€6,349
	Dr. Seán Darby	€6,349
	Dr. Lesley Malone	€6,349
	Gregory Burke	€6,349
	Anita Dowling	€6,349
	Dr. Patrick Connellan	€6,349
Rent Tribunal	Dr. William Blunnie	€6,349
	Moya Quinlan (Chairperson)	€382 — daily sitting fee, €117 fee per Board meeting
	Mary Doyle	€349 — daily sitting fee, €100 fee per Board meeting
	Louise Moloney	€349 — daily sitting fee, €100 fee per Board meeting
	Joe McPeake	€349 — daily sitting fee, €100 fee per Board meeting
	Kieran Buckley	€276 — daily sitting fee, €81 fee per Board meeting
	Morette Kinsella	€276 — daily sitting fee, €81 fee per Board meeting
	William Stanbridge	€276 — daily sitting fee, €81 fee per Board meeting
	Fred Devlin	€276 — daily sitting fee, €81 fee per Board meeting

Question No. 1110 answered with Question No. 1092.

Water and Sewerage Schemes.

1111. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the funding which has been made available to allow the Kilcummin and Barraduff sewerage schemes in County Kerry to proceed to construction in 2005; and if he will make a statement on the matter. [10987/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Barraduff and Kilcummin sewerage schemes are part of the Lough Leane catchment sewerage scheme which has been approved for construction under my Department's water services investment programme 2004-06 at an estimated cost of €4.9 million. My Department is examining additional information recently received from Kerry County Council on the preliminary report for the Barraduff scheme and this will be dealt with as quickly as possible. Additional information

requested by the Department on the preliminary report for the Kilcummin scheme is awaited from the council.

1112. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the position regarding the Furies-Scartaglen water scheme in County Kerry; if a decision has been made to award tenders for project; if not, when tenders will be awarded; the likely timescale involved in regard to the completion of the project; and if he will make a statement on the matter. [10988/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Furies-Scartaglen regional water supply scheme, southern section, part B, has been approved for construction under my Department's water services investment programme 2004-06 at an estimated cost of €4.3 million. Kerry County Council's tender recommendation for the civil works element of the scheme is being examined in my Department and will be dealt with as quickly as possible. The council's tender recommendation for the mechanical and electrical works has yet to be submitted to the Department.

Waste Disposal.

1113. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to ensure that businesses other than those serviced by a company (details supplied) have facilities available to them to dispose and recycle their waste products. [10989/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Waste Management Act 1996, there is a general duty of care on the holder of a waste to ensure that such waste is disposed of in a manner that does not cause, or is unlikely to cause, environmental pollution. All businesses have a general responsibility to ensure their waste is collected by an authorised operator to be disposed of in the proper manner. Under the Waste Management (Packaging) Regulations 2003, major producers have the option of either complying directly with the producer responsibility obligations — that is, self compliance — or alternatively obtaining an exemption from such requirements by becoming a member of a packaging waste compliance scheme. I am satisfied that adequate options are available in regard to the proper treatment of waste arising from commercial activities.

1114. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if, in view of the Government's commitment to supporting small business, there is funding available to urban local authorities to provide commercial green waste recycling facilities, in view of the fact that publicly provided recycling centres in Dublin are now closed to professional landscapers and gardeners. [10990/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Waste management planning is primarily a function of local authorities and they are responsible for ensuring that facilities identified as being necessary in their regional waste management plans are provided. In general, access to such facilities for recycling purposes is in many cases provided free of direct charge in respect of normal household waste being sent for recycling. Those generating waste as a result of commercial activity can reasonably be expected to pay for its recovery, recycling or disposal. Since November 2002, €50 million has been allocated nationally from the environment fund in capital grant assistance towards the provision of a range of waste recycling and recovery facilities by local authorities, including composting/ green waste facilities.

A further call for projects requiring funding under my Department's waste infrastructure capital grants scheme has recently been issued and I hope to allocate a fourth major tranche of funding before this summer. In addition to providing capital support to local authorities for recycling and recovery facilities, funding is also being provided from the environment fund on an ongoing basis towards the current operating costs of such facilities.

Local Authorities.

1115. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if he will provide a complete list of executive and reserve functions of the local authorities. [11002/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Local elected members have a range of reserved functions, details of which are outlined in my Department's booklet, Local Government and the Elected Member. A copy of this publication has been placed in the Oireachtas Library and it is also available on the Department's website, www.environment.ie. Any function of a local authority that is not specified in law as a reserved function is deemed to be an executive function.

Regional Road Network.

1116. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he has received an application for supplementary funding for roads in the Turnings area of Straffan, County Kildare, from Kildare County Council, in the context of the Ryder Cup 2006; if he will approve a supplementary grant; and if he will make a statement on the matter. [11112/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 216 of 3 March 2005. The position is unchanged.

Local Authority Funding.

1117. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the serious problem facing applicants for disabled persons grants in County Kildare; the reason he will not consider making a supplementary sum available of €3.6 million to the council to clear the backlog; the outcome of discussions with Kildare County Council officials; and if he will make a statement on the matter. [11114/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I refer to the reply to Question No. 217 of 3 March 2005. The position is unchanged.

Planning and Development Regulations.

1118. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government the reason the Planning and Development Regulations 2001 specifically exclude educational facilities, child care facilities and hospitals from the schedule of buildings on which telecommunications antennae can be installed without planning permission; and if this exclusion was made on a whim or on foot of advice or research available to his Department. [11146/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Planning and Development Regulations 2001 were approved by the Oireachtas in December 2001 following discussion at the Joint Committee on Environment and Local Government on 13 December 2001. As the then Minister stated in his address to the committee, the main concern relating to health issues as regards telecommunications antennae was whether it was likely that there could be public exposure to non-ionising radiation and in excess of those limits specified by the Director for Telecommunications Regulation and, to address this matter, the regulations stipulated that the emissions from any antennae must comply with the limits set down by the Director for Telecommunications Regulation. However, as the Minister also stated, he appreciated the concern that some members of the public had about perceived health risks and telecommunications antennae and, in view of the concerns expressed by committee members, he excluded educational buildings, child care facilities and hospitals from the type of permitted buildings to which antennae may be attached.

1119. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government his views on the recommendation of the British

independent expert group on mobile phones (details supplied) and on the British Government's response; his views on whether the British approach is an example of good practice in this area; and if he will make a statement on the matter. [11145/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The erection of all telecommunications masts already requires planning permission from the relevant planning authority unless specifically exempted under the Planning and Development Act or Regulations. The proposed British Government response to the report from the independent expert group on mobile phones appears similar to our requirements.

The legislation governing the planning system has been comprehensively reviewed in recent years culminating in the Planning and Development Act 2000 and associated regulations. I am satisfied that requirements relating to mobile phone masts have been well addressed from a planning perspective within this process.

Library Projects.

1120. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 532 of 30 November 2004, if he has made an announcement in 2005 of the projects to be included for funding in the public library capital expenditure programme 2005-07; if so, the details of the announcement; if a new branch library in Youghal, County Cork, is included in this programme; and if he will make a statement on the matter. [11157/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I intend shortly to announce details of the projects to be included for funding in a library capital expenditure programme for 2005-07. Cork County Council, along with all library authorities, submitted a prioritised list of library proposals for consideration by my Department for inclusion in that programme. The council has listed Youghal branch library fifth in its order of priority.

National Lottery.

1121. **Mr. Connolly** asked the Minister for the Environment, Heritage and Local Government the amount of lottery funding advanced to date on a yearly basis to projects outside this State; the number of such lottery grants on a yearly basis [11525/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): No lottery funding has been advanced to projects outside the State by my Department.