



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 19 April 2005.

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DÁIL ÉIREANN

*Dé Máirt, 19 Aibreán 2005.
Tuesday, 19 April 2005.*

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

*Paidir.
Prayer.*

Ceisteanna — Questions.

European Council Meetings.

1. **Mr. Kenny** asked the Taoiseach if the March 2005 meeting of the European Council in Brussels has been finalised; and if he will make a statement on the matter. [6082/05]

2. **Mr. Kenny** asked the Taoiseach the bilateral meetings he will hold on the margins of the forthcoming European Council meeting in Brussels; and if he will make a statement on the matter. [6083/05]

3. **Mr. Sargent** asked the Taoiseach if the agenda has been finalised for the March 2005 meeting of the European Council in Brussels; and if he will make a statement on the matter. [6763/05]

4. **Mr. J. Higgins** asked the Taoiseach his priorities for the March 2005 meeting of the European Council. [6950/05]

5. **Mr. Rabbitte** asked the Taoiseach if he has received an agenda for the March meeting of the European Council; his priorities for the meeting; and if he will make a statement on the matter. [7522/05]

6. **Mr. Kenny** asked the Taoiseach if he will report on his attendance at the recent European Council meeting in Brussels on 22 and 23 March 2005; and if he will make a statement on the matter. [8765/05]

7. **Mr. Kenny** asked the Taoiseach the bilateral meetings he held on the margins of the March 2005 meeting of the European Council; and if he will make a statement on the matter. [8766/05]

8. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of the spring EU summit on 22 and 23 March 2005. [9192/05]

9. **Mr. Rabbitte** asked the Taoiseach if he had any meetings on the margins with other EU leaders during the course of the spring summit

on 22 and 23 March 2005; and if he will make a statement on the matter. [9193/05]

The Taoiseach: I propose to take Questions Nos. 1 to 9, inclusive, together.

There was an expectation among Members that the first parliamentary questions to be answered would be on Northern Ireland issues. However, due to the rules regarding questions, I am required to first answer those on the spring European Council meeting, postponed from last week.

I gave a detailed statement to the House last Wednesday on my attendance at the spring European Council in Brussels on 22 and 23 March which was followed by an interesting debate and question and answer session. I do not intend to give a detailed reply to these parliamentary questions; instead I refer Members to my statement last Wednesday.

In summary, the spring European Council adopted conclusions on reform of the Stability and Growth Pact and on the mid-term review of the Lisbon Agenda. The European Council endorsed the report from the ECOFIN Council on improving the Stability and Growth Pact. The Government welcomes the new measures which underline the continued European commitment to fiscal discipline and strengthen the economic basis of the pact. The agreements reached on the mid-term review of the Lisbon Agenda marked a further stage in Europe's programme of economic and social reform, building on the work of the past five years. In particular, this year's spring European Council recommitted all member states to achieving the European Union's ambitious goals as set out in March 2000 at the Lisbon European Council.

Mr. Kenny: It is obvious the French referendum campaign will be hard fought and the result will be close. At the March meeting of the European Council, did the Taoiseach have discussions with other government leaders who must hold referenda in their countries, such as Denmark, the UK and so forth? What is the Government's view of the trend that may emerge? In the event that the referendum is defeated in France, although I hope that will not happen, will that interfere with the Government's intention to hold a referendum in this country?

Has the Government considered the consequences of the changes in the Stability and Growth Pact? There has been speculation on the possibility of higher interest rates as a consequence, which would have a disastrous effect on hundreds of thousands of mortgage payers. Has account been taken of this by the Government and is there a strategy to deal with higher interest rates should they occur? Is it the Taoiseach's view that although the European Central Bank warned of the possibility of higher interest rates, it will not happen?

The Taoiseach: There was no particular discussion on the constitutional treaty but, as Deputy Kenny said, a number of countries have

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decided to hold either consultative or full referenda. Spain has successfully held a consultative referendum. Seven other member states as well as Ireland have confirmed they will hold a referendum. They are Portugal, the Netherlands, France, Luxembourg, Denmark, Poland and the UK. The Czech Republic is considering holding a referendum but has yet to make a final decision. Belgium was considering holding a referendum but it is unlikely now that it will do so.

Obviously, we hope the French result will be a “Yes” vote, although there is little point in speculating. There is an active campaign under way by all sides. I met the former Finance Minister of France yesterday and he gave me details of the campaign. All sides are actively involved and there are predictions that there will be a poll of 60% to 70%, which would be high by French standards. There is an active debate on all types of issues.

The position for other countries is that although a “No” vote would create tensions and difficulties, each country has an obligation to ratify the treaty before 1 November 2006. That process will continue. The Netherlands has made some statements about that but the statements have not yet been clarified. In November 2006, if four fifths of the countries have ratified it, the European Council will debate how to handle it, that is, if other countries have not come up with a solution before then. However, it is too early to play for that. For our part, we will comply with the obligation we gave at the European Council, that we will attempt to ratify the agreement before November 2006.

The principles of the Stability and Growth Pact involve maintaining fiscal discipline and controls, monitoring those controls and allowing the Commission to ensure countries adhere to the criteria set out in the Maastricht Treaty and subsequently in the Dublin Convention in 1996. These criteria still apply. While there have been useful changes and amendments, they are of the type that many countries have been seeking. However, they do not allow indiscipline or anything that would create a problem or undermine price stability. I am sure it will be monitored carefully by the Commission on that basis. It recognises the valid argument that countries with low debt that are involved in development policies do not create budgetary instability and should not, therefore, affect price stability. The European Central Bank is being cautious that countries do not try to use issues on the current side or to use other flexibilities which would not be allowed. That is the prudent line. As it is renegotiated, the rules and the strictures are still there other than in the new areas that are set out. I do not see why it would create inflationary pressures.

Mr. Rabbitte: What is the position of the Government on the services directive? I have read that the Government took up a position of opposition to the French move to have serious

changes wrought in the directive. Does the Taoiseach accept that in certain areas of services, the directive could have a serious impact on employment and on workers' conditions in Ireland if companies could perform to standards in their country of origin? The recent Gama case proves that. There is no reason that such a methodology might not be imported from the new accession countries. What is the current status of the directive? When does the Taoiseach think that the issue will re-emerge?

The Taoiseach: The services directive has been around for some time. It has been indicated that it would not get sufficient support in its present form. That view has existed since the Irish Presidency of the EU last year. Everyone agrees that a services directive is required, but in all such directives it is the balance that is at issue, what one can live with. Commissioner McCreevy almost immediately after taking up his post said that he did not believe the services directive would get sufficient support in its present form. While the Government has supported the services directive in recent months we have stated that the balance must be correct. We supported the French position because it was a very important issue for President Chirac. That position was that the directive should be sent back for further consultation and review. Commissioner McCreevy will now have to go into a new round of consultations to develop a directive that corrects the imbalances that were identified. It became a big issue in France, with large marches taking place against it by organised labour, but similar questions have been raised in many countries, including Ireland.

I do not know when the issue will be brought forward again, but I imagine it will take the better part of a year for all the consultation to take place.

Mr. Rabbitte: Why was it reported that the Government opposed the French initiative?

The Taoiseach: I supported strongly my good friend Jacques Chirac in the debate. We were in favour of the services directive, but so was President Chirac. At the meeting, very few people argued that it should stay in its present form. I can only recall two or three who spoke in favour of it staying in its present form. Prior to Christmas, the Commission conceded that it would not get sufficient support in its present form.

I can only say to Deputy Rabbitte that it will not be that easy. As with other directives, everybody states they are in favour of the principles while being opposed to the details. There are different sides to the argument. President Chirac is not seeking anything extraordinarily unreasonable on this issue, from what I have heard of his presentation, not only at the last European Council meeting but at a number of such meetings. The interpretation of the directive, partic-

ularly in France where there have been large protests against it but not only there, was that it was seen as inflexible, unbalanced and unhelpful. This relates to the fact, which is feeding into the French referendum campaign, that unemployment in France has exceeded 10% for the first time in a long time. The French economy is in quite considerable difficulty and this is having a negative effect on political life there. They have reverted to the type of unemployment rates that have not been seen in France for a long time.

Mr. Sargent: On nuclear power, which arose in item No. 47 in the summit's conclusions, what was the Government's position about building what is called "an international thermonuclear experimental reactor"? It is a nuclear fusion project. Mindful of the concerns from the RPII about Sellafield perhaps, was the Government in a position to offer a view or to make any meaningful statement on the matter? Notwithstanding the seismically active area in which it is to be located, some €4.5 billion will be required to build such a plant and billions more to run it. Was that financial question raised in terms of overall EU budgetary considerations in the EU *vis-à-vis* the research funding that is going to non-nuclear energy options, which is not far from the research money going to nuclear options? Will the Taoiseach say whether the Government has a view on climate change, a matter which was also raised at the summit? Were views expressed on that, given that the target of reducing CO₂ emissions by 68% to 80% by 2050 was completely left out of the conclusions? Did the Taoiseach express a view as to whether the Government will meaningfully embrace those targets? If not, what is the Government's view? Does it see nuclear power as a way of reaching those EU targets?

A mid-term review of the Lisbon strategy was carried out at the summit but does the Taoiseach consider that the strategy is on course? Five years ago, the Taoiseach pledged the strategy would have a decisive impact on the eradication of poverty by 2010. Some 68 million people in the EU are currently living in poverty. Is that seen as progress? Can the Taoiseach say whether lessons from the Danish welfare system will be used to try to make any meaningful impact in eradicating poverty, given our own problems with the worst rate of relative poverty in the 25 EU member states? Will the Lisbon strategy on eradicating poverty be put on track, as it does not seem to be at the moment?

The Taoiseach: The conclusions as they relate to the Lisbon strategy for this year have followed the process I outlined in answers to questions last week. We have had two reports: one following our request last year for Commissioner Wim Kok to undertake an update for the mid-term review, and the Commission's comprehensive assessment of where the Lisbon Agenda currently stands. Ireland is by no means the worst in any of these areas under any of the indicators. I do not know

where Deputy Sargent gets his figures but in terms of employment, social inclusion, welfare supports and dealing with marginalised communities, we are in a stronger position *per capita*, particularly regarding unemployment, the real indicator in these areas, and in terms of social provision.

It is disappointing that because of economic stagnation in 2001, 2002 and 2003, which continues in many countries, though thankfully not this one last year or this year, they have not been able to make real progress on the generation of sufficient jobs in the labour market, so that unemployment rates do not drift higher, as they are doing in France and Germany and increasingly in Italy.

Good economic growth generates the resources to put money into community development, poverty reduction and minority areas. We are continuing to put resources into these areas. They will not solve all problems over a short period but will bring significant improvements. Such improvements have also been made on a European level. The Commission is urging that more money be put into research and development to build a knowledge-based economy with high-quality jobs, an economy which will embrace ICT and other technologies to generate more employment and better quality jobs.

Deputy Sargent knows my view on nuclear issues. We are not a nuclear country and do not support nuclear development. We would like to see fewer resources put into it and to see less nuclear capability in existing member states. Resources made available through the EU Commission budget to help countries on the periphery of Europe, such as Ukraine and Belorussia, are not meant to assist them in their nuclear capabilities. However, some member states are deeply embedded in the nuclear industry and are unlikely to become less so in the foreseeable future. We do not support that situation. In recent years, Germany has set a target date for closing its nuclear plants and ridding itself of nuclear capability, a significant step with which Deputy Sargent and I agree.

Mr. Sargent: As does the German Green Party.

The Taoiseach: Yes, Joschka Fischer has strongly supported that move in Europe and supports it eloquently.

Mr. Sargent: What about climate change, the big question?

The Taoiseach: We would have preferred to see the climate change targets retained. There was a major debate on the issue. Some people thought the target date was too far away, others did not want one and others thought it meaningless to set a date of 2050, which is 45 years distant. It was felt moves should be made more quickly and that the 2050 date would be seen as a pious

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aspiration. The original target date selected was 2010—

Mr. Sargent: The date was 2020.

The Taoiseach: People felt that 2050 was too far away and that action should be taken much earlier. There is not an agreement on when people should achieve them, but EU policy is that they should be achieved and as much progress as possible made within the period of this plan. Then we can have a review to see where we are at and have another planned period set to step it up. It is not meant to try to press it out in a way that would be meaningless, particularly now that Russia seems prepared to join up to the Kyoto protocol, there is involvement with China and there is still pressure on the United States. To stretch it out into the long term looks too much like a pious aspiration. Those who are arguing for that include my Danish colleague and others. However, that is not a meaningful date and that is the reason it was dropped.

Mr. Kenny: I wish to ask the Taoiseach two questions regarding his comment on the Lisbon Agenda in respect of the importance of competitiveness. For young people, some of whom are in the Visitors Gallery, the extent of research and development that takes place in this country is far from what it should be. In the context of the Lisbon Agenda, does the Taoiseach see a problem here? Given the spread of our universities and colleges of technology, there is no correlation between them and business to be a magnet for the attraction of heads of faculty to do that kind of research. For example, many universities in the United States can offer serious monetary and other packages to heads of faculty, professors, Nobel laureates and so on. This is a huge attraction for those at the higher levels, at the cutting edge, not to be involved in Ireland. Does the Taoiseach see that as a problem for the future and, in terms of the Lisbon Agenda, how does he see Ireland fitting in with that?

The Taoiseach said last week that the review of state aid rules, which is being undertaken, must be Lisbon sensitive if Europe is to remain an attractive location for future global investment. He also said that the wording proposed by Ireland was included in that section. What does he mean when he says the review of state aid rules must reflect that? Arising from the wording that was inserted at Ireland's proposal, what does this mean for us in the Irish context?

The Taoiseach: On the first issue, research and development, I will make three comments. First, because we did not have the resources, effectively until 1998, research and development only had a small budget. Now the budget is several hundred million euro, but probably the budget will never be sufficient. Hopefully, what we have done in Science Foundation Ireland and in the PRTL

programmes will allow people to compete for research projects in the universities and will make the universities set out their case for researchers. This allows them to bring in top class people, Irish and non-Irish, to our universities and to build up a proper research and development base.

We have also had to make the amendment I raised here previously. With our low corporation tax there was a disincentive where people could not write off tax because they were doing so already. The former Minister for Finance, Mr. McCreevy, made changes in the Finance Bill a few years ago to allow this change and it has got us back into a positive position. We spend a sizeable proportion of the budget on research and development. That is not to say that there are not always demands for new projects.

Deputy Kenny's second point is correct, at a European level our figures compared to other parts of the world, not just the United States, are not high. That is why the Commission proposal to seek 1.27% in the financial prospectus shows a significant increase, approximately 2.5 times the increase in the budget. Mr. Prodi, President of the outgoing Commission, felt strongly about that. The Commission believed from its examination that one of the reasons Europe was not reaching the kind of vision set out in the Lisbon target was that it was not innovative or creative enough and not enough product development was taking place in Europe generally, thereby giving competitive advantage to India in information and communications technology and Asia in other products. I support that.

The Deputy is correct that the US is astronomically ahead of Europe in terms of the contracts available in Europe for quality researchers and research studies and projects. Ireland has stolen the march a little, although we are not the only country, in terms of attracting people back. A good study conducted last year, which was reproduced in *The Economist* or *The Financial Times*, demonstrates starkly that Europe is not in the ball park on these issues.

That relates to the Deputy's question on the Lisbon Agenda. If one sets down the criteria by which one wants Europe to be competitive, dynamic and reach certain targets by 2010, when it comes to implementation of policies, these need to be followed. It is one thing to write them into the Lisbon Agenda, they must then be followed. Without mentioning individual companies or products, we have had quite a few battles with the Commission and the system in the recent past regarding the inconsistencies of the policies. This is what I mean by a Lisbon-friendly policy. If one says that is the policy, one should not then work against it when it comes to dealing with companies based in Europe in a way that makes them less competitive in terms of investments in Asia, India or China. That is what they do at times.

While we are all aware of the case of one company, I do not want to mention it. If a large com-

pany wants to spend an enormous amount on developing a product, it is hardly likely that it would develop the product because it is not innovative, new or will not control the new market. A company will hardly create, for example, the microphone in front of me and spend billions on it to make sure the microphone is inferior to that which is currently available. I have never seen a person who tried to do that. Unfortunately, the way the criteria work, that is almost what the Commission says. If one cannot prove authoritatively that the product is innovative, the Commission says one cannot prove and, therefore, state aids cannot be used. I disagree with this and that is why I have raised it. The Commission argues these issues forever but I do not think it is helpful.

The result is that we rarely come up against a European competitor for most of the major projects being chased by us in the biopharma and pharmaceutical sectors. We have competed against India, Singapore and elsewhere for the past five or six projects in which I have had an involvement. That is also happening to other European countries. Europe's objective should be to take on outside competition rather than trip itself up internally. Some countries still do not understand that argument.

Caoimhghín Ó Caoláin: Cad é an scéal anois maidir le stádas na Gaeilge san Aontas Eorpach? An féidir leis an Taoiseach a rá don Teach cén dul chun cinn atá déanta? Where is the Government in pursuing its project for the recognition of the Irish language as both an official and working language of the EU? Was this matter addressed during the March meeting?

My colleague, the Sinn Féin MEP, Bairbre de Brún, met the Commissioner for regional development, Danuta Hubner, yesterday. Among other issues, she raised the case for a PEACE III programme of funding for the Six Counties and the Border counties after 2006. Are the Taoiseach, his Government and his representatives at EU level actively pursuing a new PEACE III programme for the period after 2006? We all welcomed the extension of PEACE II until that time, but there is no information for the period after.

An Ceann Comhairle: The Deputy should confine himself to questions, since we are running out of time, and two more Members are offering to speak.

Caoimhghín Ó Caoláin: Has the Taoiseach pressed for a new fund, and does he agree that it is important that community representatives and those at the coalface of community action should have a direct input into the formulation and implementation of any new PEACE programme? Does the Taoiseach agree that future funds should be built on and geared towards the achievement of the twin goals of reconciliation and social inclusion, critical elements necessary to

combat a legacy of division perpetuated over many years?

The Taoiseach: I would like to take the second question first and return to Irish language provision thereafter. We want to have a PEACE programme after 2006 and raised the question over the last year. I managed to insert it into the conclusions of the European Council last June, when I was in the chair.

I would not have been able to do so had I not chaired the meeting. Since that time, the Irish and British Governments have made a joint submission. Prime Minister Blair and I signed that some time ago. Regarding the involvement of people in that programme, as I understand from a previous debate in this House — I believe on the 1994 programme — there is engagement by both Northern Ireland and the Southern Border counties and I have no difficulty with that. I am not sure what process is used by the relevant Departments regarding financing and putting it together, but I have no difficulty with involvement. I believe that we passed a resolution to that effect in the House.

Regarding the Irish language, since Christmas our permanent representative, Ambassador Anne Anderson, put forward a detailed position at COREPER regarding the paper that we commenced during Ireland's Presidency. That was well received although there were obviously a great many questions from people about its ramifications and whether it might affect issues in their countries. Subject to correction, I believe it is a fair assessment to say that we have answered most of those questions. Austria had several concerns. I have since spoken to the Chancellor, Wolfgang Schäussel, and I hope that I have allayed his concerns about all the issues that he raised, subject to its being put in writing.

The Prime Minister of Spain, Mr. Zapatero, and his Foreign Minister, Mr. Moratinos, are fighting a separate battle that feeds into our issue, namely, that of regional Spanish languages gaining recognition. He had made a commitment and is fighting that issue which is not the same as ours. Irish is our constitutional language and Spanish is theirs. The regional languages are therefore part of a different context. However, those languages are spoken by substantial numbers of people and he wants to find a political resolution. That issue, which is connected with ours, although I will not call it unhelpful, does not make life easier since it opens the question of regional languages in other countries.

I intend to travel to speak to the Spanish Prime Minister, Mr. Zapatero. I am not sure exactly when that meeting will take place, but it will take place soon. We will examine the matter and try to find a way of making progress together. Spain does not oppose the Irish proposal by any means, but we need to consider how we can process the two issues separately because the legal base is different for each of them. I hope to have a meeting with Mr. Zapatero shortly to discuss the

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 matter. Subject to that meeting, I think the Irish position is enjoying a good level of understanding and support on all sides. I do not wish to suggest that Spain opposes the Irish proposal, because it does not, but we have to be mindful of the Spanish position as we try to find a resolution to our issue.

Mr. Rabbitte: May I ask the Taoiseach about representations he made in respect of State aid? I refer specifically to the decision to veto the provision of State aid to assist the expansion of the Intel plant at Leixlip. Has the Taoiseach received a response to his representations? What was the response he received at the meeting?

May I also ask about the amendments which have been made to the Stability and Growth Pact? I refer to the prospects the amendments open up in this country. They can enable the borrowing for capital purposes that is necessary, given the extent of this country's infrastructural deficit. Does the Government have any plans in that regard?

The Taoiseach: I remind the Deputy that the veto was not used. The Government reached an understanding with the company, which did not want to pursue a full investigation or inquiry into the matter. An understanding was reached that the Government would not pursue that approach. The comments I made earlier were relevant to the Leixlip project and other projects. Regardless of any cases which might be made by the Government, I am interested in how this entire area is defined at EU level. The EU should assist companies which are trying to pursue a developmental and innovative role, in line with the Lisbon Agenda. Senior Intel officials in Ireland and abroad decided not to pursue the State aid issue.

It is clear that the changes in the Stability and Growth Pact allow for an expansion of certain programmes. It is obvious that the issue will have to be examined in the context of budgetary and other issues. The Department of Finance has decided to spend 5% of GDP on infrastructural development, which is probably approximately 2% higher than the average. I think it is a higher percentage than that being spent in any other EU member state. It allows for the consideration of a flexibility that would go beyond that — that is a correct interpretation of it. I argued — I do not suggest that I achieved the change alone as I was joined by many others in making the case — that if a country has a low debt, as Ireland does, it should benefit from an increase in the funding allocated to projects which alleviate the infrastructural deficit. We could be on 60 but we are on 30. If one includes pension funds, as one can if one interprets one's accounts in the way I interpret them, we are probably on about 23. We do not include the pension funds, but one can argue the case for their inclusion as I would have done if I had been at the meeting with the Commission

today. I am sure Ministers will return to that issue when they prepare the Estimates for next year.

Mr. F. McGrath: I wish to ask the Taoiseach about the European Council meeting and the EU in general. Are the nuclear powers setting the political and military agenda? Does he accept that such concerns will emerge during the debate on the EU constitution? The Taoiseach mentioned that members of the Government do not support the nuclear industry and nuclear armaments. Is it not the case that certain Members of the House support NATO? Do some members of the Cabinet support the nuclear industry in the EU?

The Taoiseach: For a long time, this country has had a policy of not supporting the nuclear industry. In so far as any resources have been committed at European level, it has only been done to help deal with old reactors in eastern Europe or in some of the new accession countries that are still under discussion.

At European level, there is rarely any attempt by countries to fight any nuclear line, particularly since Chancellor Gerhard Schröder and his Government took a strong stance on the issue. That will remain the policy position. There are countries with nuclear reactors that do not see themselves changing in the time ahead. We had that problem with EURATOM because we argued to open the debate but unanimity on the EURATOM conventions was needed and if there was not unanimity, we could not proceed, even though a strong bloc of countries supported a reconfiguration of EURATOM. We have continued to campaign for that to be dealt with because it is a dated agreement. We should try to deal with it in a different way.

Priority Questions.

Social Welfare Benefits.

72. **Mr. Stanton** asked the Minister for Social and Family Affairs the amount his Department has saved by increasing the qualifying period from six to 12 months for the back to education allowance; if he plans to reduce the qualifying period to nine months; and if he will make a statement on the matter. [12129/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance is a second chance education opportunities programme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications. The objective is to increase their prospects of returning to the active workforce and reduce the risk of them becoming dependent on social welfare on a long-term basis.

The allowance supports eligible people pursuing second level and third level qualifications.

The qualifying period for the back to education allowance scheme for people pursuing second level qualifications has always been six months. The qualifying period for entitlement to the third level option was increased from six months to 15 months for new applicants intending to commence third level courses of study on or after 1 September 2004. This measure is estimated to have realised gross savings of €2.2 million in the last quarter of 2004. If implemented as originally intended, it would have realised savings of €5.5 million in 2005.

As Deputies are aware, however, I reduced the qualifying period for access to the third level option of the scheme to 12 months in the last budget. I also increased the annual cost of education allowance paid to people on back to education allowance from €254 to €400. These changes will take effect from 1 September 2005 at a cost of €1.42 million in 2005 and €2.4 million in 2006.

Since its introduction, the intention of the scheme has been to benefit people who have difficulty finding employment. The scheme provides an opportunity to improve their qualifications and thus their prospects of obtaining work. It was never intended to be an alternative form of support for people entering the third level education system.

One of the factors that influenced the increase in the qualification conditions is the fact that some people go on the live register for short periods specifically to qualify for the back to education allowance. For example, an examination carried out by my Department found that in the 2003-04 academic year, 51% of new participants in the third level option of the scheme were in receipt of an unemployment payment for 12 months or less when they accessed the scheme. In addition, research carried out by independent consultants has shown that in the case of a control group surveyed for research purposes, 54% were 12 months or less in receipt of a qualifying payment when they accessed the scheme.

The scheme is intended to assist people with a history of long-term dependence on social welfare. Many of these people have not completed second level education and are held back in their efforts to obtain employment as a result. With this in mind, the qualifying period for people who wish to pursue second level education remains at six months. The numbers taking second level education with the support of the back to education allowance are increasing.

Additional information not given on the floor of the House.

I am satisfied that the current arrangements ensure that the scheme supports those people who are most distant from the labour market and whose need is greatest. In line with my undertaking to the Dáil and the Committee on Social and Family Affairs, however, I am keeping the qualifying period for this scheme under review.

The back to education allowance scheme is being reviewed at present as part of Government's programme evaluation process. The report of the working group, including recommendations for the future of the scheme, will be available later this year, at which time I will give the matter further careful consideration.

Mr. Stanton: Surely the Minister is not suggesting that people are taking up unemployment benefit or assistance just to qualify for the back to education allowance. That is ridiculous. The Minister and Deputies have participated in this debate from time to time. Can the Minister tell me if he intends to bring back the qualifying period to nine months before next September? I am sure he recalls telling me that he can do that at the stroke of a pen. How much will it cost to bring back the qualifying period to nine months? Will he do that and, if so, when?

Mr. Brennan: It would cost €6.7 million over three years to do that. I will make that decision well in advance of next September.

Mr. Stanton: Will the Minister agree that time is running out? He tells us his philosophy is to help people go back to education, especially those on long-term unemployment. Will the Minister agree that the measures being taken now are stopping people returning to education? This has been going on for several months. When will the Minister make a commitment? Time is running out. The Minister told me in February he would make this change in the next two months. The two months have passed. People need to plan ahead. Will the Minister tell me if he will do it, and when?

Mr. Brennan: As the Deputy is aware, the qualifying period was six months and I increased it to 12 months in the budget. I have said consistently since then that it does not come into effect until September and that well in advance of September I will finalise my thinking on that, particularly in terms of sourcing the additional funding. The timescale is fine. It is nothing different from what I have been saying for some months. This is only April and well in advance of September we will be able to close our thinking on whether we can move the qualifying period back to nine months.

Mr. Stanton: What is stopping the Minister from making the decision now?

Mr. Brennan: Money.

Mr. Stanton: Money.

Nursing Home Subventions.

73. **Mr. Penrose** asked the Minister for Social and Family Affairs if any refunds made to pensioners residing in nursing homes, arising from the recent Supreme Court decision that found

[Mr. Penrose.]
that charges levied on them were illegal, will not be allowed to impact on their current pension entitlement; and if he will make a statement on the matter. [11948/05]

Mr. Brennan: I understand my colleague, the Tánaiste and Minister for Health and Children, will very shortly bring proposals to Government on repayments to residents and former residents of publicly-funded long-stay care places.

Over the period in question, my Department paid affected persons their full pension and other social welfare entitlements and had no function in the deduction of the charges made.

The implications for social welfare pensions and other entitlements will depend on the nature of the repayments scheme. However, it is my intention that any repayments will not impact on current pension entitlements and I will bring forward proposals in this regard when full details of the repayment schemes have been finalised.

As the Deputy is aware, I have made provision in the recent Social Welfare and Pensions Act to introduce enhanced capital assessment arrangements generally. From June next, a single pensioner with no other means will be able to save up to €28,000 without affecting his or her entitlements. This figure is doubled for a couple. As a result, all pensioners will, if they wish, be able to put an enhanced sum aside without worrying about any effect on their pension.

Mr. Penrose: I welcome the late clarification from the Minister. This is a long time coming and it has caused great anxiety to the very large number of people who will qualify for the refunds as a result of the illegal levying of charges. The State would have compounded the error if it had included these moneys as part of the means test assessment. Precedence already existed regarding payments to hepatitis C victims and other groups to ensure they were excluded. Is it the position that the Minister is giving an unequivocal commitment to ensure that the repayments will not affect non-contributory old age pensioners and widows' pensions in the future? That is an absolute commitment given on the floor of the House and the Minister cannot resile from it.

Another problem we have been pursuing concerns the counting of social welfare payments as assets in the reassessment of the means of old age non-contributory pensioners. I am talking about the claw-back policy being operated by the Minister's Department as a result of which more than €20 million was obtained in recent years. Is the Minister aware that under the new legislation money saved by some pensioners for a rainy day, their burial or to provide for nursing home care in the future is now being calculated as part of their assets and if it is more than €20,000, it will lead to a reduced income? I put it to the Minister that this policy is a disincentive to people to save and live frugally. Could we re-examine that policy?

I welcome what is being done regarding the nursing home subvention payments because people should not have those payments assessed but unless the Minister examines the current claw-back system operating in respect of non-contributory old age pensioners, it will lead to a discrimination case being taken in the courts.

Mr. Brennan: It is my intention that any repayments will not impact on current pension entitlements. I will bring forward proposals in this regard when I have full details of the repayments scheme. The repayments scheme has not yet been signed off by Government or finally approved and as soon as we have that scheme finalised, I will be able to bring forward proposals to give effect to my intention that repayments will not impact on current pension entitlements.

We have yet to take a decision in the case of beneficiaries of an estate of deceased persons in respect of which a repayment is due. That decision will be taken in the light of the content of the repayment scheme. I confirm to the Deputy today that there will not be any impact on current pension entitlements. Complications arise where the money is paid to an estate and there are beneficiaries from that estate. I am anxious that we align our thinking with whatever final decisions are taken in the area of inheritance tax and taxation generally. I will do everything possible to ring-fence whatever the repayment scheme brings people so that it does not affect their social welfare entitlements but I put down a marker that there has yet to be a decision in the case of money paid to an estate of a person as opposed to a living pensioner. In the case of a pensioner I am happy to give that categorical assurance. In the other case, we have to do some additional work on it.

In the case the Deputy raised where an overpayment is assessed against the estate of a deceased pensioner, I am aware of this issue and I have some sympathy with it. The difficulty is in trying to administer any scheme that would exempt savings which came from one's pension. The basic point the Deputy is making is that if someone saves money from their pension and they either die, their estate is tackled or, in the case of a living person, there is a review of their case, such savings would not be taken into account in any means test. In other words, if they have saved their pension it should not be part of a means test. I do not have a major difficulty with that policy objective. The difficulty is in trying to administer something like that. My advice is that we would then be brought into the business of trying to identify from where a person's savings came and asking a person if those savings come from their pension or elsewhere.

A better way to tackle it is the way I am doing it, which is that I have increased the disregard to €20,000 from €12,000. I did that in recent months, as the Deputy is aware, and there is the additional €8,000 for pensioners. That means that pensioners can save up to €28,000. If we work on that

and increase that threshold from time to time, as best we can afford it, that is a better way to exempt savings from affecting one's welfare. I have sympathy with the objective but the logistics of trying to do it are quite difficult. A better way might be to continue to raise the disregard so that they can save more money, from wherever it comes. We are then not brought into the business of asking them where their savings came from; it is more dignified for them also.

Mr. Penrose: While I understand the Minister's point, the Revenue Commissioners are able to identify and trace all sources of funds. For example, a small-scale farmer has identity and TB cards for his or her cattle and the TB office keeps records also. If a person wins money with a prize bond, it is readily identifiable. The problem is not as significant as the Minister contends. He will run into difficulties when a legal case is taken on the basis of invidious discrimination and he will face a serious mess. The Department should immediately notify all old-age non-contributory pensioners and widows of the operation of the clawback. Many people are saving for a rainy day or to pass on an inheritance and when they die, the sums involved will be included in the calculation of assets for the clawback. Last year, the Department clawed back over €5 million. This is a serious problem and I alert the Minister to the steam train approaching him in the form of a legal action if he does not tackle it.

Mr. Brennan: I will review the matter, especially as it relates to deceased persons. The Deputy should be aware, however, that the funds being recouped to the Exchequer were not, for whatever reason, the legal entitlements of whoever received them. Means may inadvertently not have been disclosed for example. We are clawing back money to which people were not entitled. Having said that, I will review the matter.

Mr. Penrose: It is non-capital assets that are at issue. Our focus is on pension payments already received and means tested by the Department.

Mr. Brennan: I will review the matter.

Child Support.

74. **Mr. Crowe** asked the Minister for Social and Family Affairs if he will consider changing the rules governing family income supplement, particularly around the area of lack of knowledge when claiming for backdating, as part of his review of legislation. [12120/05]

Mr. Brennan: The Deputy refers, perhaps, to a review on the possible merging of child dependant allowances and family income supplement to form a second tier of child benefit support. The review is being undertaken by the National Economic and Social Council. Under its terms of reference, the review does not specifically deal with the backdating of claims as there is a general obligation on people to claim their social welfare

entitlements on time. However, legislative provisions have been designed to cater for the inevitable cases in which people fail to claim on time. The legislative provisions on late claims for social welfare benefits are set out in section 205 of the Social Welfare (Consolidation) Act 1993, as amended, and in regulations made under the section. The provisions set out the periods within which persons must claim, the disqualifications which apply where late claims are made and the circumstances in which time limits may be extended.

Currently, regulations provide for payment to be made on foot of late claims across a range of schemes, including family income supplement, for a period of six months prior to the date of claim if a satisfactory cause for claiming late can be demonstrated. The legislation sets out the circumstances in which a relaxation of the restrictions on back-dating of late claims may be warranted under all schemes except those on unemployment benefit, unemployment assistance and supplementary welfare allowance. The legislation also outlines the circumstances in which further payment may be made up to the level of full retrospection. Such circumstances arise where a delay was due to the provision of incorrect information by my Department, illness or *force majeure* or where the person is dependent on the arrears of payment to relieve financial hardship.

Lack of knowledge is not in itself a consideration to be taken into account when back-dating claims. The Department operates a comprehensive information service as an essential element of the effective delivery of its schemes and services. The underlying objective of the service is to ensure people are made aware of their entitlements and kept informed of developments. Information on social welfare schemes and services is also available from local and branch social welfare offices and through the wide network of citizens' information centres. I am satisfied the current provisions on late claims strike a reasonable balance between, on one hand, the need to supervise and control claims, the requirements of sound financial management and control of public expenditure and, on the other, the need to recognise appropriately cases of genuine hardship or difficulty.

Mr. Crowe: While the reply stated that lack of knowledge is not a sufficient reasons for failing to claim on time, the Minister has said himself that of those with entitlements, 25% fail to claim. Part of the reason for that is lack of awareness. While I acknowledge the Department's information campaigns and leaflets, people are still unaware of their entitlements. Will the Minister examine the phenomenon as part of the review? Family income supplement is provided to subsidise low income families. I am not asking for people to be provided with something to which they are not entitled. Unfortunately, people who are not aware of the entitlement are not receiving

[Mr. Crowe.]

the supplement. When they realise the mistake and submit a claim, payments are not back-dated.

How many people are affected? According to my information, it is a great many. I have rung different citizens' advice offices and have been made aware of a number of cases at my own advice centre. Will the Minister consider the issue in the context of the current review to give people what they are entitled to receive? He said the system is, on balance, fair, but I call for a minor change to skew it in favour of people with an entitlement to receive payment. The guidelines as set out prevent them from receiving funding.

Mr. Brennan: I can see how difficulties arise for individuals. It has been a long-standing feature of the social welfare code here and in other jurisdictions that, other than in exceptional circumstances, claims are accepted only from a current date. Where extenuating circumstances exist, backdated payments can be made for up to six months, or longer in the case of some schemes, where proof of entitlement from an earlier date can be provided. Proof of entitlement at an earlier date can be difficult to obtain where a person's circumstances have changed rapidly. He or she may not be able to show that he or she was entitled two or three years ago to a benefit which has been approved today. Therefore, the code has operated according to the long-standing feature I outlined.

As I have told the House many times, one must keep all aspects of the social welfare code under constant review. No element of the code is set in concrete and as society changes, the social welfare system must be amended. In that context, I will certainly keep this and other matters under review. Potential claims are difficult to quantify. Our practice is to use a long-standing code and I hope we do so sympathetically in most cases.

75. **Mr. Stanton** asked the Minister for Social and Family Affairs the way in which his Department calculates child maintenance payments; and if he will make a statement on the matter.
[12130/05]

Mr. Brennan: Applicants for one parent family payment are required to make ongoing efforts to obtain adequate maintenance from former spouses or, in the case of unmarried applicants, the other parent of a child. Generally, maintenance is obtained through negotiation or court order, although it is increasingly the case that separated couples use my Department's family mediation service which is being progressively extended nationally.

Since 2001, one parent family payment claimants may retain half of all maintenance received without reduction in their social welfare entitlements as an incentive to seek support. Where social welfare support is being provided to a one parent family, the other parent is legally obliged to contribute to the cost of this payment. In every case where a one parent family payment is

awarded, the maintenance recovery unit of my Department seeks to trace the other parent, referred to as the liable relative, in order to ascertain whether he or she is in a financial position to contribute towards the cost of one parent family payment. This follow-up activity takes place within two to three weeks of an award of payment.

All liable relatives assessed with maintenance liability are notified by my Department and they are issued with a determination order setting out the amount of contribution assessed. In assessing maintenance liability, the financial situation of each liable relative is first examined in detail. The assessment is based on the net income of the liable relative. Allowances are made for any child dependent she or he has residing with him or her, and also for certain outgoings such as mortgage payments, house rent or home improvement loans on the liable relative's residence. The methods of assessment of the liable relative's ability to pay are specified in detail in regulations.

When a liable relative's maintenance liability to the Department is assessed, a determination order setting out the amount of contribution assessed issues to that person. The amount assessed can vary but it would not exceed the maximum amount set out in the Family Law Maintenance of Spouses and Children Act 1976, in respect of each qualified child. The current weekly maintenance amount set by the District Courts is €150 per child per week. The average amount of weekly maintenance assessed by the maintenance recovery unit of my Department is of the order of €84 per week.

Decisions can be reviewed where new information comes to light about the financial or household circumstances of a liable relative. In addition, decisions on the amounts assessed can be appealed by liable relatives to the social welfare appeals office. There are currently 1,946 liable relatives contributing directly to my Department. As a result of maintenance recovery unit activity, savings of €8.5 million were achieved in 2002 and €14.2 million in 2003. Savings of €16.6 million were achieved in 2004.

Additional Information not given on the floor of the House.

These savings are composed of direct cash payments by the liable relative to the Department and of scheme savings. Savings on scheme expenditure arise where maintenance recovery activity leads to the liable relative beginning to pay maintenance in respect of a spouse and-or children and the consequent reduction of a one parent family payment. In 2004, a total of 722 one parent family payments were cancelled while a further 512 payments were reduced as a result of maintenance recovery activity.

In implementing maintenance recovery provisions to date my Department has concentrated on cases where the liable relatives concerned, being in employment or self-employment, would be in a financial position to make a contribution towards the relevant benefit or allowance being

paid to their families. Legislation allows my Department to seek recovery from liable relatives through the courts in appropriate cases. A total of 182 cases has been submitted for court action from 2001 to date. The majority of these cases have resulted either in orders being written against the liable relative in court or alternatively in the liable relative agreeing to pay a contribution to the Department or to the lone parent.

Issues relating to maintenance are kept under continuous review within my Department. I am currently reviewing a number of aspects of the lone parent allowance and the position of lone parents within the welfare system. I am also looking at maintenance and liable relatives matters in the light of experience in this area in other countries.

Mr. Stanton: In the light of an earlier response from the Minister, what is he doing with all these savings? He said he has no money.

Is it true that when fathers pay directly to the mother — in most cases the liable relative is a father — the child is better off because the payment is 50% more than it would be if the payment was paid directly by the Department, in other words, if the payment is made to the Department, the one parent family payment stays as it is, but if the payment is made directly to the parent who lives with the child, that parent can retain 50% of the maintenance payment? Why is that not made known to liable relatives — fathers in most cases — when letters of determination are sent? Is it not the case that children lose out because of this?

Why does the Department not make the same level of payment to the family as it would receive if the payment was made directly to the family by the other parent? Surely an anomaly exists in this regard. When payments are made to the Department rather than directly to the family, why does the Department retain the contribution from the liable relative? Does the Minister not agree that children lose out if payments are made directly to the Department?

Mr. Brennan: I have acknowledged that this area is in need of a serious overhaul. Only 14% of single fathers — by and large the maintenance comes from fathers — have had determination orders issued against them. No contributions are due from a further 49% who, although they were working, their income was deemed to be low. Some 13% of liable relatives are on social welfare and it has been deemed that they can make no contribution. A further 11% of liable relatives cannot be traced.

In terms of the point made by Deputy Stanton, the mother — in most cases it is the mother who lives with the children — is in receipt of a lone parent's allowance. That is her allowance. If the Department receives a contribution from the father, that money is not passed on but remains in the Department. It is considered as a contribution by the father towards the lone parent's

allowance which the Department has paid. I am investigating the matter.

Deputy Stanton referred to 50% of a payment, which is a slightly different matter in that in cases where the payment is paid directly by the father to the mother, the mother keeps the whole payment but she is allowed to disregard half of that payment in any assessment of her entitlement to social welfare. This area is in need of a serious overhaul. It is important that fathers would become more involved and would make payments in more cases.

Many fathers do make payments currently but it is apparent from the statistics I gave that not nearly enough of them do so. The Department's rationale for collecting the funds directly is to hold them accountable in some way. I accept that work remains to be done in this area because the idea that money received by the Department is offset against a lone parent's allowance does not really make the connection I want to make between the mother, child and father. We must work out a better way of doing that.

Mr. Stanton: The Minister has acknowledged that there is a problem which needs to be addressed. How soon will he set the wheels in motion to deal with this issue? For instance, when the maintenance section of his Department sends out letters, would he consider including in the letter the fact that if the payment is made directly to the mother by the father that the child and his or her mother would benefit financially as a result, rather than to have the benefit accruing to the Department, which is the case if the father makes the payment to the Department?

This serious anomaly has previously been brought to the Minister's attention. Will he give a commitment in the House that before next Question Time he will have examined the matter in detail and will be able to answer questions on it and have a response prepared? We do not only want talk, we want action. Children are losing out. Does the Minister agree this is the case because his Department is holding on to money that should be passed on to families? In cases where the payment is made directly to the mother — this happens in most instances — she benefits financially. However, if the payment is made to the Department, she does not benefit.

Mr. Brennan: It is not that simple. I wish that it were. The mother is in receipt of the lone parent's allowance. The money paid to the Department by fathers is almost certainly considerably less than the lone parent's allowance. It is not a matter of the money not being passed on to families. If it were passed on, it would likely interfere with the mother's lone parent's allowance because her income would be above the lone parent's eligibility limit.

Mr. Stanton: The Minister is missing the point.

Mr. Brennan: It is not the case that the Department is holding money back from children who

[Mr. Brennan.]
are entitled to it. A mother is entitled to a lone parent's allowance but maintenance funds from the Department could affect her means-tested payment.

Mr. Stanton: There is a disregard if the mother receives the payment directly from the father.

Mr. Brennan: Only half of it is not affected.

Mr. Stanton: Then there is a substantial financial benefit to that.

Social Insurance.

76. **Dr. Cowley** asked the Minister for Social and Family Affairs the process whereby older Irish emigrants wishing to apply for a PPS number may obtain one while resident outside of the State; the identification which is acceptable in the absence of a current passport or national identity card, neither of which many older persons have; the length of time it takes to process these applications (details supplied); and if he will make a statement on the matter. [12170/05]

Mr. Brennan: The personal public service number is the citizen's unique reference number for all dealings with Departments and public bodies.

In order to ensure a person receives only one number, and that the number is allocated on information that is accurate and verified, certain procedures are set down to be followed by offices of my Department when dealing with applications. It is necessary to have effective controls around the PPS No. registration process to guard against fraud and to protect the integrity of my Department's data.

Evidence of identity is a vital element of the allocation process. A PPS No. does not issue automatically, except in the case of children born in this jurisdiction. In all other cases application must be made at one of my Department's offices. In the case of persons resident outside the State, application can be made by post to the client identity services section of my Department.

When applying for a PPS No., applicants are asked to complete an application form and supply documentation to establish their identity. Once this is done satisfactorily they are usually informed of their PPS No. by post within five days. The identity documentation that applicants who are not resident in Ireland are requested to supply is a long form birth certificate. Alternatively, they can furnish a copy of their current valid passport.

My Department only asks for documents that a person is likely to have in his or her possession or may reasonably obtain. I would always be sympathetic to a person who, for reasons of age or infirmity, might have difficulty obtaining such documents. Where queries arise, staff in the client identity services section of the Department provide advice and assistance to an applicant or someone acting on his or her behalf. My officials

are not aware of any specific difficulty encountered by Irish emigrants living abroad who need PPS numbers to have their names included on the housing needs list. Given the specific issues raised by the Deputy, officials from the Department will contact him with a view to obtaining further information so that they can carry out a complete investigation of these issues.

Representatives of the safe home initiative or any emigrant representative groups who wish to discuss these issues should contact the client identity services of the Department to arrange a meeting at which particular issues or difficulties they may encounter can be addressed.

Dr. Cowley: I thank the Minister for his competent reply. I note the value of a PPS number and the need to ensure that the recipient is the person he or she claims to be. The reason for my question was the recent requirement for anyone wishing to be included in the housing assessment of need for 2005 to have a PPS. A problem for old Irish emigrants living abroad and hoping to be repatriated to the safe home programme was that owing to the strict time limits imposed and the lack of documentation, passport or national identity card, this was not possible for the majority of applicants. It meant their names would not be in the pot under the assessment of need for the capital assistance scheme. The form provides for a passport or national identity card which confirms the identity of the applicant. In the case of a minor it appears to be qualified to a copy of a birth certificate, so I am glad the Minister has spelt out that a long copy of a birth certificate will be acceptable as many older people will not have access to a passport or a national identity card.

The Minister has more or less answered this, but in the case of someone living abroad who does not have easy access to a passport, birth certificate or national identity card, can he offer any assistance to those who face real difficulties in such situations? I refer to older Irish people in particular who live abroad. There is also a need for clearer, more straightforward application forms. The Department might attempt to do this, but it is often confusing for older people.

Mr. Brennan: I confirm again that the officials will be in touch with the Deputy to discuss these matters with him in detail. People are normally informed of their PPS numbers by post within five days. The Department will certainly offer advice and assistance to anyone who has difficulty in obtaining documentation that is required for identification.

Other Questions.

Family Support Services.

77. **Mr. Deasy** asked the Minister for Social and Family Affairs, further to his comments in a

newspaper (details supplied), his plans to replace the one-parent family payment with a more family friendly child benefit support scheme; when this new support scheme will be put in place; and if he will make a statement on the matter. [11911/05]

114. **Mr. Costello** asked the Minister for Social and Family Affairs if he is considering the publication of a Green Paper on lone parents; if so when the paper is likely to be published; if he intends to consult interested groups prior to the publication of any such paper; and if he will make a statement on the matter. [11829/05]

134. **Ms Burton** asked the Minister for Social and Family Affairs if he will expand on his proposals for a holistic scheme to help single parents go back to work as set out in his interview with a newspaper (details supplied) of 27 March 2005; and if he will make a statement on the matter. [11827/05]

137. **Mr. Costello** asked the Minister for Social and Family Affairs if he has plans to meet the specific child care requirements of single parents; and if he will make a statement on the matter. [11830/05]

144. **Mr. Broughan** asked the Minister for Social and Family Affairs the progress made to date with regard to the consideration by the subgroup of the Cabinet committee on social inclusion dealing with matters relating to lone parents, particularly in regard to obstacles to employment; and if he will make a statement on the matter. [11826/05]

155. **Mr. Gilmore** asked the Minister for Social and Family Affairs his proposals for the replacement of the current lone parent's allowance with a family friendly child benefit scheme; and if he will make a statement on the matter. [11831/05]

Mr. Brennan: I propose to take Questions Nos. 77, 114, 134, 137, 144 and 155 together.

For people in working age households, the main route out of poverty is employment. Despite the great increases in employment participation in Ireland in recent years and in opportunities generally, the proportion of lone parents in employment is low compared with other developed countries. This was borne out by a recent report on reconciling work and family life which found that employment participation among lone parents in this country is among the lowest in the OECD. This is despite the large employment growth and increasing female participation in the workforce in recent years and the income disregards afforded to lone parents under the one-parent family payment, who take up employment.

The results of the EU survey on income and living conditions for 2003 indicates that more than 42% of adults and children living in lone parent households were in the "at risk of poverty" category. Lone parents are especially vulnerable as they must combine the roles of both

care giver and main income provider. Many lone parents, especially those who become parents at an early age, are also disadvantaged by low levels of educational attainment. One of the key tasks in the ending child poverty initiative is to address obstacles to employment for many lone parents. The senior officials group on social inclusion has been mandated to examine this issue and report back to the Cabinet committee on social inclusion with specific proposals.

A steering group, comprising officials in the Departments of the Taoiseach and Finance as well as the office for social inclusion in my Department, has been established to progress the work. Other relevant Departments and agencies are preparing material and briefing the group on the areas for which they have responsibility. The group meets on a fortnightly basis and will present its report to the full senior officials group on social inclusion by mid-year. Following any amendments, a report will be presented to the Cabinet committee on social inclusion before the end of July. Specific policy areas are being examined to assess how they impact on employment opportunities and family circumstances. These include income supports, employment, education, child care, support programmes and information.

A separate working group has been set up in the Department to review the income support arrangements for lone parents. This review will feed into the work of the steering group. Special account will be taken of the findings of a report which the National Economic and Social Council has been commissioned to prepare, under Sustaining Progress, on the possible merging of the child dependant allowance with the family income supplement. Other countries have had to address similar challenges in assisting lone parents achieve self-sufficiency and a better standard of living for themselves and their children through employment. The effectiveness of the measures taken and the outcomes have been analysed in the international OECD study in which Ireland has participated. The findings of this study are also being taken into account in the review of the provisions for lone parents.

It is my intention that the outcome of this process will be the introduction of more active and effective supports for lone parents which will help them achieve the necessary educational opportunities, employment, a better standard of living and a better future for themselves and their children. The effectiveness of the current income support arrangements, including the one-parent family payment scheme, in promoting and facilitating these objectives will be a key element of the review.

Mr. Stanton: I thank the Minister for his response. Does he suffer from a sense of *déjà vu*? All that work was done in 2001 by the National Economic and Social Forum. Is the Minister taking account the findings in that report, which was very good, but which has gathered dust since?

[Mr. Stanton.]

The Minister speaks of combining the CDA and FIS. The CDA is a payment for people who are unemployed and FIS is for people who are employed, so how can he combine the two? Has he considered that?

Can he set himself an objective or deadline as to when he expects to see this new super family-friendly child benefit scheme in action which he keeps telling the press about? Does he foresee it being announced in the next budget or will it be the budget after that? It will probably take a budget to bring in measures such as this or else a Social Welfare Bill. Will the Minister say whether it is his objective to have this announced as part of the forthcoming budget at the end of the year? If that is the case, it is somewhat like the school-boy throwing the sack over the ditch. It means the Minister will have to follow and we will try to ensure that he does. In summary, has the Minister taken into account the NESF report of 2001 which has covered this ground already, how will he amalgamate CDA and FIS and when does he expect to see this happening?

Mr. Brennan: This is one report of which I have taken account. It has not covered everything. If it had, I would simply be able to implement it. It rehearses many of the main issues and suggests certain directions in which to proceed. However, there is much small print to be worked out.

As I indicated to the Deputy, the group meets on a fortnightly basis and will send its report to the full senior officials group on social inclusion by mid-year. That will lead to a report to the Cabinet by the end of July. That is the timescale by which I am working.

As for the amalgamation of CDA and FIS, as the Deputy knows, the NESF has had one of its top experts working on this for some time. I hope to get its final thinking in this regard within a few weeks. The CDA is a payment attached to unemployment, but what it has in common with FIS is that, in general, they are both paid to low income families. For this reason, in terms of payment, whether someone is on a low income because he or she is on benefit or in low-paid employment does not matter much to the children concerned. We are anxious to see whether those two payments may successfully be pulled together so that they are targeted specifically at children who are deemed to be at risk of poverty. That is the job in hand. The NESF is working at it diligently. As soon as I have something specific that may be implemented, I will take it to Cabinet without delay.

Mr. Penrose: This is a complex and difficult area which will have to be teased out considerably. One parent families make up approximately 12% of households and tend to face higher risks of poverty than their two-parent counterparts. The EU survey on income and living conditions, released in January 2005, indicated that 33% of one parent families live in consistent poverty in

comparison to 9% of the overall population while up to 42% are at risk of poverty compared to 23% of the overall population. One parent families have the highest levels of the eight deprivation factors.

Will the Minister agree the main issue for one parent families, particularly those with young children, is access to the labour market? This relates to the lack of availability of part-time or flexible employment and access to education, to assist one parent families. Is this not an ideal opportunity to have a major strategic input into the policy area to help people living in poverty? Deputy Stanton referred to the 2001 NESF report, and the one size fits all argument. Geoffrey Shannon's big legal tome on the issue must be remembered. As policy changes will engineer changes in this area, who will have an input in the review group? Will it be officials only? Will proposals be brought before the Oireachtas Joint Committee on Social and Family Affairs?

Mr. Brennan: I will be happy to discuss the review group's proposals with the committee at the appropriate time. I found discussions with the committee to be useful in the past. Deputy Penrose is correct that this is a complex area. When removing poverty traps and attempting to build incentives, one has to be careful not to create other poverty traps. That has bedevilled the system for some time.

I am impressed with what is happening in other jurisdictions, where intervention is tailored to the individual circumstances of the person. In the UK, discussions and counselling on a holistic basis are being held for individual lone parents. The UK has found the more engagement involved, the more people helped back into education and employment. Ireland has a similar experience, with intervention in long-term unemployment cases where numbers were greatly reduced. I have asked the Department to see how a similar mechanism for lone parents can be introduced. I am aware there are approximately 80,000 lone parents and I hope the Department can give them individual attention and advice as to how they can best access employment and education through the myriad of schemes available.

Disregards are still available. For example, a lone parent can earn up to €146.50 per week without his or her benefits being affected. Earnings above this limit are assessed at 50% up to a maximum of €293. There are transitional arrangements in place where a lone parent who exceeds the earnings threshold may retain 50% of his or her payment for a further six months. The review group is specifically looking at removing barriers to employment. I hope the group will reach its conclusions within the timescale given as these are important issues.

Mr. Boyle: I am surprised that Question No. 162 which refers to the Minister's proposals on family income supplement and child benefit is not included in this grouping. I assume a more

detailed answer will be available in the written replies.

Will the Minister agree that in reviewing supports for one parent families, it cannot be a case of reinventing the wheel? Not only are reports from bodies such as NESF available, there are also policy position papers from non-governmental organisations, such as the group, One Family. The Department of Social and Family Affairs must react to such proposals when put in the public arena, rather than developing a new bureaucratic review by which results will come out in a Delphic way in a year. We are aware of the problems and their potential solutions. What is required is the appropriate will to respond to them in the quickest possible time.

The Government allocates different departmental and ministerial responsibilities. Why is child care under the Department of Justice, Equality and Law Reform and not under the remit of the Department of Social and Family Affairs? That is why there is much confusion over what resources are available and how they can be accessed. Until the Government is prepared to think in a joined-up way, many of the people reliant on these payments and resources continue to be left in an unnecessary grey area.

Mr. Brennan: I acknowledge the excellent work of One Family and my Department has taken account of its submissions in the past. Localisation is well under way, with 19 local offices processing one parent family payment claims in an attempt to bring the individual closer to the service. That system will be fully rolled out to ensure all one parent payments are localised. There were also improvements in the budget. It is not fair to claim nothing is being done on this issue. An amount is happening, but as I said many times, we must continue to review the structure of these schemes to see how they can be improved. We have all concluded that the one parent family payment can have the effect of locking people into a certain situation. It must be made a more active payment that will encourage people into education and employment.

I accept the Deputy's point about child care as responsibilities in this area are spread over eight Departments. For example, the Department of the Environment, Heritage and Local Government deals with housing issues, while the Department of Justice, Equality and Law Reform has substantial funds under the equality heading. My Department is involved in paying child benefit. Other Departments involved include the Department of Health and Children, with the provision of crèches. Some of this is unavoidable. However, the matter has been discussed at Cabinet and we will examine how best to tidy up these arrangements and bring more focus to the child care issue.

Mr. Stanton: The 2001 NESF report recommended family service workers be appointed by the Department of Social and Family Affairs to

work with families in times of crisis. These are the counsellors referred to by the Minister. However, none of the report's proposals has been implemented. There seems to be no sense of urgency with regard to the 90,000 children living in poverty. While the Minister has established a new review group, 90,000 children live in consistent poverty. How will the Minister deal with that now?

Mr. Brennan: I am not referring to service officers but attempting to devise a system whereby we can intervene individually with lone parents. The NESF report concentrated on the broader family services. There is an action programme for combating child poverty. On a broad level, higher employment obviously helps because employment is the key to dealing with this. We have increased child benefit substantially in recent years.

Mr. Stanton: It is not working.

Mr. Brennan: It has been increased substantially and total welfare payments have doubled in five or six years.

Mr. Stanton: They are still out there.

Mr. Brennan: As I have stated many times, welfare payments take a third of the State's budget.

Mr. Stanton: There are 90,000 of them.

Mr. Brennan: Substantial funds are going to low-income families. However, I accept the Deputy's point. Despite the expenditure, there are too many children at risk of poverty, regardless of whether the figure is the 66,000 quoted in one study or the 120,000 quoted in another. That is the reason we are trying to design something that will target them. All the reports, however, indicate that there is a problem with identification, location and trying to focus on them rather than on a wide area and, thus, spreading our resources too thinly.

The amalgamation of the two allowances is one step but it is not the only one. Poverty is tackled across the board in a number of ways by the Department of Health and Children, the Department of Finance, the Department of Social and Family Affairs and the Department of Education and Science, which has a major role. There is no single solution to poverty, even child poverty. It is a multi-faceted programme that calls for joined up Government. That is what I am fighting to achieve.

Personal Debt.

78. **Mr. Gormley** asked the Minister for Social and Family Affairs if his Department has plans to mount an information and education campaign, through social welfare offices, on the dangers of

[Mr. Gormley.]
excessive personal debt; and if he will make a statement on the matter. [11812/05]

Mr. Brennan: My Department has overall responsibility for the money advice and budgeting service, MABS, which provides assistance to people who are over indebted. A total of €13.6 million in funding has been allocated to MABS in 2005. The service is targeted at those who are on low income or are in receipt of social welfare payments and also those with poor literacy and numeracy skills. There are 52 MABS companies located in 65 offices throughout the country.

The money advice and budgeting service has a close and ongoing involvement with my Department at local level. Representatives of the Department are on the boards of management of MABS companies. Membership is also drawn from statutory and voluntary bodies such as the Society of St. Vincent de Paul, credit unions, citizens information centres and the community welfare service. These representatives in turn raise awareness of issues around over indebtedness in their parent bodies.

The money advice and budgeting service is advertised in many post offices and credit unions as well as in local health centres. New posters with local contact details are about to be circulated to all MABS offices. These posters will also be displayed in all social welfare offices and health centres as well as other appropriate locations. A new company MABS National Development Limited, MABSndl, was established in 2004 to support, promote and develop the MABS. The company has recruited a national development team comprising a social policy-communications officer, a community education officer and three casework technical support officers.

The company is currently working on the development of a national strategy in community education, which will be implemented by the 52 MABS companies. This strategy will seek to empower individuals and communities in developing the skills necessary to deal with debt cases as they arise. The MABS development company is also devising a strategy to assist the MABS local services to improve further the take up of the money advice and budgeting service by those on low income. Recent initiatives to inform the target group of the MABS include media interviews, co-operation with the One Parent Exchange Network, OPEN, the National Adult literacy Agency, the Courts Service information section, Society of St. Vincent de Paul, Age Action and hospital social workers.

The Department ensures that MABS information and contact details are included in all relevant social welfare publications and information material produced by the Department.

Mr. Boyle: The Central Bank produced statistics earlier this year which showed that across the general population personal debt is now 120% of disposable income. We can only presume, in the

absence of proper statistics from the Minister's Department that it is at a higher level among social welfare recipients. Given that MABS is under resourced and does not have a widespread network, does the Minister believe his Department should play a greater role in ensuring that personal debt is avoided to the greatest extent possible among social welfare recipients? What additional measures does the Minister intend to put in place given that the promised legislation on MABS appears to have been pushed lower on the list of legislation?

Mr. Brennan: I accept the Deputy's point. For the present, however, it is best to work through the MABS. A total of €64 million has been provided to the service since 1992. The figure for this year is €13.62 million. The first half of 2004 saw an increase in the numbers calling to MABS offices, when approximately 8,500 clients used the service during that period. There was an increase from 9,000 in 2001 to 12,000 in 2002, while an average of 1,700 persons per month visit the website.

Written answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Kelleher — that the Minister ensure the original commitment of the Dublin Airport Authority to fund the capital cost of the provision of the new terminal in Cork Airport; (2) Deputy McHugh — that adequate funding be made available to enable the two palliative support beds provided at Áras Mhuire, Tuam, County Galway, to be opened immediately; (3) Deputy Gormley — the need for an investigation into the operation of the Ringsend waste water treatment plant in light of court proceedings by the European Commission; (4) Deputy Costello — the need for the Minister for Justice, Equality and Law Reform to outline the measures he proposes to take to combat hate crime; (5) Deputy Connolly — to discuss the serious implications for public health of the fluoridation of public drinking water supplies; (6) Deputy Healy — the need for the Minister and the Health Service Executive to implement the High Court agreement for the provision of general hospital services in South Tipperary.

The matters raised by Deputies McHugh, Connolly, Costello and Gormley have been selected for discussion.

Leaders' Questions.

Mr. Kenny: I wish to raise the consequences of the security audit at Dublin Airport last week, the delays passengers are experiencing and the frustration and anger of thousands of people who are being discommoded not because of the

importance of security for every passenger but because of the inability to manage numbers effectively at the airport. A person travelling from south County Dublin who must use the M50 at a reasonably busy time and must be in Dublin Airport at least an hour and a half before a flight to Cork takes off, is undertaking what is practically a five hour journey, the same amount of time it would take to travel to America.

Last Thursday, I was in the airport and missed a flight to Cork. That was not of great consequence to the nation but it gave one the experience of going through the corral with 600 other people, some with their shoes off. It is anticipated that 18 million passengers will use the airport this year. The influx and exodus of hundreds of thousands of people will cause utter chaos at the airport. The Taoiseach was to seek a report from the Dublin Airport Authority last week. Has he received that report? Can he give an indication of how it is proposed to improve the efficiency with which the throughput of passengers can be accomplished? Last week the staff were under pressure but there appeared to be at least two unused scanner machines during the period I was approaching the scanner, which was a considerable time.

It is anticipated that 18 million people will use the airport but people will not come to this country if they cannot do business or find it virtually impossible to get through Dublin Airport. What plans do the Government and the Dublin Airport Authority have to deal with this crisis now and prevent early morning flights being delayed, with thousands of passengers discommoded?

The Taoiseach: The Minister received a preliminary report but the detailed report from the European Union inspectors will not be available for some time. They provided a preliminary oral briefing to the Department of Transport on the outcome of the inspection last Friday but the written report will take a number of weeks. However, the oral report probably deals with most of the important issues.

The Minister for Transport received a report from his officials yesterday and that report incorporates the views of the Dublin Airport Authority on the inspection. It is not the policy to publicise the outcome of inspections and audits and to state exactly what is in the report but there were obviously serious deficiencies in the system. There were a number of breaches, although explosives or detonators were not involved, as some reports suggested. However, knives and other instruments got through, some in people's shoes and some in garments, which is a serious issue.

The Minister for Transport is determined that deficiencies identified will be remedied. His Department has been working with the authority since last week to ensure a consistent application of the required security standards and practices to keep a balance between good security and no excessive delays. The board's sub-committee on

security has held a special meeting. It has announced its intention to appoint an internationally recognised consultant to look at the security of the airport to see how best to achieve that balance. Following what happened last week, the staff are taking a tough line on everything. The security committee will meet tomorrow to discuss developments and review arrangements at the airport. The Department of Transport and the Garda will attend that meeting. An early meeting of the National Civil Aviation Security Committee, chaired by the Department of Transport, is also planned. The advisory committee includes representatives of the Garda, the airlines, airports, Departments and a number of other bodies.

The recent delays have resulted from the increased security. The DAA is monitoring passenger movements and controls to minimise this inconvenience. It is liaising with the airlines as more staff on the stands eases delays. Last Sunday, many of the stands were not opened. Passengers have been asked to minimise hand baggage and to turn up earlier. All the existing units are to be manned to move numbers through. The DAA has indicated that it is reviewing the level of resources available to manage the situation. Some 60 additional screeners are being trained, 20 of whom are ready to work. It will take approximately four weeks to get all units operational, but all current units are operational, which was not the case last week.

The Government is committed to ensuring the highest standards of aviation security at our airports. The Department of Transport will follow up on the lessons learned from the inspection last week. It will try to ensure that the maximum number of units are open so that people can be moved through quickly.

Mr. Kenny: The Taoiseach is a great person to read up on matters and he knows all the anecdotes. It would pay him to go to the airport at rush hour and observe what is happening. I am interested to hear that 20 trained screeners will be available in a couple of weeks, but I do not know whether there will be equipment for them to use. With 300 or 400 people going through two corrals, one would feel sorry for them as they drag their luggage and their children with them. Airports such as Brussels, Schiphol, Copenhagen and Rome carry an enormous throughput of passengers and this endless stream of queueing for security checks is rarely seen. That leads me to the inevitable conclusion that the delays here are because the Government has failed to make its decision about a second terminal. In her party conference, the Tánaiste stated that the issue was competition between airports and capacity in airports. Does the Taoiseach share that view?

On several occasions last year, the Taoiseach made it clear that a decision was imminent. Unlike his comments on the news about the sporting organisations, will the Taoiseach tell the nation when his Government expects to make a

[Mr. Kenny.]
definitive decision about a second terminal for Dublin Airport?

The Taoiseach: The present terminal was built to cater for 20 million passengers per annum and the new terminal is scheduled to cater for between 20 million and 30 million passengers. Decisions on that issue are imminent. The 60 additional screeners have equipment and this should speed up the operation. There is also a balance in the security checks undertaken. Last weekend, the screeners were reused so everything was picked up. The consultant is being brought in to find out the standard used in other international airports. The security checks showed up every last thing, thereby causing the delays. That was not the position the previous week so some balance must be sought.

Obviously more people are required and 20 of the additional 60 will be ready this week while the remaining 40 will start work over the coming weeks, before the holiday season. Many of the stands were not open last weekend, which is ridiculous. If all the stands are open, at least people can be moved through with some efficiency. A number of meetings will take place tomorrow to alleviate the problems for the travelling public.

Dr. Cowley: There is plenty of room in Knock Airport.

Mr. Rabbitte: I wish to ask the Taoiseach about the dramatic news at the top of the national broadcast last night, that the Taoiseach supports the Government decision on Lansdowne Road. It only made sense on the basis of the previous day's news, which was that the Taoiseach did not support the Government decision and that he would believe it when he saw it. That follows from the previous day's news, when the Taoiseach welcomed the opening of Croke Park to other sports by the GAA annual congress. That was also an odd position given that four years earlier, the Taoiseach stopped the opening of Croke Park with £50 million of taxpayers' money and actively intervened to prevent the inevitable decision being made at that time. That happened just after he called in the FAI and promised his full support for Eircom Park. Shortly after that, he arranged for the scuttling of Eircom Park. He then backed the knocking down of the research laboratories and other buildings in Abbotstown at a cost of €157 million to the taxpayer. All that has ever been built there is a swimming pool for €70 million, the most expensive terrestrial swimming pool on the globe. Now the roof has blown off it and it is not in operation.

What is the Taoiseach's position on Lansdowne Road? Will he leave the hapless Minister for Arts, Sport and Tourism swinging in the wind? On 27 January, the Minister stated, in typically understated prose, that this was a landmark day for Irish sport. He stated that we were bringing our national sporting infrastructure into

the 21st century on a much loved site that resonates with history, tradition and some of our greatest successes. Does the Taoiseach support the Minister?

The Taoiseach: Deputy Rabbitte is not correct that rule 42 was voted on previously by the GAA. There was no internal debate or discussion on that issue on the previous occasion. I am glad we are not in the position we were in when Deputy Rabbitte had a say in matters, when we spent €17 million on sports here. At least we can do a few things now.

(Interruptions).

The Taoiseach: I welcome the GAA's decision. I congratulate Seán Kelly on what was achieved last weekend. Having put more than €100 million into Croke Park to see it being made available when required to assist soccer and rugby, it is a very welcome decision. Last year, the Government decided to provide €190 million for the development of Lansdowne Road. We used to spend £13 million a year on sport when Deputy Rabbitte had any say in it. At the same time, we have agreed to develop Stadium Campus Ireland and campuses for other sporting bodies. The Minister for Arts, Sport and Tourism has a programme in that regard.

We now have Croke Park finished thanks to this Government. Thanks to the GAA delegates—

Ms O. Mitchell: The Government did everything possible to stop it.

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

The Taoiseach: The Government gave €110 million of the €260 million.

Mr. Penrose: It was the taxpayer.

The Taoiseach: Yes, it was taxpayers' money. Croke Park has now been finished for GAA activities, including camogie and ladies' football as well hurling and football. Thanks to the GAA, the stadium will now be opened up while Lansdowne Road is under development. The Government has already made a decision to put €190 million of €290 million into that development.

Although the issue has moved on, as I said at the weekend, it is regrettable that we do not and will not have, probably for 30 years, a national stadium with proper facilities. That is why our young athletes go abroad to train. Even the Tipperary hurlers went abroad last week, and rightly so, to use facilities in Portugal. I regret that we will not have such facilities here. We will have two football stadia but we will not have a proper campus related to them, as most other countries have. That is a sorry day.

For 13 years I have been involved in one way or another in arguments about the plan to develop Croke Park. I wish the Lansdowne Road authorities, as well as Deputy Quinn and others who are involved, every success in getting the plan through but it will not be easy.

Mr. Rabbitte: I join the Taoiseach in congratulating Seán Kelly on his consistent position — not a word one would use in conjunction with the Taoiseach's stance — in securing a situation whereby the GAA authorities can now make a decision about the admission of other sports to Croke Park during the development of Lansdowne Road. I repeat that the decision would now be unnecessary if the Taoiseach had not intervened in 2001 to stop it.

Why is the Taoiseach sending out signals of a lack of confidence that the redevelopment of Lansdowne Road will ever take place? It is most unlikely that the Taoiseach did that by accident. Given his record of undermining Eircom Park and contriving to stop the GAA in a bid to further his vanity project at Abbotstown, I would not rule out the Taoiseach being successful in scuttling Lansdowne Road as well. He said earlier that he could now “do a few things”, to use his words, unlike when there was another Government in office. The few things in question concerned the building of a national stadium, yet we still do not have one. The GAA has produced a splendid facility at Croke Park but the stadium the Taoiseach set out to achieve is still a mirage. It has not materialised. Now the commitment exists to do it by redeveloping Lansdowne Road, the Taoiseach seems to be pouring cold water on it. Why does the Taoiseach say he has doubts about the feasibility of Lansdowne Road? Surely it is not because, he said, it is in a built-up area.

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

Mr. Rabbitte: If it is because it is in a built-up area, where does that leave Croke Park? Surely Croke Park is in a built-up area. Does the Taoiseach support the decision announced by the Minister about Lansdowne Road?

The Taoiseach: Rule 42 was not the issue of the debate in 2001 and Deputy Rabbitte is incorrect in that respect. Eircom Park was rejected by the FAI. It was not considered. It voted democratically on that issue, as the GAA did last week, and voted against Eircom Park. As a result of the Government supporting it with taxpayers' money to the tune of more than €100 million, Croke Park has been redeveloped. I remember well the criticisms I received as a result of that investment and the second tranche as well.

The Government has made a decision to invest €190 million into Lansdowne Road, which is more than the State's investment in Croke Park, but it is necessary to make it viable. Those decisions have been made. The point I made ear-

lier was that having been involved for 13 years in the planning process in a built-up area — that was the only thing that Deputy Rabbitte got right — I know it is hugely difficult. I spent 13 years between the GAA and residents', community, activists' and business groups trying to get Croke Park redeveloped. It is not an easy process with planning and other considerations. I hope that will happen more quickly in Lansdowne Road because we have already given the money for it. It is necessary to do it. Obviously, the ability to be able to use Croke Park will lower the pressure but ultimately there will be other difficulties. The GAA has already referred to other difficulties, including the playing surface at Croke Park following matches, and therefore the redeveloped Lansdowne Road stadium is required as quickly as possible.

While we are not where I would like us to have been with a proper national stadium and proper facilities, as many other countries have, at least I am glad to see that we will fairly quickly end up with two good stadiums. Unfortunately, they are unrelated to the other activities that I hope will be in Abbotstown in future.

Mr. Sargent: Every Deputy has received representations from many parents facing the high cost of child care or the lack of such care. Many parents face Hobson's choice — unwilling to work owing to the cost of child care, yet having to work to pay a mortgage. As this issue was debated at the recent Progressive Democrats conference, is the programme for Government to be distilled down to one aspect of child care? The programme spoke of implementing a children's strategy, a national study of children, strengthening parental leave schemes and implementing a child care strategy by the end of 2002. It now seems, however, that the big idea is the provision of out of hours child care programmes based in schools. While that is one of the many aspects in the programme for Government, does the Taoiseach regard it as proper child rearing and in the best interests of children for them to be kept at school from 7 a.m. to 7 p.m.? Many school buildings are dilapidated and substandard. I visited a number of schools in Donabate, some of which are not even in receipt of basic classroom resources, never mind child care facilities.

What is the Government's view following the Progressive Democrats conference? Is it to run with the idea of permanent school detention, as some children might see it? Alternatively, will the Government first put in place the proper school structures and discuss the matter with teachers' and parents' organisations so that some agreement can be reached? Is it not the case that this idea will not run because the infrastructure is not in place in schools and has not been agreed upon?

The Taoiseach: Tomorrow, many of these issues will be discussed at the Committee on Justice, Equality, Defence and Women's Rights, under the chairmanship of Deputy Ardagh. The

[The Taoiseach.]
committee is having a full day's hearing on many of these issues and Deputies will no doubt debate them when the committee meets tomorrow at 9.30 a.m.

I agree with Deputy Sargent on the concept of children going to school at 7 a.m. and getting out at 7 p.m. That would not be easy for any child. There has long been an argument that spare capacity in schools, particularly classrooms, should be used. I would not object to them as an appropriate environment for child care facilities. The Minister for Education and Science tells me discussions on these issues are ongoing.

Following discussions, the Government decided some years ago that we should put the resources into child benefit. The benefit increased substantially from less than €0.5 billion per year to more than €2 billion, but did not solve all the problems. We also increased the number of child care places to 40,000. I know that is not enough and that people incur substantial costs in this regard. Many other proposals for improvement are now coming forward.

The Government has not closed its mind to looking at the suggestions made under the equal opportunities child care programme and many will be aired at the committee meeting tomorrow. Some weeks ago in this House I said some of these suggestions must be considered but we cannot forget that we decided that the best way forward was to put money into child benefit. Because of that decision, everyone, not only those parents at work, received equal treatment. Nevertheless, we are not ignoring the substantial burden placed on parents who are at work and must pay a lot of money for child care and seek out places for their children. That is why we are talking of using schools and community halls and of opening places which would not be too expensive. Insurance and other issues are being examined as part of this debate.

Mr. Sargent: The Taoiseach must ask himself who will rear the nation's children. Are they to be increasingly institutionalised or will the Government come seriously to the aid of parents who choose to raise their children themselves? Will the aid be in the form of properly funded parental leave? Will the refundable tax credit plan run effectively so that parents will have the wherewithal to rear their own children in future? Where does the Government stand with regard to its commitments when the Minister for Justice, Equality and Law Reform can send letters to voluntary and community based child care services in receipt of grants under the equal opportunities child care programme to inform them their fund-

ing is to be withdrawn from the end of August this year?

Is the Taoiseach reneging on his commitments in Government regarding children? What initiatives will the Government take to facilitate parents who want to rear their own children? Regardless of what the Taoiseach says, they cannot afford to do so, nor can they afford child care. The Government is giving them a Hobson's choice and needs to take action.

The Taoiseach: Regarding Deputy Sargent's first point, it was because the groups who looked at the issue four years ago were unable to reach an agreement on a scheme that the Government decided the best way forward was to put resources into child benefit. That left child care decisions with families. A person who reared a child at home all of the time got increases in benefit at the same level as others. That Government decision was made after the long debate which took place in 1999 and 2000. The benefit was increased from about €38 at the time to €141 currently. It was a substantial increase in the overall benefit from about €0.5 billion to some €2 billion.

Under the equal opportunities programme we have moved from having almost no child care places to a total of 33,000 places.

Mr. Boyle: Does that relate to the situation after next August?

The Taoiseach: No. That is the current figure.

Mr. Sargent: Will the Taoiseach reverse the cutbacks?

The Taoiseach: Many families still have difficulties because the private schemes are costly. That is why the interdepartmental group is looking to see if there are other ways in which the State can alleviate the burden for those people who opt to work, and pay for private child care. Those discussions are ongoing.

Suspension of Member.

An Ceann Comhairle: Before coming to the Order of Business, I must deal with a postponed division relating to the suspension of a Member on Thursday, 14 April. On the question "That Deputy Kehoe be suspended from the service of the Dáil" a division was claimed, and in accordance with Standing Order No. 61, that division must be taken now.

Question again put: "That Deputy Kehoe be suspended from the service of the Dáil".

The Dáil divided: Tá, 65; Níl, 51.

Tá

Ahern, Bertie.
 Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Browne, John.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Cassidy, Donie.
 Collins, Michael.
 Cowen, Brian.
 Cregan, John.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Noel.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Fahey, Frank.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Hanafin, Mary.
 Haughey, Seán.

Hoctor, Máire.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Conor.
 McEllistram, Thomas.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Donal.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Feargháil, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Flynn, Noel.
 O'Keeffe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Treacy, Noel.
 Walsh, Joe.
 Wilkinson, Ollie.
 Woods, Michael.

Níl

Boyle, Dan.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Coveney, Simon.
 Cowley, Jerry.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deasy, John.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Enright, Olwyn.
 Gilmore, Eamon.
 Hayes, Tom.
 Healy, Seamus.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Kathleen.
 McCormack, Pdraic.
 McEntee, Shane.
 McGrath, Finian.

McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairi.
 Rabbitte, Pat.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Upton, Mary.

Tellers: Tá, Deputies Kelleher and Kitt; Níl, Deputies Kehoe and Stagg.

Question declared carried.

Death of Former Member: Expressions of Sympathy.

Mr. Kenny: The Fine Gael family is deeply saddened by the death of Michael J O'Higgins. On behalf of Fine Gael I welcome Michael's widow,

Brigid Hogan, who was herself an esteemed member of this House, their children and extended family who join us in the Distinguished Visitors Gallery. Though they miss Michael, they can be proud of his extraordinary commitment to the Oireachtas, to politics and to his country. They know, better than we do, that in many ways

[Mr. Kenny.]

politics was Michael O'Higgins's life, because politics was in his blood.

The O'Higgins family were "comfortable" people who could have opted for a quiet, privileged life in the professions. Instead, they chose public service, at a time when serving your country could have meant death, and in their case it did mean death. Michael was only ten years old when his uncle Kevin O'Higgins, then Minister for Justice, was assassinated, an historic and tragic event, which made the political resolve of the O'Higgins family stronger and more potent with the advent of Michael's father, Dr. Tom O'Higgins to the Dáil two years later in 1929. Twenty years later, the O'Higgins's made history of a happier kind when Michael, his father, Tom, and brother, Tom, were elected to the Dáil on the same day, a proud record that still stands.

Michael O'Higgins was passionate about politics, passionate about Fine Gael and passionate about public service and the duty he believed was his, not alone as an elected representative but also as an O'Higgins. Politics, public service and Christianity were innate to Michael O'Higgins. Anyone who worked with him was aware of his overwhelming belief that he could, and would, make a difference to his country. They witnessed his public affirmation of private, deeply held beliefs and, even if they did not agree with him or his beliefs, at least they could be sure he was speaking and acting according to his conscience because Michael O'Higgins was, above all, a deeply religious man, a man of standards and values.

Michael had a distinguished career in the service of the people of Dublin South-West and Wicklow and, indeed, in the service of the people of Ireland when he became a Member of Seanad Éireann. In 1973, for example, the then Senator O'Higgins was integral to drawing up a common programme with Labour, which helped Fine Gael back to power for the first time since 1957. Michael was also director of elections at that time and his success was rewarded with a Taoiseach's nomination to the Seanad and appointment as Leader of the House, a post he kept until his retirement in 1977.

Michael is known and remembered as a man of vision, courage and conviction but his family, members of which are present, knew him best and miss him most in the roles that really mattered to him: husband and father. As a Deputy and the daughter of the first Minister for Agriculture, Brigid Hogan knew exactly what she was taking on when she married Michael. She shared with him love of her country, passion to serve and the desire to make a difference to people's lives. Michael and Brigid had nine children to whom they passed on the honour and integrity that will be forever synonymous with the names Hogan and O'Higgins in Irish politics.

Michael lived through turbulent times in Ireland, Europe and the world. Born during the

First World War, at the time of the Russian Revolution, he was a member of a political dynasty that gave their lives — even life itself — to our fledgling State and for that we are forever in his debt. I offer my sincere sympathy to Brigid, Irene, Hilary, Maeve, Deirdre, Michael, Mark, Brian and Cahir and their families.

Only a few Members can recall his service in the Oireachtas. I do and I recall his contributions at Fine Gael parliamentary party meetings in the mid-1970s. He was always a person of quiet but deep conviction and his advice was always sincerely given and his views sincerely held. He was a person with a view on the world and on life similar to other members of his family. I found a short poem on the idea of eternity, which I think is powerfully connected with Michael's view of the world and what he now knows comes after it:

I think that maybe

I will be a little surer

Of being a little nearer.

That's all.

Eternity

is in the understanding

that that little is more than enough.

Ar dheis Dé go raibh a anam dílis.

The Taoiseach: On behalf of the Fianna Fáil Party and on my own behalf, I extend my deepest sympathy to Deputy Kenny and the Fine Gael Party on the death of Michael O'Higgins. I join Deputy Kenny in welcoming Brigid Hogan-O'Higgins to the House. Michael J. O'Higgins was the son, son-in-law, nephew, brother and husband of Dáil Deputies. He came from a family steeped in Fine Gael tradition and the legal profession. The O'Higgins family can trace its public service not just to the foundation of the State but beyond to the Irish Parliamentary Party in the 19th century.

Michael O'Higgins was born in Kildare in 1917. He was educated in St. Mary's College, Rathmines, Clongowes Wood and the Incorporated Law Society of Ireland. He was a distinguished member in many areas of public life. He served as a Dublin city councillor from 1945 to 1955; a Dáil Deputy for Dublin South-West from 1948 to 1951; a Senator on the Administrative Panel from 1951 to 1954; a Deputy for Dublin South-West from 1954 to 1961; a Deputy for Wicklow from 1961 to 1969; leader of the Fine Gael Party in the Seanad from 1969 to 1973; and Leader of the Seanad from 1973 to 1977. This was an extraordinary record of service in many ways.

He had the unique distinction in the general election of 1948 of being elected to the same Dáil as his father, Dr. Tom O'Higgins, in Laoighis-Offaly and his brother, Tom, in the Cork Borough, a parliamentary family event that has never been repeated and is unlikely to be in the modern

age. Leinster House may not generally be considered a romantic venue most of the time but it was the backdrop for his relationship and marriage to Brigid Hogan-O'Higgins, who was a Fine Gael Deputy. Her father, Mr. Paddy Hogan, was the first Minister for Agriculture in the Free State. It is an extraordinary family for the significant public service it has given to the country.

Unlike his father, father-in-law, uncle and brother, Michael O'Higgins never held ministerial office but he was an influential politician on local authorities and in the Fine Gael Party. He was close to Liam Cosgrave and he was an important player in his successful pursuit of the Fine Gael leadership in 1965. He was director of elections in Fine Gael's successful campaign, as Deputy Kenny stated, and he was involved in the always difficult job of negotiating the programme for Government. He served as Leader of the Seanad during the life of that Government.

He was a devout Catholic all his life and forthright in his opinions on issues such as contraception and divorce. I join Deputy Kenny, all Members and all members of the Fianna Fáil Party in extending our sympathy to his wife, former Deputy, Brigid Hogan-O'Higgins, who is here, his daughters Irene, Hilary, Maeve and Deirdre and his sons Michael, Mark, Brian and Cahir. He was predeceased by his son, Patrick. Ar dheis Dé go raibh a anam dílis.

Mr. Rabbitte: On my behalf and on behalf of the Labour Party, I join in the condolences offered by the leader of Fine Gael, Deputy Kenny, and the Taoiseach to Brigid Hogan-O'Higgins and her family. I did not know Michael O'Higgins. I am bound to say that from what I have read I would not have been in agreement with his political position on many issues but I pay tribute to his remarkable record of public service. He was a prominent member of a political dynasty, which can be traced back not just to Kevin O'Higgins, but to the Irish Parliamentary Party in the 19th century through T. D. Sullivan. I do not suppose it will be ever equalled but the extended family over four generations can claim to have had four MPs, six Deputies, four Ministers, two Chief Justices, two High Court judges and one Governor General. That is a remarkable record, which will stand the test of time.

Both Deputy Kenny and the Taoiseach referred to the other remarkable event in 1948 when T. F. O'Higgins was elected in Cork city, Tom O'Higgins in Laoighis-Offaly and Michael O'Higgins in Dublin South-West. I am reliably informed that at the time all three lived in the family home in Ballsbridge and they constituted 10% of the Fine Gael parliamentary party, something remarkable in itself. The record to which we pay tribute is a truly extraordinary one of public service to the State. Michael O'Higgins's last major involvement, as has been remarked, was when he was one of the negotiators in 1973, along

with Brendan Corish, Jimmy Tully, Ross Connolly and Brendan Halligan, who agreed what I believe was called the declaration of intent for a national coalition Government. He went on to be Leader of the Seanad. It is a proud record, and on behalf of the Labour Party I express my sympathy to Brigid Hogan-O'Higgins and the extended family.

Minister of State at the Department of Finance (Mr. Parlon): On my own behalf and that of the Progressive Democrats Party, I extend my sympathies to Mrs. O'Higgins and the entire family. I fully appreciate the deep loss that will be felt among the Fine Gael Party at the death of a significant party stalwart. However, I can imagine that the loss of such a tremendous family man will also be felt very deeply. I did not know Mr. O'Higgins, but judging from the tributes he certainly had a very proud record of delivery on behalf of his family, his party and the State. He must have absolutely loved politics. The fact that his brother, his father and he entered the House at the same time, that he had such forebears, and that he chose — I am sure for other very good reasons — to marry a colleague in the House surely showed his passion for politics. He certainly served his country very well and lived up to the very proud traditions of his party and his family. I once again extend my sympathies to his wife, Brigid, the family and the Fine Gael Party.

Mr. Sargent: Thar ceann an Chomhaontais Ghlais — the Green Party — ba mhaith liom mo chomhbhrón a chur in iúl do mhuintir Michael O'Higgins agus go mór mhór dá bhean chéile agus a chlann, atá anseo inniu.

It is humbling to recall such a proud record of service as that of Michael O'Higgins and his family over many generations. It stands out as something we do not often have an opportunity to recall in this House, and it serves also to remind people that what one's family — as well as individual constituency representatives — gives is a collective act of public service. The case of the O'Higgins family has shown that such service knows no limits — down to life itself. For that, I pay tribute to the memory of Michael J. O'Higgins, to his achievements and to those of his family. Ar dheis Dé go raibh a anam uasal.

Caoimhghín Ó Caoláin: There is no question but that the late Deputy Michael O'Higgins and members of his family made a great contribution in their time to the political life of this State. I have no doubt that members of his family in years gone by would not have predicted that a Sinn Féin Deputy should rise to pay tribute to the memory of one of them, but I do so without hesitation or reservation. I join with colleagues of all opinions today in this joint and unanimous expression of sympathy on the death of the late Deputy Michael J. O'Higgins. I offer on my own behalf and that of my fellow Sinn Féin Deputies

[Caoimhghín Ó Caoláin.]

our sincere sympathy to his wife, the former Deputy Brigid Hogan-O'Higgins, their family and their grandchildren. I also extend our sympathy to Deputy Kenny and his colleagues in the Fine Gael Party on their loss. Ar dheis Dé go raibh a anam dílis.

Mr. Timmins: I have a vague memory of the late Michael O'Higgins in my own home, standing in front of a fire. He wore a light beige Crombie and had a smile that was very embracing and friendly to a young person. He served in Wicklow from 1961 to 1969, and I am reliably informed that he was the first politician to hold clinics in the county. I am unsure whether we should thank him for that, but he certainly set the trend in County Wicklow. The people in the county remember him with affection, and I would like to think that the proud record Deputy Rabbitte enunciated will be added to by the O'Higgins family in the not too distant future. On my own behalf and that of the Fine Gael organisation in Wicklow, I extend my sincere sympathies to his wife and family.

Mr. Jacob: I add my words to those of colleagues who have already spoken. Unlike Deputy Timmins, who had a brief acquaintance with the late Deputy Michael O'Higgins, I never knew him, except by reputation. That reputation was and is honourable and exemplary. He deserves the superlative words that have been spoken about him in this House. I offer to Mrs. O'Higgins and his family my sincere sympathies. I also tender those sentiments on behalf of my party organisation in Wicklow and the people of the county, whom I represent — as he did with great efficiency in his time. Ar dheis Dé go raibh a anam dílis.

Ms McManus: County Wicklow is fortunate to have been represented by Michael O'Higgins. While I did not know him personally, I knew him by way of reputation, and people still refer to him in the north Wicklow area, which was largely his base. I extend my condolences to his wife, Brigid, who was one of the few women Deputies in Dáil Éireann, on behalf of the Labour Party organisation in Wicklow. I also extend my condolences to his family and the Fine Gael Party.

Members rose.

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

Mr. Crowe: I seek the Adjournment of the Dáil to address the following urgent matter of national importance, namely, the ongoing crisis in our public hospital accident and emergency departments, as highlighted by the series of protests by the Irish Nurses' Organisation and including the totally unacceptable situation in Tallaght Hospital, where, on 12 and 13 April, there were 62 and 67 people respectively lying on trolleys in the accident and emergency department, as well as dozens queuing for attention in the unit.

Mr. Neville: I seek the Adjournment of the Dáil under Standing Order 31 to discuss the following matter of urgent importance: the tragic death of a young mother and her two children in County Wexford; the failure of the Government to introduce comprehensive suicide prevention programmes based on research; why 450 people take their lives annually and more than 11,500 engage in self-harm; the failure of the Government to act on the 80 recommendations of the national task force on suicide; and the statement by the Minister of State at the Department of Health and Children on 12 April that, seven years after the publication of the report of the national task force on suicide, he awaits a report on action plans for a national strategy on suicide prevention later this year.

Mr. Sargent: I seek the adjournment of the Dáil under Standing Order 31 to debate the following issue of urgent public importance: the need for a full report on the plans to ration water in Carlow following the contamination of the public water supply with the parasite, cryptosporidium, which can be fatal, especially in the light of the ongoing concern about the lack of a general hospital in the county and the fact that there is no Irish standard to measure the incidence of the parasite.

Dr. Cowley: I seek the adjournment of the Dáil under Standing Order 31 to debate the following matter of national and local importance: the loss of 200 jobs in Castlebar, County Mayo; the need for the Government to address the worsening jobs crisis in County Mayo and the total failure of IDA Ireland to address the current critical situation.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to debate the following issue of urgent importance: the need for the Minister for Justice, Equality and Law Reform to make an explicit commitment that Irish children will not be deprived of the care and company of their parents as a result of a deportation order made by him and to note that the absence of such a commitment prompted more than 70 Nigerian fathers to commence a hunger strike last week.

Mr. Durkan: I seek the adjournment of the Dáil under Standing Order 31 to discuss the fol-

lowing matter of vital national importance: the recently published report of the Data Protection Commissioner, in which the commissioner drew attention to the use of spam and various other forms of invasion of privacy, and the need for the Minister for Communications, Marine and Natural Resources to direct ComReg on the issue as a matter of urgency.

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

Order of Business.

The Taoiseach: It is proposed to take No. 8, motion re proposed approval by Dáil Éireann of the terms of the convention on social security between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland; No. 9, motion re proposed approval by Dáil Éireann of the accession by Ireland to the Rotterdam Convention; and No. 15, Disability Bill 2004 — Second Stage (resumed). Private Members' Business shall be No. 43, motion re housing.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted on the adjournment of Private Members' Business, which shall be taken for 90 minutes at 7 p.m., or on the conclusion of No. 15, whichever is the later; that Nos. 8 and 9 shall be decided without debate; and that the resumed Second Stage debate on No. 15 shall, if not previously concluded, be brought to a conclusion at 7 p.m. tonight.

An Ceann Comhairle: There are three proposals to be put to the House. Is the proposal for the late sitting agreed to? Agreed. Is the proposal for dealing with Nos. 8 and 9 agreed to?

Mr. Sargent: It is not. I oppose the proposal for dealing with No. 9, motion re the Rotterdam Convention, because the matter needs to be debated in the House. The convention which is relevant to sectors other than agriculture because it relates to the international trade in hazardous chemicals was considered by the Select Committee on Agriculture and Food for just nine minutes. It should be considered as part of the ongoing incineration debate. The Departments of the Environment, Heritage and Local Government and Enterprise, Trade and Employment have certain responsibilities in this regard. The motion should be debated in the House because it has not been sufficiently considered. The nine minutes allocated to the matter by the select committee were not sufficient by any standard.

Question, "That the proposal for dealing with Nos. 8 and 9 be agreed to," put and declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 15 agreed to?

Caoimhghín Ó Caoláin: It is not.

Mr. Kenny: I am opposed to the imposition of a guillotine on the Second Stage debate on the Disability Bill 2004 which is an important Bill about which the legislative consultation group issued ten serious recommendations. A number of Deputies wish to speak on it. I do not think it is appropriate to impose a guillotine on this legislation. I oppose the proposal to conclude its consideration at 7 p.m.

Mr. Sargent: All Members of the House have many received representations about the Disability Bill 2004. We have a responsibility to oppose the imposition of a guillotine on the legislation which is so flawed that it needs to be withdrawn. The Government should reflect on the matter before adopting a rights-based approach. I oppose the proposal and ask the House to vote against it.

Caoimhghín Ó Caoláin: I also oppose the imposition of a guillotine on the Disability Bill 2004 at 7 p.m. I do not know how many Deputies have yet to contribute but I am aware that some Members who would like to speak on the legislation have not yet done so. It is unacceptable that a guillotine could prevent a Member from participating in the Second Stage debate on an important Bill. Not only do I not accept the guillotine proposed but I also find it most objectionable that a vote will be held on Second Stage at 7 p.m. this evening. The Bill needs to be redrafted.

Mr. Stagg: I understand the number of remaining Deputies who would like to speak on the Disability Bill 2004 is not substantial. That is why the Labour Party has not raised any particular objections to the proposed guillotine. I suggest that the Chief Whip should remove the guillotine because it is possible that the time remaining will be sufficient for the Deputies who have indicated that they would like to speak.

Ms McManus: There are very few remaining Deputies who wish to speak.

The Taoiseach: Like Deputy Stagg, I understand very few Members who wish to speak on the Disability Bill 2004 have not yet done so.

Ms McManus: Yes.

The Taoiseach: They might have an opportunity to speak before 7 p.m. this evening. The amount of time spent on consideration of the Bill to date is three times greater than the average.

Mr. Neville: That time was needed to give Members an opportunity to indicate the problems.

The Taoiseach: The House has spent almost 20 hours on consideration of the Bill. Nobody can suggest that the amount of time provided is insuf-

ficient when most Bills are considered in one third of that time. I am aware that the Chief Whip has held discussions about the amount of time to be allocated to Committee Stage. I intend to proceed with the proposal.

Question put: "That the proposal for dealing with No. 15 be agreed to."

The Dáil divided: Tá, 64; Níl, 47.

Tá

Ahern, Bertie.
 Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Browne, John.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Cassidy, Donie.
 Collins, Michael.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 de Valera, Síle.
 Dempsey, Noel.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Fahey, Frank.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.

Haughey, Seán.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Conor.
 McEllistrim, Thomas.
 McGuinness, John.
 Martin, Micheál.
 Moynihan, Donal.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keeffe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Treacy, Noel.
 Walsh, Joe.
 Wilkinson, Ollie.
 Woods, Michael.

Níl

Boyle, Dan.
 Breen, James.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deasy, John.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Enright, Olwyn.
 Gilmore, Eamon.
 Hogan, Phil.
 Howlin, Brendan.
 Kenny, Enda.
 Lynch, Kathleen.
 McCormack, Padraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Paul.

McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 Pattison, Seamus.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairi.
 Rabbitte, Pat.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Upton, Mary.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Neville and Boyle.

Question declared carried.

Mr. Kenny: The charities regulations Bill is expected in 2005. Does the Taoiseach have any idea when that Bill might be produced?

The Taoiseach: Work is continuing on the Bill. As I have said previously, it is a very complex Bill because of the old arrangements on charitable donations but work is continuing. I hope the Bill will be forthcoming but it is complex.

Mr. Kenny: Will we see it some time next year?

The Taoiseach: That is the hope.

Mr. Rabbitte: Are Irish diplomatic personnel accredited to the region taking an interest in the case of the Indonesian boy, Tristan Dowes, who is an Irish citizen, and—

An Ceann Comhairle: Sorry, Deputy, that does not arise on the Order of Business. We have just voted because Members were anxious to get on to the Disability Bill.

Mr. Rabbitte: —given the poignant circumstances—

An Ceann Comhairle: I call Deputy Sargent.

Mr. Rabbitte: —if our diplomatic staff—

An Ceann Comhairle: I would prefer if the Deputy raised the matter in another way.

Mr. Rabbitte: No. 20 on the legislative schedule is the Adoption Bill. On No. 20, can I ask the Taoiseach whether our staff in the region are intervening or taking an interest in this case?

An Ceann Comhairle: We cannot discuss what might be in the Bill, Deputy. I call the Taoiseach on the legislation.

The Taoiseach: Mid-next year, a Cheann Comhairle.

An Ceann Comhairle: I call Deputy Sargent.

Mr. Rabbitte: Do I take it from what the Taoiseach has indicated that Irish diplomatic staff are taking an interest in the case of Tristan Dowes?

An Ceann Comhairle: Sorry, Deputy, I have called Deputy Sargent.

Mr. Rabbitte: A Cheann Comhairle, this is a young Irish citizen—

An Ceann Comhairle: Deputy, the Chair has to take account of the fact that Members in this House voted to move on to the Disability Bill.

Mr. Rabbitte: The Taoiseach would have replied.

An Ceann Comhairle: You cannot raise questions that are out of order on the Order of Business.

Mr. Rabbitte: You are utterly inflexible, Sir.

An Ceann Comhairle: That is a point of view, Deputy. I have called Deputy Sargent.

Mr. Rabbitte: The Taoiseach would have replied a long time ago if you had permitted him. You are being completely inflexible and unreasonable.

An Ceann Comhairle: The Deputy knows the rules. Leaders' questions have been provided for yourself and your Leader colleagues to ask questions. I call Deputy Sargent.

Mr. Rabbitte: This is a defenceless young Irish citizen and I am trying to establish whether our staff in the region are taking an interest and whether the Taoiseach has a view on the matter.

Mr. Sargent: I ask the Taoiseach to reply. My question is on promised legislation, which is pertinent following the uncovering of information on GAMA construction company. It is about a directive which it was promised would be imported into Irish law by March 2005. It is Directive 2002/14/EC but it relates to the right to information and consultation about a business in which 20 or more staff work.

An Ceann Comhairle: The Deputy should ask a question on the legislation. We have to move on to the next business.

Mr. Sargent: Given that March 2005 is passed, does the Government intend to revise the timescale for promising this legislation, which was published in consultation with—

An Ceann Comhairle: I ask the Deputy to resume his seat and allow the Taoiseach to answer the question.

Mr. Sargent: It is very pertinent, given that the crocodile tears—

The Taoiseach: It will be this session, a Cheann Comhairle.

Mr. Sargent: This session is not April 2005.

The Taoiseach: This session.

Mr. Sargent: So it is late.

Caoimhghín Ó Caoláin: The Bill I wish to raise was first promised for publication in late 2003. Last year it was promised for this year and now we know from the latest published list that we are not to expect it before mid-2006. It is the Bill to which Deputy Rabbitte referred, the Adoption Bill.

An Ceann Comhairle: That question has already been answered. I call Deputy Boyle whom I promised on Thursday I would call first.

Caoimhghín Ó Caoláin: Will the Taoiseach explain why there is not an urgency in addressing this important area?

An Ceann Comhairle: Deputy Ó Caoláin, you have just complained about the lack of time for the Disability Bill.

Caoimhghín Ó Caoláin: Correct.

An Ceann Comhairle: If you are repetitive asking the questions Deputy Rabbitte asked, you are wasting the time of the House.

Caoimhghín Ó Caoláin: We did not get an answer to the——

An Ceann Comhairle: I call Deputy Boyle.

Caoimhghín Ó Caoláin: ——issue of the young Indonesian child adopted by an Irish person. It is absolutely outrageous.

Mr. Boyle: Will the Taoiseach explain the delay in No. 19 on the legislative programme — a Bill to extend the remit of the Ombudsman, the Ombudsman (Amendment) Bill, given the haste with which this Government gutted the Freedom of Information Act?

The Taoiseach: It will be the beginning of next year.

Mr. Boyle: Why the delay?

Mr. Broughan: I heard the Taoiseach speak earlier about one of his two pet projects, the Abbotstown project. On the other one, the digital hub, would it be possible to schedule a debate before the end of the session——

An Ceann Comhairle: I call No. 8, proposed approval by Dáil Éireann——

Mr. Broughan: A Cheann Comhairle, he is the Leader of the House.

An Ceann Comhairle: Sorry, Deputy, it does not arise on the Order of Business.

Mr. Broughan: We got very bad news for the south inner city today. Will the Taoiseach schedule a debate——

Convention on Social Security: Motion.

Minister of State at the Department of the Taoiseach (Mr. Kitt): I move:

That Dáil Éireann approves the terms of the Convention on Social Security between the Government of Ireland and the Government of the United Kingdom of Great Britain and

Northern Ireland which was signed at Dublin on 14 December, 2004 and was laid before Dáil Éireann on the 3 March, 2005.

Question put and agreed to.

Rotterdam Convention: Motion.

Minister of State at the Department of the Taoiseach (Mr. Kitt): I move:

That Dáil Éireann approves in accordance with Article 29.5.2 of Bunreacht na hÉireann the accession by Ireland to the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade.

An Ceann Comhairle: Is that agreed?

Mr. Sargent: It is opposed.

Question put and declared carried.

Disability Bill 2004: Second Stage (Resumed).

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

Mr. J. O’Keeffe: I preface my remarks by wishing the best to Pope Benedict XVI. I hope he has a long and successful pontificate.

The Disability Bill before the House is fatally flawed. It does not meet the needs of people with disabilities. What this Fianna Fáil-Progressive Democrats Government does not appear to fully realise is that this Bill was introduced to provide for essential services to people with disabilities to which they should be entitled. Instead it merely offers false hope that these services will be made available. Essentially, there are no guarantees for anyone in this Bill as everything is qualified by being subject to the availability of funding. On that basis, Fine Gael will oppose the Bill at every Stage until that fundamental flaw is removed and people with disabilities receive a guarantee that, at a minimum, essential services will be available to them.

My real concern at this stage is that this Government has no intention of making any of the major changes necessary to ensure the provision of quality, responsible and appropriate services to people with disabilities. For that reason, Fine Gael has prepared more than 100 amendments for Committee Stage but only the Government can transform this mean-spirited Bill. There are some basic aspects of the Bill that the Government must tackle if that mean-spirited tag is to be removed.

We must bear in mind that the Bill, as it stands, excludes more people with disabilities than it includes. Resource constraints are littered throughout the Bill and the assessment, appeals and complaints procedures are excessively over-bureaucratic.

I mentioned the problem about amendments. It is a procedural problem because under our rules the Opposition is not allowed to bring forward any amendments that would have the effect of imposing a charge on the Exchequer yet these amendments are necessary to guarantee the Bill will provide for people with disabilities essential services to which they should be entitled. Only the Government can make the fundamental amendments required to transform the Bill into legislation which will enable people with disabilities to become equal citizens of this prosperous state.

The Bill is the cornerstone of the national disability strategy announced by the Taoiseach and six Ministers in September 2004. The Government has an unenviable record of producing major plans with great fanfare only to shelve them gradually as more urgent, short-term political priorities arise. The national disability strategy forms part of that record. As the Bill forms a defective foundation, the rest of the strategy is falling apart. No one is in charge of ensuring it fulfils its announced aims and the proposed legislation will not provide a bulwark against which it can be developed. The Taoiseach does not have a co-ordinating role and it is unclear what the Cabinet sub-committee on social inclusion will do.

The Disability Bill is the responsibility of the Minister of State, Deputy Fahey, while the Comhairle (Amendment) Bill is the responsibility of the Minister for Social and Family Affairs, Deputy Brennan, who with the Ministers for Health and Children, Transport, the Environment, Heritage and Local Government, Communications, Marine and Natural Resources and Enterprise, Trade and Employment are in charge of so-called "sectoral plans". The Minister for Finance, Deputy Cowen, is, of course, looking after the money. Given that what is everybody's business is nobody's business, involving nine Ministers is a recipe for a pass the buck outcome.

It will be several years before new standards for services for people with disabilities are set. The Minister for Health and Children has passed responsibility to the Health Information and Quality Authority, a body which has not even been properly established under what is euphemistically called the health reform programme. Even the Tánaiste admits it will be several years before standards can be applied. Frankly, this is unacceptable. The Disability Bill and the national disability strategy are in crisis which only the Government can turn around. It must decide what level of social exclusion it finds acceptable for people with disabilities in 21st century Ireland.

The Bill has been discussed extensively by many of my colleagues and I do not intend to plough the same furrows. It is clear the definition is far too narrow and that the commitments set out are subject to resources. There are get out clauses scattered through the legislation. It reminds me of the many commitments to over-

seas aid made in the House when what were generally Fianna Fáil Party Ministers stood up to propound their absolute, undying commitment to the Third World and the 0.7% of GDP UN target. It was always set out in the small print that we would attain the UN target when resources permitted but a safety hatch was always constructed in the context of overseas development aid. We are still a long way from reaching the UN goal. The approach of the Government to disability provision is analogous to that to overseas development aid.

If one wishes to make an absolute commitment to the disabled, one provides for it in legislation. No absolute rights have been provided for the disabled in the Bill. It does not even contain an absolute right to an assessment of need. Even if one obtains such an assessment, there is no guarantee that one will receive any support in a statement of need.

I urge the Government to engage with the Opposition constructively to improve the Bill. We accept it will not reach the end of the rainbow overnight but there are many improvements it could make if it engages with us. If it does not, we will be left with legislation which will place the disabled in a worse position. The Government must meet this challenge.

I was greatly impressed by many of the submissions on the Bill by those speaking on behalf of the disabilities sector and by many disabled persons. A submission which struck me as absolutely compelling in its advocacy of a decent Bill was that of Mr. Olan McGowan of the Irish Wheelchair Association. We should all bear in mind his sentiments on the Bill as formulated and those of others like him. He referred in his submission to the prosperity of the Ireland of today and discussed how it had developed. He said prosperity did not occur in a vacuum and that it could be reasonably argued that our new found confidence underpinned it and our achievements to date. Despite this, he submitted, the group in Ireland presented as the greatest threat to its prosperity and the section of the community which we are told will destroy the economy if its demands are met is, unbelievably, people with disabilities.

While it is easy for us to speak about the Bill in the abstract, its provisions will be of crucial importance in the years ahead to the lives of the disabled and those who speak on their behalf. Mr. McGowan asked each Member of the Oireachtas to reflect on the Bill and consider if it represented the way we would like to see Irish citizens with disabilities treated in this day and age. It is the central point of this debate and it is not political. I am concerned that someone who speaks passionately on behalf of the disabled does not consider the Bill to reflect the way in which he and many others wish to see Irish citizens with disabilities treated. Mr. McGowan asked what was it that prompted the body politic to set the bar of what was possible so incredibly low in the context of disability. We must ask whether we

[Mr. J. O’Keeffe.]

have properly reflected on the question. Mr. McGowan made it clear that nobody with a disability expected everything to be handed over on a plate. While he accepted that was not possible, he asked if the disabled were incredibly naive to expect a Bill which pointed the way to a future in which equality of opportunity was attainable. He said bluntly that the Bill’s provisions pointed in the opposite direction.

I am concerned that the House does not acknowledge Mr. McGowan’s message and urge the Government to listen to him. While I cannot change the Bill while in opposition, I can tell the Government that we have a duty to listen to people and amend the Bill to create decent provisions. Mr. McGowan said the Bill did not reflect who we were as a people but the belief Ireland was an economy first and a society second. It protects the economy at all costs while coldly accepting the pragmatism of inequality. He raises the issue and accepts the fact that members of the Government have waxed lyrical about how lengthy the consultation process was and that the legislation is unique. The punch line is — what good is consultation if the voices and recommendations of those consulted are ignored? What good is legislation that places existing and completely inadequate Government policy on a statutory basis? In other words “we can give you what we feel we can, when we feel we can and after we take care of everything else”. As I understand it, that is the well-expressed and broadly based view of most people who are disabled and of most people who are involved in organisations dealing with and speaking on behalf of the disabled.

Mr. McGowan then raises a most interesting point. He refers to the fact that there are countries not far from Ireland that do not need legislation because it is a matter of social policy to give disabled citizens what they need to participate in society. He also raises what has to be the crunch question as far as the Government is concerned, which I raise on his behalf in this House: what level of social exclusion is acceptable in 21st century Ireland?

I address that question to a Government that continually propounds our economic strength. Mr. McGowan also refers to the significant amounts of money in the Exchequer. On that basis, with what level of denial of dignity and human rights is the Government comfortable in order to insulate itself from any perceived threat to the comforts of our economic *status quo*? It is up to every Member of the Oireachtas to show where he or she stands on disability issues. This is the Government’s last chance to indicate how genuine it is on accepting the need for real and positive change. It is also the Government’s last chance to highlight whether it was just going through the motions in talking to representatives of the disabled or was genuinely and sincerely listening.

This raises the question of whether the Government is genuinely seeking to implement legislation that reflects the economic strength of the society in which we live. We must address the need for us to be more forthcoming in terms of putting some of that economic strength towards the needs of the disabled to give them an opportunity to participate with equality of opportunity as far as possible in society.

The debate has continued for several days and Second Stage will draw to a conclusion this evening. I deliberately stayed away until I had listened to the debate and talked to people involved in the area of disability. Eventually I felt it was time to say bluntly that the Bill will not do. It is not acceptable in its present format. It is a complete disappointment as far as people in the disability sector are concerned. On that basis it should be a complete disappointment to us all. The proper course of action for us in the Fine Gael Party is to oppose the Bill. We will table a number of amendments to it in an effort to improve it. We will do so within the constraints and procedures of this House.

If the Government insists on pressing ahead with Second Stage, I plead with it to engage constructively with the Opposition and to be prepared to try to improve the Bill in some decent way. If that does not happen, the Government will be seriously letting down the disabled in society.

Mr. Callanan: I welcome the Bill and congratulate the Minister of State, Deputy Fahey, for the good work he has done on it. The Bill builds on the groundswell of public opinion towards disabilities that manifested itself in the participation of members of the public when the Special Olympics was held in Ireland in June 2003. We must re-examine our environment and try to make a society that incorporates disability access to all new buildings, parks and play areas. We must move away from the mentality that just because a public building has a wheelchair accessible toilet that we have done our bit. For far too long the disabled have suffered from the indignity of having access to our public buildings through a back door or along a ramp attached to the side of the main entrance. The Bill will help to transform that mentality and will widen doors for wheelchairs so that entrances to buildings will be accessible to all.

Everyone craves independent living. It is regrettable that it is only now that we are seeking to enshrine the rights of the disabled. However, we must look forward rather than back. The Bill heralds a new beginning for the disabled in Ireland. I hope it will be a cornerstone in building a country that is truly independent and enshrines the right to independent living for all.

In a technology-driven society and economy such as ours and particularly due to the great advances in the biotechnology industry, it is crucial that we as a Government seek to develop sustainable long-term employment for people

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with disabilities. This will be a long-term project requiring great investment by educational institutes as well as employers in general. Special emphasis must be placed on innovation for the disabled as well as providing technology that would make life easier for the disabled. In doing so we should encourage employment and boost industry.

I congratulate the Galway County Association and the Brothers of Charity for their great work in providing services for people with special needs in County Galway. There is currently a great need for an activation centre for 15 young people aged over-18 in Ballinasloe. These teenagers have finished their course in a resource centre that caters for young people up to the age of 18 years and they do not have anywhere to go to continue to develop their skills. I ask the Minister to intervene and provide funding for the project and provide a site through the Health Service Executive on St. Brigid's Hospital land.

The Irish Wheelchair Association's centre in Tuam is providing a great service but it has ongoing problems with funding personal assistants and providing in-home services. Most personal assistants are FÁS employees and the system does not allow for the same people to remain in the job for more than three years. This causes a great deal of stress to clients who are in need of assistance and who have to bond again with new assistants.

The Bill is a positive action measure that includes several important rights: a right to an independent assessment of health and educational needs to be undertaken without regard to cost or capacity to supply the services; a right to a related service statement setting out the services that can be provided within the resources available to the health or educational service provider; a right to redress through an independent complaints and appeals mechanism, including ultimately enforcement of decisions through the Circuit Court. This structure gives statute-based systems for assessment, service statements, redress and enforcement.

Of particular notice is the fact that people seeking services must be allowed to give their input to the assessment process. Special liaison officers will be appointed who will help communicate between individuals and the relevant public bodies. The redress system is similar to those applying for planning permission, employment, equality and social welfare matters.

The Comhairle Bill introduces personal advocacy for vulnerable people with disabilities who may need assistance in accessing social services. The plans are published in outline form with the Bill and will be the subject of consultation with interested parties before they are finalised. This gives details of services as they relate to people with disabilities and points to the future developments that will facilitate co-ordination of actions across sectors and will involve people with disabilities in the process. There will be plans for six Departments: Health and Children, Social and

Family Affairs, Transport, Environment, Heritage and Local Government, Communications, Marine and Natural Resources and Enterprise, Trade and Employment.

The Taoiseach has committed the Government to a multi-annual capital and current investment programme in the forthcoming Estimates and budget. Already the Government has spent approximately €2.5 billion on disability support services, including welfare payments, in 2004. This is about 7% of gross current expenditure on the service across the sector. It is important that all moneys go to the people with disabilities and are not spent in courts, proving cases. An independent appeals officer, somebody with no ties to the health boards, should be appointed. I ask the Minister to consider this, perhaps on Committee Stage. Provision of an appeals officer is critical for any modern assessment system. It provides for a necessary series of checks and balances and is crucial for public confidence in the new measures being introduced. Provision of an independent appeals person would provide openness and transparency to the system, for assessment and service statements.

The Bill will bring about the dawning of a new age. All children born with disabilities will now have the types of opportunities that were denied to previous generations. This can become a society that not only engenders equality, but which in time may be a role model for Europe. With so many advances in construction and technology within the economy, by bringing forward this legislation I hope the changes will make us leaders in this area for the future, as regards providing conditions that allow people with disabilities to live independently. Provision of services should take into account at all times the special position the family holds in Ireland. All provision of services must recognise that the first provider of care, in most instances, is the family. Often families make enormous sacrifices to ensure independent lives for their disabled. State agencies therefore need to ensure they are extra sensitive towards the needs of the families of the disabled.

I welcome the Bill, overall, because it gives people the resources and opportunities they need to live life with dignity and have access to quality public services that underpin life's changes and experience. Every parent in this position, on getting older, asks who is going to care for his or her son or daughter with a disability. We can now assure them that the State will cater for them. I welcome the Bill.

Mr. McEntee: I choose to make my maiden speech in Dáil Éireann on the Disability Bill 2004. It is one of the most important Bills to come before the House in recent years.

I want my first formal speech to be a positive one. I would like to be able to praise the legislation and welcome its provisions. A proper Bill should have the capacity to transform the lives of people with disabilities and their families. It

[Mr. McEntee.]

would give hope of social inclusion to people who have experienced exclusion for too long. While I welcome the Bill's publication at last, its problems are all too obvious.

Let us be clear on what is needed in a disability Bill. It should give rights to people with disabilities. We need adequate responsive services to allow people with disabilities to participate as equal citizens in Ireland. These services should be there when people need them and all disabled people should have access to them. The barriers we place in front of people and the attitudes we have to their participation are more disabling than any impairment they may have. A Bill is needed that removes those barriers. We need a Bill that empowers, that is honest about what is possible. It must be practical. We need a Bill that allows for services to be provided on a temporary or ongoing basis, depending on the needs of the individual. It should be a Bill that assists people with mental health difficulties. It should expand employment opportunities and ensure access to transport and buildings for the disabled, on an equal basis.

It is a sad fact that this Bill does not fulfil these needs. Try as we might to be positive, the flaws in the Bill are all too obvious. The definition of disability is too narrow. It includes only those in need of continuous services. It traps people in the old medical model of disability while all progressive opinion suggests they should be part of the social model. The definition is good news, not for the people with disabilities, but for the Exchequer. The Exchequer will have to pay less if fewer people qualify and there is less demand. The definition saves the State money. Is that what was intended?

People with disabilities who are not in need of continuous access to services, have no protection and no right to services of any type. For example, blind persons in full time employment, living independently and not in need of continuous services, are not recognised as disabled in this Bill. How can the Bill protect the rights to any type of services at any time if such people are excluded by the definition? If one has a disability that is not included in the Bill, it is not much good.

Many people are prisoners in their own homes because of the special needs of their particular loved ones. I think of parents who are too old or too feeble to travel, carers of adult children with severe behavioural difficulties. Will the Bill help them or their children? The Taoiseach, I am told, said at the launch on 21 September 2004, that the national disability strategy showed clearly our intention to put a programme of action in place to support and reinforce equal participation in society by people with disabilities. The Tánaiste said she believed that those who had advocated change for quite some time, would see, in the legislation, an honest attempt to get it right. I would tell the Taoiseach and the Tánaiste that good attempts are not in themselves enough. We have got to get it right. There must be a massive

shift in public service delivery all around. There has been an enormous change in attitude. I have just spent an intensive period during the by-election in County Meath knocking on doors. Families poured forth to me on doorsteps in every parish, village and street as to how they feel let down by the State in their attempts to cope with disability in their homes.

The experience of one neighbour's child was typical. This young man was born with cerebral palsy. His parents, through their tremendous efforts, with little or no State support, taught him to walk and to talk. He made such progress that he represented Ireland in the Special Olympics. This outstanding achievement has led his neighbours and some local papers to compare him to Pat 'Red' Collier, a legendary Meath footballer. This young man and his parents recently received a slap in the face from the State. His medical card was withdrawn because he obtained nine hours work as therapy. This decision was taken, despite the heroic efforts of his parents to allow their son to lead an independent life, with only minimal calls on the State for support. Is it any wonder we public representatives see such anger on the doorsteps of families trying to cope with disability?

Over Easter I was privileged to visit the home of the O'Hara family, outside Kells. It was an extraordinary and moving experience. The story of the O'Hara family is well known and I will not go into details today. However, I propose to highlight one aspect of the family's difficulties, which reflects poorly on the State's approach to disabilities in general. It is recognised that the children in the O'Hara family have special needs. Small things count for this family. The O'Haras travel everywhere by car, as a family. They are not eligible for a disability car sticker, despite their special needs. I question whether this is how families with very particular needs should be treated, at a time when we take such pride in our standing on the world's stage.

A mother of two children with disabilities told this story of her experience at a recent meeting of a disability group, seeking to have the Bill changed. I quote from her account:

My son is 16 years old, and has Down's syndrome, a moderate intellectual disability and many medical problems. He will leave school at 18. He will probably get a training course for three years, but then "into the Labour" starts. There is nothing in this Bill to indicate to me that he will get a service. It will be written down in its assessment of need, but if the Minister has not the money, then it is tough luck for my son. He will be stuck at home, and when that home is gone, he will fall into the emergency bracket of needing the service. This is the type of scenario that terrifies me. There are times when I cannot sleep at night, worrying about who will look after him when I am gone. Families can be given peace of mind by correcting this Bill.

That mother's account of her experience will be familiar to many thousands of families throughout the country. This does not come as a surprise to any public representative. We have all encountered such families and listened to such fears in the course of our work. Saying to them that we understand is not enough, we need to act. This Bill should have been an answer to their prayers and a solution to their problems. However, it is not and the Bill must be amended accordingly. There is no point in enacting legislation if it cannot do what it is supposed to do. If this Bill, as the Taoiseach and the Tánaiste have claimed, is an honest attempt to get it right, then the Government must be honest in admitting its shortcomings. The Government must make an honest attempt to amend the Bill to meet the needs of people with disabilities.

In the sunny days of the 2003 Special Olympics, people with disabilities delighted everyone with their abilities, commitment and enthusiasm. It was a showcase of inclusion of which everyone wanted to be part. The mother I spoke of asked her daughter, a wheelchair user, how she felt about the Special Olympics. She replied that it was the first time in her life that she felt part of Ireland. This young woman, a university student, had never felt part of Ireland until 2003. This Bill must reassure her that she will be treated like the rest of us, as being part of Ireland. Being part of Ireland means she must be provided with access to public transport, public services, accessible buildings, employment and opportunity. She must be given the challenges and opportunities we choose and expect for all our children.

Our thinking must also change. We must stop expecting people with disabilities to wait or put up with less than we expect. In this respect, the Bill is seriously flawed and requires amendment. The Minister for Justice, Equality and Law Reform must go back to the drawing board to get it right. It is my wish that, after a mature debate, an agreed way forward will be reached with the support of all sides of the House. Getting it right would be an acknowledgement of the enormous contribution made by, and the struggle faced by, those with disabilities and their families. The Government's challenge is to amend this Bill to reflect what the Tánaiste claimed was its intention: an honest attempt to get matters right. I urge the Minister to take on board the concerns of people with disabilities and their families. Listening alone is not enough, the Minister must amend the Bill. We now have a once-in-a-lifetime opportunity to ensure Government policy and public services include disabled people from the start, not as an afterthought. This opportunity must not be wasted.

Mr. Timmins: I am delighted to speak on this important Bill, which has been on Second Stage since November 2004. Since then the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Fahey, has heard constant cries from this side of the House that the Bill

needs to be amended. The Fine Gael Party considered opposing the Second Stage reading of the Bill, but it was decided that this would let the Government off the hook. Our spokesperson will table more than 100 amendments on Committee Stage, reflecting the concerns we have encountered about the Disability Bill.

A society should be judged not by how it toasts its success but how it deals with its most vulnerable. As our society has evolved, there is much to be desired. When knocking on doors during elections, we encounter many problems of society's successes. People complain about the lack of a second terminal at Dublin Airport, others complain about noise pollution, traffic and global warming. However, there is the mother, living down a long lane in County Wicklow, who puts her child on a bus in a nappy at 7.30 in the morning only to get to school at 9.30 a.m. after a tour of the country. Similar problems exist on the return journey.

Disposable income cannot all be spent on good causes and some must be spent on pastimes. However, provision of funding for the most vulnerable in society is a necessity. Volunteers do much work in dealing with disabilities. At the height of the controversy over the last Disability Bill that was withdrawn in 2001, I attended a public meeting in Bray on the issue. It was a humbling experience for me as a politician as I felt inadequate when put on the stage to answer questions from an audience coping with disabilities. Their problems surpass the majority we as politicians encounter every day. As a society, we have never addressed these issues. Deputy Callanan claims that the Bill will solve all problems and people can rest assured they will be looked after. However, this Bill does not make that promise. It is full of aspirations, which are to be expected of Departments, with no concrete guarantees.

The definition of disability in the Bill raises other issues such as the disabled driver's tax concession scheme. I have a case of a family with one member with Down's syndrome, who spends most of her day on all fours. The family applied for the grant and did not get it. The family then appealed the decision, which has already taken more than 12 months. I tabled numerous parliamentary questions and got in contact with the appeals body who informed me of the length of the waiting list. The case is still unresolved. I also have a case of an individual who suffered a brain haemorrhage when five years of age. He has no use of his right side and restricted leg movement. He applied for the concession but was refused. Who qualifies for these grants? The definition of disability is no different than the one we had last year. Why are these people denied access to these grants?

The Government often claims that little money is drawn down from the disabled person's grant. Has any Member attempted to go through the process of getting the grant? Getting through to the Health Services Executive is an achievement in itself, not to mind tracking down someone to

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do the job. Many of the executive areas will take assessments from private occupational therapists. Will the Minister consider allowing individuals to get private reports? I have had cases where, by the time the matter was sanctioned, the applicant had passed away.

Hardly a week goes by that Members do not get a request from a group dealing with disabilities. Correspondence from an individual in Vevay Crescent in Bray claimed the Bill does not give any rights, not even the right to an assessment. The disability representative bodies have described it as being fundamentally flawed. It must be changed drastically, they claim, to meet the needs of those with disabilities. I have been requested to demand of the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Fahey, that the Bill be redrafted to properly reflect the Government's responsibilities in international human rights and standards. The Minister of State will have received similar letters. These letters are being sent, not as a matter of routine but because there is a genuine belief among many that they are not being listened to and that there is nothing concrete in this Bill. That belief is well founded.

I hope the Minister of State will try to get money from the Minister for Finance for the disability sector, although I accept there is a finite amount of funding. However, it has been reported in the past few days that the estimated tax yield from the insurance products initiative will be approximately €2 billion. I am often concerned that such moneys go into a slush fund to promote pet projects. The Minister of State should make a play for that money and ring-fence it in order that it is spent only on the disability sector. That could be described as a populist approach. It is populist but why should the Government not do it? Let us see something concrete.

I received a letter from Sunbeam House Services in Bray, an organisation which deals with education and the placement of people. Many children are catered for up to the age of 11 or 12 years but when their families seek secondary places, none can be found. I am aware this Bill deals with people over the age of 18 years. According to the letter, a number of parents who have sons and daughters on waiting lists have recently approached Sunbeam House Services to obtain clarity in regard to placements in 2005. At this time, with one quarter of the year gone, Sunbeam House Services is still not in a position to address the worries of these parents because there is no clarity from the Health Service Executive in regard to either the number of new places which might be provided or the quantum of new revenue in capital funding which might be made available to address their needs. Despite a number of promises made by the Government, the parents are concerned that their young sons and daughters who have left or are leaving school will be without a service from 2005.

This is not unique to County Wicklow but happens throughout the country. The Minister and his colleagues are familiar with the situation. I cannot understand why we treat the most vulnerable people in society in such a callous manner. Nowadays, we talk about the child abuse that occurred in previous years. A redress board has been established. Politicians often spend too much time on minor matters; we do not consider the redress board or the tribunal of inquiry into corruption in planning. In future years, when we look back on how we treated disabled people, it will be a source of shame.

There are many organisations in the disability sector. There is a Lalor Centre in my home town but much of its funding comes from voluntary fundraising and an auction. It receives a limited amount from the Government. Some facilities have improved with the arrival of the Celtic tiger. I am familiar with the Cheshire Home in Tullow, County Carlow. One of my relatives was there and in the past ten years facilities have improved. However, often these improvements are due to the person running the facility creating an environment that encourages fundraising. The Cheshire Home in Shillelagh has also improved but this is due to the people working there.

The Minister has said section 5 of the Bill is a novel provision which makes specific arrangements for Ministers to earmark funding for the purpose of implementing the provisions of the legislation. That is extremely vague and Deputy Stanton intends to table amendments to this section. This vagueness is one of the weaknesses of the Bill. A consultation group was assembled to discuss a disabilities Bill and published a report. However, the content of the Bill is different from what the consultation group had envisaged. This is a great country for cheering athletes on their return from the Special Olympics. We have seen the television coverage of people praising and congratulating them. However, afterwards we tend to lock away the problem. We must deal with it.

Part 2 of the Bill deals with the assessment of needs. Again, however, this is subject to resources. Section 14(11)(a)(i) provides that if there are no resources, it will not take place. First, the Bill provides that the amount of money the Minister puts aside is optional. Second, there is provision for assessment of needs but this is dependent on it being economically viable.

Part 3 refers to access to buildings and services and provides for the sectoral plans which the various Departments must produce. Access to buildings is one of my main concerns. I accept that doors are available in certain widths but it is difficult to manoeuvre a wheelchair through the patio door of most modern houses. Perhaps the Department will examine this issue. One side of the patio door is stationary whereas with French doors both doors can open.

Many new developments are inaccessible for people with disabilities. I accept that every building cannot be accessible but many of the modern

private houses and developments which are being built in higher densities are difficult to access. The Minister of State, Deputy Fahey, will find that in many of the developments in Galway not only can one not access the house, one cannot access the scheme. That is unpleasant and gives the wrong message. The entrance to many buildings involves climbing a number of steps.

Another issue relating to the building regulations is the design of housing estates. As a result of our economic progress, parking has become a problem due to households having two, three and sometimes four cars. It is difficult for an ambulance or a fire engine to get into many housing estates, particularly local authority estates, let alone reach somebody who is disabled. This is probably a matter for the Minister for the Environment, Heritage and Local Government but roads should be wide enough to allow an ambulance to get into an estate. I encountered a situation recently where people had to lift cars out of the way in order that a medical service vehicle could get to a house.

Part 4 of the Bill deals with genetic testing, in respect of which there could be a difficulty with insurance. Recently, I heard about a young man of 23 or 24 years who had been refused insurance for a motorbike. He took the case to court and was awarded free insurance as compensation. The company had refused to give him a quote. Insurance companies are reluctant to insure people with even a minor disability or ailment. There must be a mechanism whereby people can have access to a mortgage. Many do not have such access due to medical reasons.

Part 5 deals with public service employment. There is a target of 3% of staff. I am unaware of whether Leinster House meets the 3% target. However, it should not simply be a case of filling 3% of vacancies with disabled people. If memory serves, many local authorities have not reached the 3% target. Where they do, it should not be the case that they consider their duty done. The 3% target should be reached but it should not prevent public bodies from employing additional people with disabilities, most of whom are every bit as capable as those who are deemed to be perfect.

Another letter I received from a constituent outlines five key demands. They include a national policy and appropriate funding levels for a countrywide programme of personal assistant services. Another demand is rights based legislation to be enacted but this is not provided for in the Bill. A significant number of people with disabilities are being forced into residential settings, although efforts are being made to address this. There is also a need to ringfence 5% of disability funds to provide services for people with disabilities in developing countries. We cannot meet the target of 0.7% of GNP in overseas development aid. As we cannot give a guarantee of funding to our own people with disabilities, I do not know how the Government envisages

reaching that figure, although I appreciate some of the demands are severe.

Everyone in this House wants to see something done for people with disabilities. We are called to a relatively small number of meetings on the issue of disabilities. In recent years the representatives of people with disabilities have organised themselves well but time and attention have never been given to them. I am aware that we do not have infinite resources but it is time to put serious funding in place. On Committee Stage it will be important to see a figure.

There is an appeals mechanism in the Schedule to the Bill but if it is anything like the mechanism for people looking for the tax concession in the disabled driver's grant, it should be radically reformed. An appeals mechanism can only be successful if it is timely. My experience of appeals systems in the public service has been that they are cumbersome and not timely.

Deputy Stanton spoke about his experience with the Minister, Deputy Dempsey, when the Minister accepted many of his amendments on Committee Stage of a previous Bill. Despite the fact that speakers on the Government back benches have supported this Bill, I know that privately they do not believe in it. They realise there are problems and would like to see a stronger commitment. I know the Minister of State would also. I ask him to go back to the Government and demand something concrete. If there is nothing concrete on assessment and the provision of funding, this Bill represents nothing but an aspiration.

Minister of State at the Department of Justice, Equality and Law Reform (Mr. Fahey): I thank the Deputies who contributed for their comments on the Disability Bill 2004. I concur with Deputy Timmins that we all want the best for people with disabilities. I have listened to valuable contributions in the House and read extracts from the debate when I was not present. Much of what has been said relates to the ten key points raised by the disability legislation consultation group. These points have also been presented by the group to the Joint Committee on Justice, Equality, Defence and Women's Rights. Many other important points were also presented, some of which will require time on Committee Stage to tease out more fully. I will look at amendments on Committee Stage.

Listening to the contributions, I am not sure Deputies recognise the significant impact for people with disabilities of the equality policies pursued by the Government since 1997, or the importance of the national disability strategy launched by the Taoiseach, of which the Disability Bill is but one element. When I presented the Bill to the House on 4 November 2004, I referred to the developments in policy and service provision for people with disabilities which have gathered momentum in recent years. We have had strong employment equality and equal status legislation in place since 1998 and 2000, respectively. That legislation is among the most

[Mr. Fahey.]

advanced in Europe. In June 2000 the Taoiseach launched the policy of mainstreaming public service delivery for people with disabilities. Mainstreaming requires that public bodies, wherever practicable, deliver services in a way that is accessible to people with disabilities as well as other citizens. The policy signalled the Government's commitment to move away from segregated service provision to a more inclusive model.

Some Deputies have suggested that we have failed people with disabilities and put the economy first. In the course of the past decade a thriving economic climate has been created in Ireland. We have recorded one of the best economic performances in the European Union. From 1997 to 2003 Irish GDP grew by around 8% per annum, compared to an average of about 2.5% in the rest of the European Union. The fruits of this economic success have been put to good use and are reflected in the increased investment in disability services.

Expenditure on disability services in 1997 amounted to just €800 million, or 4.8% of gross current public expenditure on services. By 2001 the comparable figures had risen to €1.6 billion, or 6% of gross current public expenditure on services. This showed that disability services were an important spending priority for the Government.

The investment programme announced by the Minister for Finance in last December's Budget Statement will result in an even greater emphasis on disability services. In 2005 €2.9 billion, or almost 7.5% of gross current public expenditure on services, will be spent in this way. The figures quoted do not take into account the income supports and other services provided through the Department of Social and Family Affairs. Nor do they reflect the fact that many people with a disability participate in, or benefit from, mainstream public services and programmes. The 2005 expenditure figure represents a 3.5% increase in the eight years from 1997.

Everyone in the House welcomes the budget announcement of the new multi-annual investment programme for high priority disability support services. The total value of the investment programme is close to €900 million in the years 2006-09 and will be focused on the health and education sectors. This is in addition to the further €150.5 million included in the 2005 Estimates. The programme will enhance service levels where most needed. Its significance is due to the high value of funding committed and the application of a multi-annual approach to current spending.

Some Deputies have criticised the Bill because service provision is subject to resource availability. Let us be realistic. Every area of public service provision is governed by resource constraints of time, personnel and funding. The Government recognises that there is an historical deficit regarding disability services. We know that they need more funding and have put in place a firm programme to establish a sound baseline for service provision. In addition to the unique investment programme announced in the budget, the legislation will require Ministers for the first

time to make an explicit determination of the funding they will allocate each year for the purposes of the Bill. In making these allocations they must weigh their other commitments while giving specific consideration to the disability element of their allocations.

Many speakers have found fault with the Bill because they say it is not rights based. In other words, it does not provide justiciable rights to services. They criticise the absence of direct access to the courts but fail to acknowledge that a court case can cause delay and hardship for a person with a disability and his or her family. In contrast, the legislation will provide important new rights such as a right to an independent assessment of health and educational needs, undertaken without regard to costs or capacity to supply services; a right to a related service statement setting out the services that can be provided within the resources available to the health or education service provider; and a right to redress through independent complaints and appeals mechanisms, including, ultimately, enforcement of decisions through the Circuit Court. I assure the House that will not be a major bureaucratic exercise, as has been alleged.

In particular, the Bill provides an easily accessible user-friendly means of redress. It is based on existing successful models of independent redress that apply in other sectors, such as social welfare.

Listening to the Opposition, I am clear about their plan for involving the courts in disability service provision. However, I am not clear on how they would develop disability services — and we know there are limitations in present services — so that people who do not have services will get them. The Opposition does not refer to planned service growth supported by sectoral planning and prudent investment.

Perhaps they see case law driving service delivery but do not see the inevitably uneven way in which services would be delivered overall, based on occasional judicial decisions. In making these statements the Opposition should be aware that for every €1 given in settlement of legal cases and paid out by the Department of Education and Science to special needs education, €4 went to pay the fees of members of the legal profession, in connection with those cases.

Aengus Ó Snodaigh: They would not have to go to court if the Government delivered their rights.

Mr. Cullen: These figures do not include the additional legal costs borne by the State, including the Department of Health and Children. I am convinced that judicable rights are not in the interests of people with disabilities here.

Aengus Ó Snodaigh: People with disability do not believe that.

Mr. Cullen: Through the Bill and the other elements of the national disability strategy, the Government seeks to offer practical and real benefits to those most in need of services and to support the efficient use of available resources.

After listening to the Opposition, I am more convinced than before that the approach to rights taken in the Bill is the correct one. As the national disability strategy shows, there are many elements to the process of developing our disability services further. We have a road to travel to bring disability services to a level of which we can all be proud. Unlike the Opposition, I believe that court-driven policy is not an appropriate response to the service needs of the vast majority of people with disabilities.

Turning to the specific concerns of Deputies about the detail of the Bill, the definition of disability is based on the definition in the National Disability Authority Act 1999. That definition is narrower than that in the Equal Status Act 2000 and the Employment Equality Act 1998, so as to allow resources and positive measures to be focused on areas of most need. In contrast, the definition in equality legislation is broad so that discrimination is outlawed as regards all kinds of disability—

Ms Lynch: We will have a hierarchy of disability.

Mr. Fahey: —even relatively minor impairments such as the need for glasses to read or having a birthmark. Deputies have mentioned some aspects of the definition about which they are concerned. I will be happy to discuss in more detail any specific perceived difficulties on Committee Stage. I am open to considering amendments in this respect.

Many Deputies have called for a clear right to an independent assessment of need. I assure the House that the Bill provides for an independent assessment of need to anyone who considers that he or she may have a disability, following an application to the Health Service Executive. I assure the Deputies who disputed that fact, that there is no question but that an independent assessment of needs will be provided.

Last September, the Taoiseach announced that a dedicated group had been established within the Health Service Executive, which will look at what needs to be done to implement the Disability Bill in the health sector. The group is working to develop a sensible programme of action to implement and underpin the delivery of Part 2 and I am keeping in touch with progress on this important task. I am satisfied that a good process will be put in place which will not be bureaucratic. It will be user-friendly and in the interests of people with disabilities. The Health Service Executive is currently doing significant work on this issue. The House will be satisfied with what emerges on Committee Stage.

Deputies have referred to a gap between the service needs identified in the assessment report and the services committed to in the statement of need. Some have called for the Bill to include a statutory review mechanism that would support full delivery of assessed needs over time. The Bill provides individuals with a right to the contents of a service statement that will outline the ser-

vices to be provided. The Bill allows for an amendment of the service statement by a liaison officer where there is a material change in the person's circumstances. This would include, for example, an enhancement of the service statement when a new service becomes available.

The Cabinet committee on social inclusion had already considered this point when it was raised by the DLCG with officials in the early part of 2004. The Cabinet committee's response had three elements. First, the legislative proposals were amended to provide for a periodic review of each service statement and, as a result, section 20 allows for the making of regulations for this purpose. Second, a systemic response was elaborated, which is contained in section 12. It involves identifying both levels of assessed needs and related service availability, so that hard information will now underpin service planning to ensure future provision. The third element involves the growth in provision so that much needed extra services are put in place. The multi-annual investment programme announced in the budget supports that third element.

Since the Government came to office in 1997, there have been notable milestones in the policy for people with disabilities, including equality legislation, mainstreaming and, most recently, the national disability strategy. In the short time available for my reply, I can only touch on some of the major issues raised in the debate. Given the serious and lengthy debate on Second Stage, I know I can expect a variety of proposals for amendments on Committee Stage.

There are significant differences in some instances between Government policy and the proposals of Opposition speakers. These differences are also reflected in the submissions from interest groups, such as the DLCG and others. I look forward to exploring in a focussed way the range of important points to be raised on Committee Stage when I will be open to having a full and frank discussion. I will also be open to considering Opposition amendments in addition to tabling Government amendments. I thank Deputies who have already submitted proposed amendments through the Bills Office. I assure Deputies that we will consider them and I hope some of their proposals can be accommodated by way of Government amendment.

Many representations have been made by people with disabilities and by disability groups. My Department is determined to ensure that this Bill is the best possible legislation to provide a substantial range of rights for people with disabilities. Through a multi-annual investment programme, it will provide such people with the adequate services that we all accept they have not had in the past.

Major progress has been made in recent years through the provision of significant additional resources. In the recent budget the Minister for Finance introduced, a multi-annual programme made major increases available through the various Departments to implement improved poli-

7 o'clock

[Mr. Fahey.]
 cies for people with disabilities. I have specific responsibility in this area and along with the Government will do everything possible to put through a Bill which will be satisfactory to the

vast majority of people here who have people with disabilities at heart.

Question put.

The Dáil divided: Tá, 65; Níl, 52.

Tá

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Browne, John.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Cassidy, Donie.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Noel.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Fahey, Frank.
 Finneran, Michael.
 Fleming, Seán.
 Glennon, Jim.
 Hanafin, Mary.
 Haughey, Seán.
 Hootor, Máire.

Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McEllistram, Thomas.
 McGuinness, John.
 Moloney, John.
 Moynihan, Donal.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Keeffe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Treacy, Noel.
 Walsh, Joe.
 Wilkinson, Ollie.
 Woods, Michael.

Níl

Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gormley, John.
 Gregory, Tony.
 Hayes, Tom.
 Healy, Seamus.
 Hogan, Phil.
 Howlin, Brendan.
 Kenny, Enda.
 Lynch, Kathleen.
 McCormack, Padraic.
 McEntee, Shane.
 McGinley, Dinny.

McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Quinn, Ruairi.
 Rabbitte, Pat.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.

Tellers: Tá: Deputies Kelleher and Kitt; Níl: Deputies Neville and Stagg.

Question declared carried.

Disability Bill 2004: Referral to Select Committee.

Minister of State at the Department of Justice, Equality and Law Reform (Mr. Fahey): I move:

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

Question put and agreed to.

Private Members' Business.

Social and Affordable Housing: Motion.

Mr. O'Dowd: I move:

That Dáil Éireann:

noting,

- the average house price in Ireland now stands at €255,776, an increase of €18,000 in one year;
- the price of an average house has increased from an average of €75,000 in 1996;
- 42,500 people aged over 30 now live with their parents according to Census 2002;
- only 315 affordable housing units have been acquired under Part V of the Development Act 2000;
- over 100,000 individuals are on local authority housing waiting lists;
- there are 5,581 homeless people in Ireland living in 3,773 households; and
- the significant policy change that occurred with the transfer of responsibility of the housing needs of those on the rent supplement from health authorities to local authorities;

bearing in mind the response of the Government to this escalating crisis has been the:

- abolition of first-time buyer's grant;
- increasing of VAT rates on houses;
- imposition of development levies;

noting that moves in the recent budget on stamp duty have not been enough to move first-time buyers out of the stamp duty net, calls on the Government to:

- implement a package of proposals to help first-time buyers including an SSIA-type deposit savings scheme;

- arrange for a Dáil debate on changes to the rent supplement;
- meet its NDP targets and election promises on social and affordable housing; and
- convene a crisis meeting of the social partners to address the issue; and

condemns the Government for its failure to provide young people with decent, affordable housing.

From the perspective of society, in particular our young people, there is nothing more important than a house of one's own. Since the foundation of the State a house of their own has been an achievable objective for each generation of young people. This was something to which they could always aspire, whether it was local authority housing, now called social housing, whether with assistance from their family they could build their own home on a family site, or whether they could enter the housing market and buy a house with a mortgage raised on their income, normally 2.5 times the combined income of the couple. A house of one's own was a reasonable and achievable aspiration. As Ireland grew in confidence and ability and as our education system improved there was a significant improvement in living standards. Young people and young families were at the heart of our society.

In the past five to seven years this has changed. Between 1998 and 2003, the cost of a house rose by an amazing 81%. People who have a home that has risen in value by 81% in five years think this is great and this is an investment for their future and their family. However, the reality is that for young people the ideal of purchasing one's own home and starting a family is no longer achievable. This puts pressure on the system and drives people out of the housing market into rented accommodation. It drives them onto local authority housing lists when they would prefer to build their own home. In particular, it demonstrates the inability of this Government to value young people.

When the late Pope John Paul II came to Ireland he said: "Young people of Ireland, I love you." He concentrated people's minds on young people and their future. As politicians we hold the fort for the next generation. We prepare the ground for future families and give our young people a chance to move on in life, to form their families and purchase their homes, or we ensure that the local authority assists them in that purpose or supplies homes for them. This resolution is about the failure of this Government to value and honour or to give the commitment, care, concern and dedication that young people need to achieve their dreams.

Until now we have had the highest percentage of home ownership across Europe. We are the world leaders in giving security to our families and young people. However, this generation of Fianna Fáil politicians is not helping. The prob-

[Mr. O'Dowd.]

lem with this Government is that it has been in power too long and no longer cares that the goal of achievement of all families and young people is no longer possible.

I have spoken to many young people who want to buy their own home but who cannot afford to do so because, while their income can sustain the mortgage, they cannot provide the large deposit. Many of them borrow from their parents and try to pay them back or they borrow from the credit union and put it down as a car loan. They cannot be transparent with the building society about where they are getting the money because if they are they will not get their mortgage or with the credit union or they will not get their loan. They are in a serious bind, a result of the policies of this Government.

Reports in the newspapers that the rate of increase in house prices is slowing down sound good. The Government should not take comfort from the statistics released earlier by the ESRI, which highlight a slow-down in the rate of house price growth. The institute shows house prices increased by 7.5% compared with average inflation of 2.1% and an increase in average industrial earnings of 5% in 2004. Notwithstanding the moderation in house prices, young people are not better off as they still cannot afford to bridge the gap between their savings and income and the deposit needed to buy a house. The Government's amendment is proof enough of that as it concentrates solely on money spent rather than outcomes delivered.

Everything is not all right. Ireland continues to endure a housing crisis. I welcome last week's initiative by the Minister for the Environment, Heritage and Local Government to assist people in rural Ireland in building their own homes and I will not pour cold water on his plans in that regard. However, the SACs are an issue of contention in the proposed regulations. It is all very well for those of us residing on the east coast to say SACs should not be built on and they are sacrosanct because there are fewer such areas in the region. However, significant tracts of land — square miles rather than square metres — in other parts of the country are designated SACs. The bottom line for Fine Gael is that young people living near SACs should have the capacity to build on their own lands, particularly when they have no other choice.

The greatest problem facing young people is the complete and utter failure of the Government to get to grips with the housing crisis. Its *laissez-faire* approach to rocketing house prices has made Opposition Members sick as we witness the knock-on effects of its right wing policies. The average price of a new house is €256,000. Many people cannot afford to buy their own homes and the number aged over 30 who still live with their families has increased significantly over recent years. That is indicative of the lack of Government interest in them. More than 50,000 families are on local authority waiting lists. A national

assessment is being conducted by local authorities of these lists. Between 1998 and 2003 the number of people waiting for social housing increased by 60%. In 2003, 18,000 more families were on the list than in 1998. I contacted officials in a number of local authorities earlier this week and they expect a significant increase when the updated figures are published later this year.

Government policy on social housing has been a serious and abject failure. I am fed up, as are my colleagues, with our clinics full of people who seek social housing but who have no hope of being approved. While I welcome the changes made to the rent supplement scheme, which provide for pilot areas in Drogheda and a number of cities where local authorities will be proactive in providing rented accommodation at a reasonable price for young families, one must be in receipt of supplementary rent allowance for 18 months to avail of the scheme. The poorest people who would take rented accommodation if they could get it, therefore, cannot even be considered because they must be in receipt of the allowance for 18 months before they can get into the game. That is not good enough.

The scheme has a number of positive provisions, which I have measured against certain indices. It is socially just and could make a positive contribution, but the poorest in our society cannot avail of it. That is where the Government's policy has been an absolute failure. If the Minister of State does not believe that, he should visit my clinic or those of other Opposition Members. Almost 6,000 people are homeless or living in bed and breakfast establishments throughout the State. While the changes to the rent supplement scheme will facilitate people to move out of bed and breakfast accommodation, and the policy thrust in this regard is positive, not enough is being done for the homeless.

Manifesto promises of more houses and a reduction in waiting lists are a distant memory. This disaster has been met by a Government response, which included the abolition of the first-time buyer's grant, an increase in VAT on housing, development levies and so many taxes and charges that much of the price paid for a new house goes directly to the Government. The statistics provided by the Construction Industry Federation are staggering. The federation estimates the tax take from a house worth €300,000 in Dublin comprises VAT of €35,000, site tax of €30,000, labour taxes of €29,000 and profit taxes of €11,000. The Government is taking €110,000 out of a house buyer's pocket, which is appalling, particularly where first-time buyers are concerned.

Fine Gael is convinced its three-point plan will help young people save for a deposit, buy a house and repay a mortgage. First, we will introduce a house deposit savings scheme, similar to the SSIA scheme, to help young people saving for a deposit for a new home. This is the key to enabling them to bridge the gap between their savings and the deposit they need to buy a house. The SSIA

scheme, which is popular and important, will reach fruition in the next two years. Why will the Government not introduce a similar scheme dedicated to first-time buyers? It would be socially just and would help them to achieve the dream of their lives to buy their homes.

We should cherish our young people, especially those who wish to purchase their own homes. Now is the time to do so. Fine Gael has costed a savings scheme to which it is committed. Under the scheme, first-time buyers would receive €1 for every €3 they save provided those savings are used for a deposit on a house. No tax on interest would apply. The recipient must demonstrate regular monthly savings for a minimum of two years and the scheme would operate for both new and second-hand houses. This is a serious initiative which must be implemented now because we should no longer keep these people waiting. Young people need to be offered hope that they can realise the dream of their lives. There is nothing more important than concentrating on this issue. Fine Gael is determined that this will happen.

Fine Gael will abolish stamp duty on second-hand homes valued at up to €400,000 bought by first-time buyers. The move in the last budget was welcome — it was Fine Gael policy — but it is an inescapable fact that it did not lift first-time buyers in Dublin out of the stamp duty net. Fine Gael also proposes to front-load mortgage interest relief for first-time buyers on the first seven years of the life of a mortgage, thereby giving them the help they need when they need it most. Those measures would cost approximately €50 million in the first year, and we are prepared to commit that money. It must be done, since it will make all the difference to society.

That is the core. One could waffle here all night and talk here, there and everywhere, but unless one puts money into the pockets of young people who want to buy their own home, one is not taking them seriously or giving them the honour and respect that we as a society want to accord them in order to encourage them.

There is nothing more important to say about Ireland than that we have had the Celtic tiger. Now we are moving into the second phase. Many people from different countries wish to come into this economy, learn about it and be part of it. We have never been so wealthy or had so much money. Our coffers have never been so full. People in this country have a wonderful opportunity regarding education, since we have the most educated young work force. However, we are really letting our young people down in a big way if we squander society's wealth. Who is making off with it? It is the big builder, the profiteer and the developer when the young people should be enjoying the benefits of this building boom.

More legislation is needed, and there are issues regarding the Kenny report of some years ago on building land. The All-Party Committee on the Constitution is examining the cost of building land and whether we require reform. There are

many arguments and debates but only one fact: that we are not doing enough. The Government has been shameful in its neglect of young people. When the Minister knocks the doors in a year or so, he will find that out. We are absolutely committed to our point of view and policy.

Mr. Hayes: I am very pleased at the opportunity to say a few words on this important motion and congratulate Deputy O'Dowd on tabling it.

Nothing takes up so much of our time as getting people into houses — whether by loans, planning applications, social and council housing or whatever — at our constituency clinics. It is therefore good to have this motion tabled to bring our views and those of Members to the Minister. He should look on this motion as an opportunity to see what is happening to people throughout the country. It varies from area to area. In my constituency each week, there is nothing that I have to deal with as much as planning applications.

In the run-up to last week, we heard an announcement regarding planning. I do not want to pour cold water on it, since I welcome an initiative by anyone to ameliorate a very complex and difficult problem. However, when it comes to allowing people to live in rural Ireland, last week's document contained very little that would change anyone's life. I have discussed it with planners in several counties, particularly those outside Dublin and the east. In my part of the world, neither the people nor the planners involved locally see any great change.

The failure of the proposal to address the cluster issue in planning — allowing young people to live in their own houses in rural areas — was a missed opportunity. If there is anything in need of examination by planners, local authorities and the Department, it is cluster-type development. There is great potential to allow more people to live in rural communities. There are a great many families, including farmers and people in cottages with half an acre or an acre of land on which two or three members could live in a cluster-type development. I am deeply disappointed that it was not dealt with in the proposals.

I also want to mention the difficulty of people on what can be regarded as very good wages and in good jobs in getting onto the housing ladder and getting their deposit together, something that Deputy O'Dowd has pointed out. I commend the proposals that he has brought to the House. Action is needed on behalf of those people. Only last Sunday in my area a new housing development was being opened and advertised for sale, with an open day from 2 o'clock until 4 o'clock. A number of young people were walking around those houses. When I spoke to them, they said they wished they could manage the deposit. That was their genuine worry.

I know the Minister would like to help, but he must do something that will assist those people I met last Sunday in Dundrum, County Tipperary,

[Mr. Hayes.]

looking at a €325,000 house. Others were viewing three-bedroomed houses in Tipperary town, which would cost in the region of €200,000, asking where they would find the deposit. That is crucial if we are to move and allow more people to get onto the housing market. The abolition of the first-time housebuyer's grant was not a good move.

One of the things that frustrates me and every young person trying to buy a house is the level of development levies, charges and VAT — all taxation, no matter how one looks at it — they have to pay. I would like to see published the actual tax that everyone paid, whether it be VAT or levies to a local authority, when the lists are published of how many houses have been built in south Tipperary, north Tipperary or Wicklow. The figure must be frightening. It is probably available, but I would like to see it highlighted, since it is time to show people the double taxation. We need more relief and support for those who are paying such colossal figures because of house building.

Another issue is people trying to secure a council house. Since I first became a member of a local authority in 1991, the numbers on the housing waiting lists of the four local authorities in my constituency have increased every year. That is not good in a country where unemployment has come down so drastically and there are so many people working. Local authorities are slow, and assessing whether people qualify and putting them on an approved or emergency list is also slow; they must wait a long time. It is totally unfair and unjust in this day and age in one of the wealthiest countries in the world that we must say to those people that they may not get a house and that they have to wait so long. The entire system of allocating houses needs to be improved drastically. If one walks into a bank or building society tomorrow morning, one will be given a loan within 24 hours if one qualifies for it. It is deplorable that up to seven years can pass from the time one completes a housing application form to the time one is given a house. It is one of the most inefficient uses of public money in the State. As members of the Committee of Public Accounts, Deputy Rabbitte and I should bring to the attention of the committee the deplorable slowness of local authorities in assessing the needs of individuals. This matter needs to be addressed because it is of significant concern.

I would speak at length about a substantial number of other issues if I had the time to do so, but I think time has caught up with me.

Mr. Timmins: I was enjoying Deputy Hayes's animated contribution. I proposed the abolition of the first-time buyer's grant during previous debates in the House. I suggested that it would be appropriate in the context of a front-loaded mortgage system, at a time when most first-time buyers were buying second-hand homes. Such people were not benefiting from the grant. If the

grant had been index-linked at the time of its abolition, it would have been worth approximately €13,000. The grant was originally introduced to boost the building industry. During the most recent debate on the matter, I noticed that the Minister of State's speech writers had selected parts of a contribution I had made. I hope he will refrain from quoting selectively from me this evening. If such comments are contained in his script, I am sure he will ignore them.

I would like to speak about the new guidelines for one-off rural housing. I have said to the Minister, Deputy Roche, that I cannot understand how he succeeded in giving everybody the impression that houses could be built easily on the basis of a document that was welcomed by the vice-president of An Taisce. Given that the policy he has introduced satisfies those on both extremes of the argument, it is clear that one group of people has been misled. Many people who have been refused planning permission or have had to withdraw planning applications, but now think they will succeed in being granted planning permission if they resubmit their applications, have been misled on this occasion. I regret to advise such people that they will not be successful.

I have to hand it to the Government, the acceptance of the recently published guidelines means that it has succeeded with a fantastic con job. As someone who is heavily involved in one-off rural housing, I believe that the problems associated with such housing are often misrepresented and overstated. The vast majority of people in rural areas are granted planning permission. Most planners agree that such people should be allowed to build houses in local rural areas. Everybody believes that people from the countryside should be granted planning permission in such areas — it is as popular as apple pie and ice cream.

Difficulties can arise when an applicant wants to build a house on top of a hill, for example. In such circumstances, it often seems that the local authority and the planning officials want to bury the applicant before he or she dies. A conflict often arises in such instances, but there should be a happy medium. The matter was addressed in County Wicklow when the county's development plan stated that while views and prospects should be taken into consideration, they should not be considered to the exclusion of social or economic needs, other than in the Wicklow Mountains National Park. The national park covers an area of 41,000 acres, but there is a target of increasing its size to approximately 60,000 acres. The natural heritage section of the new planning document, which deals with views and prospects and matters like ridge lines, retains the existing policy in that regard. I am sure the planning authorities will use the document to refuse planning permission in rural areas.

I acknowledge that there is no easy solution when people living in towns want to move to a location in the countryside that is half a mile or a

mile away. The Government has created the impression that people will be able to do so under the new guidelines, but I will wait with baited breath to see whether that is actually the case. When the authorities in County Wicklow sought to address this aspect of the matter by zoning small areas of land near crossroads, churches and schools for the construction of between five and ten houses, they put some very restrictive conditions on those who wanted to build in such areas. If one wishes to get planning permission in such areas, one has to be a permanent native resident of the locality, which is defined as any area within 8 km of the site. The scheme has not been successful, unfortunately, because sites in the areas in question became as expensive as serviced land when the expectations of landowners increased.

My opinion of the document is that the proof of the pudding will be in the eating. I regret to say that I am confident that many of the difficult cases I have encountered — I acknowledge that they are difficult to solve — will not be addressed. The biggest fault I have with the Government is that it has increased expectations in this area.

While some people claim that the new document is innovative, I am critical of its introduction of the concept of exceptional medical reasons for granting planning permission. That provision will be open to wholesale abuse. All Members of the House have encountered people who have had to relocate as a consequence of medical difficulties. The provision made in the development plan for such people will open the system to wholesale abuse. Those who should not be granted planning permission, but are granted it because of misinformation on the planning file, often encounter as many difficulties as those who are not granted planning permission. I ask the Minister of State, Deputy Noel Ahern, to bear that in mind.

I welcome the timely motion before the House. During the local government election campaign, Fine Gael produced an excellent policy that involved the establishment of a savings account for first-time buyers. It makes sense to front-load the provision of mortgage interest relief. It can be done within the funding that is provided under the relief at present. When one has been paying one's mortgage for seven or eight years, one faces a straight run and one's economic burden starts to decline in comparison to earlier years. I ask the Minister of State not to quote me out of context when I state that mortgage interest relief should be stopped after ten years. It should be front-loaded so that individuals benefit significantly from it during the first ten years of mortgage payments and not at all thereafter. The funding that is spent on helping people who have been making mortgage payments for ten years should be used to subsidise those in the first tranche.

Officials in County Wicklow have sought to overcome the difficulties associated with development levies. I understand where the Government is coming from in this regard. I do not like to hear

the Minister for Finance or other Government spokespersons extolling the virtues of this country's tax rates of 40% and 22%, while ignoring the stealth taxes they are charging in many other areas. We imposed a low levy on houses in County Wicklow, but the local authority overcame that by using section 48 of the Planning and Development Act 2000, which provides for the imposition of an additional levy in exceptional circumstances. Levies of between €20,000 and €25,000 per house in a development are being charged. People do not realise they are paying such moneys as well as VAT and other taxes.

I would like the Government to have the courage to state that its policy is to impose the form of tax I have mentioned. In such circumstances, members of local authorities would be much more reasonable in their implementation of that policy. The Government is happy to take the credit at national level for a tax rate of 40%, while local councillors take the hit for the high levies which have resulted from its policies.

I assume the Minister of State realises that the Government needs to examine the eligibility and qualification criteria for the affordable housing scheme because there are many anomalies in the system at present. Many people are told they do not qualify because their wages exceed the threshold for the scheme, even though some of those who qualify, particularly in the greater Dublin area, cannot produce the money to meet the cost of the house.

A directive issued in 1994 by the then Department of the Environment stated that houses should not be built within 50 m of a landfill site because of the dangers of gas etc. I estimate that between 15 and 20 vents from an illegal landfill are as close to houses in the Woodleigh estate in Blessington, County Wicklow, as I am to the Minister of State, who is sitting across the floor of the House. Waste has been lying in the illegal landfill for a couple of years and nothing is being done about it. I am glad that Fine Gael proposes to table a motion asking the Minister to use his powers under section 60 of the Water Management Act 1996 to direct the relevant authorities to remove that waste.

I commend Deputy O'Dowd for proposing this worthwhile motion. I wish my colleague from the Gaeltacht well.

Mr. McGinley: Tá lúcháir orm deis a bheith agam labhairt ar an rún tábhachtach seo, a bhaineann leis an fhadhb tithíochta ar fud na tíre. Ba mhaith liom tréaslú le mo comhleacaithe, an Teachta O'Dowd, a chuir an rún tráthúil atá á phlé againn inniu os comhair na Dála. I mBunreacht na hÉireann, aithnítear an chlann mar an rud is tábhachtaí sa tír. Aithnítear an chlann mar an rud is tábhachtaí sa tír seo. Níl aon rud níos tábhachtaí le clann sláintiúil, folláin, sonas a bheith ag duine ná teach maith a chur ar fáil di. Sí an teip is mó atá orainn le blianta anuas, go speisialta ó tháinig an tíogar Ceilteach chun cinn ná go bhfuil teip orainn sin a dhéanamh. Mar a dúirt an

[Mr. McGinley.]

Teachta O'Dowd, i láthair na huairé tá 100,000 sa tír nach bhfuil ar a gcumas tithe a chur fáil dóibh féin. Tá siad ag fanacht le tithe agus ar liostaí feithimh na gcomhairlí contae agus na n-údarás áitiúil, cuid acu le blianta fada. I dtír shibhialta, Chríostúil, ní rud maith sin. I dTír Chonaill, tá 3,000 ag fanacht le teach úr agus tá an figiúr sin ag méadú bliain i ndiaidh bliana.

Tá athscrúdú á dhéanamh ag na comhairlí contae agus na húdaráis áitiúla ar na liostaí sin agus tá súil agam nach iarracht é seo an liosta a choinneáil síos. Caithfidh na daoine atá ag fáil na bhfoirmeacha iad a líonadh agus a chuir isteach gan botún mar ní chuideodh sin lena gcás.

Bhí traidisiún láidir i gcónaí ag muintir na Gaeltachta a dteach féin a chur ar fáil. Is cuma cén ceantar Gaeltachta a dtéann duine ann, tá tithe ansin agus go minic, thóg na daoine iad féin iad agus bhí siad an-bhródúil astu. Bhí muid i gcónaí buíoch don Stát agus do Roinn na Gaeltachta a chuir deontais ar fáil san am a chuaigh thart. I láthair na huairé is fiú €5,100 é sin. D'iarrfainn ar an Roinn sin a ardú ach cionn is nach bhfuil deontas de chineál ar bith in áit ar bith eile sa tír, tá sé níos deacra an cás sin a dhéanamh.

Tá sé uafásach go gcosnaíonn teach anseo i mBaile Átha Cliath €300,000. Cén áit gur féidir le daoine óga atá tar éis pósadh theacht ar airgead den chineál sin? Cé go bhfuil 80,000 teach tógtha sa tír anuraidh agus i mbliana, tá an-chuid de na tithe sin ag dul go daoine nach é an chéad teach dóibh é. Tá siad ag dul go infheisteoirí, daoine le hairgead mór ar chúis amháin nó ar chúis eile, agus in ionad an t-airgead a infheistiú i ngné eile d'eacnamaíochta na tíre, tá siad ag infheistiú i dtithe agus trí nó cúig tithe acu cheana agus iad ina milliúnaí nuair nach bhfuil daoine óga nach bhfuil ábalta tithe a cheannach.

Tá cuid mhór den locht agus an freagracht ar an Rialtas agus na polasaithe a lean sé le seacht mbliain anuas. Is cuimhin liom deich mbliain ó shin, b'uafásach an praghas ar theach sna Stáit Aontaithe nó i Mór-Roinn na hEorpa. Anois, áfach, cuireann sé alltacht ar dhaoine go bhfuil luachanna na dtithe sa tír seo i bhfad níos airde ná mar atá siad sna tíortha sin. Tá botún eacnamaíoch déanta agus is cinnte nach bhfuil an Rialtas ag déanamh iarrachta é a cheartú.

Tá go leor seandaoine sa tír ina gcónaí leo féin agus fonn orthu obair riachtanach deisiúcháin a dhéanamh ar a dteach. Nuair a chuireann siad iarratas isteach, tá an t-airgead gann agus bíonn siad ag fanacht leis na blianta fada leis an obair iontach tábhachtach seo a dhéanamh ar na tithe. Is ceart don Aire Stáit agus an Rialtas a dhíriú isteach ansin agus tuilleadh airgid a chur ar fáil sa dóigh is go mbeidh sé ar chumas na ndaoine seo essential repairs, disabled persons repair grant agus housing aid for the elderly a fháil, rud nach bhfuil ag tarlú.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I move amendment No. 1:

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

acknowledges the achievements of the Government in,

- increasing housing supply as the key response to the broad range of housing needs and demands;
- ensuring that over 500,000 houses, equivalent to one third of Ireland's total housing stock, have been completed in the past ten years;
- facilitating the tenth successive year of record housing completions through the addition of 77,000 new houses in 2004 and establishing Ireland in the lead position within the EU in the provision of new houses;
- strengthening and extending social and affordable housing programmes, for which €2 billion is available in 2005;
- bringing forward five-year housing action plans by local authorities for the period 2004 to 2008 to co-ordinate, accelerate and bring greater integration to action on housing at local level, with particular reference to social and affordable housing measures;
- prioritising and advancing the special initiative on housing and accommodation under Sustaining Progress which will deliver more than 10,000 affordable houses through the affordable housing initiative and Part V of the Planning and Development Acts 2000-2004; — ensuring through the housing forum an effective engagement with the social partners;
- enhancing tax allowances to assist first-time buyers;
- improving the operation of the private rented sector through the introduction of new legislation and the establishment of the Private Rented Tenancies Board;
- introducing the rental accommodation scheme to provide improved and more secure arrangements for SWA rent supplement recipients with long-term housing needs;
- developing and implementing an integrated strategy on homelessness, effective programmes for Traveller accommodation and an expanded role for the voluntary and co-operative housing sector; and

supports the Government in its further actions, which will be informed by the recent

comprehensive NESC analysis of housing, to ensure continued good housing supply, increase the quality and affordability of housing and respond to the needs of low income households and those with special needs through a broad range of targeted initiatives.

Housing is a vital social infrastructure, sustaining family and community life. Access to good housing is essential to support our mobile, dynamic and growing economy. Housing is of huge economic significance in Ireland today — last year it accounted for 13% of GNP and employed at least 120,000 people.

The importance of housing in Ireland is not set to diminish. Our population is forecast to grow by a further 500,000 over the next ten years and possibly to 5 million by 2020. Suitable housing options and solutions must be provided for a population which is growing rapidly both through natural increase and migration and in which the household forming age group is also increasing. We must improve the affordability and quality of housing, regenerate run-down urban areas, break cycles of disadvantage, assist with disability requirements and address the special needs of Travellers and the homeless.

For these important reasons, housing has been high on the agenda of the Government parties since taking office in 1997. At that time, annual housing output was running at just 38,000 units and new house price inflation stood at 17%. It was clear that housing supply needed to be greatly accelerated and an increase in supply has been the key element of Government policy since. The national development plan set a target that 500,000 new houses should be provided nationally over the ten year period 2000-09. Over the first five years of that plan, to end 2004, 306,000 new houses, 61% of the target, have been delivered. Almost one third of the Irish housing stock has been provided in the past ten years. We are building at a much higher rate than our EU partners, with over 19 houses per 1,000 people, five times the British rate.

Does this achievement deserve credit and recognition? Outside observers consider that it does. Ireland's performance demonstrates that we have an adaptable and dynamic construction industry that has hugely increased its output. In the early 1990s, fewer than 22,000 houses were being built each year. Now 77,000 are being built annually. People abroad see Ireland as dynamic in terms of house building and the Government has put enormous resources into this area.

Fine Gael, however, cannot see success in any of this, it can only see the negative. Would Fine Gael prefer if Ireland was at the bottom of the housing league in the EU? Does successful achievement of housing targets embarrass the party? We are prepared to act in an inclusive way if Fine Gael wants to be part of this because when it was last in power, the supply of housing was increasing a little from the low figures of the early 1990s.

The motion suggests, as if it was something new, that we should convene a special meeting of the social partners. I do not know where the Deputy is getting that from because the Government has no problem in engaging fully with the social partners on housing issues. We have been doing it for years. Housing is one of the special initiatives under Sustaining Progress. Has the Deputy not heard of that? Does he not know we have the housing forum, which I chair and which meets on a regular basis? That is a dedicated mechanism for engaging with the social partners on the initiative and on all aspects of housing. It gives the social partners the opportunity to make an input at policy level. I am satisfied these arrangements give us effective engagement with the social partners and allow for good and meaningful input by them to the development of policy.

Action on housing has been developed by the Government in recent years against a background of unprecedented demand arising from our substantial economic progress and demographic and societal changes. The last census returns indicate that our population increased by 8% in a six-year period from 1996 to 2002. That is an extraordinary increase in the population of the whole country, not just the Dublin region. It is even more significant when one considers the 18% increase in those six years in the numbers of what we regard as the key household formation group, those aged 25 and 34. That is an incredible figure.

The motion refers to the fact that more people over the age of 30 are now living at home with their parents than was the case previously. That is true but 20 years ago they were not living with their parents.

Mr. O'Dowd: They had their own homes.

Mr. N. Ahern: They were not living in the country because they had to emigrate.

Mr. O'Dowd: The Minister of State is missing the point I am making.

Mr. N. Ahern: I understand the point the Deputy is making. I know some people who would like to buy their own homes are still living at home, and I might be facing that myself, but the key issue is that 20 years ago they were not at home. They were not in the country as they had to emigrate.

Mr. O'Dowd: Of the ones who were here, many more of them were living in their own homes.

Mr. N. Ahern: Let us talk facts and be sensible about the issue.

Hard effort over a number of years involving a range of different measures has turned the tide back on scarce housing supply and unacceptable house inflation. We are now seeing greater moderation as housing supply responds to demand. The figures published today are heartening and

8 o'clock

[Mr. N. Ahern.]

the general view of people who make these forecasts is that this year increases might be 7% or 8%. Perhaps that is still too high but compared to the position in recent years, we are making progress and we have done that by maximising supply. The only real action we can take is to maximise supply and that is what we have done.

What we have done has not happened by accident. Much energy has been spent in increasing the supply of serviced land for housing and ensuring the planning system operates in full support of housing policies. In that context, my Department has issued planning guidelines on residential densities and design and, more recently, on sustainable rural housing. I thank the Deputy for his favourable comments on those areas.

One of the central roles of Government is to facilitate the provision of housing and our record speaks for itself. The recent national survey of zoned residential land indicates there is a satisfactory stock of serviced land available throughout the country. At the end of last June there were 12,500 hectares of serviced, residentially zoned land with an estimated yield of over 367,000 units, which is about five years' supply at current levels of output.

One of our concerns in recent years has been to increase output in the Dublin metropolitan area because for most of the 1990s, particularly in the latter part of the 1990s, housing supply in Dublin was about 9,000 or 10,000 new units per year but last year we achieved almost 17,000 completions in Dublin, which is up approximately 80% on the figure five years ago. That is fully in line with the ambitious projections of the regional planning guidelines for the greater Dublin area. If we can sustain that level in Dublin, and I accept there has been a problem price wise and supply wise in Dublin which has been slower to respond than other parts of the country — last year's figure was very pleasing — we will bring the same supply to Dublin as we did to other regions.

It has been the Government's long-standing concern to expand the supply of and improve access to affordable housing. Almost 10,000 households have been assisted through the 1999 affordable housing scheme and the shared ownership scheme since 2000. Those figures are broadly in line with the NDP targets. The implementation of Part V of the Planning and Development Acts 2000-04 is designed to extend this process further. Despite the negative comments one hears, Part V is now gathering momentum and is set to make a major contribution to the delivery of social and affordable housing in the coming years.

Up to the end of last year, it is estimated that approximately 800 social and affordable units have been acquired by local authorities through Part V arrangements. In addition, there have been nine land transfers to local authorities and almost seven hectares and a further 150 partially or fully serviced sites have been transferred to local authorities and voluntary housing bodies. In addition, approximately £10 million has been

received in payments in lieu and under the withering levy. These are very substantial moneys which are ring-fenced for further development of social and affordable houses. We are confident that approximately 6,000 units of social and affordable housing will be delivered through Part V arrangements between 2005 and 2007.

Prices have been mentioned. Deputy Hayes talked about houses in Dundrum for €300,000. They are not starter homes.

Mr. O'Dowd: He was talking about Dundrum, County Tipperary.

Mr. N. Ahern: I know that. That makes it worse because unless the houses in Dundrum, County Tipperary have got very dear all of a sudden, a house on sale for €325,000 or whatever must be much more than a starter home. While I know the average prices, it is a fact that many houses in the Dublin area are still coming out at well under €200,000——

Mr. Gilmore: Where?

Mr. N. Ahern: They are in the local authority areas around Dublin.

Mr. Gilmore: Name one estate.

Mr. N. Ahern: They may not be in the Deputy's patch because they build very little in his local authority.

Mr. Gilmore: Name one new housing scheme where starting prices are under €200,000 in the Dublin area.

Mr. N. Ahern: I opened a scheme in Balbriggan in October where the two-bedroom houses were €140,000 and the three-bedroom——

Mr. Gilmore: Were they affordable houses?

Mr. N. Ahern: ——houses were €160,000.

Mr. Gilmore: Was it a private scheme?

Mr. N. Ahern: Affordable houses.

Mr. Gilmore: The private——

Mr. N. Ahern: In my constituency in Finglas, we have had different schemes where houses were €175,000 and €195,000. There have been different affordable schemes under the 1999 scheme in all these areas, even in Dublin, and it is important to say that. Each year over 2,000 of these houses are being provided and they are being bought. It would be great to have more but they are being provided and they are meeting the needs of people in a particular income bracket.

Sustaining Progress adds to the range of measures designed to extend and promote affordable housing. Approximately 70 sites have been identified and the planning and projects are now

getting under way. These projects and activity under Part V are capable of achieving over 10,000 housing units, which is the target agreed with the social partners.

As well as assembling the lands, the Government sponsored legislation last year, which went through the House just before Christmas, to facilitate lending institutions in providing mortgages for affordable housing clients.

I was pleased to hear that the first product had been announced by Bank of Ireland and will be extended through its branch network shortly. We expect other financial institutions to provide mortgages to people buying affordable housing. Under the arrangements put in place, such mortgages will equate to 97% of the purchase price of an affordable house under the relevant scheme. This important provision will avoid the problem of deposits to which Deputy O'Dowd referred. Availability of finance and new housing legislation will allow for the direct sale of Part V affordable housing units by builders and developers to eligible persons nominated by planning authorities. This process will ensure a more efficient and effective process for builders, local authorities and customers. We expect to deliver approximately 12,000 units of affordable housing over the next three years from the various affordable housing schemes.

Increased housing output provides greater opportunities for first-time purchasers by delivering more affordable homes through the market. In addition, the stamp duty changes announced in the budget have helped to open the second-hand market to first-time buyers by providing savings of up to €12,000 in some cases. Deputy O'Dowd referred constantly to the first-time buyer's grant which was €3,800, but other measures we have introduced, including the stamp duty changes, have saved many people money. The mortgage allowance was improved and extended to seven years while many of the people in affordable homes are receiving site subsidies of up to €38,000. As significant provisions have been made in recent years for first-time buyer, we should not concentrate constantly on what was a relatively minor measure. Information available to the Department suggests that first-time purchasers took out approximately 40% of all mortgages issued last year, which indicates that they are key players in the first and second hand housing markets. We should not fool ourselves. The active interventions of the Government ensure that more and more of our younger people are realising a wish to own their own homes. While I accept that some people in their 30s are still at home, one meets many people in their mid-20s who are buying their own homes.

The Government's commitment to housing is demonstrated by the resources we have committed. This year alone, we are spending €2 billion on housing measures, which is double the sum spent a mere five years ago. We are providing

€840 million for the local authority construction programme, which is an increase of approximately €100 million since last year. The funding will facilitate approximately 5,500 housing starts by local authorities in 2005. We are also spending approximately €190 million on remedial works and regeneration schemes, the largest of which is taking place in Ballymun.

A great deal of work is being done to improve the quality of people's accommodation. Last summer, I was pleased to announce the new central heating programme for local authority houses, for the first year of which we provided €12 million. Just under 3,000 households were provided with central heating under the programme, 80% of which is funded by the Department and 20% by local authorities. We increased our allocation this year from €12 million to €30 million. The scheme is very popular among local authorities and while they have to provide 20% of the funding, the bids are in and great progress will be made in this and the next couple of years. Approximately 45,000 local authority houses do not have central heating, which is why the measure will greatly improve the quality of life and accommodation of many people.

Deputy McGinley mentioned the disabled persons and essential repair grants scheme. We are providing approximately €70 million under the scheme this year. Approximately €45 million has been provided for Traveller programmes, which is an increase of approximately €10 million since last year. We expect an expanded output in the voluntary and co-operative sector this year also.

Since the Government took office in 1997, the housing needs of approximately 86,000 households have been met through the provision of local authority housing, vacancies arising in existing houses and output under the social and affordable housing schemes. The needs of approximately 13,000 people on the waiting lists will be met under various measures this year. It is also expected that a significant number of the households currently in private rented accommodation will transfer to the new rented accommodation scheme. When we announced the scheme last July it did not attract a great deal of interest, but people at public representative level are taking more interest in it as it is being rolled out. Under the scheme, local authorities will assume responsibility for accommodating supplementary welfare allowance recipients of 18 months or more continuous duration. We set this period as we felt that when someone has been in receipt of rent allowance for 18 months, he or she has a long-term need. People with short-term needs will continue to be the responsibility of the Department of Social and Family Affairs.

It is estimated that approximately 58,000 people are in receipt of rent allowance, up to 30,000 of whom will form the target group for the new scheme. Over a couple of years, they will move from the current system to the local auth-

[Mr. N. Ahern.]
ority scheme which will allow them to have their long-term housing needs addressed. People in receipt of rent allowance have always been worried about the expiration of leases but the new scheme will provide them with long-term security. We have set a target of September 2008 for completion of the implementation of the new arrangements, which will begin on a phased basis. All local authorities are due to begin to implement the arrangements at different stages this year.

We introduced legislation on the private rented sector last year, which was very important. The Act provided for a modern, efficient, user-friendly and, we hope, largely litigation free legal framework for the private rented sector. Key provisions relate to improved security of tenure, the restriction of rents to market rates, the statutory dispute resolution service through the private residential tenancies board, the creation of a registration system and clarification of the obligations of tenants and landlords. The Act has been of great help to people in private rented accommodation who will benefit further from security of tenure when they become local authority tenants. In time, they will have the freedom to work as increased incomes will not, as currently, affect entitlements to rent allowance. Such provisions will make them more secure in terms of their long-term housing needs.

We have done extraordinary work in recent years since the integrated and preventative homeless strategies were put in place. Those strategies were launched in 2000 and considerable progress has been made in regard to them. As part of the local homeless action plans, accommodation ranging from emergency hostel-type accommodation to transitional accommodation to more long-term accommodation facilities have been provided in various locations across the country.

A total of €51 million has been made available for accommodation and related services for homeless persons, bringing to €236 million the amount provided for such services since the introduction of the strategies in 2000. In addition, the Department of Health and Children provided between €20 million and €25 million per year for the same period for the care of homeless people.

Five-year action plans have been introduced in conjunction with local authorities and voluntary agencies. Multi-annual capital funding provides certainty to local authorities and allows them to plan their strategies over a five-year period. That is the way forward. Funding has been guaranteed for a five-year period. Now that most of the action plans have been agreed, local authorities have been encouraged to move ahead and begin work on the basis that the funding is in place and is secure.

The achievements I have outlined demonstrate the Government's commitment to responding to the various housing needs that exist, particularly

those faced by first-time buyers and those on lower income and vulnerable groups. The Government is committed to reviewing policies as necessary. At present we are carefully examining the major NESC analysis and other reports which have a bearing on housing issues. The Government will consider shortly what new responses may be appropriate in the short and medium term in light of this examination. However, it is important to note that the NESC recognised that the general thrust of policy is well directed.

It is important that we maintain an urgent focus on delivery. This is what the Government is now doing. Through our engagement with the social partners and through local authority action plans for social and affordable housing, we are ensuring that an effective response is made to the broad spectrum of housing need. The evidence exists in terms of increased output of housing and increased social and affordable housing provision. We will continue to accord the highest priority to housing issues.

The motion before the House is rather hollow. Perhaps it was unfortunate from the Opposition's point of view that the statistics which were published today showed there was a 1% increase in house prices in three months. As I stated earlier, we expect the figure to be approximately 7.5% for the year, which is an improvement on recent years.

The Government has delivered real and coherent housing responses in the face of the unprecedented housing demand which existed due to the booming economy in recent years. As I stated, significant numbers of people in the 25 to 34 years age group are setting up home. We have not simply been addressing the specific needs of one group or one sector, we have been addressing the needs of all, vulnerable groups, Travellers, the homeless, those in social and affordable housing and people in the private market.

We are aware of the challenge that lies ahead of us. We are doing our best and have made great progress, particularly when one considers that housing output, which was not much more than 20,000 units per year, is now 77,000 units. That is an extraordinary housing output. We have reached a level where supply equals demand. I am pleased that the forecast for house price increases this year is under 10%.

I look forward to ensuring the demand for housing is met and that we continue to get good value for the €2 billion of taxpayers' money which we are spending this year in providing for those people who need help from the State through social and affordable housing, Traveller housing, voluntary sector housing and so on. We have made a great deal of progress in recent years and I look forward to continuing that work.

Mr. Gilmore: The Minister of State has just treated us to another typical exercise in self-congratulation in which he finished by telling us that

the anticipated increase in house prices this year will be in the region of 7.5%. He congratulated himself on that fact even though the rate is three times that of inflation. It is a measure of how dislocated the Government is from the real problems of people trying to acquire housing that he believes that a rate of house price increase that is three times the rate of inflation is something about which we should be satisfied.

In my constituency in the greater Dublin area——

Mr. N. Ahern: They build nothing out there.

Mr. Gilmore: ——an increase of 7.5% in the price of a house amounts to approximately €25,000 in the space of a year. That is not something about which the Minister of State should congratulate himself or about which he should be smug.

The contribution of the Minister of State follows a pattern to which we have become accustomed when Ministers speak on matters. They bask in the reflected glory of the economy. Everybody in the House applauds the success of the economy and wishes it to continue. Many people on all sides of this House have contributed to this success. However, the people who have contributed most are those who get up early in the morning and work long days, having left their children with a child minder in one of the satellite towns around our cities and whose labour, effort, initiative and enterprise has contributed to the economy. Ministers do those people no service when they attempt to clasp to themselves the credit for what working people are achieving in the building of this economy day in and day out.

I am pleased that 77,000 new dwellings per year are being built here. I am also pleased at the success of the construction industry, as outlined by the Minister of State. However, what I am not happy about is the failure of the Government to convert the economic success that is taking place and the record levels of house construction activity into meeting people's housing needs. The Minister of State acknowledged during Question Time last week that between 12% and 15% of the 77,000 dwellings built in the past year are holiday homes. Good luck to people who can build and buy holiday homes, but the question the Minister must answer is why housing activity for which he is directly responsible, the production of public housing to meet the needs of those who cannot afford to buy one house let alone two, is only half the level of construction of holiday homes. We are building about 5,000 local authority houses here. The number of holiday homes annually for several years has been about double that figure. That is no reflection on the construction of holiday homes, but it is on the failure of the Minister of State to produce housing to meet the needs of people in need.

Some 15 or 20 years ago a Minister could justifiably tell the House there were areas of social need that he or she would like to satisfy, but that the Government did not have the resources with which to do it. At a time when the Government has the resources and when the economy is performing as it is, with record levels of revenue accruing to the Exchequer, why is it failing to meet the needs of those who cannot afford to provide housing from their own resources? The official figures for those who are on the housing list at the moment is 48,000 families. That is based on an assessment done in 2002. It is three years out of date. A new count is now under way and we can all guess, as to what the figure will be.

However, there is an interesting figure in the Minister of State's contribution tonight, which gives some indication as to where it will be. He tells us that 58,000 people are currently in receipt of rent allowance. To qualify for rent allowance one has to be on a local authority housing list. Only those in receipt of social welfare, by and large, are entitled to claim rent allowance. So the 58,000 on rent allowance is only part of the story. Are we to conclude that when the numbers of people on local authority housing lists who are not eligible for rent allowance are added, the actual number of housing applicants could be as high as 70,000, as against the 48,000 we were told about, before now? No matter which way one looks at it, that is a record number of applicants seeking local authority housing. Never before in the history of the State have so many families sought housing from a local authority because they cannot provide it from their own resources.

Can somebody on the Government side explain why, when the economy is doing so well and there is so much money coming into the Exchequer and being spent on the provision of local authority housing, there is a record number of people in need of housing? The answer has to be that this is a failure of Government. This is the area of housing policy for which the Minister of State is most directly responsible and he has failed to deliver on it. It is interesting that he mentioned, in passing, the NESC report. It got two passing references in the Minister of State's contribution tonight. The NESC does not give its vote of approval to Government housing policy. In fact, on page 199 of the report where the conclusions are summarised, it is stated:

The magnitude and significance of the challenge of sustainable neighbourhoods and social balance needs to be recognised. It bears comparison with two other great challenges that Ireland faced and met in the last half century — the opening of the economy in the early 1960s and the creation of a new economy through partnership in the mid-1980s.

There is no recognition or acknowledgement of that challenge in the course of the Minister of State's entire contribution, where he says that it is

[Mr. Gilmore.]
 “important to note” that the NESc has somehow given its approval and “recognised that the general thrust of policy was well directed”. That is not what the NESc is saying. The NESc is telling the Minister of State, this House and the country that there is a very big problem with housing and its associated areas of public policy. It is saying to us that the problem is so big that it is on the scale of the economic challenge the country faced when Seán Lemass and Ken Whitaker produced the famous economic blueprints in the late 1950s and sought to implement them in the early 1960s. It also says that it is on the same scale as the related problems of unemployment, economic under development and emigration that the country faced at a time the concept of social partnership was developed, in order to turn it around, to which many people contributed. If the NESc had felt the general thrust of policy was correct, it would hardly have put it in such dramatic terms.

There were not many specific recommendations in the NESc report and I regret this. Inevitably, in a council that represents such a diverse range of economic interests, by the time a report is published, some of its punches are pulled. However, the one specific recommendation on which the NESc was agreed was that the output of social housing needs to increase by an additional 73,000 units by 2012. In other words, it needs to double. Again, there has been no acknowledgement of that, tonight, in the Minister of State’s contribution.

I also found it interesting that some of the matters we were told were so essential, in dealing with the housing problem in recent years were not referred to, either. Just over two years ago the Taoiseach told us, and I agreed with him at the time, that at the core of the house inflation problem was the issue of development land and its price along with the inflation and speculation that was occurring. To address that, he asked the Joint Committee on the Constitution to examine the issues and come back with a report. That was in January 2003. The Joint Committee on the Constitution worked right through the summer of 2003, and produced an excellent report this time last year about which there has not been one word from Government since. It was almost as if it had never happened. There is not a single reference to it or to the issue of development land in the Minister of State’s contribution tonight. Two years ago we were led to believe this was at the heart of the problem. That clearly has been buried as well.

Similarly, the commitment given to the social partners under Sustaining Progress, that 10,000 additional affordable houses would be constructed in the lifetime of the agreement, has not been fulfilled. Not a single house has been built and every time there is a contribution from the Minister of State or anybody else, we hear about all the sites being produced. I am coming to the

conclusion that whatever the commitment in Sustaining Progress was about, it certainly was not about the provision of houses. It remains to be seen what will eventually happen to some of the sites identified. That is an area I will watch with considerable critical interest.

When the Planning and Development Act 1999 was published, I was happy the Government borrowed the idea, floated by the Labour Party, that a proportion of private development land be set aside for social and affordable housing. The headlines claimed this radical new measure was being taken by the Government to deal with the issue of housing affordability. Six years later, only 800 units have been produced under Part V regulations. Approximately €10 million has been provided to allow landowners to buy out of the withering arrangement which was supposed to give meat to the Act. The Government let landowners off the hook.

The Government’s record of delivery on social and affordable housing has not been good. However, there are several areas I want the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, to address when dealing with the NESc report and drawing up new proposals. A deposit support scheme needs to be introduced for first-time buyers. One difficulty faced by first-time buyers is that, whereas they can afford the mortgage repayments, thanks to low interest rates and not to the Government, assembling the deposit can be problematic. I regularly encounter people who are paying high rents, cannot assemble the deposit and, therefore, cannot buy. Often their mortgage repayments on a similar property to the one they are renting would be less than the rent charged.

The NESc report suggests developing a deposit support scheme, the guest idea, where the house buyer gets the main loan from a financial institution and the deposit through a State loan. A variation on this would be a system whereby the State would give the deposit, not as a loan but in return for equity in the property. Similar arrangements apply in the shared ownership scheme where the equity can be redeemed or bought out by the house buyer at a later stage. An SSIA scheme to allow people to save for a deposit has also been suggested. The need to enable people to assemble a deposit is the critical measure that needs to be taken to free up people who cannot get into the house purchase market.

Rent allowance is another issue that needs to be addressed. Rent allowance is, by and large, only available to those on social welfare. I know of many working families, renting privately, who are being fleeced. Recently I encountered a young family whose net monthly income is €1,800, €1,100 of which goes on rent. The family receives no rent allowance and will not qualify for a shared ownership scheme. Even if the family qualified for the scheme, house prices in the Dún

Laoghaire area are beyond the maximum available. Affordable housing, because of the rate at which it is produced, is not an option. This family is entitled to some support. A housing benefit scheme or an extended rent allowance scheme must be made available. The idea of losing rent allowance when one returns to work is a disincentive, creating a new poverty trap.

Debate adjourned.

Adjournment Debate.

Health Services.

Mr. McHugh: I thank the Leas-Cheann Comhairle for allowing me to raise the matter of the provision of funding for the recruitment of staff to enable palliative care beds at Áras Mhuire, Tuam, County Galway, to be opened to receive patients.

I raised this issue in a parliamentary question on 28 October 2004 and the reply I received stated: "This matter is under consideration in the context of the Estimates and in the light of other requests for resources from the Western Health Board." I again raised the matter on 3 March 2005. Due to the changeover to the Health Service Executive, I received the standard reply stating: "The Health Act 2004 provided for the Health Service Executive my Department has asked the chief officer of the executive's western area to reply directly to the Deputy." I received a reply from the regional manager of the Health Service Executive, dated 3 March 2005, informing me that an addendum to the service plan for 2005 was submitted to the executive regarding the palliative care suite at Áras Mhuire in Tuam, County Galway. However, I have heard nothing since.

It is unacceptable that the accommodation is ready for occupation but has no staff to man it. Patients in the north Galway area are deprived of essential palliative care while the question of providing funding for staff is passed from Billy to Jack. Rubbishy answers are being given to cover up inaction on this issue. The palliative care unit has not been available to the people of the region for the past four years. Money has been expended on providing the building but now staff are needed to run it. This is simply the provision of an additional three nurses, at an outlay of €130,000, a paltry sum, a miserable amount of money which would provide a service to make life bearable for ill people.

Is it too much to expect some compassion and understanding? Is it too much to expect that people in power understand the needs for palliative care for the terminally ill? I hope the reply from the Minister of State at the Department of Health and Children, Deputy Seán Power, is not more waffle. If it is more waffle provided for him by his officials, it will be of no use in solving this

problem. I ask the Minister of State to take a personal interest in this matter and to contact the Health Service Executive to sanction the money needed to end this scandal.

Minister of State at the Department of Health and Children (Mr. S. Power): The report of the national advisory committee on palliative care is seen as the blueprint for the future development of such services. At its launch, a commitment was given to implement the recommendations of the report within a five to seven year timeframe and within the context of the national health strategy. Since October 2001, an additional €16.384 million has been invested in palliative care services, including €2 million in additional funding which has been made available specifically for palliative care in 2005. This funding is used to improve palliative care services in line with the recommendations of the national advisory committee report.

The Health Act 2004 provided for the Health Service Executive, 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 palliative support beds at Áras Mhuire, Tuam, County Galway.

The Health Service Executive's western area confirmed that an addendum to the service plan for 2005 has been submitted to the executive regarding the palliative care suite at Áras Mhuire community nursing unit in Tuam, County Galway. The structural work on this unit is complete and it is ready to be occupied. It will provide accommodation for two persons with additional facilities to enable family members to remain overnight if required. For the service to operate, additional resources, staffing resources and revenue funding, are required. The Health Service Executive's western area has sought approval for the additional resources required to open the unit. I will take on board what Deputy McHugh has said. I will undertake to monitor the situation and report back to him in the near future. I hope we will not have too long to wait for progress to be made on the matter.

Fluoridation of Water.

Mr. Connolly: There are many implications for public health in the fluoridation of public drinking water. Far from protecting public health, it has been claimed that the fluoridation of public drinking water is damaging the health of children.

There is evidence that there is an epidemic of dental fluorosis. This was presented to Members last week by Dr. Don McCauley, who is chairman of a group of 100 dentists who oppose fluoridation. He indicated that during his training he was not made aware of fluorosis. A large number of European countries has either ceased to use fluoridation or never used it. Admittedly, in the late 1950s and 1960s, when fluoridation was intro-

[Mr. Connolly.]
duced, the objective was to protect people's teeth. However, oral hygiene is more prevalent since then and it is now time to question the use of fluoridation.

It should also be a concern that dental fluorosis increased seven fold between 1984 and 2002, which is a short time. It is becoming a serious problem and it must be examined in the context of the fluoridation of public water supplies. The other concern is that it is a problem for 40% of 15 year olds according to an oral health services centre in University College Cork. There is also scientific evidence that fluoridation causes bone fractures in children.

The signs of fluorosis are white spots and lines in the teeth. It is caused by swallowing uncontrolled amounts of water. If somebody drinks three to four pints of fluoridated water per day, they are ingesting a high dose. There is no control on the amount of water people drink. That is one of the major difficulties. Fluorosis is an irreversible condition and is the result of previous chronic fluoride poisoning.

The other concern is bottle fed infants. They are particularly at risk because of their small size. They are consuming unsafe levels of fluoride in their formula milk, which is made up by using tap water. The Food Safety Authority of Ireland has produced some startling findings on babies and bottle feeding. In its risk assessment, it said the precautionary principle should apply. It recommended that the formula should not be constituted with fluoridated tap water. Telling mothers they should buy water for the baby milk formula is not an option. The chances are that they will continue to use tap water believing it to be safe.

The authority also found that bottle fed infants were ingesting unsafe levels of fluoride, thus increasing the risk of moderate dental fluorosis. Regrettably, however, the forum on fluoridation rejected the Food Safety Authority of Ireland's findings on technical grounds. It asked the FSAI to change its conclusions. That is unreal. The FSAI then absolved itself of all responsibility by stating that all babies should be breast fed. This is a way of evading the problem. The issue was left hanging. The research was conducted in Cork and fluoridation was found to be unsafe but there was no follow through. People are, therefore, being left at risk.

The forum recommended reducing the level of fluoride in drinking water by a quarter but nothing has been done. There is now talk of reducing the level of fluoride from 0.8 parts per million to 0.6 parts per million. However, the forum website states that there is no benefit from using less than 0.8 parts per million. Why bother reducing it? In a way, the forum is acknowledging that there are difficulties with fluoridation.

The Government should make a brave decision and do what many other European countries have done, that is, remove fluoride from the

water supply. A compensation time bomb is being created. Court cases have been taken in recent weeks. Fluoridation is banned in Northern Ireland and dental fluorosis is three times worse in the Republic than in Northern Ireland.

This is a serious problem which must be addressed.

Mr. S. Power: On behalf of my colleague, Deputy Harney, I am happy to have the opportunity to address the issue raised by Deputy Connolly. Fluoridation of public water supplies as a public health measure is accepted as being one of the most effective methods of ensuring against tooth decay. The World Health Organisation recommends fluoridation of public water supplies and has stated: "Fluoridation of water supplies, where possible, is the most effective public health measure for the prevention of dental decay." The WHO has also stated that "people of all ages, including the elderly, benefit from community water fluoridation".

Dental decay has a serious impact on oral and general health, not to mention the pain it causes to both children and adults. It can lead to cavities in teeth which may require fillings and-or extraction of teeth. This, of course, involves the use of local and sometimes even general anaesthetics.

The Health (Fluoridation of Water Supplies) Act 1960 makes provision for the fluoridation of public water supplies in Ireland. The constitutionality of the Act was upheld by the High Court in 1963 and this decision was confirmed by the Supreme Court. Fluoridation was first introduced in Ireland, as a public health measure, in 1964. Since its introduction surveys of oral health have been carried out on a regular basis, as is the monitoring of fluoridation levels in public water supplies.

The recently completed survey of oral health, covering the island of Ireland, shows that fluoridation of public water supplies continues to be a highly effective public health measure. It has contributed significantly to a major reduction in the incidence of dental decay in the Republic of Ireland. This compares favourably with the incidence of dental decay in Northern Ireland, where children are shown to have earlier access to dentists, where children, according to the research, brush more often and which does not have fluoridated water supplies. The benefits of fluoridation of water supplies are clear.

The research carried out shows that, at the levels of usage of fluoride in the Republic of Ireland's public water supply, there is no risk to health. Fluoridation of the water supply in Ireland is limited to a maximum of one part per million. In this regard, the WHO and the European Union have identified that fluoridation levels below 1.5 parts per million are acceptable. In the United States, the maximum limit is currently four parts per million.

A forum on fluoridation was established to review the fluoridation of public piped water supplies in Ireland. The main conclusion of the forum report was that the fluoridation of public piped water supplies should continue as a public health measure. The forum recognised that there has been some increase in the incidence of mild dental fluorosis in Ireland. Most dental fluorosis is only detectable by dentists. The forum, while recommending that fluoridation of water supplies continues, recommended a reduction in the levels of fluoride used from between 0.8 parts per million and one part per million to between 0.6 parts per million and 0.8 parts per million.

The report of the fluoridation forum made 33 recommendations covering a broad range of topics such as research, public awareness, policy and technical aspects of fluoridation and the establishment of an expert body to oversee the implementation of the recommendations. The expert body, to be known as the Irish expert body on fluorides and health, was set up in 2004. The terms of reference for the expert body are to oversee the implementation of the recommendations of the forum on fluoridation; to advise the Minister and evaluate ongoing research, including new emerging issues, on all aspects of fluoride and its delivery methods as an established health technology and as required; and to report to the Minister on matters of concern at his or her request or on its own initiative.

The expert body is overseeing the implementation of the wide-ranging recommendations of the forum and will advise on all aspects of fluoride. The body is currently examining the regulations governing the fluoridation of public water supplies and the Minister for Health and Children is awaiting its advice in this regard. Some legislative changes or amendments may be necessary arising from the recommendations of the expert body, for example, in respect of the reduction in fluoride levels recommended by the forum or in respect of the audit of the fluoridation plants currently being carried out by the expert body.

My Department will implement any necessary changes once the recommendations of the expert body have been received.

Crime Prevention.

Mr. Costello: Last night, I visited St. James's Hospital and met the family of a young man who is in a coma having suffered brain damage and various fractures. The young man is gay and was coming from a gay establishment on Saturday night, when a gang set upon him. He was viciously beaten, was thrown over a railing into St. Audeon's Park and left for dead at 1 a.m. on Sunday. He was found at 9 a.m., was taken to hospital and is still in a coma. He had been assaulted a week previously and robbed by a group who were identified as gay bashers. The area is at the junction between a gay establish-

ment on one side of the Liffey and a road coming up from the south side. It seems that there are a number of gangs operating around the area.

A young man is fighting for his life in hospital. We are not exactly sure of the extent of the damage that has been done to him. When I made inquiries, I found out that people coming from these establishments are regularly attacked by groups at a certain distance from the establishments where there are no CCTV cameras or lights. I raise this issue because it is time it was highlighted. Something must be done about it as it has been going on almost without being reported. The people in question are either afraid to report, they are embarrassed to report, or they do not believe that anything will be done about it. It represents a serious assault on citizens.

The Minister for Justice, Equality and Law Reform should take some significant action on this matter. This means extra patrols of gardaí. The area is patrolled by gardaí from Kevin Street and Pearse Street, but according to accounts, there is little actual patrolling. The gardaí are aware that this is happening and are the first to admit it, yet there is no significant patrolling to protect the people who are frequenting these establishments and who may be on their way home. This young man would normally look for a taxi on his way home to Crumlin.

We need extra resources in this area. We need minority specialist liaison officers who can deal with the matter in the first instance. I know there are some who deal mainly with ethnic groups, but all minorities are subject to being targeted by certain hit groups. We are well aware of this group but we have not dealt with it. The Minister will have to look directly at the flash points that can be identified. They can be targeted with extra personnel, with CCTV cameras and it will be a deliberate decision to do it. We do not know the outcome of this young man's condition, which may yet end in absolute tragedy. Whatever happens, he will never be fully healthy again.

People engaged in homophobic crimes seem to be able to operate with reasonable impunity. I call on the Minister to take some specific steps. A programme will have to be put in place to deal with this particular insidious crime.

Mr. S. Power: I thank the Deputy for raising this matter and I am aware of recent media reports on the issue. I am deputising for the Minister for Justice, Equality and Law Reform, who is unavailable. The Minister has asked me to assure the Deputy that he shares his concern, as well as that of the public in general, about attacks on minority members of our population.

The Prohibition of Incitement to Hatred Act 1989 created an offence of publishing or distributing material or using words or behaviour that are threatening, abusive or insulting and are intended, or are likely, to stir up hatred. "Hatred" is defined as hatred against a group of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national

[Mr. S. Power.]

origins, membership of the Traveller community or sexual orientation. Public incitement to racial hatred is a criminal offence under section 2 and section 3 of the 1989 Act in terms of material, written or oral, which is threatening, abusive or insulting.

The previous Minister for Justice, Equality and Law Reform announced a review of the incitement to hatred legislation at a time when few, if any, successful prosecutions had been taken under the Prohibition of Incitement to Hatred Act 1989. One of the aims of the review was to ascertain whether problems with the Act were contributing to this lack of prosecutions and, if so, whether any reasonable changes to it could remedy that. Since the review was announced a number of successful prosecutions have been taken under the 1989 Act and, where appropriate, under public order legislation or Coras Iompair Éireann by-laws. These trends are being monitored as part of the ongoing review and if maintained could have a significant influence on the outcome of the review and any subsequent proposals for legislation.

The Criminal Justice (Public Order) Act 1994 created an offence with regard to using or engaging in threatening, abusive or insulting behaviour in a public place. It also created an offence of distributing or displaying in a public place, material which is threatening, abusive, insulting or obscene. The Garda authorities, conscious of the importance of recording and monitoring incidents that are motivated by racism, sectarianism, homophobia, xenophobia and anti-Semitism, have, since October 2002 and through the PULSE system, put in place a mechanism to record and gather information on racist incidents and offenders nationwide. The Garda racial and intercultural office, which was established in 2001, coordinates, monitors and advises on all aspects of policing in the area of ethnic and cultural diversity. Personnel at that office monitor all incidents to ensure that the PULSE system accurately records all such offences. Where such incidents occur, the Garda Síochána ensures that an investigation is pursued with reference to the Criminal Justice (Public Order) Act 1994 and the Prohibition of Incitement to Hatred Act 1989, which are the main relevant legislative instruments pertaining to hate crime.

The Garda Síochána Bill 2004 emphasises the importance of upholding human rights in the performance by gardaí of their 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. The Minister has 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. The Minister would like to congratulate the Commissioner for commissioning the Garda human rights audit and for publishing the audit, which

identifies certain 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 action plan to respond to the shortcomings identified.

This action plan will put human rights to the fore in all aspects of the management and operation of the Garda Síochána. An assistant commissioner, who is head of human resource management, has been given specific responsibility to monitor, oversee and ensure the implementation of all aspects of the report. The Minister understands that at a recent management seminar at the Garda College, Templemore, senior officers at chief superintendent and commissioner rank received an extensive briefing on the audit and the action plan.

More generally, and underpinning the Government's commitment to accommodate and respect cultural diversity, the Government published its national action plan against racism in January this year. The overall aim of the plan is to provide strategic direction to combat racism and to develop a more inclusive, intercultural society based on a commitment to inclusion by design — not an add-on or afterthought, but based on policies that promote interaction, equality of opportunity, understanding and respect.

One of the key objectives of the plan is to provide effective protection and redress against racism, including a focus on discrimination, threatening behaviour and incitement to hatred. Clearly, the Garda has a very important role in this and considerable work has been done by it, including the establishment of the Garda racial and intercultural office, the appointment of 145 ethnic liaison gardaí and the development of training methods for policing a more diverse society.

Garda management is satisfied that the areas frequented by members of the gay, lesbian, bisexual and transgender community, GLBT, are adequately policed. The policing requirements in these areas are reviewed on an ongoing basis so as to enable a response to any particular eventuality should the need arise. I assure the Deputy that the Minister will not tolerate any attacks on minority members of society. There is no place in our society for people who carry out this type of crime.

Waste Water Treatment Plants.

Mr. Gormley: This is an important issue. Since first requesting this Adjournment debate, more facts have come to light which confirm my worst suspicions and vindicate the position I have taken on this issue for some time. What we have witnessed during the entire sorry saga of the Ringsend waste water treatment plant is a lack of transparency and accountability as well as a level of incompetence which is difficult to comprehend.

This is not just a story about a bad smell, although at this stage one could justifiably say that the whole thing stinks. It has more to do with

bad infrastructural planning and the misuse of taxpayers' money. For some time I have contended, on the basis of off-the-record comments from people working in the plant, that the sewage treatment plant, which was hailed as a state-of-the-art facility, was working at full capacity. It was only after the news item last week, which highlighted the fact that the European Commission was to take legal action against Ireland for breaches of EU directives, that I received further tip-offs about the plant.

I was forced to go to the Commission because I was being fobbed off continually by the city council and the Department of the Environment, Heritage and Local Government. I warmly congratulate the Commission for acting so promptly on foot of my official complaint, but its members will have a lot more on their plate when they discover what has been going on there. It is worth noting that the bulk of money invested in this plant came from the European Union.

Yesterday evening, I attended a meeting of the Institute of Engineers of Ireland where I was given the opportunity to put a number of direct questions to Mr. Mark Driver, operations director, and Ms Jane Bickerstaffe, operations and maintenance manager of the Ringsend waste water treatment plant. When I asked them directly if the plant was now operating at capacity they replied that they were "flat out". I also put a question about whether there was space available to expand the plant. They confirmed that the space was there but that they were dependent on the "powers that be" to supply the finance. Their forthrightness on this matter contrasts with the furtiveness of the Irish authorities. A person in the audience then approached me and told me that the Government was going to give approval for the expansion of the plant because of the capacity problem. This was news to me. Subsequently, I contacted RTE.

The House may recall that last week my colleague, Deputy Sargent, put a direct question to the Taoiseach about the plant. For whatever reason, however, the Taoiseach chose not to reveal this important fact. The Taoiseach ducked and dived in his usual way and all we got from the Tánaiste, Deputy Harney, and the Minister for Justice, Equality and Law Reform, Deputy McDowell, were sniggers and sneers. I had always thought that the Progressive Democrats, at least, were concerned about value for money, or so they tell us. Do they share my concern about this badly botched infrastructural project?

The Minister for the Environment, Heritage and Local Government and I shared a studio during the "News at One" programme last week and when I again raised these important issues the Minister conveniently refused to answer direct questions. The questions I posed then were whether the Government would investigate fully what was going on at that plant and, if sludge was being transported from the plant to Carlow, why did the Taoiseach and the Minister for the Environment, Heritage and Local Government not

state that there were fundamental problems at the plant? The city council has been forced to admit that there are problems and that it will have to be expanded. As I understand it, however, the plant is now operating at full capacity. Dublin City Council has clearly miscalculated the load, a fundamental error. This should be a matter of grave concern for the Minister for the Environment, Heritage and Local Government.

The other major question about this plant is the movement of sludge. The Minister will be aware that the movement of sewage sludge is heavily regulated under EU directives and Irish law. We now learn that serious questions are being raised over the handling of sludge from Ringsend. Sludge is only supposed to leave this plant after being dried and processed into a biological fertiliser, which is called Biofert. However, we learn that large quantities of sludge have been shipped to Carlow for disposal without first being processed into Biofert. We have heard accounts of open lorries transporting liquid sludge under cover of darkness and of unlicensed operators storing and disposing of sludge on agricultural land. Should any of these accounts prove to be true, we are dealing not with incompetence but serious illegality.

The admission that this plant does not have enough capacity to meet the needs of the city should be enough to prompt the Minister to investigate this issue. However, given that there are serious indications of illegal handling of waste, there can be no more excuses. It is time for the Minister, Deputy Roche, to come clean on these issues and order an investigation, which is urgently required.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): I thank Deputy Gormley for raising this matter which is of major concern to people in the Ringsend area.

The European Commission's proposed legal action concerning odours from sewage plants arose as a result of a complaint about the Greystones waste water treatment plant which, I understand, has long since been resolved. The Commission's concern is no longer particular to any sewage treatment plant but relates to the need to provide general rules for odour control for all such plants.

In so far as the question of odours from treatment plants generally is concerned, my Department is finalising a draft of regulations providing for amendment of the binding rules on sanitary authorities relating to the design, construction, operation and management of urban waste water treatment plants to address odours from such plants. The draft regulations will set requirements for treatment plants to avoid causing nuisance through noise or odours and will require records of all mandatory environmental standards and environmental complaints arising from plants, including noise and odours, to be maintained.

[Mr. B. O'Keeffe.]

The draft regulations will be finalised shortly and a copy will be sent to the Commission to allow it to furnish comments before the regulations are made.

With regard to Ringsend, there is no argument but that there have been intermittent difficulties with odours since the plant was opened. It is a complex and compact facility involving advanced technology. It was absolutely essential to go for an innovative solution to fit the plant into the limited space available on the Ringsend site. Inevitably, some teething problems have been, and are being, vigorously addressed by the city council and by the contractor who operates the plant on the council's behalf.

I accept that when odours have occurred they have been unpleasant for residents who have experienced them. However, following an independent audit commissioned by the council to identify the causes, a programme of works has been implemented which has, I understand, greatly improved the overall situation since the summer of 2004. Unfortunately, the odour problem re-emerged for a short time earlier this year due to maintenance procedures on site, which have since been completed.

The environmental impact statement for the Ringsend treatment plant, certified in 1997, set odour limits to be met at the boundary of the site. These standards were incorporated into the contract the city council entered into with the contracting consortium. Additional odour treatment equipment and measures were progressively incorporated into the plant over the summer of

2004 following the initial problems in meeting the odour limits. These measures have significantly improved the performance of the plant, and the city council is working closely with the consortium in seeking resolution of the outstanding issues to fully comply with the odour standards in the environmental impact statement.

Without in any way diminishing the discomfort the odours have caused, it would be wrong to lose sight of the tremendous boon the Ringsend plant has proved for the people of Dublin and for environmental standards across Dublin bay. The new plant provides advanced secondary waste water treatment, including disinfection, to the exacting standards laid down in the EU urban waste water treatment directive for a population equivalent of 1.7 million people in areas as far apart as Dún Laoghaire, Ratoath, Ashbourne and Portmarnock. The new plant has replaced the basic primary treatment that previously existed for roughly two thirds of the waste water from the Dublin region and no treatment for the remainder which was discharged into the bay in its raw state.

The dumping of untreated sewage has long ceased. Water quality in Dublin bay has radically improved and blue flags can be expected on Dublin beaches this summer, a unique achievement for a European capital. Let us not overlook these positive factors but be assured that any lingering problems with the Ringsend plant are being systematically addressed and will be eliminated for good as quickly as possible.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Wednesday, 20 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 9, inclusive, answered orally.

Questions Nos. 10 to 71, inclusive, resubmitted.

Questions Nos. 72 to 78, inclusive, answered orally.

Social Welfare Benefits.

79. **Mr. McEntee** asked the Minister for Social and Family Affairs the number of persons who were refused the carer's allowance on the grounds of the means test; the number of persons who were refused the carer's allowance on the grounds of the medical assessment in 2004; and if he will make a statement on the matter. [11924/05]

153. **Mr. Hogan** asked the Minister for Social and Family Affairs his views on the fact that approximately one in three persons who applied for the carer's allowance in 2004 were refused the payment; and if he will make a statement on the matter. [11923/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 79 and 153 together.

The principal eligibility conditions for receipt of the carer's allowance are that full-time care and attention is required and being provided and that the means test that applies is satisfied. The number of applicants refused payment as a proportion of claims received has declined in recent years arising from various improvements introduced to the scheme.

There are currently 23,233 persons receiving carer's allowance. In 2004 my Department received 7,817 applications for carer's allowance and, of these, 1,713 were refused the allowance. Some 987 applicants were refused it on medical eligibility grounds and 187 were refused it due to their means exceeding the prescribed income limit. The balance, 539 cases, were refused for a number of other reasons mainly because full-time care was not being provided.

All persons who apply for carer's allowance are informed of the decision on their entitlement and the reasons for it. In addition, where a person is refused the allowance, he or she is also advised of his or her right of appeal to the social welfare appeals office.

Payments to carers have been greatly improved since its introduction and qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care payment have been introduced.

Provision has been made in successive budgets for substantial increases in the income disregards

which apply in the means test. From April 2005 the weekly income disregards have increased to €270 for a single carer and to €540 for a couple. This increase has ensured that a couple with two children, earning a joint income of up to €30,700 can qualify for the maximum rate of carer's allowance while the same couple, if they had an income of €49,200, could still qualify for the minimum carer's allowance and the associated free schemes and respite care grant.

In addition and with effect from June 2005, I have made provision for the introduction of a universal respite care grant payment of €1,000 payable to all carers providing full-time care to an older person or a person with a disability, subject to certain employment related conditions. This grant may be made in respect of each care recipient and is not subject to a means test. These measures will continue to enhance the provision of supports for carers.

My Department is preparing an extensive publicity campaign to ensure that all those eligible for the payment will avail of it. This will also include a dedicated freefone helpline that will operate to coincide with the publicity campaign. The development of support for carers continues to be a priority for me and for the Government.

Pension Provisions.

80. **Ms McManus** asked the Minister for Social and Family Affairs the steps he intends to take to facilitate or encourage working women to take out pension cover, in regard to his recent statement expressing concern at the fact that 400,000 working women do not have private pension cover; and if he will make a statement on the matter. [11842/05]

123. **Mr. G. Murphy** asked the Minister for Social and Family Affairs his plans to encourage more women to take up pensions; and if he will make a statement on the matter. [11901/05]

129. **Mr. O'Shea** asked the Minister for Social and Family Affairs the number of persons who have taken out PRSAs at the latest date for which figures are available; if he has plans to review the scheme in view of the low take-up rate to date; and if he will make a statement on the matter. [11845/05]

166. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs the steps he intends to take to increase the number of workers in the private sector who have pensions; his views on recent data from the Irish Pensions Board which show that only a quarter of the workforce have adequate pensions savings; and if he will make a statement on the matter. [11844/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 80, 123, 129 and 166 together.

As the House will be aware, it is Government policy to encourage people to participate in occupational and private pension arrangements so that they can, when they retire, maintain their

[Mr. Brennan.]
pre-retirement standard of living. To this end, a range of measures have been introduced over the last few years including personal retirement savings accounts, PRSAs, mandatory employer PRSA access where occupational schemes are not available and an ongoing national pensions awareness campaign.

In terms of overall supplementary pensions coverage, CSO figures for the first quarter of 2004 indicate that 52.4% of persons in employment have a supplementary pension. This is a small increase on the 2002 figures which showed coverage at 51.2%. The coverage rate for women is 46.8% against 56.3% for men.

The key target group for Government action in the supplementary pensions area is those who are 30 years of age and over. The Pensions Board, in the national pensions policy initiative suggested that up to 70% of this group will need to supplement their social welfare pension to maintain living standards in retirement. The most recent CSO figures suggest that 59.1% of people in this group have pension cover and this is a small increase on the 2002 figure of 57.4%. At the end of December 2004, some 46,237 PRSA accounts were open with a total asset value of €178 million. The comparable figures for 2003 are 19,022 accounts with an asset value of €19 million.

During the past three years the Pensions Board has run a national pensions awareness campaign, which is designed to increase awareness of pensions issues among the public and to encourage pensions take-up. A total of €1 million was spent on the campaign through 2003 and 2004 and a further €500,000 has been allocated to facilitate the campaign in the current year.

As well as raising general awareness, the campaign has also focused on areas of the country and sections of the population with lower levels of pensions take-up. The 2004 campaign featured a number of special promotions aimed specifically at women. These included the production of an information booklet dealing specifically with women's pensions issues, which was heavily promoted throughout the year. The Pensions Board will continue to look for opportunities, in co-operation with representative organisations, to promote the pensions message among women.

Pensions Board research has shown a high level of awareness among the public in respect of pensions issues resulting from the awareness campaign conducted by the board. However, we are having only limited success in translating this high level of awareness into improved coverage. The reasons for this are multifaceted and include issues such as perceptions of affordability and a lack of urgency regarding pensions among certain age groups in the population.

There is no doubt that progress in respect of pensions coverage is being made as, over the last few years, there has been a steady increase in the number of people taking out PRSAs and in those participating in standard occupational schemes. However, at this stage, it has to be accepted that

at the current rate of progress we will not achieve our targets within any kind of reasonable timescale.

As the House may be aware, a statutory review of pensions coverage and related issues is required to be completed by September 2006. However, I consider that the coverage situation is unlikely to improve dramatically over the next year and, in the circumstances, I asked the Pensions Board in February to commence work on a comprehensive review of our overall pensions strategy. The review will be very wide-ranging and will include an examination of the appropriateness of the original targets suggested in the national pensions policy initiative, scheme management, aspects of funding, incentives available to encourage pensions take-up and possible alternatives to our current arrangements.

Work on the review has commenced and I expect a report from the board in late summer. I will then review the situation and decide what further action is required in this area. We must ensure that we can deliver on our commitment to ensure an adequate retirement income for all.

Social Welfare Benefits.

81. **Mr. Hogan** asked the Minister for Social and Family Affairs the number of persons in receipt of the rent supplement who have children; and if he will make a statement on the matter. [11922/05]

96. **Mr. Hayes** asked the Minister for Social and Family Affairs the number of persons who were in receipt of the rent supplement for 18 months or more who were passed on to their local authority for a housing assessment and have had their housing needs met; and if he will make a statement on the matter. [11919/05]

97. **Ms Enright** asked the Minister for Social and Family Affairs the progress which has been made on the long-term initiative for rent supplement tenants as announced on 4 July 2004; and if he will make a statement on the matter. [11916/05]

120. **Ms Enright** asked the Minister for Social and Family Affairs the number of persons who have been availing of the rent supplement for 18 months or more; and if he will make a statement on the matter. [11917/05]

139. **Mr. Hayes** asked the Minister for Social and Family Affairs the number of persons who have been receiving the rent supplement for 18 months or more who have been passed on to a local authority for a housing assessment; and if he will make a statement on the matter. [11918/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 81, 96, 97, 120 and 139 together.

Under the supplementary welfare allowance scheme, payment of a weekly or monthly supplement in respect of rent or mortgage interest is available to assist eligible people who are unable

to provide for their accommodation costs from their own resources and who do not have accommodation available to them from any other source. The scheme is administered on my behalf by the Health Service Executive.

There are currently some 58,000 households in receipt of a rent supplement payment. The scheme involves payment in respect of the household in aggregate, without specific additions for adult or child dependants as is the case with basic supplementary welfare allowances and other social welfare scheme payments generally. For this reason, the computer systems used to record rent supplement claims and generate payments does not contain family composition data and, as a result, it is not readily possible to get a detailed breakdown of cases where there are children involved.

However, my Department carried out a sample survey of claims in the course of a review in mid-2004 of the changes in the rent supplement scheme that year. This survey indicated that almost 50% — equivalent to some 29,000 of the total — of rent supplement households have children.

As Deputies will be aware, a significant number of people have come to rely on rent supplements on a long-term basis over the years. The initiative referred to was the subject of a Government decision in respect of new rental assistance arrangements announced in July 2004. These new arrangements will see local authorities assume responsibility for meeting long-term housing assistance needs, including those of people on rent supplements for 18 months or longer. These needs will be met through a range of approaches, including the traditional range of social housing options, the voluntary housing sector and, in particular, a new public private partnership type rental accommodation scheme. The sum of €19 million has been transferred from my Department's Vote to the Environment, Heritage and Local Government vote to finance this initiative.

The social welfare rent supplement scheme will continue to provide short-term income support for people who are unable to meet their immediate accommodation needs through their own resources. The aim of the new arrangements is to minimise ongoing dependence on rent supplement. The objective is to progress to a situation where suitable long-term accommodation is available for all who need it and where the rent supplement scheme is not necessary other than for short-term support. This will be achieved within a period of three years from commencement of the new arrangements in each local authority and in any event no later than September 2008.

The new arrangements are currently being implemented in seven local authorities. My Department and the Health Service Executive are actively assisting the local authorities and the Department of the Environment, Heritage and Local Government in this process. The new

arrangements will be initiated in all local authority areas by the end of 2005.

The Department of Environment, Heritage and Local Government has appointed programme managers to assist the lead authorities with the implementation of the new arrangements. Thereafter these managers will be available to support other authorities over the implementation period. Regional and local implementation groups in the seven lead authority areas have been established to ensure effective ongoing liaison and co-operation locally between housing authorities, Health Service Executive areas and other agencies.

In addition, a number of seminars have been held in the lead authorities to inform landlords and other potential accommodation providers of the new scheme and receive their views. I am also aware that some local authorities have already initiated contact with landlords in their areas. The lead local authorities have targeted 1 May 2005 as the date for the first transfer of eligible rent supplement recipients to the rental accommodation scheme.

My Department has provided summary rent supplement data to the Department of Environment, Heritage and Local Government to aid in the identification of those in receipt of rent supplement for 18 months or more who are likely to be in need of accommodation under the new arrangements. In addition, arrangements are in place at a local level for the Health Service Executive to provide any additional information that may be required to local authorities to assist them with their housing needs assessments.

Almost 30,000 households have been in receipt of a rent supplement payment for 18 months or more and are likely to benefit under the new arrangements being developed throughout the country. Individual details of these households have been extracted by the community welfare service of the Health Service Executive for notification to the relevant local authorities.

Overall, I am satisfied that the new rental assistance arrangements represent a major step forward in supporting people with long-term housing needs and that all the relevant agencies are co-operating actively to make the system work successfully.

Social Insurance.

82. **Mr. Allen** asked the Minister for Social and Family Affairs the number of women who availed of unpaid maternity benefit in each of the years 2000 to 2004, inclusive; the cost of such payments to his Department in terms of PRSI credits issued in each of those years; and if he will make a statement on the matter. [11887/05]

Minister for Social and Family Affairs (Mr. Brennan): Credited contributions have been an integral part of the social insurance system since its inception. Credits are awarded to protect the entitlements of insured workers by covering gaps in insurance wherein the worker is not in a posi-

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 tion to pay PRSI. A common situation where credits are awarded is where a person is unemployed for a period and is in receipt of a payment. However, over time the award of credits has been extended to cover many circumstances such as where social welfare payments are made — such as maternity benefit — and other circumstances where payments are not paid — such as with unpaid maternity leave.

For each week during which a woman is on unpaid maternity leave but does not receive maternity benefit, a contribution may be credited subject to a maximum of 18 weeks of ordinary leave. However, the number of such cases is quite low because of the fact that coverage for maternity benefit extends to most employees and self-employed. Credited contributions have also been awarded for an additional unpaid period of maternity leave after paid maternity benefit with effect from March 2001. In such cases the maximum number of credits awarded is eight.

As it is difficult to attribute the total number of credits awarded to unpaid maternity leave, and not for any other reason, reliable information regarding such credits is not readily available. However, based on such information as is available to the Department, it is estimated that some 50% of women who have been on maternity benefit apply for credits for the subsequent period. On the basis of claims for maternity benefit in 2004, it is estimated, therefore, that some 16,500 women availed of the period of unpaid leave and were awarded credits as a result.

In respect of the question of the cost of credited contributions for unpaid maternity leave, it is the payment of a benefit rather than the award of the credit *per se* that has direct cost implications for social welfare spending. They arise on foot of the benefits awarded for which credited contributions were included to fulfil contribution conditions. Costing the payments made on foot of the award of credits would not be possible as the costs arising would vary according to the type of benefit or pension being paid as a result of credits being awarded, the duration of the payment and various other factors such as the age of the client, their family status and their attachment to the labour force. In addition, in deriving the cost of credits, account would have to be taken of cost to the Exchequer for workers who did not qualify for social insurance based benefits who would as a consequence claim social assistance payments.

For these reasons, it is not possible to cost the award of credited contributions for unpaid maternity leave.

Pension Provisions.

83. **Mr. Naughten** asked the Minister for Social and Family Affairs her plans to review the means test for farmers applying for the old age non-contributory pension; and if he will make a statement on the matter. [11646/05]

Minister for Social and Family Affairs (Mr. Brennan): I understand that the Deputy is concerned, in particular, about the current arrangements applying in the case of old age pension where a landholder leases land or is otherwise in possession of land which is lying fallow or idle.

Where land is let on short-term lettings such as the 11 month system, the income from such lettings is calculated as cash income for the purpose of the means assessment for old age pension. Necessary expenses incurred by the owner, such as auctioneer fees, fencing or fertilising between lettings are deducted from the gross letting income.

Where land is lying fallow or idle, there are two options for the assessment of means. If the Department is satisfied that the pension claimant is depriving himself or herself of an income in order to qualify for a pension, or a pension at a higher rate than would otherwise be the case, the relevant assessment is the income which would be received, if the land was let. Where the Department is satisfied that this is not the case, the value of the land is obtained from the Valuation Office and is assessed as capital for means purposes.

There are no plans to change the current arrangements in this regard. Any change in these assessment arrangements could only be considered in a budgetary context.

Anti-Poverty Strategy.

84. **Mr. S. Ryan** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent OECD report, *Society at a Glance*, which shows that Irish people retire later than those of almost any other nationality, and that the elderly here are the most likely to be living in poverty and least likely to be receiving formal care, whether in their own homes or in nursing homes; his views on the findings of the report; the steps he intends to take arising from it; and if he will make a statement on the matter. [11854/05]

87. **Mr. Gogarty** asked the Minister for Social and Family Affairs if, he will outline the approach his Department is taking in tackling poverty among older persons; and if he will make a statement on the matter. [11810/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 84 and 87 together.

Since first taking office, the needs of older people have been a priority for this Government. We have sought, through significant increases in pensions and changes to other schemes, to improve the position of older people.

Since 1997, we have increased pensions by up to €80.26 per week or 81%. During the same period, the increase in the consumer price index was 30% while average earnings increased by 51%. We have also eased qualifying conditions so that more people now receive contributory pensions. The free schemes have also been made available to all those over 70 years of age regard-

less of their income or household composition. The Government has also substantially increased the level of funding for health and social services for older people. Between 1997 and 2004, the total additional funding allocated was approximately €287 million, and additional revenue funding of €15 million was announced for this year.

As Minister for Social and Family Affairs, I will continue to look for opportunities to make further improvements in the supports we provide for our older people and, in this regard, the House will be aware of our commitment to increase pensions to €200 per week by 2007.

Poverty measures are problematic. The report to which the Deputies refer measures the ratio of equivalised disposable income of people aged 65 and over to that of people aged 18 to 64. Ireland is at the bottom end of the income ratio, which ranges from about 90% to 59%. However, as the OECD acknowledges, household income is an imperfect measure of the well-being of older people and is likely to underestimate their economic resources and overestimate their poverty risks, especially in countries where home ownership among the elderly is higher. I should also point out that the figures in question do not encompass non-cash supports, such as the free schemes and the medical card, which can be a valuable addition to the income of many older people.

The report also acknowledges the difficulties in defining and measuring formal care services across OECD countries. Care should be taken when comparing a range of different formal care settings which are being funded in a variety of different ways.

With regard to retirement age, it is true that Ireland has one of the higher effective retirement ages in the OECD and in the EU. In this regard, however, an increase in workforce participation of older people is one of the more important measures identified at EU level as a means of ensuring the sustainability of pensions systems in the future. One of the main factors contributing to the projected problems for a pay as you go pensions system is a reduction in the available workforce in the years ahead. Accordingly, it is important to maximise the workforce participation of all sectors, including older people.

The EU has set a target of 50% for workforce participation by those aged 55 to 64 and is also seeking an increase in the effective retirement age. Ireland is close to achieving the participation targets and is well ahead of many of its neighbours with regard to effective retirement age. It is important, in my view, that we maintain this position in the years ahead.

The provision of formal care to older people in nursing homes and other types of residential care is the responsibility of my colleague, the Tánaiste and Minister for Health and Children. My officials and I have, however, been working closely with her and her officials on certain issues regarding future policy development in the long-term care area. A major study to examine the

future financing of long-term care in Ireland was published in June 2003. A consultation process on the report was then undertaken by my Department.

A working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established. The objective of this group is to identify the policy options for a financially sustainable system of long-term care, taking account of the report, the views of the consultation that was undertaken on the report and a recent review of the nursing home subvention scheme. The group will report to the Tánaiste and Minister for Health and Children and me by mid-year. Following this process, there will be discussions with the relevant interest groups.

I am always prepared to consider changes to existing arrangements where these would be for the benefit of recipients and financially sustainable within the resources available to me. In this context, I will continue to review issues in relation to older people.

Pension Provisions.

85. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent report produced by a company (details supplied) which shows that the ten biggest Irish public limited companies have a combined pension deficit of more than €3 billion; if he is satisfied that sufficient procedures are in place to protect the pension entitlements of all workers; and if he will make a statement on the matter. [11843/05]

Minister for Social and Family Affairs (Mr. Brennan): The minimum funding standard, which applies to defined benefit, DB, occupational pension schemes under the Pensions Act 1990, is a discontinuance or wind-up standard. The standard is designed to ensure that, if a funded DB scheme winds up, there are sufficient assets available to meet the liabilities of the scheme at that point in time. In general, schemes must fully assess their position every three and a half years and those that do not satisfy the standard have three and a half years to put in place the necessary funding arrangements to restore full funding though, as I will outline, some flexibility has been introduced in this regard.

In common with the companies referred to in the recent report, many schemes are at present having difficulty meeting the standard. This is as a result of investment losses in the three years after 2000 and increasing liabilities through a combination of improved longevity, increased earnings and low interest rates.

In 2003, pending a full review of the funding standard by the Pensions Board, my predecessor introduced short-term measures designed to alleviate the funding difficulties which many schemes were experiencing as a result of investment losses. The measures allowed the Pensions

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Board to extend the period during which schemes have to restore full funding on a case by case basis up to ten years. These were very successful in easing the pressure on schemes and when the Pensions Board review was finalised late last year it recommended, among other things, retention of these provisions. It also recommended that the grounds on which extensions can be allowed should be expanded to encompass difficulties arising from increased liabilities. I accepted these recommendations and the basic provisions required to implement them were included in the recent Social Welfare and Pensions Act 2005. Detailed requirements will be specified in regulations to be made in the coming months.

In ensuring the continuation of defined benefit schemes we need to strike a reasonable balance between the interests of members and the sponsoring employers who must fund the deficits which have emerged in many schemes. In this regard, we need to keep in mind that while pensions are long-term savings and investment products we need a shorter term measure of the value of the pensions from a member perspective. The measures introduced achieve this balance and will help to ensure the continuation of good defined benefit pensions provision. I will keep the situation under review in consultation with the Pensions Board.

Social Welfare Fraud.

86. **Ms O. Mitchell** asked the Minister for Social and Family Affairs if his department has made efforts to prevent fraud through the EFT system; and if he will make a statement on the matter. [11899/05]

Minister for Social and Family Affairs (Mr. Brennan): 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 pension order books, 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 growth in the last number of years of customers opting for EFT 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 an EFT payment facility to more of my Department's schemes.

The prevention of fraud and abuse of the social welfare system is an integral part of the work of my Department. In this regard all staff engaged

in claims processing are concerned with preventing and detecting fraud and abuse. During 2004, some 306,000 reviews of entitlements were carried out by staff in my Department including reviews of entitlements of customers paid by EFT. The records of some 6,600 employers were inspected to ensure compliance with the Department's regulations and, in particular, to prevent and detect abuses of the system. These activities resulted in savings of €386 million in 2004.

Systematic risk analysis is a key element of the control strategy. This entails the identification, by scheme managers, of areas of high risk of fraud and abuse in the schemes for which they are responsible and putting in place appropriate measures to address them in a systematic way. Any particular risks arising from making payments through EFT would be addressed in this context. The benefit of the risk analysis approach is that review activity can be targeted in the most effective manner.

My Department also includes baseline surveys of the levels of fraud and error as an integral part of its control strategy to identify the types of claims which should be prioritised for review purposes. It is committed to doing at least two such surveys annually. My Department undertook a number of specific control initiatives during 2004 with a view to establishing criteria for risk evaluation. Four projects addressed EFT payments. The outcomes of these are being evaluated and they will contribute towards best practice in this area for the future.

Question No. 87 answered with Question No. 84.

Social Welfare Benefits.

88. **Mr. McCormack** asked the Minister for Social and Family Affairs if he is considering changing the dual eligibility rule for people in receipt of the carer's allowance, for example, a person who has been in receipt of the carer's allowance and then qualifies for the old age pension and can only receive one social welfare payment; and if he will make a statement on the matter. [11891/05]

109. **Mr. Durkan** asked the Minister for Social and Family Affairs when he expects to extend the carer's allowance to that wider group of carers who, for various reasons, do not currently qualify, in view of the fact that the caring service that they provide in many cases relieves the pressure on hospital beds; and if he will make a statement on the matter. [11878/05]

113. **Mr. Sherlock** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent call from the Equality Authority for the Government to better support the thousands of carers across the State by investment in welfare benefits and providing better community care services; if he intends to act on the call from the Equality Authority; and if he will make a statement on the matter. [11853/05]

116. **Mr. Rabbitte** asked the Minister for Social and Family Affairs the steps which have been taken to date to implement the 15 recommendations contained in the Position of Full-Time Carers report of November 2003 from the Joint Committee on Social and Family Affairs; and if he will make a statement on the matter. [11852/05]

124. **Mr. Rabbitte** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent call from the Carers Association for the introduction of a level of payment that would be equivalent to salaries paid to health workers; his views on the call; and if he will make a statement on the matter. [11851/05]

318. **Mr. O'Connor** asked the Minister for Social and Family Affairs the likely cost of abolishing the means test for carers; and if he will make a statement on the matter. [11970/05]

339. **Mr. Durkan** asked the Minister for Social and Family Affairs his proposals to improve and extend the carer's allowance to cater for a wider group of persons who care for relatives and friends and as a consequence free up hospital beds; and if he will make a statement on the matter. [12246/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 88, 109, 113, 116, 124, 318 and 339 together.

The carer's allowance is a social assistance payment which provides income support to people who are providing certain elderly or incapacitated persons with full-time care and attention and whose incomes fall below a certain limit.

The primary objective of the social welfare system is to provide income support and, as a general rule, only one weekly social welfare payment is payable to an individual. This ensures that resources are not used to make two income support payments to any one person. Of course, persons qualifying for two social welfare payments always receive the higher payment to which they are entitled. Any changes, would involve additional expenditure which could only be considered in a budgetary context.

I did, however, announce a number of improvements for carers in the most recent budget which will benefit existing recipients of carer's payments and will also serve to extend supports to carers who have not previously been eligible for carer's payments. As regards to the means test for carer's allowance, I have increased the weekly income disregards to €270 for a single person and to €540 for a couple from this month. This means that a couple with two children can earn up to €30,700 and receive the maximum rate of carer's allowance while the same couple can earn up to €49,200 and receive the minimum rate of carer's allowance, free travel, the household benefits package and the respite care grant.

It is estimated that these changes will result in an additional 1,000 new carers qualifying for a carer's allowance, free travel, the household benefits package and the respite care grant. In

addition, 2,400 existing carers, who are currently in receipt of reduced carer's allowance, will receive an increase in their weekly payment over and above the general rate increase they would receive in the normal way. The complete abolition of the means test would have substantial cost implications, estimated at €160 million in a full year.

Budget 2005 also made provision for major improvements to the respite care grant. This includes the extension of the respite care grant of €1,000 to all persons providing full-time care and attention, regardless of their means. Those persons in receipt of other social welfare payments, excluding unemployment assistance and benefit, will be entitled to this payment, subject to meeting the full-time care condition. This arrangement is being introduced to acknowledge the needs of carers, especially in respect of to respite care, and it is estimated that overall almost 33,000 carers will receive a respite care grant in June.

The report of the Oireachtas joint committee made a range of recommendations, many of which relate to my Department and a number of which concern the Department of Health and Children. The committee stated in its report that the greatest need identified by family carers is the need for a break from caring. The improvements to the respite care grant I have outlined are in line with this recommendation.

Another recommendation in the report relates to improvements in the information available to carers. In this regard, funding of €18,000 has been provided to the Carers Association towards the publication and distribution of a new information pack to provide information about services and supports for carers and their families. I understand that the association is in the process of developing this pack. In addition, my Department embarked on a nationwide campaign to increase awareness of carer's benefit and carer's leave arrangements towards the end of last year.

The Equality Authority has convened an advisory committee to prepare a report on implementing equality for carers. My Department is represented on this committee which is exploring a range of issues and key directions for change. One of these relates to a work-life balance for carers which would enable carers to combine caring and employment.

My officials are currently examining proposals to accommodate certain patterns of care-sharing which would allow carers to combine the provision of care to a person who requires full-time care and attention and participation in the labour force. I will keep the House informed of any developments in this area.

With regard to the Carers Association's call for an increase in carers payments from my Department to the equivalent of salaries paid to health workers, the carer's allowance and carer's benefit paid by my Department are income support payments rather than payments for caring and are related to other payments within the social welfare system.

[Mr. Brennan.]

I am always prepared to consider changes to existing arrangements where these would be for the benefit of recipients and financially sustainable within the resources available to me. In this context, I will continue to review the issues raised by the Oireachtas Joint Committee on Social and Family Affairs, the Equality Authority and by carers' representative groups.

Departmental Programmes.

89. **Mr. Stanton** asked the Minister for Social and Family Affairs the estimate provided in 2004 for the school meals community programme; the amount expended in 2004; the number of schools and pupils involved; the number of primary and second level schools, respectively; and if he will make a statement on the matter. [11738/05]

Minister for Social and Family Affairs (Mr. Brennan): The school meals programme operated by my Department gives funding towards provision of food services for disadvantaged school children through two schemes. The first is the long-standing statutory urban school meals scheme, currently operated by 36 local authorities. The Department jointly funds the food costs with these local authorities, which also manage and fund the administration of the scheme. The second is the school meals local projects scheme, through which funding is provided by my Department to participating schools and voluntary community groups in urban and rural areas for specific school meals projects. This has recently been expanded to include pre-schools that are community based and which operate on a not-for-profit basis.

In the case of these local projects, my Department funds the food costs based on a rate per meal per child. The type and range of meals provided, as well as the method and logistics of supplying the meals, are decided by the individual local groups and schools that operate the projects.

The amount of funding allocated to a project depends on the type and number of meals provided. The 2004 Vote provision to my Department for the school meals programme was €6.08 million in total — €4.95 million for the school projects and €1.13 million towards the urban school meals scheme operated by the participating local authorities. In 2004 some 41,300 children benefited in 451 schools — 124 secondary schools and 327 primary schools — under the local projects scheme at a cost of €3.56 million. The urban scheme provided meals support for 386 primary schools, covering 50,817 pupils, at a cost to my Department of €1.09 million. Local authorities contributed a matching amount, and met the administrative costs involved in that scheme.

The school meals programme aims to provide regular nutritious food to children to help improve their daily diet. It is an important component of policies to encourage school attendance and educational achievement by the chil-

dren, particularly those from the most disadvantaged backgrounds.

Under its programme of expenditure reviews, my Department completed a review of the school meals scheme in 2003. The review group recommended that a new scheme called the school food programme should be established, targeting secondary schools with the highest concentrations of pupils at risk of early school-leaving and their feeder primary schools. Given the scale of this initiative, the group recommended that the new programme should be phased in, targeting the most disadvantaged areas initially. In this regard the Department of Education and Science is using its schools completion programme and giving children an even break initiative to encourage the introduction and extension of school meals projects. My Department is also looking at additional ways of promoting the programme.

Social Welfare Code.

90. **Mr. Gogarty** asked the Minister for Social and Family Affairs if his Department has carried out any research on the *de facto* wage penalty imposed on mothers who work part-time; and if he will make a statement on the matter. [11809/05]

Minister for Social and Family Affairs (Mr. Brennan): I understand the Deputy is referring to a draft paper co-written by a researcher in the ESRI entitled *Paying the Price for Reconciling Work and Family Life* — comparing the wage penalty for mother's part-time work in Britain, Germany and the United States. I have no plans to commission research in this area but my Department will consider the issues raised in the context of its ongoing research contract with the ESRI.

Many of the issues on which the report is focused, namely taxation, maternity and parental leave, child care, working time legislation and school hours, are outside the remit of my Department. The issues of relevance for my Department include, in particular, the position of social welfare recipients where their spouse-partners engage in employment.

Where a person is in receipt of a social welfare payment, an increase may be paid in respect of a spouse or partner where she or he is considered to be mainly dependent on the social welfare recipient.

Where the spouse or partner engages in employment, she or he may earn up to €88.88 per week without this qualified adult increase being affected. In the majority of social welfare schemes, the increase is then withdrawn on a tapered, or gradual, basis where the person's spouse-partner is earning between €88.88 and €220 per week. Since this Government came into office, a number of changes to these tapered arrangements have been introduced with a view to ensuring that the impact of increases in earnings are not negated for families where the spouse is the sole earner and is in low paid employment. First,

the range of income over which the qualified adult increase is withdrawn has been progressively extended. Second, provision was made for the deferral of the loss of half the child dependent allowance, CDA, until the earnings of the spouse-partner exceeds the upper bound of the income range. In addition, the qualified adult weekly rates have been increased annually in each budget package.

A spouse-partner's income is also taken into account in means tested social assistance schemes, an amount — depending on the level of employment — of weekly earnings from insurable employment being disregarded for means assessment purposes. A further 50% of the spouse-partner's remaining net pay is also disregarded across the majority of schemes.

One of the Department's principal in-work income supports is family income supplement, paid to both one and two-parent families, for parents in low income employment. The aim of the scheme is to preserve the incentive to take up or remain in employment in circumstances where the employee might otherwise only be marginally better off than if he or she were claiming other social welfare payments. It applies where a parent, or a combination of both parents, is employed for a minimum of 38 hours per fortnight and where overall weekly income is below a specified threshold, which increases according to the number of dependent children in the family. The number of persons currently in receipt of family income supplement is 15,040 with an average weekly payment of €93.54.

In addition, child benefit is paid to all families with children. This is an employment-neutral, tax free, non-means tested monthly cash payment, therefore it is not affected by a change in the level of employment or parental earnings. Current monthly child benefit rates are €141.60 in respect of each of the first two children and €177.30 in respect of the third and subsequent children.

91. **Mr. Durkan** asked the Minister for Social and Family Affairs of the 16 social welfare cuts introduced by his predecessor, which have been discontinued; and if he will make a statement on the matter. [11877/05]

Minister for Social and Family Affairs (Mr. Brennan): Late last year, I conducted a review of the measures announced in November 2003 to assess their impact on affected people. During the course of that review I listened to the views expressed by members of this House, by the social partners and by voluntary groups and others I have met since becoming Minister for Social and Family Affairs.

On budget day, I announced new arrangements and the position now is as follows. The qualifying period for the back to education allowance is being reduced from 15 months to 12 months in September and, in addition, the cost of education allowance is being increased by €254 to €400. The transitional payment for recipients of one parent family payment has been restored and is now be

available for a period of six months where a recipient's income exceeds €293 per week. The income limit for entitlement to half-rate child dependant allowances for unemployment, disability and related schemes has been increased since last January by €50 per week to €350.

The saving of €700,000 arising from last year's MABS supplement measure has been redirected to the money advice and budgeting service to enable it to further develop its services. A total of €2.3 million, an amount equivalent to the savings achieved by the discontinuation of crèche supplements, is now being made available to ensure that vulnerable families can continue to have access to crèche supports, for example, in cases where a social worker or public health nurse deems this necessary as part of his or her work with the family. I am consulting my colleagues, the Tánaiste and Minister for Health and Children and the Minister for Justice, Equality and Law Reform about the most appropriate way to channel this funding. An additional €2 million has been made available to improve the diet supplement arrangements.

Some €19 million in funding from the rent supplement scheme has been transferred to the local authorities as an initial measure to enable them to put long-term housing solutions in place. The six months rule for entitlement to rent supplement has been amended in order to ensure that bona fide tenants who experience a change of circumstances are not disadvantaged, for example, if they become ill or unemployed within six months of renting. Rent supplement now remains in payment unless a third offer of local authority accommodation has been refused. I did not raise the minimum contribution for rent supplement this year.

In addition, the measure relating to half-rate payments for widows and widowers and allied payments was amended earlier last year.

The full year cost of all of the measures I have outlined is €36 million in a full year.

92. **Mr. Stagg** asked the Minister for Social and Family Affairs if his attention has been drawn to the announcement by the British Chancellor of the Exchequer, in his recent statement, of the decision to grant free local travel to pensioners; if he will enter into negotiations with the British authorities on a possible reciprocal arrangement to allow pensioners in each jurisdiction to benefit from free travel, particularly in view of the recommendations of the task force on policy regarding emigrants; and if he will make a statement on the matter. [11839/05]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years or over. It is also available to carers and to people with disabilities who are in receipt of certain social welfare payments. It applies to travel within the State and cross-Border journeys between here and Northern Ireland.

[Mr. Brennan.]

There have been a number of proposals for extending entitlement for free travel to people living outside Ireland, including a proposal contained in the report of the task force on policy regarding emigrants, which was submitted to the Minister for Foreign Affairs in 2002.

Extending the scheme to visitors from other countries would have significant administrative and cost implications even if such an extension were confined to persons in receipt of Irish social welfare pensions. In 2000, it was estimated, for example, that the extension of the free travel scheme to EU pensioners could involve additional expenditure of the order of €10 million to €19 million, depending on the level of concession granted.

In respect of making free travel available to UK-based pensioners, apart from the cost and administrative implications, the legal implications arising from the prohibition of discrimination against pensioners of other EU member states would also have to be taken into account. If the scheme were extended along the lines suggested, it is likely that it would have to be extended to all pensioners who are EU nationals coming to Ireland for temporary stays. Such an extension would have to be considered in a budgetary context, taking account of other requests for extension of the free travel scheme. However, I am mindful that this matter has been raised in the House on a number of occasions recently and I am continuing my examination of the issues involved.

The Government is, in any event, committed to the introduction of a system of all-Ireland free travel for pensioners and other eligible categories of social welfare recipients, to enable pass holders to make onward journeys free of charge in each jurisdiction. Discussions are ongoing with the relevant authorities to progress this issue.

Tax and Social Welfare Codes.

93. **Mr. Curran** asked the Minister for Social and Family Affairs if he will examine the way in which a closer integrated system may be established between the Revenue Commissioners and the Department of Social and Family Affairs to ensure that overpayments to means tested social welfare recipients are minimised. [7071/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department liaises on an ongoing basis with the Revenue Commissioners at national and local level. Section 222(1) of the Social Welfare Consolidation Act 1998 provides specifically for the sharing of data between my Department and the Revenue Commissioners.

The Revenue Commissioners provide my Department with details of individual earnings at the end of each year and with information regarding to commencement of employments. Since 1997, my Department matches the commencement of employment data on a monthly basis against the social welfare payment systems to

identify cases where there is a possible overlap between the employment period and the period in respect of which the social welfare payment is made. Inquiries are then made with employers, as appropriate, and cases requiring follow-up action are referred to local offices, scheme sections, social welfare inspectors or health boards for investigation, including the assessment of any overpayments arising and consideration for prosecution. In 2004, arising from this data-matching exercise, 24,800 cases were referred for investigation. All recipients of social welfare payments are required to inform my Department of any changes in their circumstances, including earnings, which could affect their entitlements. Customers are notified at the initial claim stage of this requirement. In addition, this obligation is printed on the cover of personalised payable order books for customers receiving long-term payments, such as pensioners and one-parent families.

In the case of unemployment assistance, customers sign a monthly declaration that there has been no change in their circumstances and undertake to notify my Department of any such changes.

My Department takes other opportunities to inform customers of the need to notify any changes in their circumstances, for example, in our customer charter, which is on display in public offices and is available on my Department's website. From time to time mailshots are sent to customers reminding them of the requirement to notify any changes in their circumstances, including changes in means. Customers receiving means related payments should also inform social welfare inspectors of means changes when their cases are being reviewed.

Any person who fails to comply with the requirement to notify my Department of changes in circumstances, including means, is guilty of an offence under the Social Welfare Acts. Such a person may be prosecuted and, on summary conviction, be liable to a fine up to a maximum of €1,270 and/or imprisonment for a period not exceeding 12 months.

Social Insurance.

94. **Mr. Stanton** asked the Minister for Social and Family Affairs his plans to introduce the sickness allowance as legislated for in the Social Welfare Act 1997; and if he will make a statement on the matter. [11902/05]

Minister for Social and Family Affairs (Mr. Brennan): The social insurance system provides income support to those who are incapable of work due to illness and who have made the required number of contributions to the social insurance fund. This support is provided primarily through the disability benefit and invalidity pension schemes.

For those persons without the required number of social insurance contributions, income support for long-term incapacity is provided through the

disability allowance, DA, scheme. This scheme was introduced following the transfer of responsibility for the disabled persons maintenance allowance scheme from the health boards to my Department in October 1996. For those without the required social insurance record, income support needs for periods of short-term temporary illness are catered for through the supplementary welfare allowance, SWA, scheme.

Following the introduction of the DA scheme in October 1996, the question of introducing a social assistance payment for periods of temporary illness was considered and the Social Welfare Act 1997 provided for the introduction of a sickness allowance scheme. The broad outline of the scheme was provided for in the Act, with the details of the scheme to be provided for in regulations.

In the event, it was decided to postpone the introduction of any such scheme pending a more fundamental review of the overall system of income maintenance payments for people who are ill and people with disabilities. This review took place as part of the Government's expenditure review initiative. The review concluded that there would be no financial gain for clients and indeed potential disimprovements in service for some clients in the event of the introduction of a separate sickness allowance scheme.

This could occur because of the need, in the context of a sickness allowance scheme, for a waiting period for some groups, in particular persons in self-employment. Furthermore, as SWA is currently paid at the same rate, as would have applied to sickness allowance, there would be no financial advantage in the proposed scheme in such circumstances.

The group concluded that the current arrangements for dealing with the social assistance needs of those who are short-term ill and disabled should continue to apply. It is not proposed therefore to proceed with the introduction of a scheme on the lines proposed.

Pension Provisions.

95. **Mr. O'Shea** asked the Minister for Social and Family Affairs the number of persons currently in receipt of a State pension; the implications for pension policy of the changing age structure of the Irish population; his Department's assessment of the number of persons likely to be in receipt of State pensions in ten years' time and 20 years' time; and the provisions which are now being made in that regard; and if he will make a statement on the matter. [11846/05]

Minister for Social and Family Affairs (Mr. Brennan): At the end of March 2005, there were 208,050 people receiving an old age contributory or retirement pension and 84,878 receiving an old age non-contributory pension. An actuarial review of the social insurance fund, undertaken on behalf of my Department in 2002, projected that the number of recipients of old age contribu-

tory and retirement pensions will increase to 255,000 by 2011 and 321,000 by 2016. The increase will, to some extent, be balanced by a reduction in the number of people receiving an old age non-contributory pension. The numbers receiving this pension have declined by over 20% in the last ten years which reflects improved social insurance coverage and increased labour force participation, particularly among women.

In common with other European countries, the population of Ireland is ageing as a result of a combination of increasing life expectancy and a declining birth rate. The decline in the birth rate is relatively recent and this, coupled with the effects of high emigration for much of the period up to the 1990s, has resulted in Ireland having the lowest proportion of older people in the EU with 11.2% aged 65 and over, compared to the current EU average of 16.1%.

The proportion of older people in Ireland will remain at broadly the same level for the next ten years after which it is projected to increase rapidly to 15% in 2021, 19% in 2031 and 28% in 2056. A similar situation exists in respect of the number of pensioners relative to the number at work.

Ageing, therefore, presents the same challenge to Ireland in meeting growing pension costs as to other countries except that we have a longer period to prepare for its full impact. The population projections suggest that no special measures are required in the timescale envisaged by the Deputy. However, the Government is making preparations, through the national pensions reserve fund, to part-fund state pensions costs from 2025 onwards.

Pensions have been an important issue at EU level in recent years. This is not surprising given that the challenges facing pensions systems are more immediate for other member states. The EU has assessed national pensions systems under the agreed objectives of adequacy, financial sustainability and modernisation. In this regard, a joint EU Commission and Council report, published in 2003, considered that Ireland has made good progress in ensuring both the financial sustainability and adequacy of our pensions system.

The report concluded that our system appears to be, in broad terms, financially sustainable despite projected major increases in future pensions expenditure. The situation will be kept under review.

Questions Nos. 96 and 97 answered with Question No. 81.

Social Welfare Code.

98. **Mr. P. McGrath** asked the Minister for Social and Family Affairs if and when he intends to introduce new regulations for the diet supplement; and if he will make a statement on the matter. [11894/05]

Minister for Social and Family Affairs (Mr. Brennan): Diet supplements are provided

[Mr. Brennan.] through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive.

Any person who is receiving a social welfare or Health Service Executive payment, who has been prescribed a special diet as a result of a specified medical condition and who is unable to provide for his or her food needs from within his or her own resources, may qualify for a diet supplement under the supplementary welfare allowance scheme.

Diet supplements are subject to a means test. The amount of supplement payable in individual cases depends on which of two categories of diet — low cost or high cost — has been prescribed by the applicant's medical adviser and the income of the individual and his or her dependants.

The basis for calculating the amount of diet supplement remained unchanged between 1996 and 2004. Increases in social welfare rates and in the cost of special diets since 1996 had not been taken into account in assessing entitlement in individual cases.

With effect from 1 January 2004, the diet supplement scheme was restructured to take account of increases in both social welfare payment rates and the rate of food inflation since 1996. In the case of new applicants for diet supplement the amount of supplement payable is based on increased up to date diet costs, €44 for lower cost diets or €57 for higher cost diets, less one third of the applicant's income or one sixth of the joint income in the case of a couple.

Due to the fact that increases in the social welfare payment rates were higher than inflation since 1996, the shortfall to be met by diet supplement is less than what it was in the past. People who were in receipt of a diet supplement prior to the introduction of the revised regulations on 1 January 2004 continue to receive their existing rate of supplement until such time as there is a change in their circumstances that would warrant a review of their cases. Pending any changes I will make to the scheme, similar arrangements continue to apply this year for existing and new cases, taking account of 2005 rates of social welfare payments.

In order to inform future consideration of the scheme, my Department commissioned a study by an expert from the Irish Nutrition and Dietetic Institute. The study examined the special diets prescribed in legislation for which assistance is available through the existing diet supplement scheme.

The study also considered the appropriate level of assistance required to cater for any additional costs involved in providing for necessary special diets relative to the cost of a normal healthy diet.

The findings of this research study have been assessed by my Department to determine how the diet supplement scheme should be developed. I announced in budget 2005 that improvements would be made in the context of the study and a

provision of up to €2 million has been provided to facilitate this. I will introduce regulations to update the scheme as necessary as soon as the revised diet supplement amounts and how they will be applied have been finalised based on the study recommendations. My Department is making arrangements also to publish the research study shortly. In the meantime, diet supplements continue to be provided for existing recipients and new applicants as heretofore.

Social Welfare Benefits.

99. **Mr. Quinn** asked the Minister for Social and Family Affairs the number of persons currently in receipt of family income supplement and the average payment made; his plans to promote greater awareness of FIS; if there is any co-ordination with the Revenue Commissioners with a view to identifying those who may qualify for FIS but who may not be claiming it; and if he will make a statement on the matter. [11850/05]

Minister for Social and Family Affairs (Mr. Brennan): Family income supplement is designed to provide cash support for employees on low earnings with families. This preserves the incentive to remain in employment in circumstances where the employee might otherwise only be marginally better off than if he or she were claiming other social welfare payments.

The number of persons currently in receipt of family income supplement is 15,040 with an average weekly payment of €93.54. Improvements to the family income supplement scheme, including the assessment of FIS on the basis of net rather than gross income and the progressive increases in the income limits, have made it easier for lower income households to qualify under the scheme.

My Department undertakes a number of proactive measures to ensure that people are aware of possible entitlement to FIS, which include advising all newly awarded one parent family payment recipients, advising all employers annually in PRSI mailshots and examining entitlement in all awarded back to work allowance cases. Information on FIS is contained in all child benefit books and can be accessed on the Department's website. In addition, the scheme has been extensively advertised through local and national media outlets, including newspapers and radio, as well as through poster campaigns and targeted mailshots.

A working group, chaired by the Department of Finance, was established to examine the role which refundable tax credits could play in the tax and welfare system, including the possible payment of FIS through the tax system. While the group's final report is awaited, I understand that the principal recommendation regarding FIS is likely to be to continue payment through the social welfare system while maximising efforts to increase take-up.

Every effort will continue to be made to publicise family income supplement and to increase

people's awareness of their social welfare entitlements generally.

Anti-Poverty Strategy.

100. **Mr. Howlin** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent report produced by the Community Platform that national partnership is not meeting the needs of those living in poverty; his views on the findings of the Community Platform; and if he will make a statement on the matter. [11835/05]

Minister for Social and Family Affairs (Mr. Brennan): The report, to which the Deputy refers is, I understand, the Community Platform's mid-term review of the Sustaining Progress agreement.

As Minister with overall responsibility for the national action plan against poverty and social exclusion, I could not agree with the platform's assertion that national partnership is not meeting the needs of people living in poverty. The Deputy will be aware that Sustaining Progress and the national action plan against poverty and social exclusion are complementary strategic initiatives aimed at delivering a fair and inclusive society to all citizens.

Between 2001 and 2005 spending on social welfare has increased from €7.8 billion to €12.2 billion. During the same period the lowest social welfare rates have increased by 40% while the consumer price index has increased by just over 13%. As a result of budget 2005, welfare payments have increased by three times the expected rate of inflation.

Over the lifetime of this Government substantial increases have been introduced under my Department's child benefit scheme, as a key element of our drive to combat child poverty. Between 1997 and April 2005, the rate of child benefit has risen from €38.09 per month for the first two children and €49.52 for each child thereafter to €141.60 per month for each of the first two children and to €177.30 per month for the third and each subsequent child. There have also been significant improvements in my Department's family income supplement scheme including the assessment of entitlements on the basis of net rather than gross income and progressive increases in the income limits. It must be further emphasised that all this is happening against the backdrop of Ireland having now achieved the lowest unemployment rates in the EU at 4.4%.

Poverty is a multidimensional problem, requiring actions across a wide range of policy areas if it is to be tackled decisively. In addition to income supports, the national action plan sets ambitious targets across a range of other policy areas, including employment, health, education, housing and accommodation, all of which impact on poverty and social exclusion.

Social inclusion commitments under Sustaining Progress, in particular many of the special initiatives to be progressed during the lifetime of the

agreement, have added a strong impetus to the NAPS process. For example, as a result of the ending child poverty initiative for which my Department has lead responsibility, a number of specific actions have been introduced or are currently being progressed.

In order to address the situation of those children most at risk of poverty, I am giving serious consideration to the introduction of a second tier of supports, in addition to the child benefit and other support entitlements, aimed specifically at families in greatest need. Linked to this particularly are the vulnerable circumstances of many lone parents, who are mostly women. The existing support systems will be scrutinised over the coming months and changes considered to better reflect the needs of this group. My Department is also participating in an interdepartmental working group on early child care and education, chaired by the National Children's Office. The work of this committee is at an advanced stage and the outcome will make an important contribution to finding the right mix of services and income support to facilitate employment take-up and care for children. My Department is also involved in efforts to develop a strategy to eliminate obstacles to employment for lone parents.

There has been substantial social partnership involvement in the development and ongoing implementation of the national anti-poverty strategy and the current national action plan against poverty and social exclusion. The social partners are represented on the NAPS social inclusion consultative group, which, along with other institutional structures, supports the implementation, monitoring and evaluation of the national action plan.

Family Support Services.

101. **Mr. Timmins** asked the Minister for Social and Family Affairs the assistance which is available to persons who experience difficulties with funeral expenses; and if he will make a statement on the matter. [11947/05]

Minister for Social and Family Affairs (Mr. Brennan): There are a number of schemes within the social welfare system to assist families in dealing with death and funeral expenses.

A bereavement grant based on PRSI contributions is a payment designed to assist families in dealing with death and funeral expenses. It amounts to €635 and is paid by cheque to the husband, wife, next of kin or personal representative of the deceased or to the person responsible for the payment of the funeral bill.

The widowed parent's grant is designed to assist with the income support needs of widows and widowers with dependent children in the immediate aftermath of a bereavement. It is payable to widows and widowers with dependent children who qualify for a widow or widower's contributory pension or a one-parent family payment or a bereavement grant.

[Mr. Brennan.]

A qualified child for the purpose of the grant is a child under 18 years or a child between the ages of 18 and 22 years who is in full-time education. The rate of the widowed parent's grant increased to €2,700 from December 2003.

My Department also operates a scheme of payment for six weeks after death which is payable, in most cases, to the qualified adult of claimants of contributory and non-contributory social welfare payments. The payment is generally made in a lump sum by cheque when the bereaved person produces a death certificate and funeral bill or funeral notice.

In addition to the payments available directly from my Department, the supplementary welfare allowance, which is administered on my behalf by the community welfare division of the Health Service Executive, provides for a single payment to be made to help meet essential, once-off exceptional expenditure, which a person could not reasonably be expected to meet out of his or her weekly income.

These payments, known as exceptional needs payments, may be made towards funeral expenses where it is established that there is an inability to meet the costs by the family concerned.

The Family Support Agency, which operates under the aegis of my Department, administers a scheme of grants to voluntary organisations to assist with the provision of specialist counselling and support services for bereaved people.

Overall, I believe these schemes and services represent a reasonably comprehensive and effective range of supports for the needs — financial and otherwise — of families in the aftermath of bereavement.

Anti-Poverty Strategy.

102. **Mr. Howlin** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent study produced by the EU Commission, the Report on Gender Equality Between Men and Women, which found that Irish women were at greater risk of poverty than any of their EU counterparts; the steps he intends to take to deal with the problem of women and poverty; and if he will make a statement on the matter. [11836/05]

Minister for Social and Family Affairs (Mr. Brennan): The Deputy is referring to the EU Commission's second annual report on equality between men and women, which was published last February. At the spring European Council in March 2003, EU Heads of State and Government asked the Commission to report annually on developments towards gender equality.

This second report covers a range of issues including gender gaps in employment, part-time employment and unemployment rates, educational attainment, lifelong learning, working hours and elected representation in national parliaments, in addition to risk of poverty rates. In general, Ireland is reported at average, or above

average, against its EU counterparts in most of these areas. Our success in recent years in reducing unemployment levels for both men and women places us second overall on this measure and we also fare well in respect of reported levels of educational attainment for both men and women. However, I share the Deputy's concern about the reported level of women identified as being at risk of poverty in Ireland. The at risk of poverty measure is based on the percentage of persons below the income threshold of 60% of median income. The recent EU survey on income and living conditions, EU-SILC, reported that the rate for women was 23.4% in 2003 with lone parent households and older women living alone being the highest risk groups.

There are a number of factors which contribute to the relatively high "at risk of poverty" rate. There have been very significant increases in average incomes in recent years, and, in particular, a growth in two income households. International research has shown that, on average, the risk of poverty in two income households is less than 4%. However, despite significant increases in social welfare rates, the incomes of those not in employment have lagged behind those in employment, especially those in households with two incomes. Lone parents and older women living alone would be particularly dependent on social welfare income support.

The current national action plan against poverty and social exclusion specifically targets women as one of a number of groups who are particularly vulnerable to poverty and social exclusion, with a view to reducing or eliminating their risk and incidence of poverty and improving their access to services such as health care, education and employment. This plan includes specific targets in relation to women which include: income supports for lone parents, pensioners and their spouses; significant improvements in child benefit rates; improved participation by women in employment; and actions to address obstacles to employment and the gender pay gap. Access to services and gender mainstreaming are also covered by targets and objectives in the national action plan.

In addition to the above, a number of specific initiatives are under way under Sustaining Progress which will impact positively on women and families. A study is being carried out by the NESC on amalgamating social welfare child dependant allowances with family income supplement payments in an effort to channel extra resources to low income families without creating disincentives to employment. A sub-group of the senior officials group on social inclusion has commenced examining all obstacles to employment for lone parent families, the majority of whom are women. My Department is also participating in an interdepartmental working group on early child care and education, chaired by the National Children's Office.

The work of this committee is at an advanced stage and the outcome will make an important

contribution to finding the right mix of services and income support to facilitate employment take-up and care for children. A national women's strategy is being developed under the chairmanship of the Department of Justice, Equality and Law Reform and my Department is taking an active role on issues relating to poverty and social exclusion.

This Government is committed to continuing efforts to alleviate poverty, especially for those who cannot work and have not been in a position to benefit from the employment opportunities afforded by high economic growth. During the period 2001 to 2005, the lowest social welfare rates increased by 40% and child benefit rates increased by 65%, while the consumer price index has increased by just over 13%.

Child Care Policy.

103. **Mr. P. Breen** asked the Minister for Social and Family Affairs further to his comments in a newspaper (details supplied) regarding payments to grandparents for child care, if his Department's attention has been drawn to the number of grandparents currently involved in child care duties of their grandchildren; the number of grandparents he would expect to avail of this payment system if it were introduced; the amount he might consider paying each grandparent; the cost of the suggested payments to the State per annum; and if he will make a statement on the matter. [11889/05]

108. **Mr. P. Breen** asked the Minister for Social and Family Affairs when he expects the review of national child care policy to be completed; the persons carrying out the review; the Departments involved in the review; when he expects findings of the review to be made available; and if he will make a statement on the matter. [11890/05]

138. **Mr. Allen** asked the Minister for Social and Family Affairs further to his comments in a newspaper (details supplied), the way in which a possible payment system for child care by relatives such as grandparents would be implemented; if this would require primary legislation; if this payment would be means tested as with the carer's allowance; and if he will make a statement on the matter. [11888/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 103, 108 and 138 together.

Parents have the main responsibility for the care of their children. They may need to get others to share the caring role if a parent wishes to take up employment to maintain or improve their standard of living. This may be particularly necessary for lone parents.

Formal child care arrangements, responsibility for the development of which is a matter for my colleague, the Minister for Justice, Equality and Law Reform, have a key role in providing child care, but it may be some time before the necessary capacity can be built up to meet the growing need for an affordable, quality and flexible ser-

vice. While this capacity is being built up, many parents will continue to need to have recourse to more informal arrangements. These would include the provision of care by other family members, including grandparents.

The senior officials group on social inclusion is co-ordinating a review of current provision for child care at the request of the Cabinet committee on social inclusion. A high level group on early childhood education and care, chaired by the National Children's Office in the Department of Health and Children has been tasked with defining a policy in respect of more formal child care and early education and clarifying departmental responsibilities and co-ordination in this area. Due to the cross-cutting nature of this issue a number of Departments are represented on this committee.

Second, a high-level steering group appointed by the senior officials group on social exclusion and chaired by the Department of the Taoiseach, is looking at the obstacles to employment faced by lone parents from the perspective of ending child poverty, an initiative under Sustaining Progress. One of the key issues being addressed by this group is the adequacy of child care provision for lone parents, in terms of quality, affordability and availability. My Department is represented at a senior level on both groups. It is my hope that both will be in a position to report to the Cabinet committee on social exclusion later this year.

One of the outcomes of the current social changes affecting families is the changing role of grandparents. In some instances they may have a greater involvement in caring for their grandchildren than they would have expected, in order to assist their children in reconciling work and family life. The valuable and valued contribution which grandparents make in this area may benefit from more formal recognition and support.

I have, therefore, asked that the full implications of providing such recognition and support be examined in the context of the relevant policy reviews, mentioned above, which are currently taking place.

Anti-Poverty Strategy.

104. **Mr. English** asked the Minister for Social and Family Affairs if his Department is on target to achieve its NAP-inclusion target of setting child benefit and child dependant allowance at between 33% and 35% of the minimum adult social welfare payment by 2007, as outlined in the national action plan against poverty and social exclusion (details supplied); and if he will make a statement on the matter. [11914/05]

Minister for Social and Family Affairs (Mr. Brennan): The Deputy is referring to the target in the national action plan against poverty and social exclusion to increase the lowest social welfare rates to €150 per week — in 2002 terms — by 2007 and to set the appropriate equivalence level of child income support — child benefit and

[Mr. Brennan.]
child dependent allowances combined — at 33% to 35% of the adult rates.

We remain on target to achieve this objective. In budget 2005, the lowest rates of social welfare were increased by €14 per week to €148.80 while the rates of child benefit were increased by €10 per month for the first two children and by €12 per month for the third and subsequent children. The new child benefit rates, which came into effect this month, are €141.60 and €177.30 per month, respectively.

The equivalent level of child income support — combining child benefit and child dependant allowances — now stand at 33.3% of the lowest social welfare rate for those receiving the lower rate of child benefit and 38.8% for those on the higher rate.

Social Welfare Benefits.

105. **Mr. Bruton** asked the Minister for Social and Family Affairs if his Department has research which gives an indication of the number of persons currently receiving payments through methods other than electronic funds transfer, who will change payment methods to EFT; the savings per annum his Department will make by this change of payment method; and if he will make a statement on the matter. [11905/05]

151. **Mr. Bruton** asked the Minister for Social and Family Affairs when he expects the review of his Department's payment methods to be complete; if the views of social welfare recipients will be taken into account throughout the review process; when he expects the findings of the review to be made available; and if he will make a statement on the matter. [11904/05]

156. **Mr. Penrose** asked the Minister for Social and Family Affairs the way in which and the person by whom the proposed comprehensive review of his Department's method of payments will be undertaken; if his attention has been drawn to fear among recipients that the review will lead to pressure on them to open bank accounts; if his Department's customers will not be subjected to any undue pressure to opt for bank payments and will not suffer any losses if they do; and if he will make a statement on the matter. [11823/05]

159. **Mr. Broughan** asked the Minister for Social and Family Affairs the amount paid to An Post by his Department for handling social welfare payments; if he has had any discussion with the Department of Communications, Marine and Natural Resources on the potential impact for the post office system of making payments directly into banks; and if he will make a statement on the matter. [11825/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 105, 151, 156 and 159 together.

In the context of developing my Department's payment delivery systems, there are a number of important elements which must be taken into

account. One of these is the fact that a wider range of payment options is now available which provides convenient and flexible access to payments for customers. It is Government policy to facilitate the greater use of electronic payment systems in the economy in the interests of developing a world class payments environment in Ireland.

Current payment methods include payment at post offices by means a pension order books, 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.

Some 58% of customers currently receive payment through their local post office, 10% are paid by cheque through the postal system — mainly short-term schemes — and 32% receive direct electronic payment through their bank or building society account.

My objective 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.

The main issues which arise in this regard are the large numbers currently paid by non-electronic means, the proportion of customers who do not have access to a bank account and the position of An Post as a major supplier of non-electronic payment services to the Department. It is a matter for each customer to choose whichever payment method is most suited to his or her needs.

The comprehensive review of my Department's payment methods which I announced recently is being undertaken within my Department with some external consultancy assistance. It is envisaged that the review will be completed by the end of this year.

My Department has not undertaken any research on the migration of customers from current payment methods to any new payment method and it would be premature to do so until the review of payment methods is complete. The views of social welfare customers on the likely take-up of different payment methods, both current and into the future, will be taken into account in the context of any future development of payments systems.

As regards to costs, my Department incurs an average cost of €1.24 for each payment made through the post office network which amounts to an annual payment to An Post of in excess of €48 million based on current transactions levels. There is no cost to my Department in respect of direct payments lodged to a customer's bank or building society account.

The increased use of electronic systems opens up possibilities for improved service and greater efficiency in payment delivery generally in the future. I am aware that An Post is actively engaged in considering these possibilities and its 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. I have already met my colleague on this matter and I will continue to liaise with him as appropriate.

Anti-Poverty Strategy.

106. **Mr. Sargent** asked the Minister for Social and Family Affairs if he is excluding children of refugees and asylum seekers from his plans to alleviate child poverty; if, alternatively, he will be providing them with the same allowances as other children; and if he will make a statement on the matter. [11816/05]

Minister for Social and Family Affairs (Mr. Brennan): The overall objectives behind the provision of child income support are twofold, namely, to bring about an improvement in the relative overall position of families with children compared with single persons or childless couples — horizontal equity — and to eliminate child poverty.

While a number of social welfare financial supports have an additional child-rearing dimension, for example, the one parent family payment, the back to school clothing and footwear allowance and the child-related income disregard in the farm assist means assessment, the three principal child income support payments are: child benefit, a monthly payment made in respect of all children; child dependant allowance, an increase paid to social welfare recipients in respect of dependent children; and family income supplement, a weekly payment made to low paid employees with children.

Child benefit is a payment to parents, usually the mother, for the support of their children. It is paid monthly in respect of each qualified child. There are no PRSI conditions and it is not means tested or taxable. Child benefit is paid to over 500,000 families in respect of almost 1.1 million children. The current rate of child benefit is €141.60 for each of the first two children and €177.30 for the third and subsequent children.

Child dependant allowance is an additional payment made to social welfare recipients in respect of each eligible child dependant. It is paid at one of three weekly rates, €16.80, €19.30, or €21.60 across the majority of social welfare schemes. Half-rate allowance is paid where the spouse-partner of the recipient is in receipt of a social welfare payment or where she or he has earnings in excess of a prescribed amount. Allowances at full rate are paid in respect of 264,000 children of social welfare recipients, while a further 93,000 half-rate payments are made.

Family income support, FIS, is a non-taxable, in-work income support for low-income employees with families. To qualify for FIS, a family must have at least one qualified child, a combined total of at least 38 hours employment,

other than self-employment, per fortnight and have earnings below the specified income limits.

Since 1 May 2004, a new eligibility requirement, known as the habitual residence condition, has applied to social assistance payments and child benefit. This condition does not apply to qualification for contribution-based social insurance payments, or to family income supplement. The habitual residence condition is designed to safeguard the social welfare system by restricting access to social assistance and child benefit payments for people from other countries who have little or no connection with Ireland. All persons claiming welfare payments, including nationals of the new EU member states who applied for relevant payments after 1 May, are subject to the habitual residence condition. People who fail to satisfy this condition are offered the option of being referred to the Reception and Integration Agency, RIA, of the Department of Justice, Equality and Law Reform which facilitates their departure home and provides full board accommodation pending departure.

Following on a commitment made in the partnership agreement, Sustaining Progress, the National Economic and Social Council, NESC, is undertaking a review of child income support and in particular considering the possible merging of family income supplement and child dependant allowances into a second-tier child income support payment. I look forward to receiving this report later in 2005. The issue of any new child income support payment to tackle child poverty and whether the habitual residence condition should apply would be considered at that time.

Employment Support Services.

107. **Mr. Connaughton** asked the Minister for Social and Family Affairs further to his comments in newspapers (details supplied) when he expects recruitment and training to be completed for personal advisers and counsellors for lone parents as part of his Department's drive to improve services to lone parents; when access to these persons will be available to lone parents in each of the 52 local welfare offices; and if he will make a statement on the matter. [11906/05]

142. **Mr. Connaughton** asked the Minister for Social and Family Affairs further to his comments in a newspaper (details supplied), if the 30 officials who are already trained to provide advice for lone parents are providing advice and counselling services to lone parents; if so, the locations at which they are based; if not, when will they begin providing these services; and if he will make a statement on the matter. [11907/05]

147. **Ms Burton** asked the Minister for Social and Family Affairs if he will elaborate on his reported plan to allocate personal advisers to lone parents to give them a better opportunity to enter the workforce or the education system; the way in which the proposed system will work; and if he will make a statement on the matter. [11828/05]

157. **Mr. Coveney** asked the Minister for Social and Family Affairs further to his comments in a newspaper (details supplied), the locations of the 52 local welfare offices at which the personal advisers for lone parents will be based; and if he will make a statement on the matter. [11908/05]

161. **Mr. Cuffe** asked the Minister for Social and Family Affairs the number of advisers he intends to put in place by the end of 2005 to serve the more than 80,000 persons receiving the one parent family payment; and if he will make a statement on the matter. [11807/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 107, 142, 147, 157 and 161 together.

Lone parents represent a significant proportion of the working age group, after people with disabilities and the unemployed, receiving weekly social welfare payments. At the end of 2004 there were 79,181 recipients of the one parent family payment, up from 58,960 in 1997. There are, in addition, 13,125 lone parents with children in receipt of payments under social insurance — 8,687 widowed persons and 4,528 deserted wives. In total, therefore, 92,306 lone parents are receiving weekly payments under the social welfare system, who between them have 150,122 qualified children.

Poverty surveys show consistently that lone parent households are among those most at risk of poverty. This is due mainly to long-term dependence on social welfare payments, beginning often at an early stage of life before it has been possible to accumulate savings, a home and other assets.

It is now generally accepted that the main route out of poverty and into self-sufficiency and a better standard of living is employment. It is estimated that 60% of one parent family recipients overall are currently in full or part-time employment.

A proportion of these recipients are in employment that provides a gross wage of less than €146.50 per week or €7,618 per annum, which entitles them to receive the one parent family payment at the maximum rate without a means deduction.

However, a recent OECD study on reconciling work and family life, in which Ireland participated, showed that employment participation among lone parents in Ireland is lower than in many other developed countries and that many who are in employment are in part-time, relatively low paid, employment. The growth in the number of recipients of the one parent family payment since 1997, and their relatively low employment participation rates, has coincided with rapid employment growth in the economy and in female participation in employment generally.

It is the case that already a significant proportion of lone parents avail of opportunities to take up education and training programmes operated by my Department, the Department of

Education and Science, the Department of Enterprise, Trade and Employment and agencies such as FÁS. Many more take the opportunity afforded them under the one parent family payment to take up employment, as mentioned earlier.

These varying situations require tailored interventions, which represent a key feature of my Department's involvement with clients on the live register through the role of the job facilitator. An evaluation of this role recommended that it should also focus on those most distant from the labour market. This involves going beyond the live register to encompass those clients on other departmental schemes who face equivalent problems, such as lone parents and people with disabilities.

As regards to lone parents, this may ultimately include offering a package of advice and support, tailored to meet the needs of each lone parent and helping to construct a realistic action plan detailing steps to be taken to assist them in finding education, training and work, while ensuring the necessary child care arrangements are in place.

My Department has a facilitator service which provides advice and support to persons seeking education, training or return to work. The service is available to lone parents and other categories of recipients. The implications of extending this service are being assessed and I hope to bring forward proposals in this regard in the near future.

Question No. 108 answered with Question No. 103.

Question No. 109 answered with Question No. 88.

Anti-Poverty Strategy.

110. **Ms McManus** asked the Minister for Social and Family Affairs the progress made to date with regard to the implementation of the national action plan against poverty and social exclusion; and if he will make a statement on the matter. [11841/05]

Minister for Social and Family Affairs (Mr. Brennan): The current national action plan against poverty and social exclusion was submitted to the European Union in July 2003 and covers the period up to 2005. It sets out the commitments made by Ireland to meet the Lisbon pledge “to make a decisive impact on the eradication of poverty” by 2010. The plan incorporates the strategic approach to tackling poverty which was set out in the earlier national anti-poverty strategy. It also reflects the social inclusion commitments agreed in the current national partnership agreement, Sustaining Progress.

Working to eradicate poverty requires action across a range of different policy areas. The plan includes actions in relation to employment, social welfare, education, health, housing, equality and so on. The strategic approach reflected in the

plan means that these actions are being co-ordinated in an integrated, joined up way, with a view to achieving more effective outcomes.

The office for social inclusion, OSI, in my Department was set up in 2002 and has overall responsibility for developing, co-ordinating and driving the Irish national action plan against poverty and social exclusion. The office's first annual report, which I launched last December, details the progress made on implementation of the national action plan since August 2003. A wide range of activities and strategies are set out in the report, indicating the range and breadth of programmes aimed at tackling social exclusion.

I am happy to say that good progress has been recorded against many of the targets that we have set in the plan. Commitments made by the Government, for example, in respect to income support mean that we are well on the way to meeting the 2007 target of a rate of €150 per week for the lowest social welfare payments in 2002 terms. We are also moving steadily towards the target of €200 euro for social welfare pension rates.

In certain instances, however, it is clear that data is incomplete or unavailable to report on the outcome of some NAP targets. This is an issue that the office is addressing as part of the development of a data strategy.

The monitoring and evaluation process has also shown us that measuring benefits and outcomes of some social inclusion initiatives can be difficult due to the nature of the intervention, the many factors which impact on poverty and social inclusion and the fact that the impact may not be experienced in the short term.

Notwithstanding these issues, the annual report identified many important policy developments that will benefit people who are socially excluded. Some examples include: the launch in September 2004 of the national disability strategy; the extension nationwide of the FÁS high support process for jobseekers suffering personal barriers to employment; additional funding for child care under the equal opportunities child care programme; and the establishment of the first National Council for Special Education.

As the next step in the monitoring and evaluation process, the office is currently undertaking, in conjunction with the relevant Departments, a detailed analysis of the NAPS targets with a view to identifying, not only where progress has been made but also areas where progress has been slower.

The result of this analysis will be included as part of the Government's report to the European Commission in June. This will outline progress made during the timeframe of the current national action plan 2003-05 and indicate the future strategic direction for the next national action plan in 2006.

111. **Mr. Noonan** asked the Minister for Social and Family Affairs the efforts he is making to reduce the poverty levels that exist in many

families on low incomes; and if he will make a statement on the matter. [11932/05]

Minister for Social and Family Affairs (Mr. Brennan): The elimination of poverty is a key objective of the Government which is committed to achieving the range of targets which are set down in the revised national anti-poverty strategy, NAPS, and the national action plan against poverty and social exclusion.

The principal mechanism available to my Department for addressing poverty levels in low income families is through the social welfare system. I am committed to increasing social welfare payments, as resources permit, so that people will have an adequate income to sustain an acceptable standard of living. In this regard, the revised national anti-poverty strategy contains a target of increasing the lowest rates of social welfare payment to €150 per week — in 2002 terms — by 2007 with the appropriate equivalence level of child income support — combining child benefit and child dependant allowance — being set at 33% to 35% of the adult rate. Significant progress has been made towards achieving these targets. In this year's budget, the lowest rate of social welfare payment was increased by an unprecedented €14 per week and now stands at €148.80 per week. Low income families who would have benefited from these increases included those where the head of household was parenting alone, on disability assistance or unemployed. Furthermore, child benefit payments were increased by €10 a month for the first two children and €12 per month for the third and subsequent children at a total cost to the Exchequer of €136.11 million in a full year.

It has long been recognised that employment is the best route out of poverty for those who are able to work. Accordingly, it is important that the social welfare system supports people to take up and remain in employment. A range of supports are provided by my Department in this regard including the family income supplement, FIS, which is paid to low paid employees with children. In this year's budget I increased the weekly income thresholds for FIS by €39 a week. It is estimated that a total of 14,000 families will benefit from this measure by receiving up to €23.40 extra per week in their payments while an additional 2,600 families will become eligible for FIS.

Other measures introduced in the budget to support low income families included additional funding to the Family Resource Centre programme which is administered by the Family Support Agency and to the money advice and budgeting service to enhance its services. Both of these agencies provide important support services to low income families.

I am committed to making a decisive impact on child and family poverty during my period of office. In this regard, I am giving serious consideration to the introduction of a second tier of child income support. I am awaiting the outcome of a

[Mr. Brennan.] study being undertaken by the National Economic and Social Council on amalgamating child benefit and child dependant allowance, which will inform my deliberations in this area. It has long been recognised that lone parent families are particularly at risk of poverty. At present, an interdepartmental group, which includes representatives from my Department, is examining obstacles to employment for lone parents while a working group within my Department is reviewing the income support arrangements for lone parents. I look forward to acting on the recommendations of these groups when they have completed their work.

112. **Ms Lynch** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent UNICEF report showing that the rate of child poverty here is among the highest in wealthy countries; the steps he intends to take to deal with the problem of child poverty; and if he will make a statement on the matter. [11837/05]

Minister for Social and Family Affairs (Mr. Brennan): The Deputy is referring to the UNICEF Innocenti Research Centre Report Card Number 6 on Child Poverty in Rich Countries 2005. The report shows that, Ireland, at 15.7% based on 2000 data, had the fifth highest relative child poverty rate among 26 OECD countries.

There have been major increases in average incomes and employment rates in recent years and a high level of growth in two income households. However, despite significant increases in real terms in social welfare rates — for example, child benefit rates increased by some 65% between 2001 and 2005 and the lowest social welfare rates increased by 40% while the CPI increased by just over 13% — the incomes of those not in employment have lagged behind those in employment, especially in households with two incomes. This contributes to the high relative poverty rates in Ireland.

The current national action plan against poverty and social exclusion specifically targets children as one of a number of groups who are particularly vulnerable to poverty and social exclusion, with a view to reducing or eliminating their risk and incidence of poverty.

The most significant measure to tackle child poverty by my Department has been the substantial increases in child benefit payment rates. Between 1997 and 2005, the rate of child benefit rose from €38.09 per month for the first two children and €49.52 for each child thereafter to €141.60 per month for each of the first two children and to €177.30 per month for the third and each subsequent child.

Through the family income supplement scheme, my Department provides cash support by way of weekly payments to families, including lone parent families, at work on low pay. Recent improvements to the scheme, including the

assessment of entitlements on the basis of net rather than gross income and progressive increases in the income limits, have made it easier for lower income households to qualify under the scheme.

In order to address the situation of those children who are most at risk of poverty, I am giving serious consideration to the introduction of a second tier of supports, aimed specifically at families in greatest need. A study is being carried out at the moment by the NESC on amalgamating social welfare child dependant allowances with family income supplement payments, in an effort to channel extra resources to low income families without creating disincentives to employment. In addition, a sub-group of the senior officials group on social inclusion has commenced examining obstacles to employment for lone parent families, the majority of whom are women.

My Department is also participating in an Interdepartmental working group on early child care and education, chaired by the National Children's Office. The work of this committee is at an advanced stage and the outcome will make an important contribution to finding the right mix of services and income support to facilitate employment take up and care for children.

The causes of poverty among children and its effects are multifaceted requiring a multi-policy response. A wide range of data is required in effectively monitoring, evaluating and further developing such policies. It is for that reason that my Department and the Department of Health and Children, through the National Children's Office, are jointly funding a national longitudinal study on children. The study will be the most significant of its kind to be undertaken here, particularly in terms of the cost, scope and length of study period. It is anticipated that 10,000 children from birth and 8,000 children aged nine will be recruited to participate in the study, which is expected to commence later in 2005.

Assisting and supporting vulnerable families and their children and older people is one of our main challenges as a society. Through the initiatives it is taking under its strategy to combat poverty and social exclusion, the Government is giving priority to working to ensure that vulnerable families and their children have a fair share of the life chances and quality of life, which our prosperity as a nation is already conferring on a majority.

Question No. 113 answered with Question No. 88.

Question No. 114 answered with Question No. 77.

115. **Mr. M. Higgins** asked the Minister for Social and Family Affairs his proposals for a new second tier of supports targeted at children most at risk of poverty; and if he will make a statement on the matter. [11833/05]

160. **Mr. Kenny** asked the Minister for Social and Family Affairs the progress to date on his review of the second tier payment for children; and if he will make a statement on the matter. [11927/05]

162. **Mr. Boyle** asked the Minister for Social and Family Affairs if he will elaborate on his plans to bring together FIS and the child dependant allowance; if the move will be complemented by a focussed information campaign in order that families in need are aware of their entitlements; and if he will make a statement on the matter. [11805/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 115, 160 and 162 together.

My Department provides a range of payments to families with children. These include child benefit, child dependant allowances and family income supplement.

Child benefit is a non-means tested payment made to families regardless of employment status. It, therefore, supports all children but delivers proportionately more assistance to those on low incomes and with larger families. From this month, when budget 2005 rate increases have taken effect, monthly child benefit rates are €141.60 in respect of each of the first two children and €177.30 in respect of the third and subsequent children. Child benefit has increased by €103.51 at the lower rate and €127.78 at the higher rate since 1997, increases of 272% and 258%, respectively.

Child dependant allowance is an additional payment made to social welfare recipients in respect of eligible child dependants under 18 years of age. This age limit can be extended to 22 years in specified circumstances where the child remains in full-time education.

The family income supplement scheme is an in-work income support, designed to provide cash support for employees on low earnings with families, to help preserve the incentive to remain in employment in circumstances where the employee might otherwise only be marginally better off than if they were claiming other social welfare payments.

In the current social partnership agreement Sustaining Progress, ending child poverty was selected as one of the areas of special initiative to be addressed. As part of this initiative, the question of changing existing arrangements for child income support was raised. The introduction of a second tier payment in respect of children in low-wage or unemployed households was identified and the National Economic and Social Council, NESC, has been asked to review child income support and, in particular, the possible merging of family income supplement and child dependant allowances into a second-tier child income support payment.

My officials have recently been in consultation with NESC on the subject. This review, which NESC expects to complete during 2005, will

inform the development of future policy in this area.

Question No. 116 answered with Question No. 88.

Social Welfare Benefits.

117. **Mr. Deasy** asked the Minister for Social and Family Affairs if his attention has been drawn to the restrictions on the cashing of social welfare cheques in retail outlets; if he has plans to introduce regulations governing the cashing of social welfare cheques in retail outlets; and if he will make a statement on the matter. [11910/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department issues over 500,000 cheques every month and, as a general rule, there are no problems regarding the encashment of cheques. On rare occasions, it has happened that people have experienced difficulty in cashing their cheques because of inadequate identification. Any such problems are resolved on a case by case basis.

Cheques are but one of a range of payment methods offered to customers and account for about 10% of total payments issued by my Department. While precise statistics are not available, it is estimated that about one third of social welfare customers in receipt of cheque payments cash them at retail outlets and as I already stated this usually happens without any difficulties.

Cheques issued by my Department are drawn on the Bank of Ireland and may be cashed at any bank branch on production of necessary identification. In addition, my Department has an agreement with An Post whereby social welfare cheques may be cashed at any post office subject to satisfactory proof of identity.

The cashing of cheques by retail outlets is a matter between the customer and the retailer. It would not be appropriate for me to interfere in this relationship and so I have no plans to introduce regulations governing the cashing of social welfare cheques.

However, social welfare customers who experience any difficulties in cashing their cheques should bring the matter to the attention of my Department which will ensure that alternative payment arrangements are offered to them. These arrangements include payment at the customer's local post office or by direct payment into the customer's bank or building society account.

Services for People with Disabilities.

118. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs when he intends introducing the advocacy service for people with disabilities; and if he will make a statement on the matter. [11897/05]

Minister for Social and Family Affairs (Mr. Brennan): The introduction of a personal advocacy service aimed specifically at people with dis-

[Mr. Brennan.] abilities is provided for in the Comhairle (Amendment) Bill 2004, which was published last September in conjunction with the Disability Bill 2004, and outline sectoral plans and as part of the Government's national disability strategy.

The Comhairle (Amendment) Bill 2004 is intended to confer additional and enhanced functions on Comhairle which will enable that agency to introduce a personal advocacy service specifically for people with disabilities.

The new service will be administered by Comhairle and will provide for the assignment of a personal advocate to a person with a disability who is unable or who has difficulty in obtaining a social service without the assistance or support of the personal advocate. The main function of the personal advocate will be to assist, support and represent the person with a disability in applying for and obtaining a social service and also in pursuing any right of review or appeal in connection with that service.

It is envisaged that the new personal advocacy service will be introduced in early 2008 subject to the necessary legislation being enacted and the necessary funding being provided.

Public Service Cards.

119. **Ms O. Mitchell** asked the Minister for Social and Family Affairs when the public services card framework using the personal public service number will be introduced; and if he will make a statement on the matter. [11898/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department and the Department of Finance are managing a programme of work to develop a framework within which public service cards could be deployed. Following approval from Government in June 2004, this programme of work was commenced to develop a standards based framework for public service cards using the personal public service number, PPSN, as a unique identifier. The programme is known as SAFE, standard authentication framework environment.

An interdepartmental steering group was established, in September 2004, to develop the framework. The steering group is made up of representatives of 12 Departments and the Reach Agency. The group, which is jointly chaired by the two Departments, has met on six occasions. The primary output from the programme will take the form of a standard that sets out the business principles, rules and other requirements for all future cards and tokens issued by public service agencies. The term "framework" is being used to emphasise that a single public service card is not envisaged but rather a branded standard within which individual initiatives can operate.

One of the objectives of SAFE is to facilitate convergence over time of existing cards and other tokens under a single branded scheme. The individual customer will benefit from a reduction in the number of tokens required and from

enhanced control of the use of his or her data. Agencies can benefit from the streamlining of existing schemes and sharing of administrative costs.

The proposed framework has been agreed in principle by the steering group and detailed drafting is under way. This will accompany a memorandum to Government which will also address future phases of work, including convergence issues and a communication and consultation programme. While the deployment of specific applications will continue to be the responsibility of individual agencies, it is proposed that these will be co-ordinated under the overall programme.

Question No. 120 answered with Question No. 81.

Services for People with Disabilities.

121. **Mr. Naughten** asked the Minister for Social and Family Affairs the efforts he is making to encourage and assist persons with disabilities and long-term illnesses to identify and take up available employment, training, educational and other self-development opportunities when appropriate; and if he will make a statement on the matter. [11903/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department operates a number of schemes which provide income support to persons who are unfit to work because of illness. These payments include, for example, the disability benefit and invalidity pension schemes and the means tested disability allowance. In addition, there is a further range of benefits available under the occupational injury benefits scheme for people who have been disabled as a result of an accident at work.

Facilitating return to work or participation in the active labour force is one of the main objectives of the social welfare system. There are a number of specific employment and training incentives available within the system to encourage and facilitate people, including people with disabilities, to take up available employment and training options.

These include the back to work allowance which can assist transition to work for people in receipt of disability related payments. In addition, there are income disregards which exempt a proportion of earnings for means tested payments. It is also possible for people in receipt of disability related payments to receive exemptions from the general no work conditions in the case of certain rehabilitation employments.

As part of the Government's expenditure review initiative, a working group established by my Department completed a review of the illness and disability schemes and identified a number of areas where employment support could be strengthened within the system and across Departments. The review argued for: recognition of the fact that some people's medical and other

circumstances may mean that they have some capacity for work, but may never achieve full-time work; ensuring that employment support measures should not act as a disincentive for people with disabilities and long-term illnesses in maximising their employment and earnings potential; retaining a range of employment supports for different groups, and ensuring that clients are referred to the most suitable option, having regard to the nature of their illness-disability, age, social circumstances, etc.; and the introduction of early intervention measures aimed at reintegrating people who sustain serious illnesses, injuries and disabilities back into the workforce before they become long-term dependent on social welfare payments.

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

Social Welfare Code.

122. **Mr. McCormack** asked the Minister for Social and Family Affairs if he intends to reduce the qualifying period for the back to education allowance to nine months; if so, when he will introduce this change; and if he will make a statement on the matter. [11928/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance, BTEA, is a second chance education opportunities programme designed to encourage and to facilitate people on certain social welfare payments to improve their skills and qualifications. The objective is to increase their prospects of returning to the active work force and reduce the risk of them becoming dependent on social welfare on a long-term basis.

The back to education allowance supports eligible people pursuing second level and third level qualifications. The qualifying period for the BTEA scheme for people pursuing second level qualifications has always been six months.

The qualifying period for entitlement to the third level option of the back to education allowance was increased from six months to 15 months for new applicants intending to commence third level courses of study on or after 1 September 2004.

As Deputies will be aware, I reduced the qualifying period for access to the third level option of the scheme to 12 months in the most recent budget. I also increased the annual cost of education allowance, paid to people on BTEA, from €254 to €400. These changes will take effect from 1 September 2005, at a cost of €1.42 million in 2005 and €2.4 million in 2006.

Since its introduction, the intention of the scheme is to benefit people who have difficulty

finding employment. The scheme provides an opportunity to improve their qualifications and thus their prospects of obtaining work. It was never intended to be an alternative form of support for people entering the third level education system.

One of the factors that influenced the increase in the qualification conditions is the fact that some people go on the live register for short periods specifically to qualify for the back to education allowance. For example, an examination carried out by my Department found that in the 2003-04 academic year 51% of new participants in the third level option of the scheme were in receipt of an unemployment payment for 12 months or less when they accessed the scheme. In addition, research carried out by independent consultants has shown that in the case of a control group surveyed for research purposes 54% were 12 months or less in receipt of a qualifying payment when they accessed the scheme.

The scheme is intended to assist people with a history of long-term dependence on social welfare. Many of these people have not completed second level education and are held back in their efforts to obtain employment because of that. With this in mind, the qualifying period for people who wish to pursue second level education remains at six months and the numbers taking second level education with the support of the BTEA are increasing.

I am satisfied that, overall, the current arrangements ensure that the scheme supports those people who are most distant from the labour market and whose need is greatest. However, in line with my undertaking to the Dáil and the social affairs committee, I will continue to keep the qualifying period for this scheme under review.

The BTEA scheme is being reviewed at present as part of Government's programme evaluation process. The report of the working group, including recommendations for the future of the scheme, will be available later this year, at which time I will give the matter further consideration.

Question No. 123 answered with Question No. 80.

Question No. 124 answered with Question No. 88.

Family Rights.

125. **Mr. Quinn** asked the Minister for Social and Family Affairs if his attention has been drawn to calls from a lone parents organisation, One Family, for recognition for lone families under the Constitution; his views in this regard; and if he will make a statement on the matter. [11849/05]

Minister for Social and Family Affairs (Mr. Brennan): Families and family life in Ireland have been undergoing profound change in recent dec-

[Mr. Brennan.]
ades, which includes the significant growth in the proportion of families headed by lone parents. The Oireachtas Joint Committee on the Constitution, in inviting submissions, has specifically stated that account will be taken of these developments in their consideration of the possible need for changes to the provisions on families in the Constitution. It would not be appropriate for me, as Minister, to pre-empt the conclusions and recommendations to be arrived at by the Oireachtas committee by commenting on any submission made to it by any particular organisation at this stage.

Family Support Services.

126. **Mr. English** asked the Minister for Social and Family Affairs the locations of the 75 family and community resource centres; the number of extra family and community resource centres he plans to open in 2005; the locations of the new centres; if he expects to meet the overall target of 100 centres by the end of 2006; and if he will make a statement on the matter. [11915/05]

130. **Mr. Deenihan** asked the Minister for Social and Family Affairs the family support services which the family support agency offers; the number of families who have availed of these services since the agency was established; the success of these services; and if he will make a statement on the matter. [11913/05]

135. **Mr. Deenihan** asked the Minister for Social and Family Affairs the number of persons who are employed in family mediation offices; the number of families who have availed of the service; the location of these offices; his plans to extend the network of family mediation service offices; and if he will make a statement on the matter. [11912/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 126, 130 and 135 together.

The Family Support Agency, which was established in May 2003, brings together family support programmes and services introduced by the Government in recent years. The agency's main functions are to: provide a family mediation service throughout the country; support, promote and develop the provision of marriage and relationship counselling services, child counselling services and bereavement support for families; and support, promote and develop the family and community services resource centre programme. The agency also has a responsibility to undertake or commission research, to advise, inform and assist me as Minister for Social and Family Affairs and to promote and disseminate information about family related issues.

The agency launched its first strategic plan in May 2004 which outlined its strategic priorities for the period 2004-06. In 2005 almost €25 million was made available to the Family Support Agency to fulfil its strategic priorities.

The Family Mediation Service, FMS, is administered directly by the Family Support Agency. It is a free, professional, confidential service that enables couples who have decided to separate to reach agreement on issues related to their separation. It assists couples to address the issues on which they need to make decisions including post-separation living arrangements, finances and parenting arrangements to enable children to have an ongoing relationship with each parent. The benefits of family mediation, as a non-adversarial approach to resolving issues that arise on separation, are increasingly being recognised worldwide.

Since the establishment of the Family Support Agency, 1,403 couples were helped by the FMS in the calendar year 2003 with 1,491 couples being helped by the service in 2004. There has been a major expansion of the service in recent years to meet a growing need for it. During this time, the service has increased from two centres in Dublin and Limerick to 14 centres throughout the country. In 2005, two additional centres will be opened, one in Letterkenny, to ensure effective access to the service in the north-west, and one in Portlaoise to similarly expand the service in the midlands.

A total of 42 staff are currently employed in FMS offices. There are four full-time offices in Dublin, Cork, Limerick and Galway with part-time offices situated in Athlone, Blanchardstown, Castlebar, Dundalk, Marino, Sligo, Tallaght, Tralee, Waterford and Wexford.

The Family Support Agency also supports voluntary organisations providing marriage, relationship, child and bereavement counselling and support. Over €8 million is allocated to support more than 500 such groups throughout the country. Some 523 groups were funded under this programme in 2004 which represented an increase of almost 60 groups over the previous year. There are now 77 centres in receipt of core funding under the family and community resource centre, FRC, programme. The list of these centres has been forwarded to the Deputies.

The level of funding provided to the FRC programme for 2005 is over €10.6 million which will allow for an additional 12 new centres to be brought into the programme. These centres will be located in the following counties: four in Kerry; two in Dublin; one in Donegal; one in Kilkenny; one in Leitrim; one in Limerick; one in Mayo and one in Wexford. Furthermore, a number of groups have approval to join the programme and are currently in pre-development stage, working with their support agencies.

I am determined to ensure that the target of 100 family resource centres set under the national development plan will be met by the end of 2006.

Services for People with Disabilities.

127. **Mr. Cuffe** asked the Minister for Social and Family Affairs if he intends to bring in advisers on education and employment for those with a disability, in the same way that he is intro-

ducing advisers for lone parents; and if he will make a statement on the matter. [11808/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department assists and encourages the long-term unemployed, people with disabilities and other long-term welfare recipients to return to work, training or further education through a range of measures administered by my Department's social and family support service.

One significant measure is the back to work allowance scheme which incentivises and encourages long-term unemployed people, lone parents and certain persons with disabilities to return to work by allowing them to retain part of their social welfare payment when they take up employment or self-employment.

Another measure offered by my Department's social and family support service is the back to education allowance programme. Facilitators, based in social welfare local offices, provide additional support through the special projects fund. This fund enables facilitators to provide enhanced supports to people who need additional help to progress to further training and employment.

The groups who may need special help of this nature include the long-term ill and people with disabilities, the very long-term unemployed, Travellers, people with literacy difficulties and lone parents. In 2004, 23 special projects catered for people with disabilities at a cost of over €500,000.

In addition to the special projects fund, the Department's family services project focuses supports towards specific target groups with complex needs, for example, people with disabilities, very young lone parents, parents rearing children without the support of a partner and dependent spouses on social welfare payments in households with children.

The provision of this additional support involving individual attention, customised information and enhanced access to services which would assist the family, increases the capacity of those in the most difficult circumstances, including people with disabilities, to improve their self-esteem and personal situations through access to basic education, training and developmental opportunities.

It is hoped that by encouraging customers with disabilities to participate in self-development programmes and in some instances "taster" educational programmes facilitated through FSP funding, co-funding or part funding that the people involved will move on to more formalised training and educational programmes. In 2004 six projects catered for people with disabilities and their families at a cost of €66,240.

The special projects and family services initiatives demonstrates the positive results of a partnership approach between my Department, the voluntary and community sector, the private sector and other local players in identifying and addressing local needs in terms of training and development for people dependent on social welfare payments including people with disabilities.

Anti-Poverty Strategy.

128. **Mr. Neville** asked the Minister for Social and Family Affairs his views on research carried out by the Combat Poverty Agency on the working poor; and if he will make a statement on the matter. [11930/05]

131. **Mr. Neville** asked the Minister for Social and Family Affairs his estimate of the number of families in the category of the working poor; and if he will make a statement on the matter. [11929/05]

133. **Mr. Noonan** asked the Minister for Social and Family Affairs his plans to deal with a relatively new issue of the working poor; and if he will make a statement on the matter. [11931/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 128, 131 and 133 together.

There are two main indicators for measuring poverty. The first measures the proportion at risk of poverty by virtue of the income they receive. This is the general indicator used by the European Union and it is based on an income threshold of 60% of median income. A new EU survey on income and living conditions, EU-SILC, carried out in 2003 showed that 22.7% of the total population were at risk of poverty. This indicator, however, does not take into account the length of time a person had been on low income and the other assets a household might have, such as ownership of their house etc.

It is for this reason that Ireland has also developed a consistent poverty indicator. This measures the degree to which people with incomes which are less than the at risk of poverty threshold of 60% of median income are also deprived of goods and services considered essential for a basic living standard in Ireland. A list of eight such basic goods and services are used which include, for example, having "to go without heating at some stage in the 12 months prior to the survey due to a lack of money" or "that there was a day in the past two weeks where the family did not have a substantial meal due to lack of money". They are based on surveys of what people in Ireland consider essential for a basic living standard.

The latest information for this indicator was also collected in the new EU survey 2003. This showed that 9.4% of persons were in consistent poverty, that is, with an income below the 60% median income threshold and experiencing deprivation under at least one indicator. I should say that there are acknowledged difficulties regarding the comparability of the results of the new EU survey with the results of earlier surveys, particularly in respect of this measure of consistent poverty. How to deal with these difficulties is something which I am currently having examined.

A total of 9.2% of those at work are at risk of poverty compared to 22.7% generally. In the case of consistent poverty, those at work comprise about one in 30, or 3.5%, compared to 9.4% gen-

[Mr. Brennan.]
erally. Being at work, therefore, reduces significantly the risks of poverty and deprivation. The major reduction in unemployment has been in part due to a series of policy initiatives designed to make work pay which include changes to the taxation system, the introduction of a minimum hourly wage, provision of employment training, assistance with job search and placement, and changes to the social welfare system.

The difficulties which family responsibilities can create in relation to employment and poverty levels is a particular concern for my Department. The earnings capacity of a single person or that of a couple, both of whom are working, which previously was sufficient to keep them from being at risk of poverty, may become insufficient to overcome the risk of poverty when they have children. This arises from the additional cost of providing for the care of children and from the effect child care responsibilities and costs have on parents' availability for work. The findings of the EU survey show that families with children who are most at risk of poverty are lone parent families and large families where it may be difficult for the second parent to work full-time.

The family income supplement, FIS, scheme is designed, in particular, to address this problem. The scheme provides cash support for employees — minimum 19 hours per week — 38 per fortnight — on low earnings with families. This preserves the incentive to remain in employment in circumstances where the employee might only be marginally better off than if he or she were claiming other social welfare payments. FIS is paid on a weekly basis over a period of 52 weeks, taking into account a family's earnings and the number of children under age 18 or aged 18 and 22 years and in full-time education.

Subject to a minimum weekly payment of €20, FIS is calculated at 60% of the difference between a person's net family income, that is, gross pay less tax, PRSI, health levies, superannuation and the income limit applicable to the family size. Most social welfare payments are included in the assessments, with some exceptions. Although FIS is not paid concurrently with unemployment payments, it can be paid with the one parent family payment, subject to the overall means assessment.

Budget 2005 increased the FIS earnings thresholds by €39 in respect of each family size. This increase was unprecedented since the introduction of the scheme in 1984 and added €23.40 to the weekly payments of most existing FIS recipients from January 2005. The cost of this measure is estimated at €15.53 million in 2005 and in a full year. Following the increased thresholds, it is estimated that 2,600 additional families became eligible for a FIS payment.

The ongoing development of the scheme has resulted in current levels of both applications and claims in payment being at an all time high. In 2004, there were 21,000 applications and over

15,000 claims in payment. The current average FIS payment is almost €94.00.

Consideration of the further development of the scheme, based on a study commissioned from NESCC, is being co-ordinated by the senior officials group on social inclusion in the context of an examination of obstacles to employment. This examination is focusing particularly on the position of lone parents, and in relation also to the further development of child care. The work is being advanced through interdepartmental working groups, including a working group chaired by my Department which is dealing with income support.

Effective and adequate support for making work pay will continue to be a major priority for this Government. Research undertaken by the Combat Poverty Agency on the needs of the working poor is, therefore, most welcome and timely in this context, and the findings will be fully taken account as they come to hand.

Question No. 129 answered with Question No. 80.

Question No. 130 answered with Question No. 126.

Question No. 131 answered with Question No. 128.

Social Welfare Benefits.

132. **Ms O'Sullivan** asked the Minister for Social and Family Affairs if he has reviewed the habitual residence condition; if he has considered the hardship this condition has caused in many cases in recent times; and if he will make a statement on the matter. [11848/05]

141. **Mr. McEntee** asked the Minister for Social and Family Affairs when the review of the habitual residence condition will be finished; and if he will make a statement on the matter. [11925/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 132 and 141 together.

The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The basis for the restriction contained in the new rules is the applicant's habitual residence. The restriction is not based on citizenship, nationality, immigration status or any other factor. The effect of the restriction is that a person whose habitual residence is elsewhere is not paid certain social welfare payments on arrival in Ireland.

The question of what is a person's habitual residence is decided in accordance with European Court of Justice case law, which sets out the grounds for assessing individual claims. Each case received for a determination on the habitual residence condition is dealt with in its own right and a decision is based on application of the guidelines to the particular individual circumstances of

each case. Any applicant who disagrees with the decision of a deciding officer has the right to appeal to the social welfare appeals office.

The habitual residence condition is being operated in a careful manner to ensure that Ireland's social welfare system is not open to everyone who is newly arrived in Ireland, while at the same time ensuring that people whose cases are appropriate to the Irish social welfare system have access to the system when they need it.

Arrangements are being made to review the operation of the condition. This review will take account of the issues that have come to light since the condition came into effect in May 2004, and views received from the EU Commission and from various groups and organisations who have an interest in this area. I expect the review to be completed later this year.

Question No. 133 answered with Question No. 128.

Question No. 134 answered with Question No. 77.

Question No. 135 answered with Question No. 126.

Nursing Home Charges.

136. **Mr. Penrose** asked the Minister for Social and Family Affairs if any refunds made to pensioners residing in nursing homes, arising from the recent Supreme Court decision that found that charges levied on them were illegal, will not be allowed to impact on their current pension entitlement; and if he will make a statement on the matter. [11824/05]

308. **Ms Shortall** asked the Minister for Social and Family Affairs the implications of the €2,000 *ex gratia* payments and other repayments of illegal nursing home charges to medical card holders for recipients of means tested social welfare payments. [11800/05]

328. **Mr. Stanton** asked the Minister for Social and Family Affairs if reimbursements from the State, to be received by persons as a result of moneys or charges that were taken illegally from them, will be disregarded from assessments for social welfare payments; and if he will make a statement on the matter. [12128/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 136, 308 and 328 together.

I understand that my colleague, the Tánaiste and Minister for Health and Children, will shortly be bringing proposals to Government in respect of repayments to residents and former residents of publicly-funded long stay care places.

During the period in question, my Department paid affected persons their full pension and other social welfare entitlements and had no function in the deduction of the charges made. The implications for social welfare pensions and other

entitlements will depend on the nature of the repayments scheme. However, it is my intention that any repayments, including the €2,000 *ex gratia* payments, will not impact on current pension entitlements and I will bring forward proposals in this regard when full details of the repayment scheme have been finalised.

Question No. 137 answered with Question No. 77.

Question No. 138 answered with Question No. 103.

Question No. 139 answered with Question No. 81.

Anti-Poverty Strategy.

140. **Mr. M. Higgins** asked the Minister for Social and Family Affairs if his attention has been drawn to the recent findings of the report, Inclusion is Everyone's Business, produced by the social inclusion unit of Dublin City Council, which found that levels of poverty in parts of Dublin had not changed and that levels of deprivation had worsened somewhat in the 11 years up to 2002; the steps he intends to take to deal with the issues highlighted in the report; and if he will make a statement on the matter. [11834/05]

Minister for Social and Family Affairs (Mr. Brennan): The report Inclusion is Everyone's Business was launched by the Taoiseach on 28 February 2005 and examines Dublin city in terms of demography, socio-economic factors, levels of affluence, deprivation and social exclusion. I welcome the report as an important milestone in the process of developing integrated anti-poverty strategies at local level to underpin and strengthen the overall national anti-poverty strategy.

The Dublin city report has highlighted the many positive actions that are taking place across a whole range of areas designed to make Dublin a more socially inclusive city as well as the areas where further progress is needed.

The national anti-poverty strategy is the overall framework within which such further action will be taken. The annual report of the office for social inclusion published last December gives a detailed outline of the actions being taken under the current national action plan, covering the period 2003 to 2005, in alleviating poverty in all areas of Ireland, including Dublin city. This report is on the website of the office and is being regularly updated. Some of the more significant developments include the following: between 2001 and 2005 spending on social welfare has increased from €7.8 billion to €12.2 billion; lowest social welfare rates have increased by 40%, during the same period, while the consumer price index has increased by just over 13%; and unemployment levels, at 4.4%, are now among the lowest in the EU and the developed world generally.

[Mr. Brennan.]

However, despite the significant increases in real terms in social welfare payments and the resulting improvements in standards of living, the incomes of many on social welfare have not kept pace with the major increases in incomes generally. The main reasons for these overall income improvements include the major increases in employment, which in many cases is significantly better paid than before, the increase in female participation in the workforce, leading to more two income households, lower tax levels in return for wage moderation to maintain competitiveness, and fewer child dependants as a result of lower birth rates and, compared to other countries, fewer dependent older persons.

Many groups in society have not been in a position to benefit to the same extent as the majority from Ireland's economic success, mainly because they have not had access to better paid employment. These include families with children, especially lone parents and larger families, those who are relatively unskilled with low educational attainment, those with disabilities, minority groups such as Travellers and migrants, and some older people, especially those living alone. For example, among those in the working age groups there are currently twice the number receiving disability related and lone parent related weekly payments than there are receiving unemployment related payments. Many of those who are socially excluded are concentrated in disadvantaged areas in our cities and towns, a reality clearly documented in this report on Dublin city.

There are, unfortunately, no single or quick fix solutions. For those in the working age groups, the priority solutions being pursued, in line with best international practice across the EU and OECD, are a combination of actions to remove obstacles to employment, enhance employability, while increasing benefits rates in real terms and improving access to services, especially at local level. Removing obstacles to employment involves the provision of education and training, particularly for those who may have missed out and those with disabilities, help with job search and placement, and for those with children, child care and income support through child benefit and the family income supplement. A more integrated approach at local level involving local authorities, as envisaged in the Dublin city report, can do much to ensure that a comprehensive set of supports is provided and that the resources available are used to good effect.

The office for social inclusion is also currently engaged in an evaluation of the progress made under the national action plan over the two years period, 2003 to 2005, against targets. A report on the evaluation will be submitted to the European Commission in June 2005. Full account is being taken of reports related to the process, such as this report on Dublin city, in carrying out the evaluation. This evaluation will in turn form the basis for the next national action plan to cover

the period 2006 to 2009, the preparation of which will commence as soon as the evaluation is done.

The process ensures that reports of the quality and calibre of this report on achieving social inclusion in Dublin are fully taken into account, together with the report's recommendations, in deciding on the actions to be taken in building a more inclusive society.

Question No. 141 answered with Question No. 132.

Question No. 142 answered with Question No. 107.

Social Welfare Benefits.

143. **Ms O'Sullivan** asked the Minister for Social and Family Affairs his views on claims by the Migrant Rights Centre that restrictions on welfare benefits for non-Irish citizens are placing migrant workers at risk of poverty and homelessness; and if he will make a statement on the matter. [11847/05]

Minister for Social and Family Affairs (Mr. Brennan): The Migrant Rights Centre Ireland made a submission to my Department in February 2005 setting out its views on how the operation of the habitual residence condition impacts on migrant workers and their families.

While the submission claimed that the habitual residence condition is causing undue hardship and in effect placing vulnerable people's lives and safety at risk it did not provide any examples of such cases. However, I asked my officials to consider the general issues raised and to respond. A reply issued on the 4 March 2005 and my Department has since met Migrant Rights Centre Ireland and other groups to consider these issues. I regard these contacts as important and I intend to keep this matter under review so that appropriate arrangements are in place to ensure that migrant workers are not at risk of poverty or homelessness.

In the meantime, the position is that migrant workers qualify for social insurance benefits in respect of the unexpired part of their work permits if they satisfy the normal qualifying contribution conditions. Migrant workers may also satisfy the habitual residence condition for receipt of social assistance payments and child benefit.

The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The basis for the restriction contained in the new rules is the applicant's habitual residence. The restriction is not based on citizenship, nationality, immigration status or any other factor. The effect of the restriction is that a person whose habitual residence is elsewhere is not paid certain social welfare payments on arrival in Ireland. The question of what is a person's habitual residence is decided in accordance with European Court of

Justice case law, which sets out the grounds for assessing individual claims.

Each case received for a determination on the habitual residence condition is dealt with in its own right and a decision is based on application of the guidelines to the particular individual circumstances of each case. Any applicant who disagrees with the decision of a deciding officer has the right to appeal to the social welfare appeals office.

The application of the habitual residence condition has to be compatible with EU law and other international and national legal obligations and it is not possible, in applying the condition, to discriminate in favour of any particular group or nationality.

The habitual residence condition is being operated in a careful manner to ensure that Ireland's social welfare system is not open to everyone who is newly arrived in Ireland, while at the same time ensuring that people whose cases are appropriate to the Irish social welfare system have access to the system when they need it.

Question No. 144 answered with Question No. 77.

Anti-Poverty Strategy.

145. **Mr. Gilmore** asked the Minister for Social and Family Affairs his views on the recently published three year strategy from the Combat Poverty Agency to address poverty here; the steps he intends to take to deal with the issues highlighted in the strategy; and if he will make a statement on the matter. [11832/05]

148. **Mr. Boyle** asked the Minister for Social and Family Affairs the way in which he will develop policy proposals for persons in poverty to have access to quality health and education services and housing, as set out in the Combat Poverty Agency's strategic plan; if his Department plans to lead an interdepartmental strategy to combat poverty; and if he will make a statement on the matter. [11806/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 145 and 148 together.

The current national action plan against poverty and social exclusion which covers the period 2003-05 sets out in detail the actions being taken by Government to give effect to its strategy to combat poverty and social exclusion. The plan sets out commitments and targets for all relevant Government Departments aimed at meeting the Lisbon pledge "to make a decisive impact on the eradication of poverty" by 2010. It incorporates the strategic approach to tackling poverty in the National Anti-Poverty Strategy 1997-2007 and reflects the social inclusion commitments agreed in sustaining progress.

The plan has been drawn up on the basis of an overall structure for such plans agreed at EU level under the open method of co-ordination

process. It thus recognises that the causes of poverty and its effects are multifaceted and require an integrated, multi-policy response for application at national, regional and local levels.

Last December, 2004, I launched the first detailed report by the office for social inclusion on implementation of this plan covering the first year of its application. The annual report is designed to ensure that progress in implementing the plan is closely and regularly monitored. I also arranged for the report to be put on the website of the office for social inclusion to further facilitate access to the comprehensive information on the measures being taken here in Ireland to combat poverty and social exclusion.

An evaluation of the progress achieved is currently being made by the office for social inclusion in consultation with all relevant Departments. This is due for completion and submission to the EU Commission by end June. This will in turn form the basis for drawing up the next national action plan due for submission to the Commission by end 2006.

As Minister for Social and Family Affairs, I have lead responsibility for driving this process, working closely with my ministerial colleagues through the Cabinet committee on social inclusion.

The office for social inclusion, OSI, in my Department co-ordinates the process at official level through ongoing liaison with individual Departments, its own management group of assistant secretaries, the senior officials group on social inclusion, chaired by the Department of the Taoiseach, and the social inclusion consultative group, composed of representatives of the social partners and the community and voluntary sector.

The Combat Poverty Agency has a key and valued role at every stage of this process, working closely with the office for social inclusion. Its four general functions are: policy advice; project support and innovation; research; and public education.

The agency's strategic plan sets out goals across three main areas: distribution of income and employment; access to health and education services of high quality; and the further development of and local and regional-level responses to poverty.

Full account will be taken by the OSI and by individual Departments, of the agency's strategy, its views and advice on policy, and of its experience and expertise, in monitoring and evaluating progress in achieving the objectives of the national anti-poverty strategy and in its further development.

Social Welfare Code.

146. **Mr. P. McGrath** asked the Minister for Social and Family Affairs if phase I of his Department's review of the supplementary welfare allowance in 2000 was finished; the findings and recommendations of that review; if his Department has ever published that review; and if he will make a statement on the matter. [11895/05]

154. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs if he has plans to change the way in which the supplementary welfare allowance is to be administered; and if he will make a statement on the matter. [11896/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 146 and 154 together.

The supplementary welfare scheme is being reviewed as part of my Department's programme of expenditure reviews. The review is being carried out by an inter-departmental working group chaired by my Department, including the Department of Finance, the Department of Health and Children and the Health Service Executive.

The review involves a fundamental appraisal of the scheme. All aspects are being examined, with a primary focus on considering ways of improving the efficiency and effectiveness of the scheme.

Due to the number and nature of the issues raised, the working group decided to progress the review in two phases. Phase I of the review was completed at the end of 2004. This is a preliminary phase, outlining the background to the scheme, its current format, the trends in recipient numbers and expenditure, the objectives of the scheme, and their relevance in the context of Government and departmental strategies, policy and administrative issues for further consideration.

In this first phase, the working group carried out an extensive consultation process. This resulted in 145 submissions being received by the working group. Over 700 issues were raised in these submissions.

Following final editing, the report of phase I is being printed now and I expect it to be available next month. The report will also be available at that time on the Departmental website.

Phase II of the review commenced in January 2005. This involves a full examination of the issues raised by the group and in the submissions received, the efficiency and effectiveness of the scheme, and the validity objectives. The group will make recommendations as necessary in relation to the future of the scheme based on the conclusions of its examination and is due to complete its work by the end of 2005.

The recent establishment of the Health Service Executive requires a fresh consideration of the role and structure of the community welfare service and of the most appropriate location for the service in the future in the context of the other social welfare services operated directly by my Department.

The issue is also central to the work of the scheme review group, particularly in its examination of the efficiency and effectiveness of the current administrative arrangements. I expect to be in a position to decide on future administrative arrangements later this year.

Question No. 147 answered with Question No. 107.

Question No. 148 answered with Question No. 145.

Family Support Services.

149. **Mr. Sargent** asked the Minister for Social and Family Affairs if his Department has carried out or commissioned any research specifically on the needs of separated fathers; and if he will make a statement on the matter. [11815/05]

Minister for Social and Family Affairs (Mr. Brennan): Under my Department's families research programme to date, 14 reports have been published on a range of issues such as parenting, family formation, family well-being, marriage and relationships counselling and children's experiences of parental separation.

Two of the 14 research projects dealt specifically with men's issues. A report entitled *Young Men on the Margins*, published in April 2004, looked at the risks of marginalisation faced by some men by way of a number of qualitative interviews with homeless young men, almost half of whom were fathers. Issues raised by the report include the need for gender-specific education and preparation for life type courses, as part of the formal education process and also the need for more support for parents who are having difficulty coping with the challenge of parenting.

A second report entitled *Strengthening Families Through Fathers* relates to fathers and was published in November 2004. Again using qualitative interviews with vulnerable fathers, it examined the factors which led to the exclusion of some fathers from child and family services. The project also interviewed some mothers, children and professionals with a view to identifying best practice for the development of a framework for professional intervention with fathers and their families. The children interviewed were very clear as to their desire to have a relationship with their fathers.

Parenting alone and non-custodial parents, including the needs of separated fathers, are key issues currently being addressed by an inter-departmental committee, established last year, which is preparing a strategy on supports for families in a changing society. The aim is to begin a strategic process under which issues affecting families will be addressed in an integrated way across the range of Departments and agencies currently involved in providing supports and services impacting on families. Full account will be taken in this regard of the research undertaken to date on family issues, including that relating to fathers.

Social Welfare Fraud.

150. **Mr. Eamon Ryan** asked the Minister for Social and Family Affairs if he intends to act on the basis of a recent criticism (details supplied) of his Department's *modus operandi* when dealing with cases of social welfare fraud; and if he will make a statement on the matter. [11813/05]

Minister for Social and Family Affairs (Mr. Brennan): This question relates to media reports regarding comments made by a District Court judge during the course of a court hearing in a case taken by my Department. As the Deputy is aware, the case in question is still before the courts and, in these circumstances, it would be inappropriate of me to comment at this stage.

Question No. 151 answered with Question No. 105.

Child Support.

152. **Mr. Kenny** asked the Minister for Social and Family Affairs the average amount requested by his Department from liable relatives for child maintenance; and if he will make a statement on the matter. [11926/05]

Minister for Social and Family Affairs (Mr. Brennan): Applicants for one-parent family payment are required to make ongoing efforts to look for adequate maintenance from their former spouses, or, in the case of unmarried applicants, the other parent of their child. Normally, this maintenance is obtained by way of negotiation or by court order, though separated couples are increasingly using my Department's family mediation service which is being progressively extended countrywide. Since 2001, one-parent family payment claimants are allowed to retain half of any maintenance received without reduction in their social welfare entitlements, as an incentive to seek support.

Where social welfare support is being provided to a one-parent family, the other parent is legally obliged to contribute to the cost of this payment. In every case where a one-parent family payment is awarded, the maintenance recovery unit of my Department seeks to trace the other parent, referred to as the liable relative, in order to ascertain whether he or she is in a financial position to contribute towards the cost of one-parent family payment. This follow-up activity takes place within 2-3 weeks of award of the payment.

All liable relatives assessed with maintenance liability are notified by my Department and they are issued with a determination order setting out the amount of contribution assessed. In assessing maintenance liability, the financial situation of each liable relative is first examined in detail. This is usually done at the same time as the one-parent family payment claim is being investigated. The assessment is based on the net income of the liable relative. Allowances are made for any child dependent she or he has residing with him or her, and also for certain outgoings such as mortgage payments, house rent or home improvement loans on the liable relative's residence. The methods of assessment of the liable relative's ability to pay are specified in detail in regulations.

The average amount of weekly maintenance assessed by the maintenance recovery unit of my Department is of the order of €84 per week. This

compares with the current weekly maintenance amount set by the District Courts at €150 per child per week. Decisions on maintenance liabilities assessed by the Department can be reviewed where new information comes to light about the financial or household circumstances of a liable relative. Decisions on the amounts assessed can be appealed by liable relatives to the social welfare appeals office.

There are currently 1,946 liable relatives contributing directly to my Department. As a result of maintenance recovery unit activity, savings of €8.5 million were achieved in 2002 and €14.2 million in 2003. Savings of €16.6 million were achieved in 2004. These savings are composed of direct cash payments by the liable relative to the Department and of scheme savings. Savings on scheme expenditure arise where maintenance recovery activity leads to the liable relative beginning to pay maintenance in respect of a spouse and/or children and the consequent reduction of a one-parent family payment. In 2004, a total of 722 one-parent family payments were cancelled while a further 512 payments were reduced as a result of maintenance recovery activity.

In implementing maintenance recovery provisions to date my Department has concentrated on cases where the liable relatives concerned, being in employment or self-employment, would be in a financial position to make a contribution towards the relevant benefit or allowance being paid to their families.

Legislation allows my Department to seek recovery from liable relatives through the courts in appropriate cases. A total of 182 cases has been submitted for court action from 2001 to date. The majority of these cases have resulted either in orders being written against the liable relative in court or alternatively in the liable relative agreeing to pay a contribution to the Department or to the lone parent.

Question No. 153 answered with Question No. 79.

Question No. 154 answered with Question No. 146.

Question No. 155 answered with Question No. 77.

Question No. 156 answered with Question No. 105.

Question No. 157 answered with Question No. 107.

Social Welfare Offices.

158. **Mr. Coveney** asked the Minister for Social and Family Affairs the location of the local social welfare offices which will be dealing directly with one-parent family claims by the end of 2005 in line with his Department's policy of localising services for lone parents by moving its services from a centralised office in Sligo to local offices; and if

[Mr. Coveney.]
he will make a statement on the matter.
[11909/05]

Minister for Social and Family Affairs (Mr. Brennan): The one-parent family payment is the income support scheme for separated, unmarried and widowed persons and also for prisoners spouses who are bringing up a child or children without the support of a partner. It was introduced in 1997 when it replaced a number of schemes for different categories of lone parent. At the end of March 2004, there were 80,087 persons receiving one-parent family payment. On average, some 330 new claims for one-parent family payment are received each week, equivalent to about 17,000 per year.

As recipients of the one-parent family payment are, in general, in a relatively young age bracket, they are more likely to move in and out of employment, education or training on a regular basis or to have other changes in their circumstances. Each year 70,000 existing claims have their rates of payment revised downward or upward mainly for these reasons. All administrative work relating to the one-parent family payment was carried out in a central office in the pension services office in Sligo.

In 2000 my Department undertook a review of the payment arrangements for lone parents. This review recommended the localisation of the administration of the scheme to bring lone parents into closer contact with the various support services available in local offices. Localisation is intended primarily to improve client service, by reducing claim processing times through closer linkage with the local investigative officer network, as well as providing more direct local contact for lone parents with the Department's employment support services.

One-parent family payment claim processing commenced on a trial basis in my Department's local office in Tallaght in 2001. Following the success of this initial project, local offices in Finglas and Waterford began one-parent family payment claim processing at the end of 2003. During 2004 and early 2005, a major training programme was undertaken to extend claim processing to a further 22 offices.

At the end of March 2005, there were a total of 25 social welfare local offices and a further 26 associated branch offices dealing with one-parent family payment claim processing. This means that approximately 60% of all new one-parent family claims received each year, approximately 10,000 claims, will be dealt with in local offices. Processing will be extended to a further 16 local offices on a phased basis during the rest of 2005.

The list of offices processing one parent family payment at early 2005 and those who will be involved during the rest of 2005 has been forwarded to the Deputy. Successful extension of claim processing to these offices will be subject to accommodation and other issues being resolved during the course of the year. By the end of 2005, approximately 90% all new one-parent family

claims received each year, approximately 15,000 claims, will be dealt with in local offices.

Question No. 159 answered with Question No. 105.

Question No. 160 answered with Question No. 115.

Question No. 161 answered with Question No. 107.

Question No. 162 answered with Question No. 115.

Pension Provisions.

163. **Mr. Gormley** asked the Minister for Social and Family Affairs if he intends to address the issue of 1950s homemakers who either were not in a position to accumulate stamps or were not in a position to accumulate a sufficient number of stamps, and who are now without a pension; and if he will make a statement on the matter.
[11811/05]

Minister for Social and Family Affairs (Mr. Brennan): A number of measures have been introduced in recent years which make it easier for people to qualify for pensions. These include extended social insurance coverage and an easing of the qualifying conditions for old age contributory and retirement pensions. These measures are of particular benefit to women who may have less than complete social insurance records due to working in the home.

In 1997 the yearly average number of contributions required for pension purposes was reduced from 20 to 10, and in 2000 a special half rate pension was introduced based on pre-1953 insurance contributions. Pro-rata pensions are also available to allow people with mixed rate insurance records to receive a payment.

The Government is also committed to increasing the payment for qualified adults, age 66 or over, to the same level as the personal rate of the old age, non-contributory, pension and a number of special increases have been given over several budgets in pursuit of this target. In addition, since October 2002 new pension claimants can opt to have the part of the payment in respect of their spouse or partner paid direct to that person.

The homemaker's scheme was introduced in 1994 to protect the pension entitlements of those who take time out of the paid workforce for caring duties. The scheme allows up to 20 years to be disregarded when a person's insurance record is being averaged to assess entitlement for contributory pension purposes.

The scheme will not of itself qualify a person for a pension as the standard qualifying conditions relating to the type and number of contributions paid or credited must also be satisfied. The scheme is being reviewed as part of the second phase review of the qualifying conditions for the old age contributory and retirement pensions. The review is due for completion in the

next few months and developments in relation to the homemaker's scheme will be considered in the light of the conclusions of the review.

The old age, non-contributory, pension is a social assistance scheme designed to provide financial support for all older people, whatever their circumstances, who do not qualify for one of the contributory pension schemes. In common with other social assistance schemes, it features a means test which is intended to ensure that available resources are targeted at those who are most in need. In this regard, budget 2005 provides for the disregard of the first €20,000 of savings or other assessable assets, such as shares or bonds, when means are being assessed. The operation of the means test is kept under review and changes are made as required.

Social Welfare Benefits.

164. **Mr. McGinley** asked the Minister for Social and Family Affairs if, when a person reaches the age of eligibility for the old age pension, his Department informs that person by letter that they are eligible and that they should contact his Department; and if he will make a statement on the matter. [11892/05]

Minister for Social and Family Affairs (Mr. Brennan): A person approaching pension age who is in receipt of a social welfare payment is advised to apply for the pension three months in advance of reaching pension age. The onus remains on the person to complete the application form and submit this to the Department. About 30% of all those who apply for an old age pension are notified under this process.

The social security authorities in a country covered by the EU regulations or bilateral agreements notify my Department in advance of a person reaching pension age. Last year, to enhance early application for pensions I initiated a series of radio advertisements to bring people's attention to the availability of pension entitlements and to remind them to apply in good time for their benefits. The campaign was followed up with interviews on local radio shows.

Staff in my Department's network of local offices and branch offices promote the availability of pensions as part of their normal work. Claim forms and pension information leaflets are available through my Department's offices throughout the country, at citizen's information centres, Comhairle, and post offices. Information is also available from my Department's information office in Dublin and from the pensions services office, Sligo. Claim forms and information leaflets are also available by telephoning LoCall 1890 20 23 25 or from my Departments website at www.welfare.ie

My Department is developing new generation information technology systems which will facilitate more customer-centred services. These developments, as part of my Department's service delivery modernisation programme, will allow my Department to be more responsive to

customers needs. As part of this process my Department is developing methods to proactively invite pension customers to claim their pension entitlements.

It is intended that, over time, the number of people contacted in advance of reaching pension age and advised to apply for a pension will increase. My Department is actively considering a number of approaches to improving this service. These include better use of existing arrangements and enhancements such as automatic notification to those eligible to receive pensions.

165. **Ms Lynch** asked the Minister for Social and Family Affairs the progress made in his discussions with the Department of the Environment, Heritage and Local Government regarding a possible waiver scheme for social welfare recipients who face serious economic hardship due to the huge increase in local authority charges; and if he will make a statement on the matter. [11840/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department has held discussions with the Department of the Environment, Heritage and Local Government regarding aspects of the arrangements governing the collection and disposal of domestic waste. The matter is also being discussed through the social partnership process.

The discussions between my Department and the Department of the Environment, Heritage and Local Government have focused on establishing the facts about the level of charges for domestic waste management and the increasing role played by commercial operators in this area.

It is clear from those discussions that this is a complex and evolving issue. The range of charges imposed varies quite considerably from area to area and from operator to operator. In addition, even where the total charges imposed by operators may be similar, the charging regimes vary quite considerably.

The setting of waste management charges and the introduction of waivers in respect of waste charges is, as stated by my colleague the Minister for the Environment, Heritage and Local Government, a matter for the each local authority and a number have done so.

The introduction of a national social welfare scheme to address the issue is not considered feasible given the wide range of charging regimes and cost levels that exist in respect of waste management throughout the State. Any system put in place to assist people who rely on private domestic waste collection would have to be sensitive to the different local arrangements.

I will continue to monitor the situation with a view to ensuring that any necessary arrangements are in place locally to avoid hardship for people on social welfare payments and others on low incomes.

Question No. 166 answered with Question No. 80.

Register of Births.

167. **Ms Burton** asked the Minister of State at the Department of the Taoiseach the number of births registered to families in Dublin 15 in each of the past three years. [11861/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The geographic classification of birth registrations by residence of the mother is not undertaken below local authority level in Dublin. Thus data are not available for postal districts in Dublin. The following table summarises the number of births registered since 2002 where the residence of the mother was in the Fingal local authority:

Year	
2002	3,882
2003	4,369
2004	3,305 (January to September)

Vaccine Trials.

168. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children further to her reply to the Adjournment matter raised by this Deputy on 14 April 2005 on the subject of vaccine trials, the procedures that are required and that are being put in place to revoke S.I. 280 of 2001, Commission to Inquire into Child Abuse Act 2000 (Additional Functions) Order 2001, resulting from the findings of the High Court which found that the order was *ultra vires*; if these procedures will be laid before Dáil Éireann; the other parties with whom discussions regarding this matter have taken place; and if she will make a statement on the matter. [12408/05]

209. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 234 of 12 April 2005, the steps which her Department is taking to investigate the inclusion of children under the care of the State in vaccine trials; and if she will make a statement on the matter. [11860/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Question Nos. 168 and 209 together.

The revocation of the relevant statutory instrument will require a draft resolution to be brought before both Houses. A number of complex issues have had to be considered in this matter. These issues are now approaching finalisation and discussions have taken place with a number of parties involved. I am not in a position to outline the course of action which the Government will take on this matter until all discussions have been completed

Hospital Services.

169. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children if she will report on efforts to provide an out of hours gen-

eral practitioner service on the campus at Tallaght Hospital; and if she will make a statement on the matter. [11647/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2005 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 out of hours co-operatives. Between 2000 and 2004 a total of €72.882 million was allocated to the Health Service Executive for out of hours co-operatives and €31.98 million has been included in 2005 in their baseline funding. These figures do not include the fees of the participating doctors.

The areas to be covered by co-operatives and any expansions are decisions for the relevant area of the Health Service Executive, having regard to the strategic, financial and other issues involved. Accordingly, my Department has referred the question raised by the deputy to the chief officer of the Health Service Executive's eastern region for investigation and direct reply.

Health Services.

170. **Mr. F. McGrath** asked the Minister of State at the Department of Health and Children if urgent assistance will be given to a person (details supplied) in Dublin 5 in order to obtain a place at St. Mary's Nursing Home, Phoenix Park or at another nursing home in the north of Dublin; and if priority will be given to this case. [11648/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2005 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.

Ambulance Service.

171. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children if the HSE will treat St. John's ambulance drivers with the same care, courtesy and provisions as are provided to employees of the HSE who provide ambulance services; and if the HSE will continue to nurture a voluntary ambulance service. [11649/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2005 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. Responsibility for the issue raised by the Deputy rests with the national hospitals office of the Health Service Executive. Accordingly, my Department has requested the director of the National Hospitals Office to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

172. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children the measures she has taken to address the overcrowding of the accident and emergency department at Mayo General Hospital. [11650/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2005 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 Mayo General Hospital. 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.

Health Services.

173. **Ms Cooper-Flynn** asked the Minister of State at the Department of Health and Children if the Health Service Executive western region contracted any beds from private nursing homes in County Mayo. [11651/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2005 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 Mayo. 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.

Hospital Accommodation.

174. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children if she intends providing additional beds at Mayo General Hospital. [11652/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2005 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 Mayo General Hospital. 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.

Cancer Screening Programme.

175. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children the position regarding the roll out of BreastCheck in the west. [11653/05]

Tánaiste and Minister for Health and Children (Ms Harney): The roll out of the national breast screening programme to the remaining counties is a major priority in the development of cancer services. This will ensure that all women in the relevant age group in every county have access to breast screening and follow up treatment where appropriate.

A design brief for the BreastCheck static unit at University College Hospital Galway has been completed. 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.

Practitioners of Complementary Medicine.

176. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children if she intends to introduce legislation to regulate alternative medicine practitioners. [11654/05]

Tánaiste and Minister for Health and Children (Ms Harney): While there are no plans at present to introduce legislation to regulate alternative medical practitioners the Deputy may wish to note that a national working group was established in May 2003 to advise on future measures for strengthening the regulatory environment for complementary therapists. The group is expected to report later this year and I will review the position in the light of its recommendations.

Foreign Adoptions.

177. **Mr. Bruton** asked the Minister of State at the Department of Health and Children if he has received a report from local health authorities on the average delay for a parent wishing to undertake an adoption overseas; if he will consider contracting out this work under health board supervision in order that it may be completed without having to absorb the time of child care workers within the public health service in the same way as legal authorisations have been completed under contract for other public agencies; and if he will make a statement on his Department's immediate plans to deal with this problem. [11655/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Applications for inter-country adoption are processed by the

[Mr. B. Lenihan.]

Health Services Executive, HSE, under the Adoption Acts 1952 to 1998, as amended by the Health Act 2004. The process of assessment of applicants for inter-country adoption is set out in a framework for inter-country assessment introduced in 1999 to streamline assessments and to provide a transparent system centred on the child's best interests. It involves a number of stages and would generally include: an initial assessment; a considerable level of education or preparation work including an exploration with prospective adoptive parents of the challenges and issues that are likely to arise when undertaking adoption; and a home study assessment. The length of the assessment process can vary between applicants depending on the particular circumstances of each case, bearing in mind at all times the best interests of the child. Applicants found to be suitable to be adoptive parents are granted a declaration of suitability by the adoption board and may then pursue the adoption of a child abroad with the selected sending country. It should be noted that difficulties may arise in sending countries which can also cause delay.

The length of time to complete the necessary assessment and the allocation of resources within the HSE is a matter for the management of the HSE. I have asked the Adoption Board to identify practical measures to tackle the waiting lists of inter-country assessments. The board has initiated discussions with the HSE on the matter and I look forward to receiving these proposals.

National Diabetes Working Group.

178. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the proposals she has to ensure that diabetes specialist doctors, diabetes nurses, diabetes chiropodists and diabetes dieticians are represented on the national diabetes working group (details supplied); and if she will make a statement on the matter. [11674/05]

Tánaiste and Minister for Health and Children (Ms Harney): The national diabetes working group was established in 2004 under the chairmanship of the chief medical officer of my Department. A broad range of health care professionals including medical and nursing diabetes specialists, public health and primary care specialists and management were nominated on to the working group by the health boards, the Department of Health and Children and the Diabetes Federation of Ireland.

In the course of its work the group has considered the report of the Diabetes Federation of Ireland, *Securing the Future*, and has met with representatives of the Irish Nutrition and Diabetic Institute, the Irish Diabetes Nurse Specialist Association and the Association of Optometrists of Ireland. It has also received submissions from the faculty of paediatrics and the Association of Clinical Biochemists in Ireland and drawn on international experience as reported in the scientific literature.

It is regretted that the Diabetes Federation of Ireland nominees have been unable to participate fully in the group, which has been open at all times to their participation. However, it is hoped that in progressing this important matter with the Health Service Executive all interested parties and professional groups will make their contributions in the interest of achieving the best possible outcome for diabetes patients.

Ambulance Service.

179. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the number of ambulances available in the Roscommon and east Galway areas of the Health Service Executive; the years of service of each ambulance; her plans to update the service and replace the ambulances; and if she will make a statement on the matter. [11678/05]

180. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she has satisfied herself with the radio control efficiency of the ambulance service within the Roscommon and east Galway areas of the Health Service Executive; and if she will make a statement on the matter. [11679/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 179 and 180 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 ambulance services. Accordingly, my Department has requested the chief officer for the executive's western area to investigate the matters raised and to reply directly to the Deputy.

Press Releases.

181. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if she has instructed her Department's press office to delay or withhold press releases from opposition spokespersons and their assistants; and if she will make a statement on the matter. [11681/05]

Tánaiste and Minister for Health and Children (Ms Harney): I assure the Deputy that no instructions have been issued to the Department's press office by anyone to delay or withhold press releases from opposition spokespersons or their assistants. As the Deputy will know it has been the practice of the press office to facilitate opposition spokespersons and their assistants by including them in press e-mail lists. The press office will continue this practice.

Organ Retention.

182. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children when she pro-

poses to publish the Dunne report into organ retention; the reasons for the lengthy delay; and if she will make a statement on the matter. [11684/05]

Tánaiste and Minister for Health and Children (Ms Harney): I received the report from the chairman, Ms Anne Dunne, on 31 March 2005 and it is currently being examined by my Department in consultation with the Office of the Attorney General.

Nursing Home Charges.

183. **Mr. Connolly** asked the Minister of State at the Department of Health and Children if patients from this State who were accommodated in Northern Ireland nursing homes due to unavailability of beds in nursing homes south of the Border and from whom payments were illegally withheld will be reimbursed; and if he will make a statement on the matter. [11689/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The placing of a person in a private nursing home is a private matter between the person or his or her representatives and the nursing home proprietor, as are the fees charged in these facilities. In the case of a patient who normally resided in this State, choosing private nursing home care in the North of Ireland a subvention could be paid by the HSE in the area where they normally resided. This payment could be made in accordance with the Nursing Home Regulations 1993 and provided that the nursing home in the North of Ireland was registered by a health and social service board there.

Services for People with Disabilities.

184. **Mr. F. McGrath** asked the Minister of State at the Department of Health and Children if some 10,000 adult employees with varying degrees of intellectual disability are being paid just 65 cent per hour or €25 per week to work a full 40-hour week in sheltered workshops and community-based companies; and if he will make a statement on the matter. [11704/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Sheltered occupational services for people with disabilities are managed in the main by voluntary organisations with financial support from the Health Service Executive. Such services usually comprise a combination of structured occupational activities and support services for people with disabilities who require a significant amount of flexibility, time and personal support. The issue raised by the Deputy is being considered by my Department in consultation with the Departments of Enterprise, Trade and Employment and Finance.

Hospital Accommodation.

185. **Mr. F. McGrath** asked the Minister of State at the Department of Health and Children

the position regarding the proposed closure of the nursing home at Beaumont Hospital; the reason this unit is not allowed to assist the crisis in hospitals in freeing up beds; and if he will make a statement on the matter. [11705/05]

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 Dublin 9. 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.

186. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Mayo will qualify for a medical card. [11712/05]

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. 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.

187. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Roscommon will be called for an outpatient appointment for a hip replacement; and if she will make a statement on the matter. [11713/05]

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 Roscommon 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.

Cancer Screening Programme.

188. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children if a definite commitment will be given to extend the breast screening programme, BreastCheck, to County Kerry before the end of 2007. [11718/05]

Tánaiste and Minister for Health and Children (Ms Harney): The roll out of the national breast screening programme to the remaining counties is a major priority in the development of cancer services. This will ensure that all women in the relevant age group in every county have access to breast screening and follow up treatment where appropriate. The static unit for BreastCheck in the southern area will be located at South Infirmary, Victoria Hospital, Cork. A design brief for this unit has been completed. 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.

Mental Health Services.

189. **Mr. O'Shea** asked the Minister of State at the Department of Health and Children the tracking study which has been carried out by his Department regarding persons diagnosed with ADD, ADHD or ODD as children while they progressed into adulthood in the context of employment, anti-social behaviour, crime, imprisonment and recidivism; and if he will make a statement on the matter. [11727/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The development of services for the management and treatment of attention deficit disorder, ADD, and attention deficit hyperactivity disorder, ADHD, was considered by the working group on child and adolescent psychiatric services established by the Department of Health and Children in June 2000. In its report presented in March 2001, the working group stated that the prevalence of ADD and ADHD in Ireland can be estimated at somewhere between 1% and 5% of children aged between five and 15, which is in line with the research findings in other European countries.

All aspects of the presentation, diagnosis, treatment and management of children suffering from ADD and ADHD were considered by the working group in the course of its deliberations. The different components of treatment required were set out in its report and the importance of adequate linkages with other services, such as the education services and the community health services, were emphasised.

The group recommended the enhancement and expansion of the overall child and adolescent psychiatric services as the most effective means of providing the required service for children with mental illness. This has been a priority for my Department in recent years. Since 1997, additional funding of almost €19 million has been provided to allow for the appointment of additional consultants in child and adolescent psychiatry, for the enhancement of existing consultant led multi-disciplinary teams and towards

the establishment of further teams. This has resulted in the funding of a further 19 child and adolescent consultant psychiatrists. Nationally 52 such psychiatrists are now employed. The future direction and delivery of all aspects of our mental health services, including child and adolescent psychiatry, is being considered in the context of the work of the expert group on mental health policy which is due to report later this year.

Hospital Services.

190. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a diabetes clinic at St. Vincent's Hospital, Athy, County Kildare; and if she will make a statement on the matter. [11729/05]

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 Hospital, Athy, 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 issue raised and to reply to the Deputy directly.

Health Services.

191. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if and when orthodontic treatment has been refused in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [11733/05]

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.

192. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on whether subjecting an elderly cancer patient to a seven hour return trip from the south east in order to attend St. Luke's Hospital, Dublin, for palliative radiotherapy is acceptable; her further views on whether this inhumane situation will change based on her address to her party conference in April 2005; and if she will make a statement on the matter. [11739/05]

194. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children when the sub-committee set up to examine designated transport of cancer patients to radiotherapy facilities is likely

to produce its report; and if she will make a statement on the matter. [11741/05]

198. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her plans for radiotherapy services for cancer patients in the north west in view of the fact that Donegal is isolated from centralised radiotherapy locations and that a link up with Northern Ireland for radiotherapy services is not a possibility at present. [11745/05]

199. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the way in which the access for cancer patients in the north west will be improved in view of the fact that she has stated that the accepted Government policy for radiotherapy will allow an improved service with adequate access for patients; and if she will make a statement on the matter. [11746/05]

200. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on whether the planned Government programme for radiotherapy services is seriously flawed in that it excludes cancer patients in the south west, mid-west and the north west from having acceptable access to radiotherapy services; and if she will make a statement on the matter. [11747/05]

207. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if she intends to provide a regional radiotherapy service to the people of the south east by the method given in the Prospectus study on public private hospital partnerships; if so, when; and if she will make a statement on the matter. [11858/05]

208. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason she outlined in her address to her party's conference in April 2005 her Department's centralised policy on radiotherapy for centrally located units in view of the fact that she has constantly stated that she would bring cancer services close to patients; the way by which this can mean that services will be brought close to patients; and if she will make a statement on the matter. [11859/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 192, 194, 198 to 200, inclusive, 207 and 208 together.

The Government's policy on radiation oncology is based on the report on the development of radiation oncology services in Ireland. The Government is determined 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. While the immediate priority is to provide significantly enhanced services in the major population centres of Dublin, Cork and Galway, I will keep the question of networked satellite locations under active review.

Two additional linear accelerators are being provided at the supra-regional centre at Cork

University Hospital, CUH, at a capital cost of over €4 million. The first of these linear accelerators has been installed and the second is expected to be commissioned by autumn. Two additional consultant radiation oncologists will be appointed at CUH with sessional commitments to the south-eastern and the mid-western areas.

The supra-regional centre at University College Hospital Galway commenced treatments for radiotherapy last month. An additional consultant medical oncologist and three consultant radiation oncologists are being appointed, two of whom have significant sessional commitments to the north-western and the mid-western areas. The report recommends that there should be two radiotherapy treatment centres located in the eastern region areas. The international panel established to advise on the optimum locations for these centres has submitted its advice to me. I intend to reach a decision on this matter shortly.

As recommended in the report, the national radiation oncology co-ordinating group has been established. The group comprises clinical, technical, managerial, academic and nursing expertise from different geographic regions. The group's remit encompasses recommending measures to facilitate improved access to existing and planned services. With regard to transport solutions, the group is reviewing the progress of a pilot project involving St. Luke's Hospital aimed at improving patient access by better co-ordination between the providers of radiotherapy and referring hospitals. In light of the fact that key representatives of the providers of radiotherapy and referring hospitals are members of the group it does not intend to prepare a specific report on transport. Transport solutions are already a feature of the provision of radiation oncology services, full details of which are available from the Health Service Executive.

Members are also involved in the development of a national tele-synergy network for radiation oncology services to support improved linkages between hospitals and reduce patient and consultant travel time. The system will initially be installed in Cork and Galway this summer following which the tele-synergy light system will be installed in nominated hospitals in the south-eastern, mid-western and north-western areas which refer patients for radiation oncology treatment to Dublin, Cork and Galway. The project is progressing well and is receiving significant support from the US national institutes of health. If the Deputy were to provide more specific details on the individual case he raised, my Department will refer it to the Health Service Executive for attention.

193. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if dignity will be extended to terminally ill cancer patients who require to be free from pain in their last days and to be in the presence of their loved ones by the provision of adequate resources for care of the dying instead of total dependence on charitable

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donations for this service; and if she will make a statement on the matter. [11740/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The publication of the report of the national advisory committee on palliative care was approved by the Government and launched on 4 October 2001. The report describes a comprehensive palliative care service and acts as a blueprint for its development over a five to seven-year period. The report also acknowledged the role of the voluntary sector in the provision of palliative care services. The Department of Health and Children has provided funding to all the former health boards on a *pro rata* basis to commence the development of palliative care services in line with the recommendations in the report.

The Health Act 2004 provided for the Health Service Executive, 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 palliative care services.

The report recommended that palliative care needs assessment studies should be carried out in each health board area. Information gleaned from these studies, which included the views of all stakeholders including service providers, patients and their carers, will inform the future development of palliative care services at Health Service Executive level in consultation with the consultative and development committees which have been set up as recommended in the report.

Question No. 194 answered with Question No. 192.

195. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on the fact that the Cork University Hospital cancer unit has no designated inpatient cancer treatment facility; and if she will make a statement on the matter. [11742/05]

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 hospital services. Accordingly, my Department has requested the chief officer of the Health Service Executive's southern area to investigate the matters raised and to reply directly to the Deputy.

196. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on the fact that the cancer outpatient facility for chemotherapy in Letterkenny acts as an overflow for accident and emergency; and if she will make a statement on the matter. [11743/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, established on 1 January 2005. 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 delivery of hospital services. Accordingly, my Department has requested the chief officer of the executive's north-west area to investigate the matters raised and to reply directly to the Deputy.

197. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on the fact that her Department is breaching its own guidelines which it laid down for the administration of chemotherapy and identifying that chemotherapy should be administered in designated inpatient and outpatient facilities with proper resources; and if she will make a statement on the matter. [11744/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, established on 1 January 2005. 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 delivery of hospital services, including the application of guidelines for the use of cytotoxic medical preparations in the treatment of patients with cancer. Accordingly, my Department has requested the director of the National Hospitals Office to investigate the matters raised and to reply directly to the Deputy.

Questions Nos. 198 to 200, inclusive, answered with Question No. 192.

201. **Mr. J. Breen** asked the Tánaiste and Minister for Health and Children the reason persons did not receive the results of tests carried out having failed to obtain answers from the health offices in Ennis for a speech therapy analysis carried out in July 2005 on a person (details supplied) in County Clare. [11761/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, 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 which includes responsibility for speech and language therapy. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter and to reply directly to the Deputy.

202. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a decision will be expedited for an application for a medical card

in the name of a person (details supplied) in County Kilkenny. [11775/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, established on 1 January 2005. 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 Health Service Executive's south-eastern area to investigate the matter raised and to reply directly to the Deputy.

203. **Mr. Sargent** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the difficulties in the health service in recruiting and retaining speech and language therapist, as pointed out in the Bacon report; and the measures the Government is taking to ensure that adequate speech and language therapy is available to a person (details supplied) in County Dublin. [11782/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, 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 service provision and human resource management in respect of 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.

204. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children if she will make a statement on progressing the development and construction of the urgently needed new maternity unit at Kerry General Hospital. [11783/05]

205. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children if she will address the ongoing shortage of medical staff in the maternity unit at Kerry General Hospital; if she will rectify the situation. [11784/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 204 and 205 together.

The Health Act 2004 provided for the Health Service Executive, 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. Accordingly, my Department has requested the chief officer for the executive's southern area to reply to the Deputy directly on the issue.

Nursing Home Charges.

206. **Ms Shortall** asked the Tánaiste and Minister for Health and Children if the acceptance of an *ex gratia* payment of €2,000 for the repayment of illegal nursing home charges to medical card holders will in any way preclude a recipient from further repayments. [11801/05]

Tánaiste and Minister for Health and Children (Ms Harney): The *ex gratia* payment scheme refunded fully eligible persons, who paid for inpatient services in long stay care institutions and who were alive on 9 December 2004. The refund was up to €2,000 and payments made under this scheme will be incorporated into the repayment under the national scheme. Full details of the scheme will be announced as soon as possible and it is the intention to make repayments as automatic as possible.

Any person who considers that they or a family member may be eligible for repayment may register their interest in advance with the Health Service Executive, by writing to the National Refund Scheme, HSE Midland Area, Arden Road, Tullamore, County Offaly, e-mail to refund-scheme@mailq.hse.ie; or by calling the helpline 1800 777737 during office hours.

Questions Nos. 207 and 208 answered with Question No. 192.

Question No. 209 answered with Question No. 168.

Health Services.

210. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if funding will be provided for enhanced community nursing for the elderly in County Louth. [11871/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, 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 which includes responsibility for the provision of health services in County Louth. Accordingly, my Department has requested the chief officer for the executive's north-eastern area to investigate the matter and to reply directly to the Deputy.

211. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if she will make a statement on the future of the respite services in St. Mary's, Drumcar, County Louth. [11872/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, 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 future of respite services in

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St. Mary's, Drumcar, County Louth. 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.

212. **Mr. S. Ryan** asked the Tánaiste and Minister for Health and Children if she will report on the unacceptable delay in the payment of arrears of an acting up allowance to certain nurses within the psychiatric service of the Health Service Executive northern area which was granted to them as far back as May 2001; and if she will resolve a problem that seems to exist between her Department and the health board regarding the sanction of and mechanism for payment of the arrears. [11943/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, 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 person social services. This includes responsibility for the payment of arrears of an acting up allowance to certain nurses within the psychiatric service. Accordingly, my Department has requested the chief officer for the executive's northern area to investigate the matter raised and to reply directly to the Deputy.

213. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children when approval will be granted for the construction of the oncology-haematology section at Waterford Regional Hospital which was identified as a priority in brief submitted to her Department in January 2003; and if she will make a statement on the matter. [11950/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, established on 1 January 2005. 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 development of hospital services. Accordingly, my Department has requested the chief officer of the executive's south-east area to investigate the matters raised and to reply directly to the Deputy.

214. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children the amount of funding being provided for residential drug treatment in 2005; her views on whether such funding is adequate to demand; and if she will make a statement on the matter. [11974/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, 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 which includes responsibility for drug treatment services. Accordingly, my Department has requested the executive to investigate the matter and to reply directly to the Deputy.

Hospital Staff.

215. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children if she will consider introducing a Dublin weighting allowance of 10% for doctors and nurses; the likely cost thereof; her views on whether it is likely, if she introduced such an allowance, other health services staff would seek such an allowance; the likely cost of such an allowance; and if she will make a statement on the matter. [11975/05]

Tánaiste and Minister for Health and Children (Ms Harney): The matter raised by the Deputy was considered by the Labour Court in May 2003. The Nursing Alliance has pursued a claim for a Dublin weighting allowance for nurses in recent years. There are approximately 12,500 nurses, whole time equivalents, employed in the three Health Service Executive areas covering the greater Dublin region. Recent estimates by my Departments show that an allowance of, for example, €3,800 per nurse would cost in excess of €52 million per annum. I am not aware of a claim for a Dublin weighting allowance from representative bodies for doctors.

In the course of the Labour Court hearing in May 2003, management argued that the claim was cost increasing and therefore precluded under the stabilisation clause of the Programme for Prosperity and Fairness. It was further argued that the position of nurses could not be looked at in isolation from other health service staff and the wider public service in the Dublin region. There are more than 38,000 health service staff in the eastern region and a further 50,000 employed in other parts of the public service in Dublin. In 2003, it was estimated that the cost of paying a weighting allowance to all public servants in the Dublin area would have been in excess of €250 million per annum.

The Labour Court issued its recommendation on 18 June 2003. The court took the view that the benchmarking body had considered submissions on the issue of a Dublin weighting allowance for nurses and had taken them into account when making its judgment. It was accepted by the parties to the Programme for Prosperity and Fairness that the only means of addressing claims was through the benchmarking process and that claims would be dealt with solely within that context. Given the court's judgment that the benchmarking body considered the submissions made on the Dublin weighting allowance, the court did not recommend concession of the unions' claim.

Health Services.

216. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children if she will consider providing State funding for meals on wheels groups; the likely annual cost of such an initiative; and if she will make a statement on the matter. [11976/05]

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. Accordingly, my Department has requested the national director for primary, community and continuing care of the HSE to investigate the matter raised and to reply direct to the Deputy.

Medical Cards.

217. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children if she will consider the extension of medical card eligibility to all those over 65; the likely annual cost of such an initiative; and if she will make a statement on the matter. [11977/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Government is fully committed to the extension of medical card coverage as set out in the health strategy and will continue to focus on people with low incomes. The estimated cost of extending medical card eligibility to persons aged 65 to 69 years would be approximately €82 million and that does not account for any adjustments to the rates paid to general practitioners and pharmacists participating in the general medical services schemes following the introduction of such a measure.

Hospital Services.

218. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the situation at Aras Mhuire, Tuam, County Galway, concerning the provision of two cancer care beds which were approved for funding almost nine months ago; if she has satisfied herself that the funding for the 2.5 nursing staff to run the project is sufficient; and if she will make a statement on the matter. [11978/05]

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 palliative care beds in County Galway. 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.

219. **Mr. Rabbitte** asked the Tánaiste and Minister for Health and Children the reason day service physiotherapy in the Adelaide and Meath Hospital, Tallaght, is unavailable for outpatients under the age of 65 years; and if she will make a statement on the matter. [12014/05]

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 Adelaide and Meath Hospital, incorporating the National Children's Hospital, Tallaght, are provided under an arrangement with the executive. My Department has, therefore, requested the chief officer for the executive's eastern regional area to examine the issue raised and to reply to the Deputy directly.

Services for People with Disabilities.

220. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if additional funding will be allocated in order that extra personal assistants will be provided to persons with disabilities. [12015/05]

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 personal assistants.

As part of the Multi-Annual Investment Programme, 2006-2009, 250,000 extra hours of home support and personal assistance will be provided each year in line with the philosophy of supporting independent living for persons with a disability. Taking account of the 200,000 extra hours being provided in 2005, this will give a total of 1,200,000 extra hours.

Health Service Reform.

221. **Ms McManus** asked the Tánaiste and Minister for Health and Children, further to the motion passed by the General Council of County Councils calling on her to address the democratic deficit in the new health structures, the response she will make to deal with this important issue; and if she will make a statement on the matter. [12016/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the establishment of a Health Service Executive, HSE, on a statutory basis which took over responsibility for the management and delivery of health services from the Eastern Regional Health Authority, the health boards and a number of other specified agencies on 1 January 2005.

[Ms Harney.]

The Government has made specific provision for the involvement of public representatives and the users of the services in the restructured health system. Under Part 8 of the Act, provision is made for the establishment of up to four regional health forums, following consultation with the Minister for the Environment, Heritage and Local Government. The function of each regional health forum is to make such representations to the executive as it considers appropriate on the range and operation of health and personal social services provided within its functional area. Members will be appointed to the forums by the city or county councils in each forum's functional area.

The establishment of the regional forums will enable sustained dialogue and consultation between the HSE and public representatives at local level. These arrangements will complement and reinforce the role of the Oireachtas Joint Committee on Health and Children in reflecting the views of public representatives in the ongoing oversight of the health system. Regulations are currently being drafted in my Department to provide for the establishment of the forums, which I intend to bring into effect at an early date. In addition, section 41 of the Act provides for the establishment of a national health consultative forum, while under section 43 the HSE is enabled to establish whatever mechanisms it considers appropriate, including advisory panels, to assist it in seeking the views of local communities or other groups on health and personal social services.

I am satisfied that the steps to be taken pursuant to the provisions under Part 8 of the Act will provide an effective framework for ascertaining and representing the views of the public.

Nursing Home Subventions.

222. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children the breakdown in the rate of subvention being awarded to nursing homes in the various regions of the HSE. [12030/05]

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 nursing home subvention scheme. Accordingly, my Department has requested the national director of primary, community and continuing care of the Health Service Executive to investigate the matter raised and to reply direct to the Deputy.

Hospital Waiting Lists.

223. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a cataract

operation will be expedited for a person (details supplied) in County Kilkenny; the reason this operation was postponed; and if she will make a statement on the matter. [12031/05]

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 Kilkenny, my Department has requested the chief officer for the executive's south eastern area to reply directly to the Deputy with the information requested.

Health Services.

224. **Mr. Curran** asked the Tánaiste and Minister for Health and Children the number of women's refuges in the State; the extent of the State's subvention thereto; the additional subvention required to provide such a refuge in every county; and if she will make a statement on the matter. [12046/05]

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 services to victims of abuse. Accordingly, my Department has requested the director for the executive's primary, community and continuing care area to investigate the matters raised and to reply directly to the Deputy.

Hospital Waiting Lists.

225. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Mayo was informed that a bed would be available on 11 April 2005 in University College Hospital, Galway, and was advised to reduce his medicine over the weekend, and on that date did not receive a bed; and when this person will be brought in to the hospital. [12136/05]

Tánaiste and Minister for Health and Children (Ms Harney): I understand that the Health Services Executive, western area, has outlined the position regarding the person referred to by the Deputy in its letter dated 13 April 2005.

226. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a long stay bed will be provided for a person (details supplied) in County Carlow at Castlecomer Hospital, Kilkenny; the number of long stay beds at this hospital; the status of plans to provide more, in view of the level of demand; and if she will make a statement on the matter. [12139/05]

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.

Hospital Services.

227. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the likely cost of doubling the number of cancer treatment service centres in the State. [12140/05]

Tánaiste and Minister for Health and Children (Ms Harney): There are no plans to double the number of cancer treatment centres nationally. The expert advice from the national cancer forum is that there are too many treatment centres for cancer patients which has resulted in a fragmented delivery system that is not in line with best patient care. There is a clear and expanding evidence base that shows that people who have surgical treatment for many common cancers in larger centres with higher throughput experience better quality of care and better survival.

The national cancer forum is currently developing a new national cancer strategy. The strategy will make recommendations on a balanced organisation of cancer services nationally with defined roles for hospitals in the provision of cancer care. I expect the strategy to be completed in the coming months.

Mental Health Services.

228. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the percentage of the total health budget allocated for mental health services in 1997; the percentage allocated in 2005; her plans for the future development of such services; and if she will make a statement on the matter. [12141/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In 1997, expenditure on mental health services was €326 million, which represented 8.96% of total health expenditure. In 2005, the estimate for spending on mental health services as set out in the recently published Revised Estimates for Public Services 2005 is €766 million. This equates to 7.1% of the overall Health Service Executive vote when account is taken of some once-off technical adjustments arising from the establishment of that vote. The future development of mental health services will be considered in the context of the work of the expert group on mental health policy which is expected to report later this year.

Health Services.

229. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if she will consider the introduction of a home subvention scheme to empower older persons to buy in services they feel they need from the source they prefer; the likely annual cost of such a scheme; and if she will make a statement on the matter. [12142/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Service Executive has been piloting home care grant schemes in a number of areas. These schemes have been targeted at supporting older people living in the community as an alternative to long-term residential care and at older people who are being discharged from the acute hospital system. In the HSE eastern regional area, people have been discharged from acute hospitals under the Slán Abhaile and Home First pilot projects. In the HSE southern area, a similar project, Curam, has been piloted.

My Department has been working with the HSE to develop a national home care grant scheme. This is in keeping with a key recommendation in the O'Shea report on the nursing home subvention scheme which recommended that the health services develop a home based subvention scheme for older people as an alternative to long-term residential care. A draft of the scheme is currently being finalised by the HSE. Funding of €2 million has been allocated to the HSE in 2005 to introduce the scheme. In addition, funding of €113.75 million was allocated in 2004 for the home help service to support older people living in the community, with this funding being increased to €118.75 million in 2005.

As part of the Tánaiste's ten point plan to relieve ongoing pressure on acute hospital beds and accident and emergency services, it is proposed that the home care package scheme be expanded to support 500 additional older people who have been discharged from the acute hospital sector to their own home.

Vaccination Programme.

230. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the cost of funding vaccination campaigns in 2005. [12143/05]

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 vaccination campaigns. Accordingly, my Department has requested Dr. Patrick Doorley, national director, population health, Health Service Executive, to investigate the matter raised and to reply directly to the Deputy.

Health Services.

231. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the progress to date on the provision of 850 step down beds; the likely cost to the Exchequer thereof; and if she will make a statement on the matter. [12144/05]

Tánaiste and Minister for Health and Children (Ms Harney): Work has been under way in the Department of Health and Children on a proposal for a public private partnership, PPP, investment scheme for 850 community nursing units and there have been discussions between my Department and the Department of Finance in the development of this PPP scheme. Public sector benchmarks prepared in respect of the projects provide a detailed risk adjusted costing of the PPP projects in the southern and eastern regions, where the shortage of long-stay beds is most acute. In accordance with Department of Finance policy, the estimated cost of a PPP project is not made available until the preferred bidder has been selected and the contract signed.

I am aware that additional long stay bed capacity is required to relieve pressure on the acute hospital and community care programme and I will pursue the need to deliver such capacity with the Minister for Finance as a matter of high priority.

232. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the services being provided for persons leaving acute care; if she will develop a discharge plan to assist persons as they settle back into their homes after a period of acute care; the likely cost to the State of such a plan; and if she will make a statement on the matter. [12145/05]

Minister of State at the Department of Health and Children (Mr. S. Power): On the publication of the Estimates for 2005, the Tánaiste and Minister for Health and Children announced a ten point plan to relieve ongoing pressure on acute hospital beds and accident and emergency services. Under this plan there are three specific proposals relating to services for older people: an additional 500 older people are to receive intermediate care for up to six weeks in the private sector; 100 high dependency patients are to be transferred from the acute hospitals to private nursing home care; the home care package scheme is to be expanded to support 500 additional older people who have been discharged from the acute hospital sector to their own homes.

The Health Service Executive has advertised and invited tenders from interested parties for the high dependency beds for older people. The EU tender notice for this service was published on 1 February 2005, with a closing date of 16 February for the receipt of expressions of interest. The accelerated restricted tendering procedures are being used with the tendering process in the final stage and site visits are just being completed.

With regard to the 500 intermediate care beds, the EU tender notice for this service was published under the accelerated restricted procedures on 21 January 2005, with a closing date of 7 February for the receipt of expressions of interest. The tendering process has been completed and successful applicants have been notified. The HSE has requested that hospitals ensure that appropriate patients are identified and relevant arrangements are put in place for their final destination so that the lead time in utilising the intermediate beds is minimised. The HSE has also provided funding for up to 30 home care packages for patients in each of the six major acute hospitals in the eastern region.

233. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the systems in place to vet the standards of long stay care facilities; the cost to the State thereof in 2005; and if she will make a statement on the matter. [12146/05]

Minister of State at the Department of Health and Children (Mr. S. Power): Regulations governing standards in the private nursing home sector are set out in the Nursing Home (Care and Welfare) Regulations, 1993. These regulations only cover standards in the private nursing home sector. However, there is a commitment in the health strategy, “Quality and Fairness — A Health System for You”, to extend the remit of the social services inspectorate to other social services, including residential services for older people.

It has been proposed that the inspectorate will take on responsibility for the intellectual disability area, in the first instance, before moving on to services for older people. In the interim, work has been carried out in a number of Health Service Executive areas on developing standards for residential care for older people. At the same time, the Irish Health Services Accreditation Board has commenced work on examining the development of accreditation standards for residential care for older people, both public and private. In this regard, it is developing a pilot programme which includes both public long-stay units and private nursing homes.

Funding of approximately €120 million has been allocated for the nursing home subvention scheme in 2005 to assist eligible older people with the cost of private nursing home care.

Nursing Home Subventions.

234. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if she will consider extending the nursing home subvention scheme to cover the full cost of care and to ensure that pensioners availing of such subvention also continue to retain at least half their pensions; the likely cost to the Exchequer of such measures; and if she will make a statement on the matter. [12147/05]

Minister of State at the Department of Health and Children (Mr. S. Power): Responsibility for the administration of the Nursing Home (Subvention) Regulations, 1993 rests with the Health Service Executive. There are currently three rates of subvention payable under the regulations, that is, €114.30, €152.40 and €190.50, for the three levels of dependency, which are medium, high and maximum.

Under Article 10.6 of the Nursing Homes (Subvention) Regulations 1993, the executive may pay more than the maximum rate of subvention in a case, for example, where personal funds are exhausted. The application of these provisions in an individual case is a matter for the executive in the context of meeting increasing demands for subvention subject to the provisions of the Health Act 2004. Under Article 8 of the regulations, the executive in assessing the means of an applicant shall ensure that one fifth of the weekly rate of the old age non-contributory pension is disregarded for the purposes of such assessment. The average rate of subvention paid by the executive generally exceeds the current approved maximum rate of subvention.

The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined issues surrounding the financing of long-term care. A working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established following publication of the report. The objective of this group is to identify the policy options for a financially sustainable system of long-term care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea.

This group has been requested to report to both the Minister for Social and Family Affairs and the Tánaiste by mid-year 2005. Following this process, it is the intention that there will be discussions with relevant interest groups on the proposals for the future financing of long-term care for older people.

Health Services.

235. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the funding available for acute care and rehabilitation for older persons. [12148/05]

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. Responsibility for the issue raised by the Deputy rests with the chief executive officer of the Health Service Executive. Accordingly, my Department has

requested the chief executive officer to reply directly to the Deputy.

Suicide Incidence.

236. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of suicide deaths by gender and by age group (details supplied). [12181/05]

Tánaiste and Minister for Health and Children (Ms Harney): The information requested by the Deputy is provided in the table.

Number of Deaths from Suicide by Age Group and Gender, 2003

Age Group	Male	Female	Total
0-9 years	0	0	0
10-19 years	29	7	36
20-29 years	115	21	136
30-39 years	64	16	80
40-49 years	57	20	77
50-59 years	45	11	56
60-69 years	32	7	39
70-79 years	12	3	15
80 years and over	4	1	5
All Ages	358	86	444

Note: All figures are provisional based on year of registration.
Source: Central Statistics Office.

Accident and Emergency Services.

237. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the measures she proposes to put in place to alleviate the overcrowding in accident and emergency wards in the Mater Hospital, Dublin; the short-term and medium term proposals in this regard; and if she will make a statement on the matter. [12226/05]

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.

One of the issues being examined by the HSE is the possibility of making St. Bricin's Hospital available to ease the pressure on accident and emergency departments in Dublin. This possibility was examined a few years ago and the facility was found to be unsuitable. However, I asked that another review be carried out and staff from the executive's eastern regional area visited St Bricin's yesterday for this purpose. They will report to me on this matter.

Medical Cards.

238. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [12227/05]

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 Health Service Executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

239. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if respite care will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [12228/05]

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 respite care. 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.

240. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if the Health Service Executive has made a decision regarding the future of Brú Caoimhín, Cork Street, Dublin; if it intends to keep it operational for the foreseeable future; if it intends to sell it to a developer or to Dublin City Council; and, if so, the plans for the residents and staff. [12229/05]

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 Dublin 8 area. 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.

Services for People with Disabilities.

241. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of persons in receipt of the mobility allowance; his plans to increase the number of recipients in the near future; and if she will make a statement on the matter. [12239/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The latest figure available for the number in receipt of the mobility allowance is 3,376 as of 31 December 2003 at a cost of in excess of €4.3 million. My Department currently has no plans to expand this scheme.

Nutrition and Health Foundation.

242. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if her Department has received correspondence from a person (details supplied) requesting it to endorse the nutrition and health foundation; if her Department intends in any way to sign up to this new foundation; her views on the sponsors of this new organisation; and if she will make a statement on the matter. [12258/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department has been invited by IBEC to be associated with its newly formed nutrition and health foundation. The matter is currently under consideration and a decision on our involvement will be made shortly.

Health Services.

243. **Mr. J. Breen** asked the Tánaiste and Minister for Health and Children her views on the disturbing allegation that her Department reversed a successful policy in favour of undermining established services (details supplied); if the investigation into orthodontic services by the subcommittee of the Joint Committee on Health and Children will deal with all aspects of the problem including bullying. [12266/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Dentists Act 1985 provides for the establishment of the Dental Council which provides for the registration and control of persons engaged in the practice of dentistry. Under the Act, the Dental Council also provides for other matters relating to the practice of dentistry including the adequacy and suitability of post-graduate education and training. Ultimately, it is the Dental Council that is the statutory body to accredit specialist training programmes. The statutory independence of the Dental Council means that the Department of Health and Children does not have a role in the recognition of specialist training programmes.

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 responsi-

bility for orthodontic services. The chief officers of the HSE have informed my Department that at the end of the December 2004 quarter, 23,572 patients were undergoing orthodontic treatment in the public orthodontic service. This represents a 66% increase on the numbers in treatment in May 1999. The Joint Oireachtas Committee on Health and Children is reviewing this issue and their report is awaited. My Department emphatically refutes the allegations of bullying.

Decentralisation Programme.

244. **Dr. Upton** asked the Minister for Finance

Location	Organisation	Posts
Birr	FÁS	390.5
Clonakilty	BIM	94
Drogheda	Comhairle	47.5
Dundalk	Sustainable Energy Ireland	40
Loughrea	National Safety Council	12
Portarlington	National Council for Curriculum and Assessment	28
Thomastown	Health and Safety Authority	111
Total		723

In selecting these agencies the DIG had to consider a number of criteria. These included the number of applicants to the central applications facility and the degree of progress made by the Office of Public Works in advancing a property solution at each location. The DIG indicated that it would report again in 2005 on those locations and organisations not covered in the previous report.

245. **Dr. Upton** asked the Minister for Finance if he will bring into place a scheme to allow employees of semi-State firms who do not wish to be decentralised to transfer to Departments and agencies remaining in Dublin. [11671/05]

Minister for Finance (Mr. Cowen): From the announcement of the Government's decentralisation programme in December 2003, it was made clear that participation in the relocation programme was voluntary. All those civil and public servants wishing to remain in Dublin on the transfer of their current post will be offered an alternative public service post in Dublin. My Department has been in ongoing discussions with the civil service unions concerning all the issues arising from implementation of the programme, including the concerns of those staff wishing to remain in Dublin. Officials of my Department would be willing to have similar discussions with the unions representing staff in the State agencies participating in the programme.

246. **Dr. Upton** asked the Minister for Finance his views on the ongoing practise of semi-State companies of compelling employees to agree to a decentralisation clause in contracts associated with promotion. [11672/05]

the position regarding the decentralisation of semi-State companies; and if he will make a statement on the matter. [11670/05]

Minister for Finance (Mr. Cowen): In the decentralisation implementation group's report of 19 November 2004, it was recommended that the State agencies listed in the table below receive initial priority attention in terms of implementing the programme while still ensuring progress for the remaining organisations.

Minister for Finance (Mr. Cowen): The Government has made it clear that participation in the relocation programme is on a voluntary basis. Staff in the participating organisations have been assured that if they wish to remain in Dublin, they will be offered an alternative public service post in the capital. This remains the position. It has been clear from the beginning that future promotion policies must take account of the reality of the decentralisation programme. In its report of 31 March 2004, the decentralisation implementation group said there was a clear case for making promotions conditional on the appointees moving to the decentralised locations. It also said that this should not be seen as undermining the voluntary nature of the programme.

Liquor Licensing Laws.

247. **Mr. Naughten** asked the Minister for Finance if he will provide a comprehensive and up-to-date list held by the Revenue Commissioners of all licensed premises in counties Roscommon and Leitrim. [11680/05]

Minister for Finance (Mr. Cowen): I assume that the Deputy is referring to liquor licences. I have arranged for the Deputy to be provided with lists of all licensed premises in counties Roscommon and Leitrim according to the records of the Revenue Commissioners.

Garda Stations.

248. **Mr. McEllistrim** asked the Minister for Finance when the long awaited site for the new Garda barracks in County Kerry (details

[Mr. McEllistrim.]
supplied) will be acquired by the Office of Public Works. [11694/05]

Minister of State at the Department of Finance (Mr. Parlon): A potential site was recently identified and deemed suitable by the Department of Justice, Equality and Law Reform. The Commissioners of Public Works have now opened negotiations with the owner of this site.

Tax Code.

249. **Mr. Quinn** asked the Minister for Finance if his attention has been drawn to a draft decision of the advocate general of the European Court of Justice in a case between a company (details supplied) and the British tax authorities with regard to the ability of a UK-based company to offset tax losses incurred in foreign affiliates in other member states of the European Union; if the likelihood is that this draft decision will be upheld by the European Court of Justice; if so, the implications for Irish companies with similar structures to that of the company in question in cases in which they have affiliate operations in member states of the European Union outside the Republic of Ireland; his estimate of the tax loss implications for the Revenue Commissioners; and if he will make a statement on the matter. [11699/05]

Minister for Finance (Mr. Cowen): I am aware of the opinion issued by Advocate General Miguel Poiares Maduro on 7 April 2005 in the case to which the Deputy refers and the opinion is being examined. The Advocate General's opinion is not binding on the European Court of Justice in framing its decision. We now await judgment in this case. In advance of that judgment, I do not think it appropriate to speculate on matters that are before the court or to attempt to pre-empt a European Court of Justice ruling.

World Bank.

250. **Ms Burton** asked the Minister for Finance if he has made a statement on the proposed appointment of a person (details supplied) as the nominee to the presidency of the World Bank; his views on whether this appointment is in the best interest of the developing world in the fight against poverty and the relief of the debt of such developing countries, as called for by the Government on a number of occasions. [11700/05]

Minister for Finance (Mr. Cowen): The executive directors of the World Bank board are charged, under the bank's articles of agreement, with the selection of the bank's president. On 31 March 2005, the board met to endorse unanimously the sole nominee in the presidential selection process Mr Paul Wolfowitz, who was proposed on behalf of the United States of America. The decision was formalised via a short resolution and there was no vote. By convention, the US has always provided the president of the bank. Prior

to his appointment, Mr. Wolfowitz met representatives of European governments in Brussels to discuss the bank's development mission. As the Deputy may be aware, these discussions were described as constructive by the Prime Minister of Luxembourg, the current President of the European Council of Ministers. I look forward to working with Mr. Wolfowitz on the prime objectives of the bank, including progressing development policy issues and poverty reduction.

Tax Code.

251. **Ms Burton** asked the Minister for Finance the situation in respect of PAYE and PRSI contributions for workers brought here from a non-European country for the purpose of employment in the construction industry, as widely reported in respect of a recent case (details supplied); if such workers are liable for PAYE and if he will make a statement on the matter. [11701/05]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, taxpayer confidentiality requires that a Minister for Finance does not answer a parliamentary question about the tax affairs of an individual or company other than when the Deputy is asking the question on behalf of the individual or company. In this instance this is not clear. In the circumstances, I regret I cannot comment on the tax affairs of any taxpayer.

However, I am informed by the Revenue Commissioners that the question of whether the deduction of tax under the PAYE system applies to emoluments paid to workers brought to Ireland from a non-European country for the purpose of employment in the construction industry or any other industry depends on the facts and circumstances prevailing in any specific case. The emoluments payable to an individual working here under an Irish contract of employment are subject to deductions of tax at source under the PAYE system. Where the foreign employing company has a subsidiary company in Ireland, emoluments paid by that Irish subsidiary to individuals working here are also subject to deduction of tax under the PAYE system. On the other hand, an employee working here under a foreign contract of employment and who is paid outside of Ireland by that foreign employer does not pay tax here under the PAYE system but rather is personally responsible for payment of Irish tax under the self-assessment system on his or her salary.

Individuals resident here who are not Irish domiciled can avail of a long-standing statutory tax relief, more commonly known as the remittance basis, against their foreign source income including employment income. This does not apply to the UK. In brief, individuals resident here who may avail of the remittance basis relief pay tax here on the full amount of their Irish and UK source income and on that amount of their non-Irish and non-UK source income, including

employment income, brought into the State. Issues relating to PRSI are a matter for the Minister for Social and Family Affairs.

Garda Stations.

252. **Mr. Ferris** asked the Minister for Finance his views on the ongoing delay with providing a suitable site for a new Garda station in Castleisland, County Kerry.

Minister of State at the Department of Finance (Mr. Parlon): A potential site was recently identified and deemed suitable by the Department of Justice, Equality and Law Reform. The Commissioners of Public Works have now opened negotiations with the owner of this site.

Tax Code.

253. **Mr. Wall** asked the Minister for Finance if a person (details supplied) in County Kildare will receive a P21 balancing statement; and if he will make a statement on the matter. [11778/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that a PAYE balancing statement for 2004 was issued to the taxpayer on 14 April 2005.

Decentralisation Programme.

254. **Mr. Ó Fearghail** asked the Minister for Finance the position regarding the progress of the 2003 decentralisation programme as it applies to locations identified in County Kildare; when accommodation will be available in Newbridge and the Curragh; when sites will be finally identified for office accommodation in Kildare and Athy; and if he will make a statement on the matter. [11864/05]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works has identified a State-owned site at the Curragh to accommodate the Army headquarters. The OPW will proceed shortly with the planning process with a view to having a contractor on site by the end of 2005. Negotiations are at an advanced stage with Kildare County Council on a site in Newbridge. Subject to no unforeseen difficulties, the OPW expects to commence construction works before the end of this year.

A number of sites are being considered for the Revenue Commissioners in Athy. The OPW awaits a decision by An Bord Pleanála on the proposed new inner relief street in the town. The OPW is at the initial stages of a site selection process in Kildare and this issue is being proactively pursued.

Flood Relief.

255. **Mr. Naughten** asked the Minister for Finance, further to Question No. 109 of 16 December 2004, the progress to date of the consultations with the interested parties; the plans there are to implement its recommendations; and

if he will make a statement on the matter. [12124/05]

Minister of State at the Department of Finance (Mr. Parlon): The pre-feasibility report on Shannon flooding was distributed in October 2004 to the 22 stakeholders that contributed to its completion. To date, no replies have been received from any of the stakeholders to whom the report was distributed.

Tax Code.

256. **Mr. McGuinness** asked the Minister for Finance the cost to the State of the home carer's tax credit in 2005; the likely cost to the Exchequer of increasing the home carer's tax credit to that of the PAYE tax credit in 2005; and if he will make a statement on the matter. [12201/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the full year cost to the Exchequer of the home carer tax credit is estimated to be of the order of €100 million. The full year cost to the Exchequer of the increase mentioned by the Deputy is estimated at approximately €59 million. These figures are provisional and subject to revision.

Disability Legislation.

257. **Mr. McGuinness** asked the Minister for Finance the likely cost, on an annualised basis, to the Exchequer of rights-based disability legislation. [12202/05]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, my budget in December 2004 outlined overall spending plans in the disability sector, including the announcement of a special disability multi-annual funding package for high priority services with a total value of close to €900 million over the years 2006 to 2009. The costs associated with the provision of various services is a matter for the individual Ministers concerned.

Tax Yield.

258. **Mr. McGuinness** asked the Minister for Finance the revenues raised by the 2% insurance levy in 2005. [12203/05]

Minister for Finance (Mr. Cowen): A 2% levy is imposed on most non-life insurance premia, the exceptions being re-insurance, voluntary health insurance, marine, aviation and transit insurance and export credit insurance. I am informed by the Revenue Commissioners that the latest figures available represent the receipts from the levy to the end of February 2005, which amount to €21 million. They have also informed me that the yield in 2004 was €98 million.

Tax Code.

259. **Mr. McGuinness** asked the Minister for Finance the likely loss to the Exchequer of doubling the rate of capital gains tax in view of the

[Mr. McGuinness.]
significant increases in revenues since it was reduced to 20%. [12204/05]

Minister for Finance (Mr. Cowen): The revenue yield from CGT depends on several factors: the rate and composition of economic growth; the levels of economic activity; the state of the property market; investor expectations for the future; taxpayer behaviour and preferences, and the rate of tax itself. I am unable to isolate the effect of a rate change on its own. All one can say is that when the rate of CGT was last at 40%, in 1997, the yield was €168 million. The current yield is €1.5 billion, in 2004, but the increase in revenue was no doubt due to a combination of all the factors mentioned.

Cost of Tribunals.

260. **Mr. McGuinness** asked the Minister for Finance the likely reduction in costs accruing to the Exchequer by replacing statutory tribunals with private inquiries; and if he will make a statement on the matter. [12217/05]

Minister for Finance (Mr. Cowen): The main driver of tribunal costs is legal fees, including those for third parties. Some reduction in costs would therefore be expected if private inquiries served to reduce the level of legal representation at such inquiries.

However, it is not practicable to provide a specific estimate of any reduction in costs because the actual savings accruing to the Exchequer would depend on the nature of the individual inquiries concerned, bearing in mind that on the one hand, some inquiries can best be conducted in public, and on the other that persons attending private hearings may be entitled to claim certain legal representation costs.

Tax Clearance Certificates.

261. **Mr. Penrose** asked the Minister for Finance if his Department has received an application for a C2 tax clearance certificate from a person (details supplied) in County Westmeath; if he will take steps to have same expedited; and if he will make a statement on the matter. [12224/05]

Minister for Finance (Mr. Cowen): Applications for Certificates of Authorisation under Section 531 of the Taxes Consolidation Act 1997 — otherwise referred to as C2 Applications — are, properly, to be made to the Office of the Revenue Commissioners. The application should be sent to the Revenue district for the area where the applicant resides or is based.

I am advised by the Revenue Commissioners that an application for a C2 for the person concerned was received in the Westmeath-Offaly district on 18 April 2005. This will be considered in the normal way over the next few days.

Disabled Drivers.

262. **Mr. Crawford** asked the Minister for Finance the number of disabled persons, on a county basis, who are waiting for appeals to be heard for the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994, in cases in which they have been refused at local level; when the backlog will be dealt with; and if he will make a statement on the matter. [12255/05]

Minister for Finance (Mr. Cowen): It is expected that the recently reconstituted medical board of appeal for the disabled drivers and disabled passengers (tax concessions) scheme will resume its meetings very shortly. In this regard, I appointed a new chairperson to the board on 14 March 2005, and I understand that a new secretary was appointed yesterday. In respect of the waiting list for an appeal, I understand 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.

Information in respect of the number of appeals to the board on a county basis is not held by my Department or the Revenue Commissioners, and I understand that accurate information in regard to this is not readily available at this time from the board of appeal. However, as part of the reconstitution of the board, resources are being made available to develop an improved database, which will address this. I will arrange for the information to be forwarded to the Deputy, when available.

Tax Code.

263. **Mr. Crawford** asked the Minister for Finance the amount which would be involved in reintroducing the roll-over tax for those involved in compulsory purchase orders; his views on whether a person who is placed under a CPO has no other choice but to accept the compensation provided and therefore is not a willing participant; his further views on whether such persons are doing a great service for the greater good of national infrastructure; and if he will make a statement on the matter. [12256/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that figures are not available to estimate with any accuracy the cost of introducing a roll-over relief for those involved in compulsory purchase orders. While a person whose property is purchased on foot of a CPO does not have a choice regarding the act of purchase, the compensation they receive will include one or more of the following elements: the market value of the property acquired, damage arising from the severance of land acquired from land retained by the owner, damage arising from the injurious affection of

lands retained, and disturbance and other matters not related to the value of land. Where agreement cannot be reached on compensation for compulsory acquisition, the owner concerned is entitled to access to an independent property arbitrator, who will determine the matter.

Central Fisheries Board.

264. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that the Central Fisheries Board is operating illegally under the Fisheries Act 1980 due to the fact that the members of the board, which is responsible for the direction of the chief executive, have all served their allotted time and have not been replaced; if non-replacement of the board is due to the fact that the long overdue fisheries review is about to be published; and if he will make a statement on the matter. [11666/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The position in relation to the membership of the Central Fisheries Board is that the vacancies, which occurred recently, will be filled shortly in accordance with section 23 of the Fisheries (Amendment) Act 1999. There have been no difficulties reported to the Department by the management of the Central Fisheries Board arising from the current vacancies, and the Central Fisheries Board continues to operate normally on a day-to-day basis.

Aquaculture Development.

265. **Mr. J. O’Keeffe** asked the Minister for Communications, Marine and Natural Resources if the review of the aquaculture operation in Ardroom Harbour at Beara in West Cork has been completed; and if new applications will be considered. [11692/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The review of licensed aquaculture operations in Ardroom Harbour is ongoing and the Department is in the process of drafting proposals for a more productive and efficient disposition of longlines in the area. It will also be a central objective of these proposals to ensure that navigational safety is optimised, visual impacts are minimised and aquaculture operations are managed in a manner which respects the interests of other users of the harbour.

The Department will meet the aquaculture operators in Ardroom in the near future to discuss these matters, and will seek a commitment from them that their operations will be conducted in accordance with best practice.

Until this process has been completed, the Department considers that it would be inappropriate to process new licence applications for Ardroom. However, the Department is considering applications received in respect of sites in the nearby Kenmare River.

Energy Resources.

266. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the reason Irish stocks of motor gasoline doubled from their 10 year average in the first month of 2005, to a level of 1.4 million, as reported in the IEA monthly oil market report of 11 March 2005. [11709/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As a member of the International Energy Agency (IEA), Ireland is required to maintain emergency oil stocks equivalent to at least 90 days of net imports in the previous year. In line with IEA rules, member countries’ reserves may include industry stocks, in addition to government or agency stocks. Ireland’s strategic reserves are made up of a combination of wholly owned and rented stocks held by the National Oil Reserves Agency (NORA) and of industry stocks. Such stocks may comprise crude oil and specified oil products including gasoline.

Data on the IEA website referred to by the Deputy, includes details of the volumes of gasoline stocks held by Irish industry over a ten year period which, as already stated, are a component of Ireland’s oil reserves.

The volumes of crude oil and oil products held at any specific time by Irish oil and consumer companies, including the refinery at Whitegate and the Bantry Oil Storage Terminal, are matters for the companies in question and take account of, *inter alia*, oil prices and likely trends, commercial considerations and the availability of suitable storage facilities.

Harbours and Piers.

267. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources if he will provide funding to Clare County Council to increase the pier at Doonbeg, County Clare; and if he will make a statement on the matter. [11710/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Doonbeg Pier is owned by Clare County Council and responsibility for its repair and maintenance rests with the local authority in the first instance.

A programme for the funding of small harbours within the overall 2005 Fishery Harbours Development Programme is under consideration at present and funding for Doonbeg Pier will be considered under this programme taking into account the amount of Exchequer funding available and overall national priorities.

An Post Pensions.

268. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the position regarding the pensions issue at An Post for retired staff; if the maximum support will

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be given to them in relation to money owed to them; and if he will make a statement on the matter. [11711/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Questions Nos. 411, 427, 429, and 430 of 26 January 2005.

Regarding those former civil servants, who are also pensioners of An Post, the Attorney General has been asked for advice on their specific statutory pension entitlements.

ComReg Audit.

269. **Mr. J. Breen** asked the Minister for Communications, Marine and Natural Resources further to Parliamentary Question No. 199 of 1 March 2005, if Com Reg has carried out an audit on this site; and if he will make a statement on the matter. [11736/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My officials have requested the Commission for Communications Regulation, ComReg, to arrange an audit of the site in question. In June 2003, at the instigation of my Department, ComReg commenced a series of audits involving measurements of non-ionising radiation emissions from telecommunications mast sites in the country. The purpose of the audits is to verify that licensed operators are in compliance with their licence conditions relating to emission limits for non-ionising radiation. These audits test the quality controls in place in companies to ensure compliance.

However, my Department has ascertained from the Deputy that there is as yet no telecommunications equipment installed on the mast in question. There is therefore no purpose to be served by conducting an audit at this point in time since there is no telecommunications equipment on the mast generating non-ionising emissions.

As soon as telecommunications equipment has been installed and commissioned on the mast in question, my Department will arrange for an audit of the site to be conducted.

Cosaint an Chósta.

270. D'fhiafraigh **Mr. O'Shea** den Aire Cumarsáide, Mara agus Acmhainní Nádurtha ag éirí as Ceist Pharlaiminte 683 an 29 Meán Fómhair 2004, an mbeidh sé in ann glacadh le tairiscint Chomhairle Chontae Phort Láirge i mbliana agus an ndéanfaidh sé ráiteas ina leith. [11779/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I mí Lúnasa 2004, rinne Comhairle Chontae Phort Láirge tairiscint dom i leith mionathrú agus daingniú na haille i gcomharsanacht Ché Heilbhic de chostas measaithe €500,000. Tá ceist deontais ón Státhchiste i mbliana i gcomhair cosaint an chósta

faoi bhreithniú ag an am seo, ag tabhairt san áireamh an méid cistí ar fáil agus na tosaíochtaí náisiúnta ina leith.

Post Office Network.

271. **Mr. Crawford** asked the Minister for Communications, Marine and Natural Resources the number of sub post offices which were in operation on 1 January 1997 on a county basis; the number in operation at present; if he has satisfied himself that every effort is being made to encourage new applicants to take over in cases in which the postmaster or mistress is retiring; if sufficient effort is being made to computerise especially small rural post offices; his views on whether they provide an important and vital service to the community; and if he will make a statement on the matter. [11780/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The information regarding the number of post offices in operation on 1 January 1997, the number in operation at present and the number of postal agencies is set out in Appendix 1.

In every instance where a post office is closed, the vacancy is advertised by An Post as a postal agency and it is only when no suitable applicant can be found to take over the running of the post office that an office is closed.

With regard to computerisation of non-automated offices, the automated network accounts for over 95% of An Post's counter business. This means the 1,000 automated offices transact 95% of counter business while 475 non-automated offices undertake 5% of business. This figure clearly illustrates the level of business transacted by individual non-automated offices. The current level of automated coverage is considered by An Post to be extremely comprehensive by any objective standard and this level of coverage makes it difficult to justify on either customer-service or economic ground the extension of automation to all offices, regardless of their location or business volumes.

Automation of the post office network was completed in 1997. It is, therefore, only in very exceptional circumstances — such as an existing automated office closing and its equipment being transferred to a suitable neighbouring location which transacts significant volumes of welfare business — that offices are automated today. Nevertheless, An Post will undertake a pilot project to automate a selected number of non-automated offices to gauge the effect on new business.

The Government is committed to a viable and sustainable rural post office network providing a range of services to meet consumer needs. This commitment is illustrated by the Government injection of €12.7 million into the network in 2003 to facilitate modernisation measures. The Government has also strongly supported An Post initiatives such as the channelling of new utility and banking services through the network.

APPENDIX 1

County	1997	Current	Postal Agency
Carlow	20	16	0
Cavan	66	38	9
Clare	64	53	5
Cork	220	159	19
Donegal	117	90	9
Dublin	162	148	2
Galway	130	102	7
Kerry	76	64	7
Kildare	36	29	2
Kilkenny	48	33	9
Laois	29	21	1
Leitrim	50	27	7
Limerick	94	70	7
Longford	24	16	2
Louth	40	26	3
Mayo	127	87	15
Meath	60	47	4
Monaghan	45	27	3
Offaly	35	24	6
Roscommon	57	40	8
Sligo	51	33	8
Tipperary	81	49	4
Waterford	39	34	3
Westmeath	49	29	5
Wexford	80	58	8
Wicklow	39	29	4

Lough Swilly.

272. **Mr. McGinley** asked the Minister for Communications, Marine and Natural Resources the classification which Lough Swilly in Donegal will come under, that is, open sea or smooth sea; and if he will make a statement on the matter. [11781/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The port area of Lough Swilly is designated as smooth waters within a line from Buncrana to Muckarnish Point and as partially smooth waters within a line from Dunree Head to Portsalon.

Port areas were originally derived early in the 19th century and were appropriate for trading and operating conditions at that time. The maritime safety directorate of the Department re-examined this matter in 2004 and issued a marine notice in this regard. This notice, No. 24 of 2004, lists port and sea areas and proposes, where practical and safe, an area of smooth or partially smooth water to every port or harbour not previously listed. All marine notices are available on the following website: www.dcmnr.gov.ie.

A person, persons or body with local knowledge who is of the viewpoint that the areas are insufficient may submit views in writing to the

Chief Surveyor, the Maritime Safety Directorate, Leeson Lane, Dublin 2, for consideration. The submission should be accompanied by supporting factual data, taking into account parameters of safety and sea, weather and tidal conditions.

Postal Services.

273. **Mr. Crowe** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that there are many postboxes around Dublin still carrying the British Crown insignia; and his views on whether these trappings are appropriate or acceptable in an independent State. [12000/05]

274. **Mr. Crowe** asked the Minister for Communications, Marine and Natural Resources the number of post boxes which carry the British Crown insignia in Dublin and in the rest of the State. [12001/05]

275. **Mr. Crowe** asked the Minister for Communications, Marine and Natural Resources if there are plans or proposals for the removal of postboxes that carry the British Crown insignia. [12002/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 273 to 275, inclusive together.

I have no statutory function in this matter. It is an operational issue for the board and management of An Post. I am advised by An Post that it does not have a definitive figure for the number of post boxes bearing the Crown insignia.

Telecommunications Services.

276. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the plans which are in place for the introduction of broadband to Calry (details supplied) in County Sligo. [12018/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of broadband facilities is a matter in the first instance for the private sector telecommunications companies operating in a fully liberalised market. A number of factors determine where and when broadband services are offered, including the potential number of customers, the level of investment required, et cetera. I understand that Eircom recently announced plans to considerably extend its DSL broadband coverage in County Sligo by March 2006.

A major factor in the rollout of broadband is the availability of suitable infrastructure. My Department is addressing the infrastructure deficit with the regional broadband programme, under which high-speed open access broadband networks are being built, in cooperation with the local and regional authorities, in almost 120 cities and towns. The Sligo town metropolitan area network is currently under construction. The MANs offer opens access to service providers, who can

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access broadband speed many hundreds of times faster than those available over the telephone networks.

For smaller communities, such as Calry, my Department administers the county and group broadband scheme, under which grant aid of up to 55% of set-up costs is available. The programme is driven by the broadband needs of the community and addresses those needs by funding the most appropriate broadband technology for each particular application. A call for proposals in respect of the scheme is currently open, and full details can be found on www.gbs.gov.ie

Coastal Erosion.

277. **Mr. Howlin** asked the Minister for Communications, Marine and Natural Resources when a decision will be made in respect of the application by Wexford County Council for funding to address coastal erosion issues in County Wexford; if his attention has been drawn to the severe damage caused by winter storms at Doogan's Warren, Rosslare; and if he will make a statement on the matter. [12114/05]

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. A proposal regarding Doogan's Warren, Rosslare, for soft engineering solutions to protect the dune system and to promote dune regeneration, at an estimated cost of €30,000, was included in the council's proposals as their number four priority. 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.

Electricity Generation.

278. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if there is communication with other interested parties for example, Departments of Agriculture and Food and Department of Environment, Heritage and Local Government as anaerobic digestion — biomass originated electricity impacted on all three Departments; and if he will make a statement on the matter. [12183/05]

279. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if a lottery is the most appropriate method of awarding contracts for anaerobic digestion — biomass originated electricity; and if he will make a statement on the matter. [12184/05]

280. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if consideration will be given to the promotion of anaerobic digestion development using examples

of Danish, Austrian, German and Swedish experience; and if he will make a statement on the matter. [12185/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 278 to 280, inclusive, together.

An alternative energy requirement programme, AER, is operated by my Department to support the construction of new renewable energy based electricity generating stations in a variety of technologies. There have been six tender rounds in the AER programme to date. All projects selected in the biomass category prior to AER VI were projects harnessing landfill gas. In each round of competitive tendering under the AER programme all applicants were required to comply with published conditions precedent in the first instance. All applications compliant with those conditions were then ranked by prices bid, by category, commencing with the lowest price bid.

A quantitative limit applied in each category and it was necessary to make provision for ranking compliant projects with identical bid prices if the remaining unallocated support in any category was less than the combined capacity tendered by those projects. The selection method applied in each category was a lottery as a transparent means of selecting between equally qualified applications bidding identical prices. This methodology was notified to the market in the competition notes when formally launched.

In the most recent competition, AER VI, specific categories were added for the first time to support biomass powered anaerobic digestion and biomass fed combined heat and power after consultations with Sustainable Energy Ireland. The inclusion of these specific categories was introduced as a preliminary step to gauge market interest and performance in those categories.

In addition to the preliminary step taken in AER VI, my Department, in association with Sustainable Energy Ireland, set up a bioenergy strategy group, BSG, to consider future policy options and support mechanisms to stimulate an increased use of biomass generally in energy conversion and to make specific recommendations for action to increase the penetration of bioenergy in Ireland.

Membership of the BSG included representatives from the Department of Agriculture and Food and the Department of the Environment, Heritage and Local Government, as well as State agencies in the agriculture and energy sectors. The deliberations by the group included examination of best international practice in the various forms of bioenergy. The group's report will feed into the policy options to more than double the penetration of renewable energy technologies in the electricity market by 2010.

It is important to maximise the contribution from all renewable energy technologies to electricity production on a basis that is technically

secure and fair to all parties including, in particular, electricity consumers.

Foreshore Licences.

281. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the position regarding plans to infill 52 acres at Dublin Bay; and if he will make a statement on the matter. [12254/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Dublin Port Company applied in March 2002 for ministerial consent for the reclamation of 21 hectares of foreshore in Dublin Bay. As private ownership of the foreshore in question was claimed, the application was made in accordance with the provisions of sections 10 and 13, as amended, of the Foreshore Act, 1933.

Issues arose concerning proof of ownership of this area of foreshore and these are being actively pursued by the State's legal services, acting on behalf of the Department, with Dublin Port Company's legal advisers. The ownership question is a material issue in terms of the form of consent that would be required for the proposed reclamation and the factors that I am required to consider in making a decision on the application. The proposed development will also require planning permission, and Dublin Port Company has been advised that it is more appropriate that the necessary consent under the planning process be obtained before the foreshore application is dealt with. This is in accordance with normal practice where a development wholly or partly on the foreshore requires planning permission. The essential purpose of this approach is to avoid situations in which modifications to a proposed development required by the planning process would necessitate a new application under the foreshore Acts by the applicant concerned.

Dublin City Council, the appropriate planning authority for the area, has been advised that the Minister does not object to the making of a planning application for the proposed development. It was made clear that there was no commitment on the Minister's part to grant the necessary foreshore consents for the development and that the application would have to be fully considered. In response, the city council has referred to the Dublin City Development Plan which provides that "It is an objective of Dublin City Council to prepare a plan for that part of Dublin Bay, from and including North Bull Island and the South Wall and up to and including Sandymount, Merion Strand and Booterstown and also concentrated on the Port Area". The council also advised that "Planning applications for foreshore development shall be deemed premature pending the preparation of this plan".

Northern Ireland Issues.

282. **Cecilia Keaveney** asked the Minister for Foreign Affairs further to Parliamentary Ques-

tions Nos. 184 of 7 July 2004 and 174 of 14 December 2004, the position in relation to a location (details supplied) in County Donegal; and if he will make a statement on the matter. [11665/05]

Minister for Foreign Affairs (Mr. D. Ahern): I fully appreciate that the closure of the section of Cannings Lane, off Coney Road, which lies in Northern Ireland, continues to be a matter of concern to the people of Muff, County Donegal, as it is to the Deputy.

As the Deputy is aware, my Department has raised this matter on numerous occasions with the relevant Northern Ireland authorities, and with the British Government through the British Irish Intergovernmental Secretariat. While we will continue to keep it under active review, a particular difficulty is that a satisfactory way forward on the issue between the relevant authorities and the landowner in question has not yet been found. Following the Deputy's most recent enquiry, my Department again raised the issue with the British Government, who confirmed that there have been no developments since the matter was last raised with them in December 2004.

Immigration Issues.

283. **Mr. O'Connor** asked the Minister for Foreign Affairs if he will report on his recent contacts with the US Government regarding the undocumented Irish currently living in the United States; and if he will make a statement on the matter. [11866/05]

Minister for Foreign Affairs (Mr. D. Ahern): The circumstances of undocumented Irish people in the US are raised on an ongoing basis in our bilateral contacts with US political leaders. Most recently, the issue was raised when the Taoiseach and I met President Bush on St. Patrick's Day. During our meeting, the President re-affirmed his commitment to work with Congress on immigration reform. The Taoiseach and I very much welcomed this commitment and emphasised the importance of addressing the situation in a positive and sympathetic way.

During the St. Patrick's Day period, I also had a detailed meeting on immigration issues with four organisations in the Boston area, including the two main Irish immigration centres there. I warmly commend the role and work of the immigration centres in the US, in particular the support, information and advice which they make available to our communities there. Funding by my Department to these organisations increased by 83% last year. I am pleased that the substantial increase in funding which I have secured for emigrant services in 2005 will enable even further support to be given to them this year.

The Deputy can be assured that the issues of our undocumented citizens and immigration reform have the highest priority for the Government. Through the ongoing efforts of our

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embassy and the contacts of the Taoiseach, myself and cabinet colleagues with political leaders in the US, we will continue to encourage and support all measures that benefit Irish citizens.

Foreign Conflicts.

284. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to reports that Roma children living in a refugee camp near a toxic waste dump in Zitkovac, Kosovo are suffering brain damage caused by high levels of lead in their bloodstream; that these persons are being denied assistance by the UN administration in Kosovo on the grounds that they are internally displaced persons and therefore do not fall under the UNHCR mandate, while the local authorities say they have no access to the majority-Serb town; if he will raise the matter at EU and UN level; and if he will make a statement on the matter. [12225/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of the recent disturbing reports on the conditions in which Roma families are living in the village of Zitkovac in northern Kosovo, and of concerns about the effect on their health of emissions from a toxic waste dump in the area. The OSCE reports that some 25% of the population of the wider municipality of Zvečan are internally displaced persons from the 1999 conflict. These include 300 Roma, who were forced from their homes in southern Mitrovica and, six years later, are still living in a temporary community shelter comprising prefabricated housing and an abandoned building in Zitkovac.

The issue of displaced persons from the conflict in Kosovo in 1999 must be resolved if there is to be a truly multi-ethnic society in Kosovo, as provided for under UN Security Council Resolution 1244. It is a top priority for the UN Interim Administration in Kosovo, UNMIK, and for the Special Representative of the UN Secretary General, Mr. Soren Jessen-Petersen, who has expressed concern at the conditions in which many displaced families from minority Serb, Roma and other communities are still living in Kosovo and in neighbouring regions of Serbia. UNMIK, with the full support of the EU, will uphold the right of all internally displaced persons in Kosovo to return to their homes and, if necessary, to have their homes reconstructed. This applies equally to those who were forced to leave their homes in 1999 and to the Kosovo Serb families displaced during the ethnic violence in Kosovo in March last year.

In the specific case referred to, the EU has also taken action to address the danger to health and the environmental damage caused by the dumping of toxic waste, over many years, from the Trepcja mines and processing plant in the municipality of Zvečan. The European Agency for Reconstruction has this year completed the rehabilitation of the abandoned site, which con-

tained 8.5 million tonnes of lead and zinc waste material. The project involved sealing the site to stop the leaking of toxic residue into the soil, or nearby sources of drinking water, and the construction of a modern sanitary landfill in Zvečan. In response to the recent reports, the Government are in contact with UNMIK for an assessment of the current situation in the area and of any additional measures which might be taken to alleviate the plight of the Roma families in Zitkovac.

Progress on the return of internally displaced persons has been disappointingly slow in Kosovo. Realistically, it will not be fully achieved in the absence of substantial political progress. The coming months provide an opportunity to begin a process which could lead to agreement on the constitutional status of a multi-ethnic Kosovo, working along with its neighbours, and with EU support, towards the eventual integration of the countries of the Western Balkans into EU structures. It is now essential that the provisional institutions of self government in Pristina, the authorities in Belgrade and the representatives of all minority communities in Kosovo engage constructively in dialogue to ensure an outcome which addresses the serious political, security and economic problems facing all the people of Kosovo.

Sports Capital Programme.

285. **Mr. Kenny** asked the Minister for Arts, Sport and Tourism the position regarding funding for a school sports development (details supplied) in County Mayo; and if he will make a statement on the matter. [11732/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme, administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2005 programme were invited through advertisements in the press on December 5 and 6 last. The closing date for receipt of applications was February 4 2005. All applications received before that deadline, including one from the organisation in question, are currently 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.

286. **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 attached) in County Galway to allow the project to proceed; and if he will make a statement on the matter. [11786/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme, administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2005 programme were invited through advertisements in the press on December 5 and 6 last. The closing date for receipt of applications was February 4 2005. All applications received before that deadline, including one from the club in question, are currently 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.

287. **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 attached) in County Galway to allow the project to proceed; and if he will make a statement on the matter. [11787/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme, administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2005 programme were invited through advertisements in the press on December 5 and 6 last. The closing date for receipt of applications was February 4 2005. All applications received before that deadline, including one from the club in question, are currently 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.

288. **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 to allow the project to proceed; and if he will make a statement on the matter. [11876/05]

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 December 5 and 6 last. The closing date for receipt of applications was February 4 2005. All applications received before that dead-

line, including one from the club in question, are currently 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.

289. **Mr. Connaughton** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to an application by a centre (details supplied) in County Galway under the 2005 sports capital programme for dressing rooms, toilet and shower facilities; if his attention has further been drawn to the tremendous community spirit in the area; and if he will make a statement on the matter. [12022/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2005 programme were invited through advertisements in the press on December 5 and 6 last. The closing date for receipt of applications was February 4 2005. All applications received before that deadline, including one from the club in question, are currently 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.

290. **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 to allow the project to proceed; and if he will make a statement on the matter. [12259/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2005 programme were invited through advertisements in the press on December 5 and 6 last. The closing date for receipt of applications was February 4 2005. All applications received before that deadline, including one from the club in question, are currently 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.

Community Employment Schemes.

291. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment if, in regard to community employment schemes in rural areas in which the pool of eligible persons is small, he will allow persons under 55 years to have more than the present cap of three years on community employment schemes in order that schemes may go ahead as against collapsing for lack of numbers; and if he will make a statement on the matter. [11667/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): On foot of a review of FÁS employment schemes, which included detailed consultations with the social partners, I decided that with effect from 10 November 2004, the three year cap would be removed for community employment, CE, participants aged 55 or over. This category of participants is now eligible to participate on CE for a maximum of six years. The extension of the participation period from three to six years for over 55s should ensure that there will be sufficient clients to fill the available places. The continuation of ringfencing and prioritisation for the essential services of child care, health related services and drugs task force clients, and the extended participation on CE by older workers, will help to secure the continuity of community services generally.

School Wardens.

292. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if the maximum support and assistance will be given to a person (details supplied). [11795/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The employee in question is employed as a school warden and, like all other school wardens, is employed by the local authority. School wardens are paid a daily rate and work an average of two hours a day, Monday to Friday, during the school term. They are paid when the school is closed for teacher training, in-service days, holy days and public holidays. They are not paid for the Christmas and Easter holidays, other than the public holidays, for mid-term breaks and during the summer holidays.

Holiday pay is paid by a once-off annual payment of 8% of total hours worked and so is in accordance with the Organisation of Working Time Act, 1997. School wardens may also take annual leave when required as long as adequate notice is given to the local authority so that cover can be obtained. There are no occupational pension schemes at present for school wardens but they have access to PRSAs, and a non-pensionable gratuity is payable to school wardens who, upon retiring, are at least 60 years of age and have worked a minimum of 10 hours a week for a minimum of five full years' service.

Regarding sick leave, there is no statutory requirement on any employers to pay employees

who are absent due to illness except under the sick pay provisions in various employment regulation orders of the Labour Court for certain sectors of employment. This does not include school wardens. However, disability benefit is paid by the Department of Social and Family Affairs to socially insured persons who are unable to work due to illness and who meet the contribution conditions. There are no proposals at present to change the current situation or to bring forward legislative proposals to require employers to have occupational sick-pay or sick-leave schemes.

If the employee in question has any difficulty in establishing her right to payment for annual leave or public holidays, she could take a case to the Rights Commissioners for redress. If she has any query with regard to this process, she should contact the staff of the employment rights information unit of this Department at (01) 6313131, LoCall 1890 201 615 or email at erininfo@entemp.ie, who would be glad to assist her.

Community Employment.

293. **Mr. O'Connor** asked the Minister for Enterprise, Trade and Employment the funding allocated to the FÁS safe pass in 2005. [11995/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The FÁS safe pass programme is self financing. In addition to the existing staff administrative costs of managing the scheme, FÁS has this year allocated a further €400,000 to produce approximately 80,000 safe pass cards for construction workers and €100,000 to update the safe pass programme.

294. **Mr. O'Connor** asked the Minister for Enterprise, Trade and Employment the funding allocated to FÁS local employment services in 2005. [11996/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The National Employment Service, NES, consists of two strands, the FÁS employment service and the local employment service, LES. The objective of the LES is to focus on the provision of services to the most disadvantaged. The allocation of funding to specific schemes and services is a matter for the board of FÁS. As part of the overall allocation of €50.8 million for staff and overheads to the NES, a sum of €18m has been provided for the local employment services in 2005.

Redundancy Payments.

295. **Mr. O'Connor** asked the Minister for Enterprise, Trade and Employment the likely cost of providing for the payment of three weeks' statutory redundancy payment for every year of service; and if he will make a statement on the matter. [11997/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr.

Killeen): The total cost to the social insurance fund of providing for statutory redundancy payments for the first three months of 2005 was €23,568,679.88. Of this, expenditure on employer rebates of 60% where the employers paid eligible employees their correct statutory redundancy lump sum entitlements amounted to €22,079,236.47. Expenditure arising from direct payments by my Department from the fund to employees who were not paid their statutory redundancy amounted to €1,489,443.41. On 1 January, 2005, the ceiling on weekly earnings to be taken into account in calculating statutory redundancy entitlements was increased from €507.90 to €600.

From these most recent figures, which are based on statutory redundancy payments of two weeks pay for every year of service, together with the usual bonus week, it can be estimated that the current total cost of redundancy payments for the full year will amount to €94,274,719.52, with €88,316,945.88 in respect of employer rebates and €5,957,773.64 in respect of direct payments to the employees.

The cost of statutory redundancy based on three weeks' pay per year of service can be further extrapolated from these figures. Thus, the total cost for the year would amount to €141,412,079.20, with €132,475,418.80 for employer rebates and €8,936,660.46 for direct payments to employees.

Industrial Relations.

296. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if a formal complaint was made to the labour inspectorate during the course of 2001 regarding the treatment by a company (details supplied) of its employees; the action that was taken on foot of any such complaint; and if he will make a statement on the matter. [12007/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In October 2001, a company complained to the Department that a successful rival from overseas had been granted employment permits to bring overseas workers into the State and that the use of such labour was prompted by lower labour costs. Officials of the Department met the complainant and in the course of a detailed discussion it was alleged that the company in question could not have won a particular contract if they were compliant with the pay norms for the sector. No evidence was provided to support this assertion. In subsequent correspondence the complainant repeated the claims and referred to the Registered Employment Agreement, REA, for the sector, in particular.

In view of the growing international involvement in the construction sector, the Department decided, as an initial step, to request evidence from the company in question as to its rates of pay. The Department requested that the company's auditors provide confirmation of the

hourly rates being paid to the company's overseas workers in Ireland. This information was supplied in January 2002. Following examination of this information within the Department, the company was requested, in March 2002, to have its auditors provide a certificate to the effect that the rates of pay applying to the overseas workers complied with the terms of the relevant REA.

As a result of the Department's request, in April 2002 the company's legal advisers and its auditors carried out a joint exercise, based on a representative sample of employees, whereby the basic hourly rates of pay, in euro, of the employees in question were compared with the payslips of the same employees and their letters of secondment. The results of this exercise, together with supporting documentation were submitted to the Department in April 2002. The auditors made clear that this exercise did not constitute a formal audit. The Department also received confirmation from the company's legal adviser that the hourly rates applied to the overseas workers were in accordance with the REA and that the workers in question each received a pay slip which complied with the provisions of the Payment of Wages Act.

The documentation received from the company's auditors and legal advisers was examined in the employment rights division of the Department, which includes the labour inspectorate. This examination raised a number of questions and, later in April 2002, the company was asked for written clarification of the issues identified. A detailed response of these questions was received from the company's legal advisers in May 2002. Examination of this response indicated general compliance with the various aspects of employment law in question.

The Department wrote to the original complainant in May 2002 informing them of the outcome of the Department's enquiries in this area and advised that, with regard to the construction industry registered employment agreements, it is always open to a third party such as the trade union representative of the workers or to an employer or to a trade union representative of employers to complain to the Labour Court that an employer is in breach of a registered employment agreement. Complaints regarding alleged non-compliance with any legislation should be supported by evidence. In light of the available information, and the original complaint, the Department had no further issues to raise with the complainant at that time.

Decentralisation Programme.

297. **Mr. Timmins** asked the Minister for Enterprise, Trade and Employment when he expects the National Safety Authority of Ireland to relocate to Arklow, County Wicklow; the number of members of this body who have expressed a wish to relocate to Arklow; and if he will make a statement on the matter. [12024/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): As part of the Government's decentralisation programme, 132 staff of the National Standards Authority of Ireland, NSAI, are to relocate from Glasnevin, Dublin to Arklow, County Wicklow.

While the NSAI was not identified as an "early mover" in the most recent report of the decentralisation implementation group published on 19 November, 2004, the authority has, in accordance with the requirements of earlier reports of the decentralisation implementation group, developed a decentralisation implementation plan. This plan is available on the authority's website and it sets a timeline of June 2006 for the move to Arklow. However, I understand from the authority that this target date is dependent on the OPW property procurement process. Following discussion between the authority and the OPW, the authority now considers that this date may need to be revised to a later date.

Results from the central applications facility confirm that out of 119 expressions of interest in moving to Arklow with the NSAI, ten of the staff currently engaged by the authority have expressed an interest in relocating to Arklow.

Discovery Orders.

298. **Mr. J. Breen** asked the Minister for Enterprise, Trade and Employment the reason he has ignored a High Court order (details supplied) to file an affidavit of discovery within the time frame laid down by the court; and if he will make a statement on the matter. [12115/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I did not ignore the High Court Order in question. The terms of the discovery order were fulfilled by my Department in the time frame set out. The preparation of the affidavit is a matter for the Chief State Solicitor's office. The affidavit has been drafted by that office and was sworn by my Department yesterday. The affidavit is now in the process of being filed.

Industrial Relations.

299. **Mr. Gilmore** asked the Minister for Enterprise, Trade and Employment if a labour inspector was transferred from his Department to the Employment Appeals Tribunal in May 2003; if the inspector concerned disputed the transfer; if the civil service mediator recommended this person's return to the labour inspectorate in August 2004; the reason for the delay in returning the inspector concerned to the Labour Inspectorate in view of the acknowledged shortage of labour inspectors; and if he will make a statement on the matter. [12131/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In May 2003, two labour inspectors were

transferred temporarily to the Employment Appeals Tribunal to assist in dealing with a backlog caused by an increase in the volume of cases submitted to the tribunal. One of the officers concerned disputed the proposed transfer and the grievance procedure was invoked. The civil service mediator recommended that the transfer proceed and that the officer be considered for return to the labour inspectorate in the future.

The officer duly took up duty in the Employment Appeals Tribunal in September 2003. Subsequently the matter was again referred to the civil service mediator and the mediator recommended in August 2004 that the officer be returned to the labour inspectorate. The officer was informed in writing on 25 August 2004 of the proposed return to the labour inspectorate subject to completion of reconciliation of outstanding absences with the individual's current line managers. The line managers asked the officer on three separate occasions in August and September 2004 to reconcile the outstanding absences but no response was received to any of these requests.

The personnel officer of my Department met the officer and a union representative on 12 October 2004 and pointed out that the only obstacle to the return to the labour inspectorate was the failure to reconcile the flexitime attendance. The officer refused to discuss the matter at the meeting. The personnel officer wrote to the officer on 21 October 2004 requesting a reconciliation of the flexitime attendance and attached the details of the relevant absences in so far as the Department was aware of them. No response was received. On two separate occasions in December 2004 and January 2005 the personnel officer requested the officer to meet him to discuss the matter but on both occasions the meeting was cancelled on the morning of the day it was to take place due to the illness of the officer concerned.

It is clear from the foregoing that the Department accepted the mediator's recommendation and initiated the process quickly in the expectation that the officer would be assigned to the labour inspectorate by early September 2004. The officer's continuing failure to comply with the normal regulations governing attendance, which apply to all staff of whatever grade using flexitime, is the sole obstacle to re-assignment to the labour inspectorate.

Job Creation.

300. **Cecilia Keaveney** asked the Minister for Enterprise, Trade and Employment the number of IDA itineraries into the north west region, by county, over the past two years; the status of those potential jobs; and if he will make a statement on the regional spread of jobs within counties in the north west. [12215/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The following tabular state-

ment shows the number of first time visits made to the north west region by IDA Ireland client companies in the years 2003 and 2004. On 31 March 2005, it was announced that 423 jobs were to be created in the north west region in IDA supported companies, 300 in Toucan, the consumer telecoms business of IDT Corporation, at its new customer service centre in Sligo and 123 software development jobs at SITA Inc. in Letterkenny. Discussions on further job creation in the area are ongoing with a number of other companies.

IDA Ireland, the agency charged with attracting foreign direct investment to Ireland, has indicated that 2,778 jobs were created by IDA client companies in the north west region in the last five years. IDA is working closely with its existing base of companies in the north west. One of the challenges facing companies in the north west is in the area of competitiveness, which has resulted in job losses in sectors such as textiles and clothing and low-end manufacturing. Where a company has plans to introduce new functions or new technologies or products, IDA will assist the company where possible to make new investments that lead to new jobs.

The challenge for Ireland in winning international investments is to compete with city regions elsewhere. I understand from IDA Ireland that very often the type of investment it is interested in attracting is one which cities such as Geneva, Amsterdam, Manchester, and Singapore are also candidate locations where an investor will have a pool of more than one million people from which to draw a range of skills. A town of 5,000 or 10,000 people cannot provide that type of labour pool potential. This is very much what the spatial strategy is about, namely, to build regions which have strong centres with good access, good talent and skills and strong business services which have a global orientation.

I am confident that the strategies and policies being pursued by IDA Ireland in Donegal, together with the ongoing commitment of Government to regional development will continue to bear fruit in terms of delivering the maximum possible level of additional jobs for the county.

Number of first time visits to the north west region by IDA Ireland supported companies during 2003 and 2004.

County	2003	2004
Donegal	3	12
Sligo	12	10
Leitrim	1	1

301. **Cecilia Keaveney** asked the Minister for Enterprise, Trade and Employment his plans to work with the Department of Arts, Sport and Tourism to develop schemes for product develop-

ment to aid significantly the attractiveness of regions perceived to have nothing to offer and thus to open up a potential for employment in the tourism and service sector; and if he will make a statement on the matter. [12216/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The statutory mandates of the enterprise agencies under my remit are targeted on manufacturing and internationally traded services, and not on product development. Job creation in the tourism and tourism-related service sectors is, in the first instance, a matter for my colleague the Minister for Arts, Sport and Tourism and the agencies under his remit. Therefore, there are currently no plans within my Department to develop schemes to create employment in the tourism and service sector.

Community Employment Schemes.

302. **Mr. Timmins** asked the Minister for Enterprise, Trade and Employment if funding was granted for the establishment of an enterprise centre at Bray, County Wicklow; if so, when the allocation was made; the amount allocated; the status of the funding; and if he will make a statement on the matter. [12253/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The allocation of grants under the community enterprise centre or CEC scheme is the responsibility of Enterprise Ireland, the agency charged with administering the scheme, and not a matter in which I have a direct role.

I am informed by Enterprise Ireland that in September 2000, the agency approved grant support for Bray Community Enterprise Limited towards the building of a community enterprise centre in Bray and towards the management costs for the first two years. Total funding approval was €940,442 made up as follows: building, €903,113 [IR£711,260] or 50% of cost, whichever is the lesser; project manager, €9,332 [IR£7,350] or 50% of cost, whichever is the lesser; and centre manager, €27,997 [IR£22,050] or 50% of cost, whichever is the lesser. A condition of the grant agreement was that construction should commence not later than 1 September 2000 and be completed not later than 30 September 2001.

The project proposal was based on the construction of the enterprise centre in a business park to be developed by Cosgrave Property Group at Fassaroe. The developers had made a site available for the centre. However, in 2000, the business park was refused planning permission by An Bord Pleanála and the entire development, including the community enterprise centre proposal, did not go ahead.

In the intervening years, the proposers have made a number of attempts to develop an alternative project proposal. However, despite receiving advice and support from Enterprise Ireland,

[Mr. Martin.]

Wicklow County Council, Wicklow Enterprise Board and Bray Chamber of Commerce, the proposers have been unable to put together a viable total funding proposal. The group has been notified that Enterprise Ireland grant approval is no longer available and will be withdrawn.

It should be noted that nearly five years have elapsed since Enterprise Ireland approved funding for the Bray project. Since then, a further CEC programme was undertaken in 2002 on a competitive basis.

Social Welfare Benefits.

303. **Mr. Connolly** asked the Minister for Social and Family Affairs the eligibility criteria for the low cost supplementary dietary allowance; his plans to change them; and if he will make a statement on the matter. [11682/05]

304. **Mr. Connolly** asked the Minister for Social and Family Affairs the eligibility criteria for the high cost supplementary dietary allowance; his plans to change them; and if he will make a statement on the matter. [11683/05]

305. **Mr. Connolly** asked the Minister for Social and Family Affairs the expenditure and numbers availing of the dietary allowance for low-cost supplementary diets in the Health Service Executive north-eastern area on a county basis for new applicants from 1 January 2004 to date; and if he will make a statement on the matter. [11688/05]

306. **Mr. Connolly** asked the Minister for Social and Family Affairs the expenditure and numbers availing of a dietary allowance for high-cost supplementary diets in the Health Service Executive north-eastern area on a county basis for new applicants from 1 January 2004 to date; and if he will make a statement on the matter. [11690/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 303 to 306, inclusive, together.

Diet 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. Any person who is receiving a social welfare or Health Service Executive payment, who has been prescribed a special diet as a result of a specified medical condition and who is unable to provide for his or her food needs from within his or her own resources may qualify for a diet supplement under the supplementary welfare allowance scheme. Diet supplements are subject to a means test. The amount of supplement payable in individual cases depends on which of two categories of diet, low cost or high cost, has been prescribed by the applicant's medical adviser and the income of the individual and his or her dependants.

The basis for calculating the amount of diet supplement remained unchanged between 1996

and 2004. In particular, increases in social welfare rates and in the cost of special diets since 1996 had been not been taken into account in assessing entitlement in individual cases. With effect from 1 January 2004 the diet supplement scheme was restructured to take account of increases in both social welfare payment rates and the rate of food inflation since 1996. In the case of new applicants for diet supplement, the amount of supplement payable is based on increased up-to-date diet costs, €44 for lower cost diets or €57 for higher cost diets, less one third of the applicant's income or one sixth of the joint income in the case of a couple.

Because increases in the social welfare payment rates were higher than inflation since 1996, the shortfall to be met by diet supplement is less than what it was in the past. People who were in receipt of a diet supplement prior to the introduction of the revised regulations on 1 January 2004 continue to receive their existing rate of supplement until such time as there is a change in their circumstances that would warrant a review of their cases. Pending any changes I will make to the scheme, similar arrangements continue to apply this year for existing and new cases, taking account of 2005 rates of social welfare payments.

To inform future consideration of the scheme, my Department commissioned a study by an expert from the Irish Nutrition and Dietetic Institute. The study examined the special diets prescribed in legislation for which assistance is available through the existing diet supplement scheme. It also considered the appropriate level of assistance required to cater for any additional costs involved in providing for necessary special diets relative to the cost of a normal healthy diet.

The findings of this research study have been assessed by my Department to determine how the diet supplement scheme should be developed. I announced in the budget for 2005 that improvements would be made in the context of the study and a provision of up to €2 million has been provided to facilitate this. I will introduce regulations to update the scheme as necessary as soon as the revised diet supplement amounts and applicability have been finalised based on the study recommendations. My Department is making arrangements also to publish the research study shortly. In the meantime, diet supplements continue to be provided for existing recipients and new applicants as heretofore.

Details of recipient numbers and expenditure on diet supplement in the Health Service Executive north-eastern area along with a list of the prescribed diets are set out in the following tabular statement. It is not possible to provide separate local statistics for those on high cost and low cost diet supplements, respectively, nor is it possible to provide separate statistics for Cavan and Monaghan.

Table 1: Details of expenditure and number of recipients of diet supplement in the Health Service Executive North-Eastern Area.

Location	Supplements* in payment	Awarded since 1/1/04	Expenditure 2004 to date**
Cavan/ Monaghan	341	19	191,631.40
Louth	304	45	196,618.60
Meath	190	18	126,854.10

*Aggregate of high- and low-cost supplements.

**This figure relates to total expenditure for the period from 1 January 2004 to 8 April 2005 and includes expenditure on supplements which were awarded prior to 1 January 2004.

Table 2: Prescribed diets under existing diet supplement scheme

(a) *low-cost diet for person aged 18 years or over*

- diabetic diet,
- low fat, low cholesterol diet,
- reducing (calorie restricted) diet,
- high fibre diet,
- low fat diet,

(b) *high-cost diet for person aged 18 years or over*

- high protein, high calorie diet,
- gluten free diet,
- low protein, high calorie diet,
- liquidised (altered consistencies) diet,
- low lactose, milk free diet,
- high protein, low salt diet,
- modified protein, high calorie diet,

(c) *Low-cost diets for person under 18 years of age*

- reducing (calorie restricted) diet,
- high fibre diet,
- low fat diet,

(d) *High-cost diets for person under 18 years of age*

- diabetic diet,
- high protein, high calorie diet,
- gluten free diet,
- low protein, high calorie diet,
- low lactose, milk free diet,
- high protein, low salt diet,
- modified protein, high calorie,

Social Insurance.

307. **Ms Burton** asked the Minister for Social and Family Affairs if workers brought here from a non-European country for the purpose of employment in the construction industry, as widely reported in respect of a recent case

(details supplied) are liable for social insurance and, if so, the entitlements these payments give such workers; and if he will make a statement on the matter. [11701/05]

Minister for Social and Family Affairs (Mr. Brennan): Exemption from payment of social insurance employment contributions for a period not exceeding 52 weeks can be granted in respect of the temporary employment of persons who are not ordinarily resident in the State. Such exemptions are subject to the employee in question having a valid work permit and confirmation by the employer that social insurance contributions are paid in their home country. The arrangements are on similar lines to arrangements which apply under EU regulation on social security for migrant workers.

Employees granted exemptions have no entitlement to social insurance benefits in this country during the period of the exemption. Should an employee continue to work here after the period of the exemption, PRSI contributions are payable in the normal manner through the Revenue system.

Question No. 308 answered with Question No. 136.

Departmental Transport.

309. **Mr. Boyle** asked the Minister for Social and Family Affairs if he has plans to encourage the use of public transport by officials in the course of departmental business; and if he will make a statement on the matter. [11856/05]

Minister for Social and Family Affairs (Mr. Brennan): Travel costs are paid to officials in my Department in accordance with Department of Finance regulations and instructions. These regulations and instructions set out the various conditions governing travel on official business, including the general requirement to use public transport at all times where this is available and feasible. My Department issues internal guidelines to staff from time to time to ensure that these regulations and instructions are adhered to.

Arising from the dispersed nature of my Department's services and, *inter alia*, the fact that a considerable level of investigative work must be carried out in the course of delivering the Department's services, the use of public transport is not always feasible.

Departmental Press Office.

310. **Mr. Boyle** asked the Minister for Social and Family Affairs the reason it is necessary for him to use taxpayers' moneys to employ a press adviser and run a separate press office in his Department; and if he will make a statement on the matter. [11857/05]

Minister for Social and Family Affairs (Mr. Brennan): The function of the press office in my Department is to provide a press service to the Minister and the Department and to provide an effective channel of communication with the media. The role of the staff in the press office is to carry out these functions.

There are three staff in the Department's press office. The three departmental officers assigned to the press office include the press officer, who is a higher executive officer, the deputy press officer, who is an executive officer, and one clerical officer, who is in charge of administration.

I have appointed on a contract basis for my term of office a press adviser with effect from 30 September 2004. The press adviser and the press office consult and communicate regularly and do not operate separately. The appointment of a press adviser is to augment and supplement the existing resources in view of the wide range of services and day-to-day issues that constantly attract the attention of the media — press, radio, television, journals and magazines — at regional, national and international level.

As my Department is responsible for the allocation of more than €12 billion of Exchequer funding annually and the dispersal on a weekly basis of more than 970,000 individual welfare benefits and supports, the level of media interest is, naturally, considerable. The press adviser and members of the press office are available to accept and respond to media requests at all times of the day.

The appointment of a press adviser underlines the importance I attach to the communicating in an accurate, easily understandable and effective manner to the media and the public in general the work of my Department and the impact it is having on the lives of those who are welfare recipients. Considering that more than 1.5 million men, women and children benefit from the weekly payments from my Department and a further 1 million from the monthly child benefit payments, the level of media interest is constant and it is only proper and appropriate that there is a professional press information service available at all times that responds adequately and accurately to all queries. A well structured and always accessible press and information service is of considerable importance as a way of keeping the public, in particular welfare customers and potential welfare customers, aware of the entitlements available and of any evolving changes and alterations in social welfare policy.

Social Inclusion Measures.

311. **Mr. Sargent** asked the Minister for Social and Family Affairs if he will report on the findings of the recent survey on income and living conditions (details supplied) collated by the Central Statistics Office and published in January 2005; and if he will make a statement on the matter. [9299/05]

Minister for Social and Family Affairs (Mr. Brennan): The European Council meeting at Laeken in December 2001 endorsed a set of 18 common statistical indicators for measuring social inclusion. Across EU member states the EU survey on income and living conditions, EU-SILC, is the principal source for compiling data on many of these indicators. Ireland was among the first set of five countries to introduce EU-SILC in 2003 and was the first country to publish its findings. EU-SILC is a new survey of private households conducted by the CSO under EU legislation. It replaces the Living in Ireland survey, which was conducted by the Economic and Social Research Institute, ESRI, until 2001.

The 2003 report, published on 24 January 2005, presents the first set of results from the survey on the basis of data collected from June to December 2003. This survey used a different methodology to that employed in earlier surveys. It is a fact that different surveys give different results. Therefore, the apparent differences that emerged in the consistent poverty measure between the new EU-SILC results and the earlier 2001 Living in Ireland survey do not suggest any radical increase in poverty rates in Ireland between 2001 and 2003. Both the CSO and the ESRI have assured me that the figures are not comparable and that it is therefore not possible to conclude from them whether the rates for consistent poverty went up or down or remained unchanged.

There is certainly no reason to believe that there has been a worsening in poverty levels in recent years. Between 2001 and 2005, spending on social welfare increased from €7.8 billion to €12.2 billion. During the same period the lowest social welfare rates increased by 40% while the consumer price index increased by just over 13%. As a result of the budget for 2005, welfare payments increased by three times the expected rate of inflation. The real improvement resulting from these developments is commented on in the EU-SILC survey.

Nevertheless, what is not in question are the groups who are identified as being most at risk. The EU-SILC survey confirms the findings of earlier analyses in this regard and provides information on the most vulnerable groups in society towards whom policy should be focused. A key message from the survey is that, despite the extremely positive and targeted action taken by the Government and the record levels of spending on social welfare, there continue to exist vulnerable groups who struggle on the margins of society. It is, therefore, necessary to intensify the

efforts being made to eradicate poverty and social exclusion, particularly with regard to persons in these vulnerable groups.

The findings of this survey are a valuable contribution to the comprehensive research already undertaken into income, living standards and the extent of poverty in Ireland. The release of the EU-SILC results has also provided an impetus for the re-evaluation of the consistent poverty deprivation indicator and this issue is now being considered in the context of the national anti-poverty strategy data strategy. A meeting will take place in the near future between the office for social inclusion, based in my Department, other relevant Departments and agencies and statistical experts to consider this issue and how to progress it. Furthermore, the ongoing annual survey results from EU-SILC will help to provide a context for the monitoring and development of Government policy on combating poverty and social exclusion and for more effective international comparison of poverty levels over time.

Social Welfare Benefits.

312. **Mr. O'Connor** asked the Minister for Social and Family Affairs the cost of increasing the cap on rent allowance by 50%. [11963/05]

316. **Mr. O'Connor** asked the Minister for Social and Family Affairs the cost of increasing rent allowance thresholds by €100 weekly in 2005. [11968/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 312 and 316 together.

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. One of the conditions for receipt of rent supplement relates to limits on the level of rent an applicant can incur. The purpose of these rent limits is to ensure that the executive is not subsidising the cost of overly large or expensive accommodation.

The maximum levels of rent supported under the scheme for the period to 30 June 2005 are prescribed in regulations made under the Social Welfare Acts, S.I. 727 of 2003. These statutory rent limits differ across the various executive geographic areas to ensure that the rent being sought is reasonable and reflects local market conditions. Within each area, varying limits are specified also according to household composition, with scope for any special or exceptional circumstances of an applicant to be taken into consideration by the executive in determining the amount of rent supplement payable in a particular case.

In effect, the amount of rent supplement payable bridges the gap between the applicant's means and the rent being charged by the landlord, subject to statutory limits in the amount of rent towards which rent supplement is payable. Increasing the rent limits would inevitably lead to

increases in the rents demanded. Increases of €100 or 50% per week in the level of rent limits would be both unrealistic and unjustified in terms of the current rental market.

Given the significant share of the private rented accommodation that is occupied by households receiving rent supplement, any such increases would have a major distorting effect on rent levels charged, not just for rent supplement recipients but for all tenants. This in turn would lead to a very significant increase in rent supplement expenditure with no net financial gain accruing to the people who rely on the scheme for their accommodation needs.

My Department is reviewing the current levels of rent limits to assist in determining what limits should apply from July 2005. This review will take account of prevailing rent levels in the private rental sector based on indices from the Central Statistics Office together with detailed input and guidance on the market situation from each area of the executive based on patterns of rent supplement applications.

Overall expenditure on rent supplement in 2005 is estimated to cost €369 million, supporting some 58,000 households on average each week. This is an increase of 4.3% on 2004 outturn, provisional, of €353.8 million.

It is not possible in the time available to estimate the cost of an increase of €100 Euro or 50% in rent supplement levels owing to the wide variations in rents paid by households of different sizes in the different geographic areas and to the unknown impact of such increases on general market rent levels. As an indicative guide by reference to the crude average of weekly rent supplements paid, a €100 increase in weekly rent supplement could add some €300 million to scheme costs in a full year while a 50% increase in rent supplement could cost some €185 million.

313. **Mr. O'Connor** asked the Minister for Social and Family Affairs the likely cost to the Exchequer of increasing the back to school clothing and footwear allowance for each child aged from age two to 11 from €80 to €140 and increasing the rate for each child aged from 12-17 from €150 to €220. [11964/05]

321. **Mr. O'Connor** asked the Minister for Social and Family Affairs the numbers qualifying for the back to school clothing and footwear allowance in 2004-05; the cost of the allowance; and if he will make a statement on the matter. [11973/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 313 and 321 together.

The back to school clothing and footwear allowance, BSCFA, scheme assists low income families with extra costs when children start school each autumn. The scheme operates from the beginning of June to the end of September each year and is administered on my behalf by the Health Service Executive. Under the scheme

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an allowance of €80 is payable in respect of qualified children aged from 2 to 11 years. An allowance of €150 is payable in respect of qualified children aged from 12 to 22 years. In 2004 a total of 153,409 children benefited under the BSCFA at a cost of €17.03 million. A total of €18 million has been allocated in the 2005 Estimates for this scheme.

Based on estimated qualifying child numbers in 2005, if the rate of allowance were increased for children aged 2 to 11 years from €80 to €140, the estimated additional cost would be approximately €6.1 million. An increase for children aged 12 to 17 years from €150 to €220 is estimated to cost €3.7 million extra. The extra cost of increasing the allowance for children aged 18-22 years similarly from €150 to €220 is estimated at €500,000 million. Any increase in the rates of allowance are a matter for consideration in a budget context, and in the light of other priorities at that time.

314. **Mr. O'Connor** asked the Minister for Social and Family Affairs the average increase in welfare benefits per year since 1994; the average increase in incomes per year since 1994. [11966/05]

315. **Mr. O'Connor** asked the Minister for Social and Family Affairs the cost in 2005 of a €2 increase in pensions; the cost of a €7.40 increase for first and second children; and the cost of a €5.40 increase for third and subsequent children. [11967/05]

317. **Mr. O'Connor** asked the Minister for Social and Family Affairs the cost of the living alone allowance in 2005. [11969/05]

319. **Mr. O'Connor** asked the Minister for Social and Family Affairs if he will consider abolishing the limitation rule which applies to social welfare payments when more than one adult in a household is eligible for a social welfare payment; the likely cost of such an initiative; and if he will make a statement on the matter. [11971/05]

320. **Mr. O'Connor** asked the Minister for Social and Family Affairs the cost to the Exchequer of increasing the child dependant allowance to a single weekly figure to €26 for all recipients. [11972/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 314, 315, 317, 319 and 320 together.

The average increases in social welfare benefits and average industrial earnings from 1994 to 2005 is best shown by the following tabular statement. Since it has been the practice for many years to distinguish between payments to pensioners and other categories of recipients, the table shows the increases given to old age contributory pension, OACP, and to long-term unemployment assistance, LTUA. Increases in wages generally are shown by reference to gross average industrial earnings, GAIE.

	OACP	LTUA	GAIE
	%	%	%
1994	3.0	3.0	2.8
1995	2.5	2.5	2.1
1996	3.0	3.0	2.5
1997	4.7	4.7	3.2
1998	6.4	4.4	4.3
1999	7.2	4.3	5.6
2000	7.9	5.4	7.3
2001	10.4	10.3	8.5
2002	9.4	9.4	5.6
2003	6.8	5.1	6.8
2004	6.4	8.0	4.5
2005	7.2	10.4	4.8*

* Estimated.

The other data requested by the Deputy is as follows. The full year cost of a €2 per week increase in the rate of payments to pensioners is €42 million; the full year cost of a €7.40 per week increase in the rate of child benefit for each of the first two children and a €5.40 per week increase in the rate payable for the third and each subsequent child is €94 million; the estimated cost in 2005 of the living alone allowance is €57 million; the full year cost of increasing child dependant allowances to €26 per child is €135 million; it is tentatively estimated that the cost of abolishing the current limitation provisions would be of the order of €55 million in a full year.

The improvements outlined would have to be considered in a budgetary context and in the light of available resources.

Question No. 316 answered with Question No. 312.

Question No. 317 answered with Question No. 314.

Question No. 318 answered with Question No. 88.

Questions Nos. 319 and 320 answered with Question No. 314.

Question No. 321 answered with Question No. 313.

Departmental Staff.

322. **Mr. Gregory** asked the Minister for Social and Family Affairs, further to Question No. 531 of 12 April 2005, if he will provide the requirements for establishment referred to. [12117/05]

323. **Mr. Gregory** asked the Minister for Social and Family Affairs the number of unestablished civil servants in his Department. [12118/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 322 and 323 together.

In my reply to an earlier parliamentary question I set out the position on established and unestablished positions. An established civil ser-

vant is required to serve a two-year probationary period during which he or she must prove satisfactory from a health, performance and attendance perspective. In the case of a former civil servant the probationary period is one year. Temporary clerical officers and other grades, for example, adviser to the Minister and other support staff, are employed on short-term contracts.

An unestablished civil servant in the grade of executive officer or administrative officer is required to serve a period of one-year on a contract basis. At the end of the contract period, if the civil servant proves satisfactory in all aspects, an established position will be offered. The civil servant will then undergo a further one-year probationary period.

All service grades, that is cleaners, service attendants and officers, are appointed in an unestablished capacity. Competitions are held by the Public Appointments Service from time to time to allow them compete for establishment.

There are 183 staff employed in my Department in an unestablished capacity. The numbers and grades are outlined in the following table.

Grades	Number of Employees
Clerical Officer	60
Executive Officer	12
Service Grades	107
Other Grades	4 (Adviser to Minister and other support staff).

Social Welfare Appeals.

324. **Mr. Crowe** asked the Minister for Social and Family Affairs the breakdown of the number of appeals being processed in relation to social welfare benefits; the number of appeals for each benefit; and the average timescale for the completion of an appeal. [12153/05]

Minister for Social and Family Affairs (Mr. Brennan): The number of appeals on which work was in progress at 31 March 2005 was 5,207. A breakdown of these cases, by appeal category, is set out in the following appendix.

Appeals in progress at 31 March 2005

	Number
Old Age and Retirement	268
Sickness and Disability	2,052
Occupational Injuries Benefits	294
Unemployment	1,182
Widows and One-Parent Family Payment	783
Child Benefit	143
Carer's Benefit and Allowances	237
Farm Assist	43
Supplementary Welfare Allowances	56
Insurability of Employment	100
Miscellaneous	49

Over the past four years the number of appeals on hand has been reduced by a third. During 2004 some 14,083 appeals were registered and of these only 2,302, 16%, remain to be finalised.

The average processing time for appeals closed in 2004 was 20 weeks and 90% of cases were finalised within 15 weeks. This covers all phases of appeals, including, where appropriate, examination by medical assessors of the Department, and oral hearings which are now afforded in approximately 70% of the cases determined by appeals officers.

Some appeals will always take a particularly long time to process, generally for reasons which are outside the control of the appeals office. For example, delays can occur if the appellant furnishes new evidence which requires investigation at a late stage in the proceedings or where adjournments are sought by the appellant and his or her representative.

The social welfare appeals system is judicial in nature and the procedures involved are designed to ensure that every appellant's case gets full and satisfactory consideration. While the achievement of further improvement in processing times is a major objective of the office, at all times it is necessary that progress in this regard is achieved in a manner which ensures that every appeal is fully investigated and examined on all its merits.

Departmental Staff.

325. **Mr. Crowe** asked the Minister for Social and Family Affairs the number of general practitioners employed to review disability claims; if there is a high turnover of general practitioners leaving the service; and the way in which they are recruited. [12154/05]

Minister for Social and Family Affairs (Mr. Brennan): The Department has a cadre of 21 medical assessors, including the chief and deputy chief medical advisers. The role of the medical assessor is to provide independent advice to the Department for assessment or review purposes in regard to claims for illness, disability or carers schemes' payments. This is to ensure individuals who make claims, including those claiming disability payments, comply with the medical requirements of the various schemes as laid down in social welfare legislation.

The Department's medical assessors are full time employees who are recruited through the Public Appointments Commission. Each medical assessor is a fully qualified medical practitioner who has full registration in accordance with Medical Council criteria and at least six years experience in general practice. Many of the medical assessors also possess higher qualifications in relevant medical fields, some with specialist accreditation. All medical assessors receive continuing medical education in the field of human disability. There is one vacancy in the medical assessor cadre in the Department. Turnover levels are not considered high. During 2004 three medical assessors left the Department, two having reached retirement age.

Social Welfare Code.

326. **Mr. Crowe** asked the Minister for Social and Family Affairs if, in view of the unfair anomaly whereby persons claiming disability benefit are not entitled to a Christmas bonus, he will review and consider the financial implications of including this sector prior to next year's payment. [12121/05]

Minister for Social and Family Affairs (Mr. Brennan): A special Christmas bonus payment was first introduced in December 1980 for social welfare pensioners and people who depend solely on their social welfare payments for income support. There has been a number of developments in this scheme since its inception, including changes in the level of the bonus payment, the introduction of a minimum payment and the extension of the categories of eligible claimants.

The focus of the bonus has always been on persons who rely on the social welfare system for financial support over the longer term. These include recipients of retirement, old age contributory and non-contributory, widow's, widower's and invalidity pensions, one-parent family payment, carer's allowance, disability allowance, long-term unemployment assistance, farm assist and people on employment support payments. The bonus is also payable to participants in the rural social scheme, which was introduced in 2004 and operates under the aegis of the Minister for Community, Rural and Gaeltacht Affairs.

There are no plans to amend or extend entitlement to the bonus payment to recipients of disability benefit or other short-term schemes. It is open to persons who have been in receipt of disability benefit for at least a year to apply for invalidity pension and, if they qualify for that pension they would also qualify for the Christmas bonus payment.

Child Care Services.

327. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if he will become more directly involved in the provision of sustainable and affordable child care for parents living in situations of disadvantage and work closely with other Departments on this important national issue. [12012/05]

Minister for Social and Family Affairs (Mr. Brennan): Officials from my Department have had discussions with the Departments of Justice, Equality and Law Reform, Health and Children, Education and Science and the health service to identify and put in place suitable funding arrangements consistent with the limited, but socially important, responsibility which my Department has in this area.

Under 2005 guidelines from my Department, community welfare officers can pay crèche supplements to assist parents with child care costs on a short-term basis in individual cases on the recommendation of a public health nurse or health service social worker. This would arise, for

example, in emergency situations where there are particular family difficulties or where a parent is undergoing counselling or a course of addiction treatment. I provided €2.3 million in additional funds was provided in budget 2005 within the supplementary welfare allowance subhead for this purpose.

The objective is to meet a short-term individual family need. However, the scheme is not designed for, nor is it suitable as, a source of ongoing funding. A number of other child care supports are available under Child Care Act provisions, the Health Service Executive; the equal opportunities child care programme — Department of Justice, Equality and Law Reform; and the early start pre-school programme, Department of Education and Science. These are more appropriate and sustainable sources of financing child care supports.

I am conscious that the provision of affordable and accessible child care arrangements and facilities can contribute significantly to the success of measures being considered to address, in particular, the issue of children at risk of poverty. I will continue to keep the issue under review and to avail of whatever opportunities arise to assist social welfare recipients in this important area.

Question No. 328 answered with Question No. 136.

Social Welfare Benefits.

329. **Mr. McGuinness** asked the Minister for Social and Family Affairs if he will consider introducing a voucher scheme to allow older persons entitled to free public transport to avail of private transport in cases in which there are no public transport facilities readily available; the likely cost of such a scheme; and if he will make a statement on the matter. [12209/05]

333. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of persons eligible for free travel; if he is in a position to extend the scheme; and if he will make a statement on the matter. [12240/05]

334. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will consider reducing the age for qualification for free schemes; and if he will make a statement on the matter. [12241/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 329, 333 and 334 together.

The free travel scheme is available to all people living in the State aged 66 years or over. It is also available to carers and to people with disabilities who are in receipt of certain social welfare payments. At the end of 2004, 624,000 free travel passes had issued with expenditure on the scheme estimated at €53.4 million. The scheme provides free travel on the main public and private transport services for those eligible under the scheme. These include road, rail and ferry services provided by companies such as Bus Átha Cliath, Bus

Éireann and Iarnród Éireann, services on Luas, as well as services provided by more than 80 private transport operators. The vast majority of private contractors providing services under the scheme operate in rural areas. The underlying feature of the scheme is the use of spare capacity on these transport services.

I am always willing to consider applications from licensed private transport operators who may wish to participate in the free travel scheme. However, while my Department pays transport providers to operate the free travel scheme, it is not in a position to provide transport services where none exist. Various alternatives to the existing system, including the use of vouchers, have been examined. A study published in 2000 under the Department's programme of expenditure reviews concluded that a voucher type system, which would be open to a wide range of transport providers including taxis and hackneys, would be extremely difficult to administer, open to abuse and unlikely to be sufficient to afford an acceptable amount of travel. This position remains unchanged.

The issue of access to public transport in rural areas is being addressed through the rural transport initiative, which is being managed by Area Development Management, ADM, on behalf of my colleague, the Minister for Transport. My Department contributes annually to the initiative to ensure that free travel pass holders continue to have full access to community-based transport services. I understand the Minister for Transport is making arrangements for the rural transport initiative to be made a permanent fixture in the annual Government spending plans and that he intends to listen to those involved in the pilot phase of the project to establish how best the scheme can work from 2007 onwards. In addition, I will continue to review the operation of the free travel scheme with a view to identifying the scope for further improvements as resources permit.

With regard to the household benefits package of free schemes, which comprises the electricity-gas allowance, telephone allowance and television licence schemes, this package is generally available to people living permanently in the State, aged 66 years or over, who are in receipt of a social welfare payment or who fulfil a means test. The package is also available to carers and people with disabilities under the age of 66 who are in receipt of certain welfare type payments. People aged over 70 years of age can qualify regardless of their income or household composition. Widows and widowers aged from 60 to 65 whose late spouses had been in receipt of the household benefit package retain that entitlement to ensure households do not suffer a loss of entitlements following the death of a spouse.

A range of proposals has been made to extend the household benefits package of free schemes to other groups, including groups of people who are under age 66 years. These are kept under

review in the context of the objectives of the scheme and budgetary resources.

Social Welfare code.

330. **Mr. Durkan** asked the Minister for Social and Family Affairs the extent to which he has examined the negative impact of sharply increased living costs on widows and widowers; his plans to address the issue; and if he will make a statement on the matter. [12236/05]

Minister for Social and Family Affairs (Mr. Brennan): In recent years the Government has introduced a number of specific measures to benefit widows and widowers. With regard to those who are over 66 years, the Government had committed to bringing their rate of payment into line with that of the old age contributory pension. This was achieved through a series of special increases in recent budgets and the process was completed in budget 2004. The maximum rate of both old age and widowed pensions is €179.30 per week. Overall, since 1997 this payment has increased by €89.02 or 98%. The increase in the consumer price index over the same period was 30.7%. Payments for those under 66 increased by more than 70% in the same period.

Widows and widowers are also benefiting from the changes in the household benefits scheme announced over a number of budgets. Under these arrangements all persons aged over 70 years of age are entitled to the full range of benefits, regardless of their means or household composition. Widows and widowers with dependant children can benefit from the widowed parent grant, introduced in 2000, to provide additional assistance in the difficult time following a bereavement. The grant is valued at €2,700 and is paid in addition to the usual after death payments.

Increases in the rates of child benefit also benefit widows and widowers with children. Since 1997, the monthly rates of child benefit have been increased dramatically. Since April, child benefit payments are €141.60 per month for each of the first and second children and €177.30 per month for the third and subsequent children. Increases in payment supports for widows and widowers have more than covered increases in living costs in recent years. I will continue to seek opportunities to improve their position and, in this regard, the various provisions for widows and widowers under the social welfare code will be kept under review in a budgetary context.

Pension Provisions.

331. **Mr. Durkan** asked the Minister for Social and Family Affairs if he intends to improve entitlement to pensions in respect of contributions made by self-employed persons; and if he will make a statement on the matter. [12237/05]

Minister for Social and Family Affairs (Mr. Brennan): Self-employed contributions are assessable for old age (contributory) pensions on

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the same basis as standard rate contributions. The pensions payable are in accordance with the normal rates applying to different contribution levels. A special pension is available to self-employed people who were over 56 years in 1988 when compulsory social insurance was introduced for this group. This group could not satisfy the standard qualifying conditions including the requirement to commence paying insurance ten years before reaching pension age because of their ages. In 1999 a special flat rate pension of 50% of the standard maximum rate with equivalent increases for adult and child dependants, was introduced based on the payment of 260 contributions. The pension was seen as a reasonable response to the position in which this particular group found themselves. The option of a refund of the pension portion of the social insurance contribution was also an option made available. The position will be kept under review.

Social Welfare Code.

332. **Mr. Durkan** asked the Minister for Social and Family Affairs his plans to reduce the qualifying age for receipt of old age pension, contributory and non-contributory; and if he will make a statement on the matter. [12238/05]

Minister for Social and Family Affairs (Mr. Brennan): Given current demographic projections for Ireland and the need to ensure the sustainability of our pensions system, there are no plans to reduce the qualifying age for entitlement to pension.

Questions Nos. 333 and 334 answered with Question No. 329.

Social Welfare Benefits.

335. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of persons currently on the disability allowance; the number who have been disallowed in the past four years; and if he will make a statement on the matter. [12242/05]

Minister for Social and Family Affairs (Mr. Brennan): A total of 73,677 persons are in receipt of disability allowance. Between January 2001 and December 2004, 1,796 persons were disallowed disability allowance, of which 33 were on medical grounds and 1,763 were in respect of means. This includes cases where appeals or reapplications may be in progress. Continuing entitlement to disability allowance payment is subject to the person satisfying both the means test and the medical eligibility criteria that apply. My Department's schemes have a review mechanism to ensure eligibility conditions continue to be satisfied. This is achieved through a process of selective and periodic review of appropriate cases. Persons with severe disability are not subject to medical review for the period they are on disability allowance.

In review cases that result in disallowance, the persons concerned are informed of the decision and the reasons for it. They are also advised of their right of appeal to the social welfare appeals 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 such decisions.

336. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will consider substantially increasing child benefit as a means of addressing the child care issue; and if he will make a statement on the matter. [12243/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department administers a number of child income support measures, including child benefit which delivers a standard rate of payment in respect of all children in a family regardless of income levels or employment status. Child benefit supports all children but delivers proportionately more assistance to those on low incomes and with larger families. It is not intended primarily to meet child care costs. However, the very substantial increases in benefit in recent years can make a significant contribution to meeting those costs.

From this month, when budget 2005 rate increases have taken effect, monthly rates will be €141.60 in respect of each of the first two children and €177.30 in respect of the third and subsequent children. Monthly rates of child benefit have increased by €103.51 at the lower rate and €127.78 at the higher rate since 1997, increases of 272% and 258% respectively. This level of increase is unprecedented and is in line with the Government's objective of improving income for children generally.

The question of specific support for the costs of child care is a matter for my colleague, the Minister for Justice, Equality and Law Reform, whose Department administers the equal opportunities child care programme under the national development plan.

Social Welfare Code.

337. **Mr. Durkan** asked the Minister for Social and Family Affairs the steps he will take to expedite the process of social welfare claims requiring calculation or contributions in more than one jurisdiction; and if he will make a statement on the matter. [12244/05]

Minister for Social and Family Affairs (Mr. Brennan): Entitlement to social welfare payments can be assessed using contributions paid in EU countries and countries with which Ireland has bilateral agreements. My Department has bilateral social security agreements in place with seven countries: Austria, Australia, Canada, New Zealand, the United Kingdom, the USA and Switzerland. A bilateral understanding also exists with Quebec since 1994.

By far the largest number of cases involving EU and bilateral *pro rata* pension entitlement are those with UK insurance. The time taken to process claims that fall to be examined under EU and bilateral agreements is longer than that for standard Irish entitlements, reflecting the added complexity that arises in determining entitlements under these agreements. Every effort is made to minimise processing times, the overriding objective in dealing with these claims is to ensure that people receive their full entitlements. However certain elements of the process fall outside the control of my Department.

The EU-international section of my Department, which deals with retirement and old age contributory pensions, which make up the bulk of EU and bilateral pension, has a backlog of cases which is resulting in delays. The position is being kept under review and steps have been taken to further improve the situation with the recent assignment of additional staff. Technological solutions are also being applied to the claim process to help reduce time taken to process EU claims. Regular contact is made with the UK social security authority and other foreign agencies to ensure the smooth transfer of the necessary information required to decide on these claims.

I assure the Deputy that delays in processing applications will not result in any losses to pensioners and those who qualify for payment will have their claims backdated fully in accordance with the normal regulations for backdating pension claims.

338. **Mr. Durkan** asked the Minister for Social and Family Affairs if he intends to improve the living alone allowance payable to certain categories of social welfare recipients; and if he will make a statement on the matter. [12245/05]

Minister for Social and Family Affairs (Mr. Brennan): The living alone allowance is an additional payment of €7.70 per week made to people aged 66 years or over who are in receipt of certain social welfare type payments and who are living alone. It is also available to people under 66 years of age who are living alone and are receiving payments under one of a number of invalidity schemes. For many years the policy on support for pensioners has been to commit resources to improving the personal pension rates for all pensioners, rather than supplementary payments such as the living alone allowance. This approach ensures the position of all our pensioners is improved. Any change in policy on the living alone allowance would have to be considered in a budgetary context.

Question No. 339 answered with Question No. 88.

Departmental Expenditure.

340. **Mr. Durkan** asked the Minister for Social and Family Affairs the amount of savings accruing to his Department from the budget 2004; the

groups of persons who became the victims of these cuts; and if he will make a statement on the matter. [12247/05]

Minister for Social and Family Affairs (Mr. Brennan): The measures introduced in the context of the 2004 Estimates included changes to the back to education allowance, one parent family payment, certain child dependant allowances, changes in the conditions of entitlement to short-term social insurance payments and changes in the supplementary welfare allowance scheme. It is not possible to quantify precisely the numbers affected by the measures in question in that where disallowances or reduced entitlements occur, the specific reasons for such are not recorded on payment systems in a way which facilitates production of the information requested. While data are regularly available on the numbers in receipt of all payments, simple comparisons of such numbers would not reliably indicate the number of persons affected by the measures.

The number in receipt of any particular scheme can and does fluctuate for a wide variety of reasons, such as seasonal factors in the case of unemployment. Furthermore, in many instances, the individuals who may have been affected by a particular measure could have availed of alternative support. It is not possible to distinguish those cases from those who, for other reasons, avail of these alternative supports over the same period. The total overall projected expenditure in 2004 on the schemes affected by the measures was, however, broadly in line with expectations.

I have conducted a review of the measures announced in November 2003 to assess their impact on people. During that review I listened to the views expressed by Members, the social partners and voluntary groups and others I have met since becoming Minister. On budget day, I announced new arrangements, and the position is as follows: the qualifying period for the back to education allowance is being reduced from 15 months to 12 months in September and, in addition, the cost of education allowance is being increased by €254 to €400; the transitional payment for recipients of one-parent family payment has been restored and will be available for six months where a recipient's income exceeds €293 per week; the income limit for entitlement to half-rate child dependant allowances for unemployment, disability and related schemes has been increased since last January by €50 per week to €350; and the saving of €700,000 arising from last year's MABS.

Supplement measure has been redirected to the money advice and budgeting service to enable it to further develop its services; €2.3 million, an amount equivalent to the savings achieved by the discontinuation of crèche supplements, is being made available to ensure vulnerable families can continue to have access to crèche supports, for example in cases where a social worker or public health nurse deems this necessary as part of their

[Mr. Brennan.]

work with the family. I am consulting my colleagues the Tánaiste and Minister for Health and Children and the Minister for Justice, Equality and Law Reform about the most appropriate way to channel this funding. An additional €2 million has been made available to improve the diet supplement arrangements; €19 million in funding from the rent supplement scheme has been transferred to the local authorities as an initial measure to enable them to put long-term housing solutions in place; the six months rule for entitlement to rent supplement has been amended to ensure bona fide tenants who experience a change of circumstances are not disadvantaged, for example, if they become ill or unemployed within six months of renting; and rent supplement remains in payment unless a third offer of local authority accommodation has been refused.

I did not raise the minimum contribution for rent supplement this year. In addition, the measure relating to half rate payments for widows and widowers and allied payments was amended earlier last year. The extended full year cost of the measures I announced is €36 million in a full year.

Social Welfare Benefits.

341. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of recipients of family income supplement; the extent to which this number has fluctuated in the past three years; and if he will make a statement on the matter. [12248/05]

Minister for Social and Family Affairs (Mr. Brennan): The information requested by the Deputy is contained in the following tabular statement:

Recipient of Family Income Supplement, 2002 to 2004.

	Recipients of Family Income	
	Supplement	% Change
2002	12,043	
2003	12,317	2.3%
2004	14,727	19.6%

Social Welfare Code.

342. **Mr. O'Donovan** asked the Minister for Social and Family Affairs the reason Irish citizens, who were forced to work abroad for over a two-year period, have to fulfil the habitual residence condition to qualify for social welfare payment on their return here; the reason it is taking up to six months for a decision to be made on whether a person is habitually resident in the common travel area; the reason persons who have been resident in the common travel area over a two-year period still have to wait for a decision from the habitual residency section; and if he will make a statement on the matter. [12277/05]

Minister for Social and Family Affairs (Mr. Brennan): The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The basis for the restriction contained in the new rules is the applicant's habitual residence. The restriction is not based on citizenship, nationality, immigration status or any other factor. The question of what is a person's "habitual residence" is decided in accordance with European Court of Justice case law, which sets out the grounds for assessing individual claims.

Each case received for a determination on the habitual residence condition is dealt with in its own right and a decision is based on application of the guidelines to the particular individual circumstances of each case. An applicant who disagrees with the decision of a deciding officer has the right to appeal to the social welfare appeals office. While decisions to the effect that applicants satisfy the habitual residence condition can be made in the vast majority of cases at claim acceptance stage the remaining complex cases are referred to a central unit based in Dublin. Delays have occurred in issuing decisions in respect of some cases referred to the central unit. This is being examined and efforts are being made to speed up the decision making process.

The common travel area is Ireland, Great Britain, the Channel Islands and the Isle of Man. Persons who have lived in other parts of the common travel area for two years or more and then move to Ireland with the intention of settling here are quite likely to satisfy the habitual residence condition. Under existing administrative arrangements, claims received from applicants who previously lived in parts of the common travel area other than Ireland are referred to the central unit. Such applicants are required to provide documentary proof that they have lived in other parts of the common travel area and failure to do so when making their social assistance or child benefit claims can lead to delays in decisions issuing to them.

Decisions on the habitual residence condition in the cases of applicants for supplementary welfare allowance are made locally by community welfare officers. An applicant who disagrees with a decision made in this instance can also appeal the decision through an appeals system within the appropriate Health Service Executive region.

Pension Provisions.

343. **Mr. J. Breen** asked the Minister for Social and Family Affairs if he will remove the anomaly whereby a person making voluntary contributions for pension purposes, and who enters insurable employment for a short period, will be penalised by as much as 50% of their pension entitlement when they reach pension age; and if he will make a statement on the matter. [12113/05]

Minister for Social and Family Affairs (Mr. Brennan): To qualify for an old age contributory

pension, a person must have entered social insurance at least ten years before reaching pension age, have a minimum number of paid contributions on their record and have a yearly average of at least ten contributions paid or credited from 1953, when the unified system of social insurance came into effect, or the date of entry into social insurance, if later. All contributions made, whether made through employment or as a voluntary contributor, are counted in assessing eligibility for pension.

Since reaching 66 years in 2005, the person about whom the Deputy is concerned has been in receipt of an old age contributory pension at the rate of €89.70 per week based on a yearly average of 14 contributions. This amounts to a pension at 50% of the full personal rate. The person's date of entry into social insurance was 1969 when he paid three contributions. There is no record of him paying further social insurance until 1992-93 when he commenced paying self-employment social insurance. He then became a voluntary contributor for the years 2002, 2003 and 2004. He has a total of 520 contributions paid over a 36 year period from 1969 to 2005 resulting in a yearly average of 14 contributions, which qualifies him for a 50% old age contributory pension.

The qualifying conditions for old age pension purposes were designed to ensure those qualifying for payment have an adequate and sustained history of contributions to the social insurance fund over their working lives. However, it is accepted that it can give rise to varying results, with people with the same level of contributions receiving different rates of payment depending on when they commenced paying insurance.

The qualifying conditions for the old age (contributory) pension are being reviewed. One of the key issues being addressed as part of this review involves the possibility of a change in the method of assessment from the current one based on average contributions to a system based on the total number of contributions paid-credited over a person's working life. Such a system could give rise to practical difficulties, not least of which will be deciding on the appropriate level of contributions for pension purposes which will be required. A new system must take account of the comprehensive system of social insurance which has been in place since 1988 and the potential people now have to accumulate contributions. I expect the review to be completed in the coming months.

Rail Network.

344. **Mr. Andrews** asked the Minister for Transport the reason all works on the south side of Dublin city associated with the DASH project were not completed in one tranche in 2004. [11659/05]

345. **Mr. Andrews** asked the Minister for Transport if he will make a statement on three outstanding planning permissions appealed to An Bord Pleanála by An Taisce which threaten to

delay the mobility access works due to take place over the summer of 2005 on the south side of Dublin city; if such closures will not have to be extended in duration or repeated. [11660/05]

346. **Mr. Andrews** asked the Minister for Transport if he will make a statement on future closures of DART stations associated with signalling improvements. [11661/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 344 to 346, inclusive, together.

Responsibility for the management of the DART upgrade project rests with Iarnród Éireann and queries regarding the detail of the implementation process are a matter for the company. I am informed by the company that, because of planning and property issues encountered during the first period of southside works, it was not possible to complete all planned works at that stage and that it will be necessary to suspend weekend services between Pearse Station and Greystones to complete accessibility works at southside stations from the beginning of June 2005 for 13 weekends.

The company has informed me that the work will be carried out in the shortest timeframe and with the minimum disruption to DART customers. In this regard, additional bus services will be provided along the route of the DART to cater for inconvenienced customers. The resignalling in the critical city centre area will allow for increased train movements. This will increase the frequency of services, which can operate from Connolly Station to Pearse Station from 12 to 16 per hour at peak times. Iarnród Éireann is designing a works programme for the project.

Employee Share Ownership Schemes.

347. **Ms O. Mitchell** asked the Minister for Transport his views on calls by the Aer Lingus unions for an increase in their shareholding in the airline in the event of private investment into the company; and if he will make a statement on the matter. [11662/05]

Minister for Transport (Mr. Cullen): Following the allocation of employee share ownership, or ESOP, shares last August, the staff currently hold 14.9% of the company. In accordance with the terms of the ESOP agreement and in line with Government policy, for so long as the State holds any shares in Aer Lingus, the maximum shareholding which the ESOP and staff can hold is 14.9% of the entire issued share capital of the company. There are no proposals to change that agreement.

Public Transport.

348. **Mr. Naughten** asked the Minister for Transport the action he is taking to address the operation of a bus service without a licence in competition with a licensed operator (details

[Mr. Naughten.] supplied); and if he will make a statement on the matter. [11663/05]

Minister for Transport (Mr. Cullen): My Department has not received from the licensed operator referred to by the Deputy details of any alleged unlicensed operations of a bus service. Upon receipt of such information, my Department would bring the matter to the attention of the Garda Síochána, which has responsibility for enforcing the Road Transport Act 1932.

Airport Development Projects.

349. **Mr. O'Connor** asked the Minister for Transport if he will examine the possibility of using the military airfield at Casement Aerodrome, Baldonnell, as a relief for civilian traffic at the heavily congested Dublin Airport; and if he will make a statement on the matter. [11865/05]

Minister for Transport (Mr. Cullen): From the point of view of civil aviation policy generally, Dublin Airport has considerable scope to expand to cater for growth in air traffic for many years to come, and accordingly Dublin does not need a second airport. The national spatial strategy has acknowledged that the expansion of the level of air services from Dublin Airport to a wider range of destinations is essential in the interests of underpinning Ireland's future international competitiveness.

Ownership of Baldonnell rests with my colleague, the Minister for Defence, and the scope and scale of operations at that aerodrome are matters for him and his Department in the first instance. As a general principle, the State would not inhibit any private concern which may wish to fund a facility for civil aviation at any location in the State, subject only to its meeting planning and aviation safety requirements.

Rail Services.

350. **Mr. O'Dowd** asked the Minister for Transport the proposals he has to increase passenger capacity on the Drogheda-Dundalk rail line. [11873/05]

Minister for Transport (Mr. Cullen): I am informed by Iarnród Éireann that commuter capacity on the Drogheda-Dublin rail line has been significantly increased over recent years, with the introduction of additional services, lengthening of trains and rolling stock conversion to modern high-capacity rail cars.

I understand that they propose further to increase the capacity and frequency of services along the line to meet the projected growth in population and consequential demand for transport.

The capacity to add new services during peak commuting times is currently limited by the rail network capacity in the Dublin city centre area. Planning and design of an upgraded signalling system in the city centre area is in hand, and work

is due to commence immediately after phase 1 of the DART upgrade has been completed.

In the meantime, incremental capacity improvements will be made where rolling stock availability and network capacity allow. I should add that there has also been a significant increase in capacity on bus services serving the same catchment area.

Driving Tests.

351. **Mr. Deasy** asked the Minister for Transport the efforts which have been made to reduce the lengthy delays experienced by persons awaiting their driving test; the present waiting time for each test centre from the date of application to the date of testing; and if he will make a statement on the matter. [11944/05]

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 those measures at an early date.

The average waiting time for driving tests at each test centre, for the latest date available, is set out in the following table.

Average waiting times for driving tests at 11 April 2005.

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

Centre	Average Weeks Waiting
<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
<i>South-west Region</i>	
Cork	26
Killarney	39
Kilrush	23
Limerick	27
Mallow	27
Newcastle West	25
Shannon	32
Skibbereen	36
Tralee	22

352. **Mr. Deasy** asked the Minister for Transport the number of persons who had been driving on a provisional licence on 31 December 2004 for each of the past five years; and if he will make a statement on the matter. [11945/05]

Minister for Transport (Mr. Cullen): The information requested is set out in the following table.

Year	Number of provisional licences at 31 December
2000	345,000*
2001	325,000*
2002	352,524
2003	367,807
2004	380,347

*Figures for 2000 and 2001 are estimates based on returns from licensing authorities, as the national driver file became operational only in 2002.

The Government's strategy for road safety from 2004 to 2006 states that driver licensing regulations will be amended to discourage long-term reliance on provisional licences.

353. **Mr. Aylward** asked the Minister for Transport his plans to introduce legislation whereby learner drivers will have to use an enclosed designated driving school rather than the present system whereby they use public roads; and if he will make a statement on the matter. [12049/05]

Minister for Transport (Mr. Cullen): I have no proposals to prevent the use of public roads by learner drivers and to require the use of enclosed designated driving schools. The Government's strategy for road safety for 2004 to 2006 states that it is the intention over the course of the strategy to introduce compulsory initial practical training for motorcyclists before they are permitted to drive alone on a public road. That may involve off-road tuition.

Public Transport.

354. **Ms Shortall** asked the Minister for Transport the action he is taking to address the continuing problem whereby wheelchair-accessible, low-floor buses are not yet available on many Dublin Bus routes; the funding which is being provided in 2005 to provide more such buses; the number of wheelchair-accessible buses in the Dublin Bus fleet for each year from 2000 to date; and if he will make a statement on the matter. [12127/05]

Minister for Transport (Mr. Cullen): All buses purchased by Dublin Bus since 2000 have been low-floor, wheelchair-accessible. That policy of purchasing fully accessible buses will be continued by the company through its fleet replacement programme.

Low-floor buses are now operating on 50 of the routes served by Dublin Bus, and that number will increase gradually as the older-style buses are taken out of service and replaced.

The number of new low-floor buses acquired by Dublin Bus since 2000 is as follows.

Year	No. of buses purchased
2000	225
2001	56
2002	53
2003	90
2004	36

A total of 485 buses are now low-floor, and I understand that the company proposes to purchase a further 70 in 2005.

Road Traffic Offences.

355. **Mr. Cregan** asked the Minister for Transport if it is illegal to modify a private motor vehicle; if it is permitted in certain circumstances; and the legal position regarding the matter. [12156/05]

Minister of State at the Department of Transport (Mr. Callely): While the road traffic code does not contain a specific prohibition on the

[Mr. Callely.]

modification of vehicles, Article 34 of the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 requires that a vehicle and all of its parts and equipment be maintained in good and efficient working order and to be so maintained that no danger is liable to be caused by it.

In addition, vehicles are required to be road-worthiness-tested, either through the NCT system or through the commercial vehicle roadworthiness testing system.

It is advisable in any case of modification to a vehicle that the relevant motor manufacturer is first consulted and that the modification is carried out in accordance with its recommendations.

Road Network.

356. **Ms O. Mitchell** asked the Minister for Transport the level of funding originally committed to national roads under the NDP to both the BMW and south and east regions respectively; the level of funding allocated for that purpose in each year from 2000 to 2005; and if he will make a statement on the matter. [12212/05]

Minister for Transport (Mr. Cullen): The information sought is being compiled and will be forwarded to the Deputy shortly.

Rail Network.

357. **Mr. Sargent** asked the Minister for Transport if he will report on Government policy regarding providing a rail link from Dublin city to Dublin Airport; and the Government's views on extending that line through Swords and meeting the Dublin-Belfast line at Donabate for passenger transfer in view of the fact that this provides logical access to and from the airport by rail from the north, south and all the rail network throughout the country. [12213/05]

Minister for Transport (Mr. Cullen): The programme for Government contains a specific commitment to develop a metro for Dublin with a link to Dublin Airport.

The Railway Procurement Agency has submitted to my Department a detailed business case for a metro from the city centre to Dublin Airport, while Iarnród Eireann submitted proposals last July for an integrated rail network in the greater Dublin area.

While the RPA has suggested several routes for the proposed metro, a final decision will be subject to a Government decision on the project and subsequently to the findings of a public inquiry as part of the statutory approval process.

In the light of the announcement by the Minister for Finance in his Budget Statement of agreement in principle to a ten-year capital investment envelope for transport, work has commenced in my Department on a ten-year transport investment plan.

The draft framework takes account of the work already done on investment priorities under the

current capital envelope to the end of 2009 and of the various strategic studies already completed by my Department and its agencies, including A Platform for Change, the Strategic Rail Review and the National Road Needs Study. More specifically, my Department has engaged with Córas Iompair Éireann, the Railway Procurement Agency, the National Roads Authority and the Dublin Transportation Office to identify the broad direction and priorities under the ten-year investment framework. My Department has also consulted with other Departments, primarily through the cross-departmental team of officials which supports the Cabinet committee on infrastructure, housing and PPPs.

A draft of the ten-year transport plan is currently under consideration by the Cabinet committee. I will bring proposals to Government in due course once the Cabinet committee has concluded its work.

Rural Transport Initiative.

358. **Mr. Cregan** asked the Minister for Transport the position regarding the allocation of funds to rural bus projects throughout the country; if his Department has allocated moneys to ADM for distribution; and when allocations will be issued to each of those projects. [12214/05]

Minister for Transport (Mr. Cullen): I announced on Friday, 15 April 2005 an increase in the funding allocation for the pilot rural transport initiative, RTI, in 2005 from €3.45 million to €4.5 million. The increased funding will provide scope for the 34 community transport groups being funded under the scheme to undertake a modest expansion of services, as envisaged in the 2004 evaluation of the RTI.

Area Development Management Limited, ADM, administers the 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 understand that ADM is communicating decisions to the individual RTI project groups regarding specific funding allocations for 2005 following the finalisation of agreed business plans. In making such allocations, I have called on ADM to work closely with the groups to maximise the impact of the increased funding and to ensure continued value for money.

Designated Areas.

359. **Mr. Connolly** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals for the extension of the CLÁR area in County Monaghan; and if he will make a statement on the matter. [11691/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As I have indicated in replies to previous similar questions, I have no plans for any further review of the boundary of CLÁR areas.

Grant Payments.

360. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs when a grant will be awarded to a person (details supplied) in County Mayo. [11695/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As I indicated in my reply to Question No. 211 of 18 Nollaig 2003, a grant of €5,100 has been sanctioned in this case, and payment will be made when the work is completed and the conditions pertaining to the grant are fulfilled.

My Department is still awaiting a completed T2 form — contractor's certificate — in respect of the work involved. As soon as that form has been received, the work will be examined by my Department and, if completed satisfactorily, the grant will be paid.

EU Funding.

361. **Mr. Ferris** asked the Minister for Community, Rural and Gaeltacht Affairs the reason his Department has withdrawn from measure 1.4 of INTERREG 3a. [11714/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department has not withdrawn from measure 1.4 of INTERREG 3a. Following an internal review, it has been decided that oversight and management of the full range of measures for which my Department has responsibility under the INTERREG and PEACE programmes should be located in a single administrative area of the Department; and the operational responsibility for implementation of measure 1.4 should be handled by ADM-CPA, which already deals with the other measures under the PEACE and INTERREG programmes.

That ensures a consistent approach to all of the PEACE and INTERREG measures for which my Department has responsibility. I can assure the Deputy that it in no way lessens my Department's commitment to those programmes.

Rural Social Scheme.

362. **Ms Cooper-Flynn** asked the Minister for Community, Rural and Gaeltacht Affairs if he intends to amend the qualifying criteria for the rural social scheme to include other categories of social welfare recipients (details supplied). [11730/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): To be eligible to participate on the rural social scheme, a person must have a herd number and be in receipt of farm assist or have a valid herd or flock number and be in receipt of one of the following social welfare payments: unemployment assistance; unemployment benefit, if previously on a FÁS community employment scheme; or disability allowance.

Self-employed fishermen whose fishing boat has been entered in the register of fishing boats

or who have been issued with a fishing licence for fishing for salmon at sea from the Department of Communications, Marine and Natural Resources, and who are in receipt of the following social welfare payments are also eligible for the scheme: unemployment assistance; unemployment benefit, if previously on a FÁS community employment scheme; or disability allowance.

A review of this scheme will be undertaken by my Department within the coming months. That review will include an examination of the current eligibility criteria.

Grant Payments.

363. **Mr. N. O'Keeffe** asked the Minister for Community, Rural and Gaeltacht Affairs if grant aid will be made available through Údarás na Gaeltachta for a project (details supplied) in County Cork. [11763/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As the area referred to by the Deputy is not within the Gaeltacht boundaries, I regret that neither my Department nor Údarás na Gaeltachta would be in a position to provide grant aid in this case.

Dormant Accounts Fund.

364. **Mr. Crowe** asked the Minister for Community, Rural and Gaeltacht Affairs his plans for the €350 million dormant account fund; if ADM will continue to administer the fund; when the fund will re-open for applications; when the legislation will come before Dáil Éireann; and if he will make a statement on the matter. [11794/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): I refer the Deputy to my reply to Question No. 15 on 14 April 2005.

The Dormant Accounts (Amendment) Bill 2004 was published on 24 June 2004, fulfilling a commitment given by the Government in December 2003 following its review of arrangements regarding dormant accounts funding. The Bill is currently before the Oireachtas and, *inter alia*, provides for significant changes to the disbursement process and for the establishment of a reconstituted board. Dáil Committee Stage is scheduled to be taken on Wednesday, 27 April 2005. Future processing arrangements, including the role of ADM, are subject to the enactment of the Bill.

I should point out that the current value of the fund is approximately €193 million and not €350 million as suggested in the Deputy's question. Under the legislation, 15% of the fund must be maintained in reserve to meet claims for repayment and to cover administrative expenses. The current value of the fund also includes the amount allocated to the board to disburse under the initial round of funding and not yet drawn down.

Irish Language.

365. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs if he will expand on his recent comments regarding language teaching in Sweden and Canada (details supplied); and if he will make a statement on the matter. [11875/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I am more than happy to avail of opportunities presented by Deputies in tabling questions in this House to answer specific questions about any particular matter that comes within my area of responsibility. The comments in question are self-explanatory.

National Drugs Strategy.

366. **Mr. O'Connor** asked the Minister for Community, Rural and Gaeltacht Affairs the funding being provided for drugs task forces in 2005. [11998/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): As the Deputy is aware, my Department has overall responsibility for co-ordinating the implementation of the National Drugs Strategy 2001-2008. It also has responsibility for the work of the local and regional drugs task forces as well as the young people's facilities and services fund.

In overall terms, I am pleased to inform the Deputy that my Department has funding of €31.5 million available to it in 2005 to fund various drugs programmes, which represents an 18% increase on last year's budget. Through that funding, the ongoing work being done through the LDTFs and the YPFSF will be further developed and consolidated. In addition, funding will be allocated to the regional drugs task forces to support the implementation of the various projects set out in their regional plans.

Grant Payments.

367. **Mr. Naughten** asked the Minister for Agriculture and Food when a payment will be made for a REP scheme plan for a person (details supplied) in County Roscommon; and if she will make a statement on the matter. [11668/05]

Minister for Agriculture and Food (Mary Coughlan): Payment to the person named will be issued within the next ten days.

Farm Retirement Scheme.

368. **Mr. Naughten** asked the Minister for Agriculture and Food the number of applicants who entered the early farm retirement scheme each year from 1997 to 2004; and if she will make a statement on the matter. [11724/05]

Minister for Agriculture and Food (Mary Coughlan): Details of the number of participants who entered the 1994 scheme of early retirement from farming, which closed to new applicants on 31 December 1999, and the current scheme intro-

duced in November 2000, are set out in the table below for each of the years 1997 to 2004.

Year ended	1994-99 Scheme	2000-2006 Scheme
31 December 1997	1,796	0
31 December 1998	1,305	0
31 December 1999	1,608	0
31 December 2000	0	41
31 December 2001	0	805
31 December 2002	0	809
31 December 2003	0	525
31 December 2004	0	275

Grant Payments.

369. **Mr. Ring** asked the Minister for Agriculture and Food if she will consider allowing persons who had commonage, particularly in the Achill area, and who did not put that commonage in their area aid form due to reasons outside of their own making, to go into the REP scheme. [11737/05]

Minister for Agriculture and Food (Mary Coughlan): I am aware of the circumstances of farmers with commonage on Achill. The provisions of the rural environment protection scheme do not allow the farmers to receive REP scheme payments on the commonage. I have asked my officials to examine the situation.

370. **Mr. N. O'Keeffe** asked the Minister for Agriculture and Food the position regarding an appeal lodged under the single payment scheme by a person (details supplied) in County Cork. [11765/05]

Minister for Agriculture and Food (Mary Coughlan): The person in question was 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. He then submitted an appeal to the independent single payment appeals committee. Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person on 15 April 2005. The findings of the appeals committee were that the original decision taken by the Department of Agriculture and Food should be upheld.

371. **Mr. Crawford** asked the Minister for Agriculture and Food when a person (details supplied) in County Cavan will receive details of their single payment entitlements; and if she will make a statement on the matter. [11791/05]

Minister for Agriculture and Food (Mary Coughlan): A certificate of provisional entitlements under the single payment scheme issued to the herdowner in this case on 12 April 2005. The

statement included a detailed breakdown of how the provisional entitlements were calculated.

Common Agricultural Policy.

372. **Mr. Sargent** asked the Minister for Agriculture and Food if she will consider the issues and concerns raised by retired farmers who have lost entitlements following the introduction of the CAP mid-term review on 1 January 2005 to ensure that retired farmers can have an income which is adequate for their needs; and if she will consult with retired farmers in order that a satisfactory outcome can be reached. [11793/05]

Minister for Agriculture and Food (Mary Coughlan): The Department of Agriculture and Food has been aware from an early stage in the negotiations leading to the introduction of the single payment scheme of the possible implications for retired farmers who had leased their holdings. In so far as it has proved possible in the context of the EU regulations governing the scheme, and following lengthy discussions with the European Commission, provision has been made under the rules of the scheme to address some of the concerns of retired farmers.

Grant Payments.

373. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Cork has not received notification of entitlements under the single payment scheme; and if her attention has been drawn to the fact that there have been problems previously with premia payments which arose as a result of the removal of one of the joint names on the holding of this person. [11804/05]

Minister for Agriculture and Food (Mary Coughlan): The person in question has submitted an application for consideration under the inheritance measure of the single payment scheme. I am pleased to advise the Deputy that following an examination of the documentation submitted, the person’s application has been successful and the entitlements established by the transferor will be transferred to the person, who has been notified directly of his successful application. A statement of provisional entitlements will issue shortly outlining the updated position.

374. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food the position regarding an appeal by a person (details supplied) in County Cork under the single payment scheme under *force majeure* and exceptional circumstances on grounds of ill health. [11983/05]

Minister for Agriculture and Food (Mary Coughlan): The person in question was 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 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 in question will be notified shortly of the outcome.

375. **Mr. Connaughton** asked the Minister for Agriculture and Food if a special beef premium grant will be awarded to a person (details supplied) in County Galway; and if she will make a statement on the matter. [11984/05]

Minister for Agriculture and Food (Mary Coughlan): The person in question submitted four applications under the 2004 special beef premium scheme — on 14 April 2004 in respect of four animals, on 24 May 2004 in respect of one animal, on 6 December 2004 in respect of seven animals and on 29 December 2004 in respect of eight animals. Payment in full to the amount of €3,510 has issued in respect of the applications. Under the 2004 scheme, there was provision for the lodging of late applications up to 25 January 2005. There is no record of any correspondence from the person named in connection with the animals in question.

376. **Mr. Connaughton** asked the Minister for Agriculture and Food the entitlements credited to a person (details supplied). [11986/05]

Minister for Agriculture and Food (Mary Coughlan): There are no records of applications having been submitted by the person in question under the premia and arable aid schemes during the reference period. Consequently, there are no entitlements credited to the person in respect of the reference years of 2000, 2001 and 2002.

377. **Mr. Ellis** asked the Minister for Agriculture and Food if the REP scheme grant will be awarded to a person (details supplied) in County Leitrim. [12017/05]

Minister for Agriculture and Food (Mary Coughlan): Payment to the person in question will issue within the next ten working days.

378. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason the sum of €95 was deducted from a cheque for TB reactors which issued to a person (details supplied) in County Galway; and if she will make a statement on the matter. [12021/05]

Minister for Agriculture and Food (Mary Coughlan): Under the on-farm market valuation scheme, the cost of the second valuation is payable by the herdowner if he or she appeals the first valuation. The fee is paid by the Department of Agriculture and Food to the valuer selected by the herdowner and is recovered from the herdowner by means of a deduction from the compensation due to him or her. The person in question rejected the first valuation and requested a further valuation. The appeal valuation took place and was accepted. A deduction of €95 was

[Mary Coughlan.]
subsequently made on payment due to him to recover the cost of the appeal valuation.

Decentralisation Programme.

379. **Mr. Naughten** asked the Minister for Agriculture and Food, further to Question No. 634 of 12 April 2005, if any sections of her Department based in County Wexford are being decentralised to Portlaoise; and if she will make a statement on the matter. [12050/05]

Minister for Agriculture and Food (Mary Coughlan): There are no plans to move sections of the Department of Agriculture and Food based in County Wexford under the decentralisation programme.

Grant Payments.

380. **Mr. Naughten** asked the Minister for Agriculture and Food, further to correspondence (details supplied), if she will furnish a full reply to the issue raised. [12051/05]

Minister for Agriculture and Food (Mary Coughlan): The Department of Agriculture and Food has established 40.66 single payment entitlements for the person named following the application of the *force majeure* provision under Article 40 of Council Regulation EC No 1782/2003, which governs the single payment scheme. The person in question joined the early retirement scheme in 2002 and he leased 25.3 hectares of land to the lessee. He may activate his single payment entitlements by completing and submitting a 2005 single payment application form, even if he declares no land in 2005. The activation of entitlements will mean that the lessor can retain the entitlements until the closing date for applications under the 2007 single payment scheme unless he has transferred the entitlements with land prior to that date. He may transfer his 25.3 entitlements with land leased to the lessee under the private contract clause arrangement if the lessor and the lessee agree. The lessee may then use these entitlements and qualify for single payment on them for the duration of the lease. The lessee only established 8.4 entitlements — 25.3 hectares divided by three — on the leased land as he was only leasing it for one of the years — 2002 — of the reference period.

381. **Mr. Naughten** asked the Minister for Agriculture and Food if a company (details supplied) has been approved for forestry grant aid in County Roscommon. [12053/05]

Minister for Agriculture and Food (Mary Coughlan): There is no record of an application for afforestation grant aid by the company in question in respect of the townland referred to.

Decentralisation Programme.

382. **Mr. Naughten** asked the Minister for Agri-

culture and Food, further to Question No. 634 of 12 April 2005, if she will confirm that there are no plans to transfer staff from Davitt House in Mayo; and if she will make a statement on the matter. [12123/05]

Minister for Agriculture and Food (Mary Coughlan): In the context of decentralisation, it is not proposed to transfer staff from the offices of the Department of Agriculture and Food in Davitt House in Castlebar. However, the Deputy will be aware that the Department will experience fundamental changes in the nature of its work as a result of mid-term review of the Common Agricultural Policy and the introduction of the single payment scheme. Staffing levels, including those in Castlebar, will be affected. Officials in the Department are actively pursuing a number of options to provide for the long-term employment and career prospects of staff based in Davitt House in Castlebar. The options which involve the possibility of a transfer to another Department have been discussed with the Department's staff in Castlebar.

Grant Payments.

383. **Mr. Ring** asked the Minister for Agriculture and Food if a person (details supplied) in County Mayo will receive extensification and suckler cow payment; and if so, when. [12137/05]

Minister for Agriculture and Food (Mary Coughlan): The person in question applied for a total forage area of 15.95 hectares on his 2004 area aid application. The area that was found was just 13.29 hectares, however, resulting in an area overclaim of 2.66 hectares. Under EU regulations, when the overclaim is greater than 20%, a 100% penalty must be applied and no area-based payments can issue to the applicant. The herdowner appealed the decision to the agriculture appeals office, but his appeal was rejected. He was sent a letter in this regard.

The person in question is not an applicant under the suckler cow premium scheme. He lodged three applications under the 2004 EU special beef premium scheme — on 29 January 2004 in respect of 22 animals, on 26 April 2004 in respect of one animal and on 11 January 2005 in respect of ten animals. Notwithstanding the area aid position, there is provision in the governing regulations for payment of premia where the “found” area is sufficient to support the numbers of animals claimed upon. In this regard, payment under the special beef premium scheme is due to issue to the person named at balancing payments stage.

The person in question also submitted an application under the 2004 extensification premium scheme. Notwithstanding the area aid position, the 13.29 hectare “found” area is sufficient to support payment of extensification at the higher €80 rate on each animal that qualifies for payment under the 2004 special beef premium

scheme. Payment of extensification premium for 2004 will commence in June.

Compensation Payments.

384. **Mr. McGuinness** asked the Minister for Agriculture and Food the provision made by her Department for poor weather compensation in each of the past five years. [12138/05]

Minister for Agriculture and Food (Mary Coughlan): Certain allocations and payments were made to cover residual payments in respect of a number of schemes introduced during the 1990s to assist farmers following bad weather. In 2001, the estimate was €33,000 and the outturn was €5,000. In 2002, the estimate was €12,000 and the outturn was €7,000. In 2003, the estimate was €5,000 and the outturn was €2,000. Figures are not yet available for 2004 and 2005. In addition, the Department made a one-off payment to farmers of €102,000 in 2004, towards the cost of remedial works following the Pullathomas incident in County Mayo.

Cattle Identification Scheme.

385. **Mr. D. Moynihan** asked the Minister for Agriculture and Food if the animal health computerised movement system has been rolled out nationwide; the number of district veterinary offices and private veterinary practices participating in the scheme; and if she will make a statement on the matter. [12182/05]

Minister for Agriculture and Food (Mary Coughlan): The roll-out of the animal health computer system was completed on 28 February 2005. The system is now fully operational in the Department's 28 district veterinary offices, the brucellosis laboratory in Cork and in the Department's headquarters locations in Dublin, Maynooth, Wexford, Portlaoise, Cavan and Castlebar. Some 700 private veterinary practitioners in approximately 300 practices throughout the country are operating the system elec-

tronically. Requests from private veterinary practitioners to go on-line are still being received and processed by the Department. I expect that more than 80% of testing conducted under the bovine tuberculosis and brucellosis eradication schemes this year will be reported electronically to the Department by private veterinary practitioners through the animal health computer system.

Rural Environment Protection Scheme.

386. **Mr. Crawford** asked the Minister for Agriculture and Food the number of farmers involved in the REP scheme; if she has satisfied herself with the numbers that have applied; if there will be sufficient funds to provide for increased numbers; and if she will make a statement on the matter. [12206/05]

Minister for Agriculture and Food (Mary Coughlan): Some 44,750 farmers are participating in the rural environment protection scheme and the numbers are rising steadily. I expect that the level of participation will shortly exceed the previous record of 45,500 reached in 1999. The Department's Vote for 2005 includes a provision of €271 million for the scheme, representing an increase of 30% on the 2004 outturn. I am confident that this will be sufficient to meet demand.

Installation Aid Scheme.

387. **Mr. Crawford** asked the Minister for Agriculture and Food the number of young farmers who have applied for installation aid in each of the past seven years; the number who have been awarded same in each of those years; if any effort is being made to minimise the red tape involved in obtaining installation aid grant; and if she will make a statement on the matter. [12207/05]

Minister for Agriculture and Food (Mary Coughlan): The number of applications received and the number of recipients of aid under the installation aid scheme in each of the last seven years is set out in the following table:

Year	1998	1999	2000	2001	2002	2003	2004	Total
Applications (Current Scheme only)	—	—	—	754	932	797	691	3,174
Recipients	628	567	467	357	579	987	808	4,393

Details of the number of applications received in the years in question, under the schemes which preceded the current installation aid scheme, will be forwarded to the Deputy as soon as possible.

On 7 May 2002, the current scheme was revised by the removal of the 150 income unit ceiling that previously applied to applicants under the scheme. That opened up the scheme to a wider pool of potential applicants and simplified the process of applying for grant aid under the scheme. I am always willing to simplify the operation of schemes, where possible, having regard to the conditions of the schemes and the require-

ments of accountability. Any specific suggestions of the Deputy in this regard will be examined.

Beef Exports.

388. **Mr. Crawford** asked the Minister for Agriculture and Food the amount of meat which is being sold through the UK market; the percentage of this which goes directly to the retail trade; if she has satisfied herself that enough effort is being made to establish quality Irish beef in that market in order that Ireland can retain its share when the UK destruction scheme ends; and if she will make a statement on the matter. [12208/05]

Minister for Agriculture and Food (Mary Coughlan): Irish beef exports to the UK have increased from less than 100,000 tonnes in 1999 to levels consistently over 250,000 tonnes since 2002. This represents over half of total Irish beef exports. Irish beef has increased its visibility on supermarket shelves through the launch of the Irish beef logo in 2001. That was enhanced by consumer promotions implemented by Bord Bia in the UK in co-operation with Irish exporters. Irish beef penetration of British supermarkets, the most valuable volume outlet, has risen strongly in the past four years, with Irish beef currently enjoying a UK market share of over 20%.

Bord Bia's market strategy for Britain, in response to the proposed reintroduction of over-30-month beef in the UK, has been to maximise the returns from the market by maintaining Irish beef's high-profile position in the retail and manufacturing sectors. An awareness-building campaign, which involved a recipe calendar, enjoyed a huge consumer response last year. Almost 500,000 individual consumers purchased the 2005 Irish beef recipe calendar. The highly sought-after calendar, which is now found on kitchen work tops the length and breadth of Britain, is inspiring customers to cook with beef and highlights the nutritional and quality aspects of Irish beef. In the premium restaurant sector, the chef's Irish beef club is promoting the quality, taste and integrity of Irish beef to Michelin starred chefs.

In anticipation of the ending of the over-30-month scheme in the UK, Bord Bia has been implementing a strategy of assisting the further development of continental markets. The increasing demand for beef in Europe and the increased promotional effort has seen Irish exports to all main continental markets increase in 2004. This autumn will see a further major promotional effort across European retailers for Irish beef, which will target 45 multiple retail groups in 12 European countries.

Child Care Services.

389. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform the criteria for community groups to be eligible to apply for child care staffing grants; and if he will make a statement on the matter. [11656/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The equal opportunities child care programme provides grant assistance for the staffing costs of community-based and not-for-profit child care services which have a clear focus on disadvantage and which support disadvantaged parents to access employment, education or training. It is not intended that funding under the programme will meet the full cost of running a service. Additional staffing and other running costs must be met from fees and other sources.

Applications for staffing funding undergo a thorough assessment by Area Development Man-

agement Limited, which has been engaged by the Department of Justice, Equality and Law Reform to carry out the day-to-day administration of the grants under the programme. The criteria used during the assessment and appraisal of applications include the socioeconomic and demographic profile of the local area, the quality of the proposal, the capacity of the group to implement the project, the level of integration and co-ordination, the proposed operating hours and weeks and whether the proposal represents value for money.

To determine the focus on disadvantage in assessing staffing grant applications, ADM also reviews, *inter alia*, the socioeconomic profile of the parents, community and wider area for whom and in which the service is being delivered, the fee structure to be implemented by the group to ensure it is appropriate and it takes account of the differing economic circumstances of the client group and the ethos of the group towards specific target groups. ADM also looks at external data such as the location of a project in a RAPID or CLÁR area and the relevant index of disadvantage in the area which has been developed on the basis of census material.

Every recommendation that comes to me about the funding of projects is made after clarifications between ADM Limited and the grant applicant, if necessary, and after consultation between ADM Limited and the relevant county child care committee on the suitability of the project and the extent to which it meets local need. All proposals are reviewed by the programme's appraisal committee, which is chaired by the Department of Justice, Equality and Law Reform, before I make a decision on the recommendation.

Staffing grants are normally made available for three years in the first instance. Groups which are approved for staffing funding under the programme are subject to monitoring by Area Development Management Limited and the Department of Justice, Equality and Law Reform. The group in question was awarded a staffing grant of €212,681, over three years, in November 2001. The Deputy may be aware that I have approved the continuation of the existing levels of staffing grant assistance until 31 August 2005 for groups whose first three-year funding has elapsed, subject to the groups continuing to deliver child care services in accordance with their agreed targets.

In a number of services, the levels of disadvantage among parents are such that the families would be unable to pay full economic fees and therefore those services require ongoing State support towards their staffing costs if they are to continue to support parents who are trying to break away from the cycle of disadvantage through education, training or employment. The Department of Justice, Equality and Law Reform is reviewing the arrangements for the ongoing support of such services where necessary. Final

discussions on the review are taking place. I expect that the outcome of the review will be forwarded to the groups in question shortly.

390. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the crisis which is affecting Killorglin community child centre; if payment will be made of an up to date staffing grant in respect of which no payment has been received since December 2004 and without which the centre will either have to close or charge fees at a level affordable only by the affluent; and if he will make a statement on the matter. [11657/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, the equal opportunities child care programme provides grant assistance for the staffing costs of community-based and not-for-profit child care services which have a clear focus on disadvantage and which support disadvantaged parents to access employment, education or training. It is not intended that funding under the programme will meet the full cost of running a service. Staffing grants are normally made available for three years in the first instance. Groups which receive staffing grant assistance under the programme are subject to monitoring by Area Development Management Limited and the Department of Justice, Equality and Law Reform.

The group in question was awarded a staffing grant of €212,681, over three years, in November 2001. The Deputy may be aware that I have approved the continuation of the existing levels of staffing grant assistance until 31 August 2005 for groups whose first three-year funding has elapsed, subject to the groups continuing to deliver child care services in accordance with their agreed targets. The group was informed on 12 January 2005 that its existing level of funding for staffing grant assistance will be continued until 31 August 2005, subject to it maintaining its forecast levels of service and implementing any conditions associated with the development of the service which were specified during previous grant approvals. The amount awarded is deemed sufficient to enable the group to maintain its approved level of service.

I understand that ADM Limited has been in dialogue with the Killorglin community child care service since October 2004 about the conditions which must be met if it is to maintain its approved level of service. The conditions are a prerequisite of the continuation of the group’s funding. If and when the discussions are concluded satisfactorily, funding will be available to be drawn down, subject to the usual conditions associated with grants under the programme.

Prisoner Transfers.

391. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if he has received a request from a person (details supplied) for transfer to a prison in this State; if

this matter will be expedited; and if he will make a statement on the matter. [11702/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department has not as yet received a formal application for a transfer to this country in respect of this person from the United States authorities. My Department has written to the United States authorities requesting that they commence processing this application in line with the Council of Europe Convention on the Transfer of Sentenced Persons.

The Convention on the Transfer of Sentenced Persons requires extensive documentation to be exchanged between both jurisdictions to allow an application to be fully considered. A three-way consent is also required to enable any transfer to take place, that is, from the authorities of both jurisdictions and from the person concerned. On receipt of those consents, assuming they will be forthcoming, an application must then be made to the High Court for a warrant authorising the transfer of the person concerned and his continued detention here. These procedures are required under the convention and the Transfer of Sentenced Persons Act 1995 and must be adhered to in processing each application.

Visa Applications.

392. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform if he will review the visitor visa applications of two persons (details supplied); if the basis on which these visa applications were refused was conveyed to these persons; and if he will make a statement on the matter. [11703/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed that the visa applications to which the Deputy is referring are reference numbers 1514503 and 1514504.

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 documentation supplied to my Department that the applicants would observe the conditions of the visas applied for which they applied. In particular, it was felt that the applicants had not displayed evidence of their obligations to return home following the proposed visit. The reasons for refusal issued by post to both applicants on 30 June 2004.

Garda Equipment.

393. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform the plans he has to address the problems which gardaí in Kerry are having with the lack of basic communications technology such as access to email, the Internet and functioning radio equipment. [11717/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there is access to e-mail for nominated members of the Garda Síochána where

[Mr. McDowell.] required and based upon operational needs. Access to the Internet is provided to authorised members of the force using the assigned information technology equipment within Garda stations.

The Garda Síochána is preparing an information and communications technology strategy for 2005 to 2009 which will determine the range and scope of technology and related services that will be provided to the organisation nationwide, including County Kerry, over that period. It can be expected that the further extension of e-mail services will be implemented as part of the strategy.

I have recently outlined my plans for the provision of a new national digital radio project for the force. This is a major project which will replace existing analogue radio systems.

Residency Permits.

394. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of applications for permission here as the non-Irish parent of an Irish baby; and if all the applications received have been acknowledged, as outlined in the guidelines applicable to the scheme. [11720/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The closing date for applications for permission to remain under the revised arrangements for the non-national parents of Irish-born children was 31 March 2005. Almost 18,000 applications have been received and by now all applicants should have received an acknowledgement. An applicant who has not received an acknowledgment should write to the Irish Born Child Unit, PO Box 10003, Dublin 2, giving the date and details of posting, and his departmental reference number — 69/number — if known.

Citizenship Applications.

395. **Mr. Deenihan** asked the Minister for Justice, Equality and Law Reform the position regarding the application by a person (details supplied) in Dublin 24 for naturalisation; and if he will make a statement on the matter. [11721/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation was received in the citizenship section of my Department on 6 May 2003. This is being processed and it will be submitted to me for a decision in the next few weeks. I will be in touch with the Deputy and the applicant when I have made a decision in the matter.

Visa Applications.

396. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform when a visa will be

issued to a person (details supplied); and if he will make a statement on the matter. [11723/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was received in my Department on 19 April 2004 from a non-EEA national for the stated purpose of joining her spouse in the State. The applicant’s husband has been in the State for several years and has now acquired citizenship.

Having given full consideration to the matter the visa was refused because my Department was not satisfied on the basis of documentation provided that an adequate relationship history existed between the applicant and the reference in Ireland. No details were provided as to how the parties met or the context in which the marriage took place.

The reasons for the refusal were sent to the applicant on 22 July 2004. Owing to the lapse in time since the application was received and owing to the changed circumstances regarding the immigration status of the applicant’s husband, it will be necessary to make a fresh application with up to date supporting documentation and the matter will be considered anew.

Deportation Orders.

397. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if permission to return to Ireland will be given to persons (details supplied); if he has received any representations on behalf of the Athlone Families Together Group in this regard; and if he will make a statement on the matter. [11734/05]

403. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will reconsider the case of persons (details supplied); and if he will make a statement on the matter. [11790/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 397 and 403 together.

The two persons referred to by the Deputies are Nigerian women who were deported from the State on a charter flight to Lagos on the night of 14-15 March 2005. One of the women was accompanied in the State by four of her children while the other was accompanied by two children. The asylum applications of both women and their children were refused following negative determinations by the Office of the Refugee Applications Commissioner and the Office of the Refugee Appeals Tribunal. Their cases were further considered under section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996, including representations on their behalf for leave to remain in the State, before deportation orders were signed.

Despite the best efforts of the Garda national immigration bureau on the day of the removals to maintain the unity of both families, the women refused to co-operate with gardaí in locating all their children. In the end, both women were

deported accompanied by only one child each. It is understood that the remaining four children, who were hidden from gardaí, were passed into the care of other local Nigerian nationals by their mothers. The Garda national immigration bureau informed the local area Health Service Executive of the position of these children.

I am satisfied that the persons concerned were deported following a comprehensive examination of their asylum claims and of their claims to remain temporarily in the State. I have received a number of representations, including from the Athlone Families Together Group, requesting that these persons be permitted to return to Ireland. It was a consequence of a deliberate choice of the persons concerned that they are now separated from their children. This behaviour by parents cannot form a basis for revoking the deportation orders in this instance and I do not intend doing so.

Citizenship Applications..

398. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Kildare has been refused citizenship and a work permit; and if he will make a statement on the matter. [11735/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation by the person referred to by the Deputy was received in the citizenship section of my Department on 27 August, 2002. I considered this application on 22 November 2004 and decided not to grant a certificate of naturalisation in this instance. The basis for the refusal of this application has been set out in detail in the letter dated 3 December 2004 to the applicant's solicitors informing them of my decision.

I have adopted a general policy that applicants for naturalisation, other than refugees, programme refugees or stateless persons, should have been supporting themselves and their families without recourse to State support for a three-year period prior to applying for naturalisation and that, furthermore, they can show as far as is practicable that they have the capacity of supporting themselves into the future. Inquiries by my officials revealed that the person in question had been in receipt of various State supports, including rent allowance, unemployment assistance and one-parent family payment, in the period 1996 to 2004. I was of the view that there were no circumstances disclosed on the case file of the person concerned to lead me to depart from my general policy in such cases and I decided to refuse the application. The issue of work permits is a matter for my colleague, the Minister for Enterprise, Trade and Employment.

Visa Applications.

399. **Ms Cooper-Flynn** asked the Minister for Justice, Equality and Law Reform the grounds on

which the visa application for a person (details supplied) was refused. [11755/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): The application in question was received in my Moscow office on 30 November 2004. The visa was sought for the purposes of allowing a non-EEA to travel to visit her fiancé in the State.

The application was examined by a visa officer who concluded that, based on the documentation provided, it was not reasonable in all the circumstances to grant a visa and the application was refused. The refusal of the visa was based on evidence supplied where the visa officer was unable to establish that the applicant had ever met the reference in person, that no financial details were provided by the applicant or the reference in Ireland with a view to demonstrating the means of support of the applicant while in the State, the fax number supplied for the reference was not contactable despite repeated attempts and the telephone number of the reference in Ireland was incomplete and could not be contacted. The application was reviewed on appeal but the appeals officer was unable to conclude that the original decision should be overturned.

Citizenship Applications.

400. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the position regarding the application by a person (details supplied) in Dublin 9 for naturalisation; and if he will make a statement on the matter. [11756/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): An application for a certificate of naturalisation in respect of the person referred to by the Deputy was received in the citizenship section of my Department in June, 2003. My officials wrote to the person concerned in November 2004 seeking some additional information in connection with the application and to date no reply has been received to that letter. Processing of the application will continue when the information which was requested is received. I will be in touch with the Deputy and the applicant when I have made a decision in the matter.

Deportation Orders.

401. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of the submission of further information in the case of persons (details supplied) in County Waterford; if their case will be reconsidered in view of the submission; and if he will make a statement on the matter. [11776/05]

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(Mr. McDowell): The persons concerned, both Angolan, arrived in the State on 2 March 2001 and claimed asylum. Their applications were refused by the Office of the Refugee Applications Commissioner and they were notified of this recommendation by letter of 11 March 2002.

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Their subsequent appeal was refused by the Refugee Appeals Tribunal and they were notified of this recommendation by letter of 24 July, 2004.

In accordance with section 3 of the Immigration Act 1999, the persons concerned were informed by letter dated 28 August 2002 that the Minister proposed to make deportation orders in respect of them. They were, in accordance with the Act, informed of the three options open to them at that point: to leave the State voluntarily before the Minister decided whether to make deportation orders in respect of them, to consent to the making of deportation orders or to make written representations to the Minister setting out reasons they should be allowed to remain temporarily in the State.

Their 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 their behalf. Deportation orders were made in respect of them on 26 August 2004. The orders were served by registered post and they presented themselves to the Garda national immigration bureau on 13 January 2005 so that travel arrangements could be put in place to effect their removal from the State. They have been requested to attend the Garda national immigration bureau again on 10 May 2005. The enforcement of the deportation orders is now a matter for the Garda national immigration bureau.

Residency Permits.

402. **Ms Harkin** asked the Minister for Justice, Equality and Law Reform the status of the application for residency by a person (details supplied) in County Roscommon; and the policy of his Department on long-term residents of the State obtaining residency permits. [11789/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The immigration division of my Department has recently granted the person referred to by the Deputy permission to remain in the State and she was advised to attend her local immigration office to have her passport endorsed accordingly.

The policy of my Department on long-term residency in the State varies according to the circumstances of the individual case. The principles governing the making of decisions on residency were set out for the first time in statutory form in section 4(10) of the Immigration Act 2004. Such decisions are informed by all of the circumstances of the non-national concerned and, in particular but without prejudice to the generality of the foregoing, to the following matters: the stated purpose of the original visit to the State and the intended duration of the stay in the State; any family relationships, whether of blood or through marriage, of the person with persons in the State; the person's income, earning capacity and other financial resources; the financial needs, obli-

gations and responsibilities which the person has or is likely to have in the foreseeable future; whether the person is likely to comply with any proposed conditions as to duration of stay and engagement in employment, business or profession in the State; and any entitlements which the person may have under European Community law.

Subject to the foregoing, the initial permissions generally granted to non-EEA nationals to reside in the State are time limited and subjected to restrictions on engagement in employment or business. Thus, for example, non-EEA national workers are in the main subject to the employment permit requirement for five years. Thereafter they may apply for permission to remain for a five-year period without restriction as to employment. Finally, after eight years of residence in the State, such a person may apply for permission without condition as to time. Restrictions on employment may be lifted at an earlier stage for certain classes of person, including non-EEA national spouses of Irish or EEA nationals.

In determining the reckonability of prior residency and the consequent extent to which conditions may be ameliorated, periods of unlawful residence and periods of lawful residence as an asylum seeker or as a student are not generally taken into account save where permission is granted on a humanitarian basis.

The recently published document, Immigration and Residence in Ireland — Outline Policy Proposals for an Immigration and Residence Bill, contains information on these matters at pages 95 to 102. That document is intended both to inform and stimulate public debate on the complex web of issues surrounding the immigration phenomenon as I continue the work of preparing legislation for publication later in the year. I would like to hear the views of anyone who wishes to comment on the proposals contained in the document. A copy of the document is available on my Department's website at www.justice.ie.

Question No. 403 answered with Question No. 397.

Registration of Title.

404. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing will be completed in the Registry Office for a person (details supplied) in County Mayo. [11920/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer order and transfer of part (sale) which was lodged on 18 October 2004 and to which dealing number D2004SM009052Y refers. I am further informed that a query issued to the lodging solicitor on 14 April 2005 and that the application cannot proceed until this query has been satisfactorily resolved. However, on receipt of a satisfactory reply, the application will receive further attention in the Land Registry.

Refugee Status.

405. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform if he will grant refugee status to two persons (details supplied); and if he will make a statement on the matter. [11953/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, under the Refugee Act 1996, two independent statutory offices were established to consider applications and appeals for refugee status and to make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. These two offices are the Office of the Refugee Applications Commissioner, which considers applications for a declaration as a refugee in first instance, and the Refugee Appeals Tribunal which considers applications for a declaration at appeal stage. A final decision will be made in each of these cases upon receipt of the recommendations of the Refugee Applications Commissioner.

Child Care Services.

406. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform the average cost of new child care places funded by his Department. [11987/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, the equal opportunities child care programme provides, *inter alia*, capital and staffing funding to enhance existing and to create new child care places in services throughout the country. Funding for staffing costs under the EOCP is made available to child care services which provide child care for very disadvantaged parents. Overall, the programme aims to increase the supply of centre-based child care places by more than 31,000 by 2007. On the basis of funding committed to date, the average cost of creating a new child care place under the programme is estimated to be about €8,400 per child care place.

Garda Equipment.

407. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the number of Garda stations with video recording equipment; the likely cost of installation of such equipment in those Garda stations without it; and if he will make a statement on the matter. [12032/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the cost of providing audio-video facilities is dependent on a number of factors, including the provision of suitable, if necessary refurbished, accommodation in Garda stations. It was never the intention that all Garda stations be equipped with audio-video facilities for recording the questioning of detained persons. Rather, the intention was that a sufficient number of Garda stations be so equipped to ensure a broad nation-

wide coverage. I am advised by the Garda authorities that 130 Garda stations are equipped and are in use.

I am also assured by the Garda authorities that, with the putting in place of additional units of equipment in a number of stations which already have the facility, there are a sufficient number of Garda stations in all Garda divisions to ensure that all interviews as specified in the Criminal Justice Act 1984 (Electronic Recording of Interviews) Regulations 1997 are recorded. In that regard, I am informed by the Garda authorities that a working group has been established to review the provision of these facilities.

The Deputy might wish to note that in its recent report to me, which was laid before the Houses before being made public, the steering committee on audio and audio-video recording of Garda questioning of detained persons noted the very high rate of audio-video recording of interviews. During the period January to November 2003, a total of 16,126 interviews were conducted as provided for in the regulations, of which 15,032, or 96% of the total, were recorded. Of the percentage not recorded, 1.5% was as a result of equipment being in use or interview rooms not being available, and this issue is now being addressed by the Garda Síochána on foot of the report.

Garda Budget.

408. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the Exchequer funding allocated to the emergency response unit in 2005. [12033/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The 2005 budget for the Garda Síochána is over €1.1 billion and the provisional operational budget allocated to the emergency response unit for 2005 amounts to approximately €2.5 million. Certain expenditure items, such as the provision of motor vehicles, information technology and other support services, are accounted for on a centralised national basis. In addition, the salary costs of the emergency response unit are accounted for centrally within the Garda Vote and are not reflected in the above figure of €2.5 million. Consequently, it is not possible to provide budget details on an individual Garda unit basis for those additional nationally provided services.

Crime Prevention.

409. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the extent of the funding provided for neighbourhood watch schemes in 2005. [12034/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The neighbourhood watch scheme was established in 1985 as a crime prevention measure for urban areas and there are approximately 2,600 neighbourhood watch schemes in operation nationwide. In common

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with other community schemes, it enlists the voluntary help of the community in co-operation with the Garda and is most suitable for urban areas. No dedicated departmental financial allocations have been made to provide funding for neighbourhood watch schemes in 2005.

Juvenile Offenders.

410. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the cost of detention facilities for offenders under 18 in 2005. [12035/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Statutory responsibility for the provision of spaces for young offenders under the age of 16 years lies with the Minister for Education and Science. I have statutory responsibility for the provision of spaces for persons of 16 years of age and over.

The Irish Prison Service does not have a facility operating specifically for offenders under 18 years of age. St. Patrick's Institution caters solely for the 16 to 21 year old age category and the majority of offenders under 18 would be committed to this institution. Persons aged 17 years can also be committed to other committal prisons. These institutions also accommodate offenders over 18 years of age. Therefore, the information sought by the Deputy is not available. The annual cost of keeping an offender in St. Patrick's Institution for 2003 was €82,300. The cost of keeping an offender in St. Patrick's Institution for 2004 is not available at present.

Anti-Racism Measures.

411. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform if he will consider establishing anti-racism networks at local authority level; the likely cost of establishing such networks; and if he will make a statement on the matter. [12037/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I draw the attention of the Deputy to the recently launched national action plan against racism, which was prepared in my Department, which recommends the development of anti-racism and diversity plans at city and county level to assist with the implementation of the plan. Recommended measures identified in the plan include the development of anti-racism and diversity plans in ten pilot areas, consistent with the intercultural framework set out in the NPAR and to apply the equality impact assessment template for city and county development boards as part of the preparation of these plans; the drawing up of guidelines to inform the development of ARD plans; and the establishment of broadly based steering groups in the ten pilot areas to help advise on the development of the ARD plans, involving statutory administrative bodies, local development partnerships, social partners, local authorities and community

organisations working closely with cultural and ethnic minorities.

My Department has recently written to managers of local authorities, city and county development boards and area partnerships to progress these measures. It is not possible to anticipate costs in advance of measures being decided in each local authority which may have very different needs depending on local circumstances.

Garda Operations.

412. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform if he will consider establishing a dedicated organised crime unit within the Garda Síochána; the likely cost of establishing such a unit; and if he will make a statement on the matter. [12038/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, police operations are primarily a matter for the Garda Síochána. I have been informed by the Garda authorities that there are already a number of multidisciplinary and inter-departmental structures in place which facilitate an integrated and co-ordinated approach to tackling and-or preventing serious and organised crime, such as 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.

I have been further informed that 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 services, has enabled the Garda Síochána to tackle organised crime effectively. The proactive targeting by members of the national bureau of criminal investigation of emerging criminals in the area of all serious crime has proven successful and will continue.

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 related 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.

Finally, the Garda authorities have 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. The establishment of a dedicated organised crime unit including any cost issues involved will be considered in this context.

Departmental Schemes.

413. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform if he will reinstate the civil legal aid private practitioners scheme; the likely Exchequer funding required for such an action; and if he will make a statement on the matter. [12040/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the private practitioners scheme has not been discontinued, the question of its reinstatement does not arise. I am in fact pleased to be able to inform the Deputy that, following an increase in funding for the board from €18.388 million in 2004 to €21.362 million in 2005, the scheme has been expanded to provide improved services to the board's clients.

In addition, I have recently sanctioned a scheme for the use by the board of private practitioners in the Circuit Court to deal with judicial separation and divorce cases. The scheme was approved on 7 April and I understand that the board is already in the process of allocating cases to private practitioners. These two measures should greatly assist the board in improving waiting times for its services.

Departmental Funding.

414. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the amount of funding being provided under the auspices of his Department for the protection of witnesses in criminal

trials; and if he will make a statement on the matter. [12041/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assume the Deputy is referring to the State's witness security programme, which operates under the direct control and administration of the Garda Commissioner.

The programme was established in 1997 in response to the activities of organised criminal gangs to facilitate those persons who are prepared to give evidence against alleged offenders. In the current year, the financial allocation to the programme is €1,132,000.

Illegal Immigrants.

415. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the funding being allocated by his Department for immigration control in 2005; and if he will make a statement on the matter. [12043/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The immigration control function has been characterised by the Supreme Court as comprising the control of the entry of non-nationals, their departure and their activities and duration of stay within the State. Relevant activities are carried out both by officials of my Department and members of the Garda Síochána.

Based on 2004 outturns, it is estimated that the cost of those activities within my Department in 2005 will amount to in the region of €5.3 million for pay and €6.7 million non-pay. This figure does not include the actual processing costs related to claims for refugee status or the cost of accommodation for asylum applicants.

On the Garda side, the Garda National Immigration Bureau is charged with the co-ordination of Garda operational strategies at points of entry into the State; combating trafficking in illegal immigrants, including international operational liaison; the removal of persons who had been refused leave to land from the State; the enforcement of deportation orders; and the provision of a non-national registration service in the Dublin area.

I am informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that the provisional operational budget allocated to the Garda National Immigration Bureau for 2005 amounts to approximately €17.5 million. Certain expenditure items such as the provision of motor vehicles, information technology and other support services are accounted for on a centralised national basis. Consequently, it is not possible to provide budget details on an individual garda unit basis for those additional nationally provided services. The 2005 budget for the Garda Síochána is over €1.1 billion.

Anti-Racism Measures.

416. **Mr. Curran** asked the Minister for Justice,

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Equality and Law Reform the funding being allocated by his Department for minority ethnic non-governmental organisations in 2005; and if he will make a statement on the matter. [12044/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A national action plan against racism, NAPAR, was launched in January 2005, with the twin aims of combating racism and developing a more inclusive, intercultural society. To coincide with the launch of the plan funding was given, through a grant scheme, to enable organisations to raise awareness about racism and highlight cultural diversity in Ireland. A total of €250,000 has been allocated to 44 projects nationally. A full list of the grants provided is available on www.knowracism.ie.

The plan itself has a core budget of €1 million per annum for each year of its life, 2005-08. This money will be used to further the goals of the plan on a range of different issues and projects but it is too early to say which groups might benefit from these activities.

I can further inform the Deputy that the Reception and Integration Agency, RIA, of my Department also provides funding in this area. For example, a small grants scheme — from €500 to €6,000 — is operated by the RIA for voluntary local support groups who help asylum seekers living in their areas and the latest date for receipt of applications for the scheme is 31 May 2005. While the full profile of the applications is not yet available, it is likely that minority ethnic groups will be among the applicants. A total of €170,000 was allocated in 2004 for the small grants scheme and it is expected that funding will be of the same order for 2005.

In addition, the RIA is the responsible authority for the European Refugee Fund, ERF, in Ireland. A new phase of the fund covering the period 2005 to 2010 was agreed by the EU last December and it is expected that the 2005 funding for Ireland will be in the region of €1 million. A public call for funding proposals will be issued later this year. While this funding had traditionally been secured by the larger NGOs, the RIA is currently examining how the new fund can be used to build capacity within minority ethnic organisations.

Youth Services.

417. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the number of Garda juvenile liaison officers employed; the funding allocated for them; and if he will make a statement on the matter. [12045/05]

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 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.

I refer the Deputy to my reply on 12 April 2005 to Question No. 108 from Deputy Quinn, which sets out more comprehensive details in this matter.

The 2005 budget for the Garda Síochána is over €1.1 billion. The national juvenile office is one of four constituent elements that make up the national community relations section. As the annual budget for the national community relations section is not divided between the four units it is not possible to determine the 2005 budget for the national juvenile office. The provisional operational budget allocated to the national community relations section for 2005 amounts to approximately €2.75 million.

Certain expenditure items such as the provision of motor vehicles, information technology and other support services are accounted for on a centralised national basis. In addition, the salary costs of the 86 JLO gardaí and eight JLO sergeants working in the various divisions throughout the country are accounted for centrally within the Garda Vote and are not reflected in the above figure of €2.75 million. Consequently, it is not possible to provide budget details on an individual Garda unit basis for those additional nationally provided services.

On Garda resources generally, the Deputy 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 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, 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 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 front-line, operational, high-visibility policing. They will have a real impact.

Registration of Title.

418. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application by a per-

son (details supplied) in County Roscommon; the reason for the delay in same. [12052/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for first registration which was lodged on 30 October 2003 — dealing No. D2003CR009352H refers. I am further informed that a query issued to the lodging solicitor on 31 March 2005 and that the application cannot proceed until this query has been satisfactorily resolved.

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. However, I can assure the Deputy that on receipt of a satisfactory reply, the matter will receive further attention in the Land Registry.

Departmental Staff.

419. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number of unestablished civil servants in his Department. [12116/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The number of unestablished civil servants in my Department at 31 March 2005 is some 284 in total. This figure is made up of services officers and attendants, temporary probation and welfare officers, cleaners, atypical clerical and executive officers, temporary clerical staff, contract executive and administrative officers and other contracted staff.

Asylum Applications.

420. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for a person (details supplied) for permission to remain in the State on the basis of parentage of an Irish born child; and if he will make a statement on the matter. [12125/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned made an application for permission to remain in the State on the basis of her parentage of an Irish citizen child under the revised arrangements on 18 March 2005 and her application was acknowledged on the same day.

Applications are being dealt with as expeditiously as possible and, where possible, in order of receipt. 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.

Child Care Services.

421. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the funding in 2005 for the child minders development grant. [12149/05]

422. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the funding provided nationwide for county child care committees in 2005. [12150/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 421 and 422 together.

Thirty-three city-county childcare committees, CCCs, were established in 2001 to prepare and deliver a five year strategic plan for the development of child care services to address the specific child care needs of its own area. Each year, each CCC draws up an annual action plan to deliver its strategic plan with annual funding from the quality measure under the Equal Opportunities Childcare Programme 2000-2006, EOCP.

I have allocated funding totalling €7.6 million to the 33 CCCs for the implementation of their 2005 action plans. In addition, the CCCs received an annual funding allocation amounting to €965,000 in total in 2005 to support quality awareness training, information and networking actions specifically targeting child minders, who play a key role in the delivery of child care in Ireland.

Funding is also available under the national child minding initiative for the award of small developmental grants of up to 90% of the total cost and with a maximum grant of €630 to child minders. These are linked to the completion of a quality awareness lecture programme for child minders, delivered by the CCCs. In 2004 I made available a funding allocation of €1.89 million in total for this purpose.

While the number of participants in quality awareness lecture programme designed in tandem with the grants approached 2,600 by the end of 2004, the numbers seeking the child minder development grant has been less than anticipated, and as a consequence, the amount set aside in 2004 for this purpose has not yet been exhausted. As a result, it has not been necessary to make a further allocation yet for development grants in 2005. This element of the EOCP will be reviewed again in May-June 2005 to determine the need to make a further allocation to the CCCs for this purpose.

Pyrotechnics Regulations.

423. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform if his Department has powers to license the importation of pyrotechnics; the number of licences issued in each of the past three years; the quantity of pyrotechnics licensed in each case; and if he will make a statement on the matter. [12151/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In accordance with the Explosives Act 1875, pyrotechnics, which include fireworks, marine distress flares and rockets and pyrotechnical cartridges for industrial use, are deemed to be explosives. Accordingly, they may only be imported into the State under an importation licence granted by my Department. While

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the quantity of pyrotechnics issued in each case is not readily available, the number of licences and

the average quantity of pyrotechnics per licence issued in the past three years is as follows:

Year	Number of Licences				Average Quantity		
	Fireworks	Marine Pyro	Industrial Cartridges	Total	Fireworks	Marine Pyro	Industrial Cartridges
2002	246	80	43	369	100.7kgs	9.3 kgs	94 kgs
2003	312	56	10	378	90.84kgs	38.2 kgs	76 kgs
2004	355	22	10	387	108.8kgs	37.6 kgs	63 kgs

Included in the foregoing are two licences for 3,348kgs of fireworks in respect of the St. Patrick's Day festival and the Wexford Opera festival in 2002; one licence for 2,327kgs of fireworks in respect of the St. Patrick's Day festival in 2003 and two licences for 11,051kgs of fireworks in respect of the St. Patrick's Day festival and EU Accession in 2004.

Citizenship Applications.

424. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform when the naturalisation process will be completed in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [12187/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation was received from the person referred to by the Deputy in April 2003. The application was submitted to me for a decision in March 2005 and I decided not to grant a certificate of naturalisation in that instance.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that an applicant for naturalisation must have one year's period of residence in the State before the date of the application and a total of four year's residence in the State in the eight preceding that period.

Section 16(g) of that Act provides that I may, in my absolute discretion, waive the statutory conditions in certain circumstances, including where the applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the status of refugees. In considering applications under this provision, I am generally disposed to waiving two years of the normal residency requirement, thereby requiring such applicants to be resident in the State for three years at the time of the application. The three year period commences from the date the applicant arrived in the State to seek refugee status.

The reason for my refusal was disclosed to the applicant in the letter 6 April 2005 informing him of my decision. The applicant arrived in the State on 21 April 2001 and made his application for a certificate of naturalisation on 2 April 2003. As there were no circumstances apparent in the

application which would lead me to depart from the general policy outlined above, I decided to refuse the application based on the fact that the applicant was not in the State three years at the time of the application.

Assuming that the person concerned has been resident in the State continuously since his arrival here in April 2001, he would now appear to have the appropriate residency and it is open to him to submit a new application at any time. Any such application will be considered against the statutory and administrative provisions in operation at the time the application is submitted.

Child Care Services.

425. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the likely cost to the Exchequer of establishing universal provision of early childhood care based on the Swedish system; and if he will make a statement on the matter. [12205/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not feasible to transpose one model of child care into another jurisdiction without taking cognisance of a wide range of socioeconomic and other structural factors and therefore it is not realistic or indeed possible in a short time span to make an estimate of the cost to the Irish Exchequer of establishing the "Swedish model" of child care provision into Ireland. Among the factors which impact on the cost of child care provision are the age profile and labour market status of the population, arrangements for parental leave, welfare systems, the taxation system and the age structure for compulsory education. The funding arrangements for welfare type services such as child care also depend on the central and local taxation regimes. It is understood from a document published at an EU conference in 2004 that expenditure in Sweden on early childhood care and education for the age group 0 to 6 years amounted to SEK 34,500 million, about €3.75 billion, in the most recent year for which data were available. This is funded through tax revenue and parental fees.

Deportation Orders.

426. **Aengus Ó Snodaigh** asked the Minister for

Justice, Equality and Law Reform if he will reverse the deportation order in the case of persons (details supplied) in County Cork and use his discretion to allow them humanitarian leave to remain here; if his attention has been drawn to the extent of local support for these persons remaining part of their adopted community here; if his further attention has been drawn to the evidence that the Turkish authorities have subjected failed Kurdish asylum seekers to ill-treatment on their return; if his further attention has been drawn to a Turkish military build-up in preparation for anti-Kurdish operations in Inandik Hovit village, Solhan district, Bingol and that forcing them to return may violate Ireland's non-*refoulement* obligations; and if he will make a statement on the matter. [12230/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons the Deputy refers to claimed asylum on 17 October 2002, the mother having earlier arrived here on foot of a visitor's visa. Their application was refused by the Office of the Refugee Applications Commissioner and they were notified of this recommendation by way of letter dated 11 June 2003.

In their subsequent appeal, the Refugee Appeals Tribunal affirmed the determination of the Office of the Refugee Applications Commissioner and the persons concerned were notified of this by way of letter dated 21 October 2003.

In accordance with section 3 of the Immigration Act 1999, the persons concerned were informed, on 21 January 2004, that the Minister proposed to make a deportation order in respect of them. They were, in accordance with the Act, informed of the three options open to them at that point, that is, to leave the State voluntarily before the Minister decided whether or not to make a deportation in respect of them, consent to the making of a deportation order in respect of them or make written representations to the Minister setting out reasons as to why they should be allowed to remain temporarily in the State.

Their 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 the representations received on their behalf. Deportation orders were made in respect of them on 28 June 2004. The orders were served by registered post and they presented themselves to the Garda National Immigration Bureau on Thursday, 20 January 2005 so that travel arrangements could be put in place to effect their removal from the State.

Further representations were received following the signing of the deportation orders which were also duly considered. However, the position remains unchanged and the deportation order remains valid. The enforcement of the deport-

ation orders is now a matter for the Garda national immigration bureau.

Murder of Former Councillor.

427. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will clarify his reply to Parliamentary Question No. 110 of 12 April 2005; and the reason the reinvestigation into the murder of the person was not commenced in April 2002 when, according to him, the information first came to light, but was instead delayed until June 2003. [12231/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As I stated in my reply to Questions Nos. 83, 101, 106, 109, 110 and 757 to 761, inclusive, of 12 April last, certain issues of concern to the family of the murder victim were raised directly with the Garda Síochána in Buncrana in April 2002. Inquiries were then made by the local Garda authorities in respect of these issues, and it was concluded that they had been adequately addressed in the original investigation. These issues were not referred to me or my Department by any party.

In June 2003, solicitors acting on behalf of the murder victim's family submitted directly to me a memorandum setting out a range of concerns, including some of — but by no means limited to — the issues previously raised directly with the Garda Síochána.

I referred this memorandum to the Garda Commissioner, who, in response, established a review team led by a chief superintendent to conduct a thorough and concise investigation into all matters raised.

Deportation Orders.

428. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will consider staying the deportation order in respect of a person (details supplied) in County Longford, at least until such time as they have completed their studies; and if he will consider using his discretion to grant this person leave to remain here. [12232/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Nigerian, arrived in the State on 8 September 2000 and claimed asylum. Her application was refused by the Office of the Refugee Applications Commissioner and she was notified of this recommendation by letter dated 11 January 2002.

The Refugee Appeals Tribunal affirmed the determination of the Office of the Refugee Applications Commissioner in her subsequent appeal and she was notified of this by letter dated 29 April 2002.

In accordance with section 3 of the Immigration Act 1999, the person concerned was informed, in a letter dated 31 May 2002, that the

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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, that is, to leave the State voluntarily before the Minister decided whether or not to make a deportation order 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 as to why 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. At that time, no mention was made of her studying at the Athlone Institute of Technology. A deportation order was made in respect of her on 25 January 2005. The order was served by registered post and she presented herself to the Garda national immigration bureau on Thursday, 24 February 2005 so that travel arrangements could be put in place to effect her removal from the State.

Further representations were received, in a letter dated 4 April 2005, informing me that the person concerned is a student at the Athlone Institute of Technology where the academic year finishes on 20 June 2005. In these circumstances, I will ask the Garda National Immigration Bureau, whose responsibility it is to enforce deportation orders, not to act on this person's deportation until after 20 June 2005. It should, nonetheless, be noted that the deportation order in this case will not be revoked.

429. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he will review his decision to deport a person (details supplied) in County Dublin; if he will review the situation with a view to allowing this person remain here for an extended period to receive necessary treatment; and if he will make a statement on the matter. [12233/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I would refer the Deputy to my earlier replies I gave to Questions Nos. 164 and 265 on Thursday, 3 February 2005 and Wednesday, 9 March 2005, respectively. As I stated previously, the information submitted by the Deputy was considered and the decision to deport the person remains unchanged.

Registration of Title.

430. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform if he will take steps to expedite an application for registration of ownership of property by a person (details supplied); and if he will make a statement on the matter. [12234/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for first registration which was lodged on 8 August 1996 — dealing No. D1996WS005071U refers.

I am further informed that a query issued to the lodging solicitor on 31 March 2004 and that the application cannot proceed until this query has been satisfactorily resolved.

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. However, I can assure the Deputy that on receipt of a satisfactory reply, the matter will receive further attention in the Land Registry.

Special Educational Needs.

431. **Mr. F. McGrath** asked the Minister for Education and Science if the Irish Deaf Society will be given the maximum support on issues (details supplied); and if she will make a statement on the matter. [11707/05]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that ISL has formal recognition in the Education Act 1998. Under the Act, it is a function of the Minister for Education and Science to ensure, subject to the provisions of the Act, that there is made available to each person resident in the State support services and a level and quality of education appropriate to meeting the needs and abilities of that person. This includes provision for students learning through ISL.

A number of initiatives which seek to promote, develop and implement ISL in order that it will achieve greater recognition and use in the education system are currently in place. These include the special schools for the deaf in Cabra, Dublin, have been encouraged in relation to the use of sign language in class; in-service training is provided in the use of ISL; my Department has provided funding for an ISL weekly home tuition service whereby deaf tutors visit the homes of deaf pre-school children and deaf school-going pupils to provide training in ISL for the deaf children-pupils, their siblings and parents; my Department has sanctioned a pre-school for deaf children on a pilot basis. Programmes are delivered through the medium of ISL as a first language. My Department also provides funding towards ISL tuition to the siblings of the children enrolled; my Department, through the Higher Education Authority, HEA, has established and fully funds a Centre for Deaf Studies in Trinity College, Dublin which provides diploma courses for ISL-English interpreters, deaf tutors and in deaf studies. The course modules deal with issues such as sign linguistics, bilingualism and sociolinguistics of sign language. The course is delivered

in seminar sessions-group work and the award of the diploma is based on continued assessment and a project and course design; and my colleague, the Minister of State for adult education, recently launched the first in a series of instructional DVDs. These DVDs were developed by the Irish Deaf Society with funding from the Department of Education and Science, under the education equality initiative, which provides pilot funding for innovative projects aimed at adults who are educationally disadvantaged. This is the first in a series that will provide instruction in English through Irish sign language to deaf adults. Funding covers the period 2004-06 and is assisted by the European Structural Funds. This series of DVDs will allow deaf adults study in the comfort of their own home. I know that the Irish Sign Language DVD will enhance the deaf community's ability to share in that gift. I am committed to continued and improved funding for the Link Up project to 2008.

The issue of including ISL deaf studies in the curriculum will be considered in consultation with the National Council for Curriculum and Assessment.

My Department has no responsibility for the issues of improved access to employment, health services and the media and likewise the issue of deaf people making a statement to the gardaí.

School Transport.

432. **Mr. Connolly** asked the Minister for Education and Science his plans to replace the ageing school bus fleet; and if she will make a statement on the matter. [11685/05]

Minister for Education and Science (Ms Hanafin): There are in the region of 3,000 vehicles in use each day providing school transport services on behalf of my Department under the school transport scheme. This fleet is made up of Bus Éireann school buses and contractors' vehicles. The bulk of this fleet comprises of mini-buses provided by contractors, while most large buses are provided by Bus Éireann.

Since 1999, Bus Éireann has purchased a large number of vehicles as part of an ongoing school bus fleet replacement programme to continually improve the age profile and condition of their school bus fleet. In addition to this, the Bus Éireann school bus fleet currently has some 400 large capacity buses that were transferred from the general service fleet into the dedicated school transport bus fleet. Over 250 of these buses were transferred in the period 1999-2003, and they represent another valuable source of replacement buses over this period.

This investment has produced an improvement in the condition of the fleet generally and this fleet replacement programme, aimed at replacing older buses with more modern vehicles, is continuing.

433. **Mr. Connolly** asked the Minister for Education and Science if it is proposed to introduce a charge for primary school children using school transport; and if she will make a statement on the matter. [11686/05]

434. **Mr. Connolly** asked the Minister for Education and Science her plans to increase the charges for post-primary school children using school transport; and if she will make a statement on the matter. [11687/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 433 and 434 together.

I have no plans to introduce charges for pupils attending primary schools or to increase charges for pupils attending post-primary schools.

School Staffing.

435. **Mr. F. McGrath** asked the Minister for Education and Science the position regarding numbers at a school (details supplied); and if it will lose a teacher in 2005. [11706/05]

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 seven mainstream class teachers based on an enrolment of 180 pupils at 30 September 2003. In addition, the school has one learning support 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 at the school in question was 179 pupils. 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 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.

Special Educational Needs.

436. **Mr. F. McGrath** asked the Minister for Education and Science if Irish sign language will

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be recognised as an official language and the maximum support given to the 5,000 deaf persons here and the 40,000 who use ISL. [11708/05]

Minister for Education and Science (Ms Hanafin): There are no plans to provide legislation on Irish sign language, ISL. ISL has formal recognition in the Education Act 1998. Under the Act, it is a function of the Minister for Education and Science to ensure, subject to the provisions of the Act, that there is made available to each person resident in the State, including a person with a disability or who has other special educational needs, support services and a level and quality of education appropriate to meeting the needs and abilities of that person. This includes provision for students learning through ISL.

A number of initiatives which seek to promote, develop and implement ISL to encourage greater recognition and use in the education system are in place. Special schools for the deaf in Cabra, Dublin, have been encouraged in relation to the use of sign language in class. In-service training is provided in the use of ISL. My Department has provided funding for an ISL weekly home tuition service whereby deaf tutors visit the homes of deaf pre-school children and deaf schoolgoing pupils to provide training in ISL for the deaf children or pupils, their siblings and parents. My Department has sanctioned a pre-school for deaf children on a pilot basis. Programmes are delivered through the medium of ISL as a first language. Through the Higher Education Authority, my Department has established and fully funds a centre for deaf studies in Trinity College Dublin which provides diploma courses for ISL-English interpreters, deaf tutors and in deaf studies.

437. **Mr. O'Shea** asked the Minister for Education and Science her proposals to work with the HSE south-eastern area to develop the much needed school for the moderately intellectually disabled in Dungarvan, County Waterford; and if she will make a statement on the matter. [11754/05]

Minister for Education and Science (Ms Hanafin): My Department has no record of any proposals from the HSE in relation to the matter raised by the Deputy. Any proposals the HSE wishes to submit to my Department will be considered.

Higher Education Grants.

438. **Mr. N. O'Keefe** asked the Minister for Education and Science the position in relation to third level grants; and if all local authorities adhere to the same criteria. [11762/05]

Minister for Education and Science (Ms Hanafin): My Department funds three means-tested maintenance grant schemes in respect of

students attending approved courses in approved third level institutions and one maintenance grant scheme in respect of students attending approved post-leaving certificate courses in approved PLC centres. These are the higher education grants scheme, the vocational education committees scholarship scheme, the third level maintenance grants scheme for trainees and the maintenance grant scheme for students attending post-leaving certificate courses. Generally speaking, all four schemes prescribe similar conditions which preclude students from grant assistance in respect of a repeat period of study at the same level or in respect of a course at a lower level than a course previously pursued, irrespective of whether a grant was previously awarded.

Under the terms of the 2004 PLC scheme, grants are available to eligible candidates who are entering approved PLC courses for the first time in 2004-05. Generally speaking, candidates are ineligible for grant assistance if they already hold qualifications at FETAC level 2 or FETAC level 3 or a third level qualification at national certificate, national diploma, degree, postgraduate or equivalent level. In addition, candidates who have previously pursued but not successfully completed a PLC course are ineligible for grant assistance in respect of any subsequent PLC course. Notwithstanding these conditions, candidates who already hold an award no higher than FETAC level 2 and who subsequently pursue another PLC course at a higher level may be deemed eligible for grant aid.

My Department understands that the candidate to whom the Deputy refers has previously completed a PLC course in respect of which he received a FETAC level 3 award and that he is pursuing another PLC course. Accordingly, under the prescribed conditions of the PLC scheme, he is ineligible for grant assistance in respect of his current PLC course. In view of the Deputy's assertion, my Department will be in contact with the awarding authorities to ensure that the terms and conditions of the PLC scheme are being applied correctly and equitably in respect of all candidates.

School Placement.

439. **Mr. McGuinness** asked the Minister for Education and Science the action she has taken to date in the case of a person (details supplied) in County Kilkenny; if her officials' attention has been drawn to the problem and the action they have taken to assist this person and their mother; if she will put in place as a matter of urgency a programme of education for this person; and if she will make a statement on the matter. [11772/05]

Minister for Education and Science (Ms Hanafin): 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 enrolment of a student. In the case of a school established or maintained by a vocational education committee, an appeal against the decision of the board of management of the school is made, in the first instance, to the vocational education committee. The National Educational Welfare Board is aware of the person referred to by the Deputy and I understand that the educational welfare officer for County Kilkenny is assisting and advising the parent on her right of appeal. If the parent remains unhappy with the outcome of the appeal process at VEC level, she has an entitlement to make an appeal directly to the Secretary General of my Department.

Where an appeal under section 29 is upheld, the Secretary General of my Department may direct a school to re-admit a pupil. While the appeal process is under way, my Department will, on the recommendation of the EWO, sanction a grant for home tuition hours as an interim education provision while the child is out of school.

Special Educational Needs.

440. **Mr. McGuinness** asked the Minister for Education and Science the support which has been arranged in the case of a person (details supplied) in County Kilkenny; if the supports demanded by this person's assessment report will be given; if a decision will be expedited in this case; the supports and funding which are available; and if she will make a statement on the matter. [11773/05]

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. A total of 71 special educational needs organisers, or SENOs, have been recruited throughout the country and will provide points of contact for schools and parents. My officials will contact the relevant SENOs directly on the special educational needs of the pupil concerned and the school authorities will be notified directly of the outcome.

Site Acquisitions.

441. **Mr. McCormack** asked the Minister for Education and Science the position regarding the provision of a site and new building for a school (details supplied) in County Galway; the progress which has been made by her Department in acquiring a site; and if she will make a statement on the matter. [11803/05]

Minister for Education and Science (Ms Hanafin): The property management unit of the

OPW, which acts on behalf of my Department on site acquisitions generally, is exploring the possibility of acquiring a site for the provision of a new school building for the school referred to by the Deputy. When a site has been procured, the project will be progressed in the context of the school building and modernisation programme 2005 to 2009.

Pupil-Teacher Ratio.

442. **Ms Burton** asked the Minister for Education and Science the number of national school classes in each national school in Dublin 15 which have 30 or more children; the number of teachers in national schools in the Dublin 15 area employed by her Department in each year over the past five years; and if she will make a statement on the matter. [11862/05]

Minister for Education and Science (Ms Hanafin): The information the Deputy requested is not readily available in my Department. If the Deputy would like information on a particular school, I will be happy to provide it.

Schools Building Projects.

443. **Mr. Timmins** asked the Minister for Education and Science the position in relation to the sports hall at a school (details supplied) in County Wicklow; if this will be included in the further buildings projects to be announced shortly by her Department; and if she will make a statement on the matter. [11949/05]

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 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 the review, all projects were assigned a band rating and their progress is being considered individually in the context of the schools building programme from 2005 onwards.

Pupil-Teacher Ratio.

444. **Ms McManus** asked the Minister for Education and Science the progress which has been achieved since a commitment (details supplied) was made in the programme for Government 2002; when more teachers and extra learning support teachers will be appointed; and if she will make a statement on the matter. [11958/05]

Minister for Education and Science (Ms Hanafin): The Deputy 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

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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, tackle educational disadvantage and 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. There are 1,531 learning support posts in primary schools nationwide. The Deputy may be aware of the proposed new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with the higher incidence special educational needs of borderline mild and mild general learning disability and specific learning disability. This system also applies to those with learning support needs who function at or below the tenth percentile on a standardised test of reading and-or mathematics.

I am conscious of the difficulties which could arise in relation to the proposed model for children in small and rural schools if it is implemented as 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.

Special Educational Needs.

445. **Mr. S. Ryan** asked the Minister for Education and Science if a special education needs organiser has been appointed to the Clondalkin and Lucan area for processing resource applications for children with disabilities who have special educational needs; and if she will make a statement on the matter. [11989/05]

Minister for Education and Science (Ms Hanafin): A total of 71 special educational needs organisers, SENOs, have been appointed

throughout the country. Resource applications for pupils with disabilities from all schools, including schools in Clondalkin and Lucan, are being processed by SENOs. Since 1 January 2005, decisions have issued to schools in accordance with circulars SP/Ed 01/05 and PPT 01/05, which refer to the transfer of functions from the Department of Education and Science to the National Council for Special Education.

Youthreach Programme.

446. **Mr. O'Connor** asked the Minister for Education and Science the amount of funding being allocated for Youthreach and Traveller education programmes in 2005. [11991/05]

Minister for Education and Science (Ms Hanafin): The total pay and non-pay funding allocated for the VEC Youthreach and senior Traveller training programmes in 2005 is €44.234 million and €19.268 million, respectively.

School Books Schemes.

447. **Mr. O'Connor** asked the Minister for Education and Science the cost to the Exchequer of the aid for school books grant scheme and book rental schemes in the 2004-05 school year. [11992/05]

Minister for Education and Science (Ms Hanafin): A total of €3,961,683.89 was paid by my Department for the school books grant scheme in primary schools for the 2004-05 school year. This figure includes €3,272,733.40 in respect of the loan and rental scheme. The total expenditure in post primary schools for the 2004-05 school year was €6.359 million which included €221,240 for the book rental and loan schemes seed capital.

Educational Disadvantage.

448. **Mr. O'Connor** asked the Minister for Education and Science the number of children in the first year of second level education who are from welfare dependent families. [11993/05]

Minister for Education and Science (Ms Hanafin): My Department administers the post-primary pupils database which records certain information concerning individual pupils at second level. However, no information concerning the welfare dependence or otherwise of a pupil's family is sought or recorded on that database. Accordingly, the information requested by the Deputy is not available to my Department.

Breaking the Cycle Scheme.

449. **Mr. O'Connor** asked the Minister for Education and Science the cost of the Breaking the Cycle scheme in 2005; and if she will make a statement on the matter. [11994/05]

Minister for Education and Science (Ms Hanafin): The estimated cost of the Breaking the

Cycle programme for 2005 is €4.6 million. The new policy framework for tackling educational disadvantage, which I will publish shortly, will create a new standardised system for identifying levels of disadvantage and put in place a new integrated programme of supports to bring together and build upon existing policy interventions and initiatives for schools and school communities with a concentrated level of disadvantage.

Educational Disadvantage.

450. **Mr. O'Connor** asked the Minister for Education and Science the proportion of her budget which is devoted to measures to tackle educational disadvantage. [11999/05]

Minister for Education and Science (Ms Hanafin): Approximately €600 million is being provided by my Department in 2005 for measures specifically designed to address educational disadvantage. My Department's approach in this area is based on a continuum of provision from early childhood through adulthood with a focus on preventative strategies, targeting and integrated community responses.

Schools Refurbishment.

451. **Dr. Upton** asked the Minister for Education and Science if she will review the funding approved for a school (details supplied) in Dublin 12 in order that laboratories can be upgraded in such a way as to avoid further additional wasteful disruption at a later date. [12006/05]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers received funding under the 2005 summer works scheme to upgrade science laboratories. It is open to the management authority to apply for further funding under the 2006 summer works scheme when it is announced later this year.

Special Educational Needs.

452. **Mr. McGuinness** asked the Minister for Education and Science if it is correct for a SENO to apply the provisions of circular SP/ED 09/04 to refuse an application for resource hours for a Down's syndrome person; if her officials will proceed with the provisions already in place for resource hours under the terms of circular SP/ED 08/02; and if she will make a statement on the matter. [12023/05]

Minister for Education and Science (Ms Hanafin): It would appear from a number of enquiries that a significant percentage of children with Down's syndrome have been assessed as having a mild general learning disability which comes under the high incidence disability category. Under the transfer of functions protocols, the National Council for Special Education is

processing applications for resource teaching support from primary schools in respect of children with low incidence disabilities.

In the absence of details related to the application referred to by the Deputy, it appears to relate to a child within the high incidence disability range. The Deputy may be aware of the proposed new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with the higher incidence special educational needs of borderline mild and mild general learning disability and specific learning disability. This system also applies to those with learning support needs 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. 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.

453. **Mr. Timmins** asked the Minister for Education and Science the situation in respect of funding for accommodation improvements at a school (details supplied) in County Wicklow; the pupil-teacher ratio; if there are plans to improve the pupil-teacher at this school by providing extra staff; and if she will make a statement on the matter. [12122/05]

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 seven mainstream class teachers based on an enrolment of 183 pupils at 30 September 2003. In addition, the school has two resource teachers and the services of a learning support teacher. The pupil-teacher ratio in this school is 18:1, 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.

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According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 183 pupils. 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 asked also about the school's accommodation requirements. The school was among the 43 schools that I announced recently were authorised to enter the architectural planning process. My officials visited the school recently to determine the project brief and an advertisement will be placed shortly for the appointment of a design team.

Telecommunications Services.

454. **Mr. McGuinness** asked the Minister for Education and Science the cost of providing broadband services and technology laboratories to all primary and secondary schools; and if she will make a statement on the matter. [12132/05]

Minister for Education and Science (Ms Hanafin): My Department together with the Department of Communications, Marine and Natural Resources is engaged in a joint initiative with the IBEC-Telecommunications and Internet Federation to provide broadband connectivity to all recognised primary and post-primary schools. The IBEC-Telecommunications and Internet Federation has committed funding of approximately €15 million for a three-year period to support the initiative. Broadband connectivity will be provided via a backbone schools network supported by HEAnet, which will provide security, content filtering and e-mail services to schools. A broadband support service, including a national service desk, will be provided by the National Centre for Technology in Education to assist schools with advice and information relating to the roll-out and ongoing use of broadband connectivity within the schools network. Following the announcement of the outcome of the competitive tendering process earlier this year, my Department is finalising contract negotiations with a view to completing the roll-out process by the end of the year. The overall cost of providing broadband connectivity and broadband services over the three-year period will be in the region of €29 million.

My Department does not fund the provision of technology laboratories in primary schools. At post-primary level, the inclusion of technology rooms is, where appropriate, generally considered for inclusion in the accommodation brief for new schools or large-scale refurbishment projects or extensions to existing schools. Cost information is held in my Department on a project basis rather than on the individual components of projects such as technology rooms.

Educational Disadvantage.

455. **Mr. McGuinness** asked the Minister for Education and Science the cost of the Early Start programme in 2005; the number of schools covered; the likely cost of the programme being extended to the RAPID and CLAR areas; the likely cost of the programme being extended nationwide; and if she will make a statement on the matter. [12133/05]

Minister for Education and Science (Ms Hanafin): The Early Start pre-school project operates in 40 primary schools in designated areas of urban disadvantage in Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk. There are a total of 1,680 places in Early Start centres and the provision involved for 2005 is €4.9 million. I will shortly publish a new policy framework to tackle disadvantage in education which will put in place a new integrated programme of supports to bring together and build upon existing policy interventions and initiatives for schools and school communities with concentrated levels of disadvantage. Early childhood education provision will be one of the issues to be addressed by the new policy framework.

Physical Education Facilities.

456. **Mr. McGuinness** asked the Minister for Education and Science if she will reintroduce the grant for sports equipment in primary schools in such a way that it will match the increase in public expenditure generally; the likely cost of such an initiative; and if she will make a statement on the matter. [12134/05]

Minister for Education and Science (Ms Hanafin): Physical education is one of the seven primary education curriculum areas and plans are in place to implement a new syllabus in September 2005. A programme of in-service training for all primary school teachers will take place during the current school year. In October 2000, my Department introduced a physical education grant for all primary schools. In excess of €5.5 million in grant aid was paid to primary schools under the scheme to enable schools to provide coaching or mentoring in connection with physical education or to purchase resource materials associated its provision. Materials and equipment purchased by schools with the grant aid should be available to them for a number of years.

Schools may use their general capitation funding to support the implementation of curricula, including physical education. Since 1997, the standard rate of capitation grant has been increased from £45, or €57.14, per pupil to €133.58, which is an increase of almost 134%.

Special Educational Needs.

457. **Mr. Ring** asked the Minister for Education

and Science the help her Department will give to a person (details supplied) in County Mayo. [12135/05]

Minister for Education and Science (Ms Hanafin): Where a pupil with special educational needs enrolls in a post-primary school, it is open to the school to apply for additional teaching support and/or special needs assistant support for the pupil.

My Department allocates additional teaching support and special needs assistant support to second level schools and vocational education committees to cater for pupils with special educational needs. Each application is considered on the basis of the assessed needs of the pupil(s) involved and having regard to a range of factors including the overall resources available to the school.

My Department has approved an allocation of 42.99 hours teaching support per week and 63 hours special needs assistant support per week to the school in question to cater for the special educational needs of a number of pupils, including the pupil to whom the Deputy refers.

The level of support allocated was determined after detailed consideration of the school's application, the supporting documentation provided and having regard to the overall level of resources already available to the school to address special needs issues.

If the school authority is of the view that the existing approved allocation is incapable of addressing the current level of assessed special needs within the school, my Department will be prepared to consider these concerns. Such consideration will require a clear demonstration of the inadequacy of the allocation by reference to the current utilisation of the school's available resources.

Early Childhood Education.

458. **Mr. McGuinness** asked the Minister for Education and Science the likely cost to the Exchequer of establishing universal provision of early education based on the Swedish system; and if she will make a statement on the matter. [12205/05]

Minister for Education and Science (Ms Hanafin): It is not feasible to transpose one model of child care into another jurisdiction without taking cognisance of a wide range of socio-economic and other structural factors and therefore it is not realistic or indeed possible in a short timespan to make an estimate of the cost to the Irish Exchequer of establishing the "Swedish model" of child care provision in Ireland. Among the factors which impact on the cost of child care provision are the age profile and labour market status of the population, arrangements for par-

ental leave, welfare systems, the taxation system and the age structure for compulsory education.

The funding arrangements for welfare type services such as child care also depend on the central and local taxation regimes. It is understood from a document published at an EU conference in 2004 that expenditure in Sweden on early childhood care and education for the age group zero to six years amounted to SEK34,500 million, about €3.75 billion, in the most recent year for which data were available. This is funded through tax revenue and parental fees.

Special Educational Needs.

459. **Aengus Ó Snodaigh** asked the Minister for Education and Science if pupils will lose the special needs assistants allocated to them (details supplied) when they transfer from one school to another. [12220/05]

Minister for Education and Science (Ms Hanafin): With effect from 1 January 2005, the National Council for Special Education is responsible for meeting the special educational needs of children with disabilities. Since that date, the council has been resourcing schools to meet such needs on receipt of applications in respect of individual children. Therefore, it is open to a school that wishes to seek a special needs assistant for a particular child to apply to the council through their local special educational needs organiser, SENO, and in this regard all schools have been informed of the contact details of their local SENO.

460. **Aengus Ó Snodaigh** asked the Minister for Education and Science the money available for primary schools that wish to source speech and language therapy for pupils. [12221/05]

Minister for Education and Science (Ms Hanafin): The provision of speech and language therapies is a matter for my colleague, the Tánaiste and Minister for Health and Children.

461. **Aengus Ó Snodaigh** asked the Minister for Education and Science if she will sanction a special needs assistant for the special learning class in schools (details supplied) in Dublin 10. [12222/05]

Minister for Education and Science (Ms Hanafin): My Department has recently sanctioned a special needs assistant post to the special class in question. All allocations are made on a temporary basis and subject to review in light of the pupils' emerging needs.

Schools Building Projects.

462. **Mr. McGinley** asked the Minister for Education and Science when the sod was turned and by whom on the all-Irish education centre

[Mr. McGinley.]
planned for Ballyvourney, County Cork.
[12223/05]

Minister for Education and Science (Ms Hanafin): Tenders for the project to which the Deputy refers were not agreed and therefore no contract was placed. The original plan was to locate this project on a greenfield site. Since then other options are being considered. When a decision is made on the most appropriate delivery method for this project will inform the parties concerned.

463. **Mr. Deenihan** asked the Minister for Education and Science the position regarding the provision of a new primary school at a school (details supplied) in County Kerry; and if she will make a statement on the matter. [12257/05]

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, which was revised following consultation with the education partners.

The proposed project at the school referred to, will be progressed in the context of the school building and modernisation programme 2005-09.

Defence Forces Retirement Scheme.

464. **Ms M. Wallace** asked the Minister for Defence the reason for the decision taken in 1994 that soldiers in the Army would no longer serve 21 years and that the service contract would be 12 years, leaving a 17 year old at 29 years of age on discharge; his views on whether it is a waste of resources to discharge young, fit and extensively trained personnel at 29 years of age without reason and to incur further costs in training replacement personnel; the position with regard to the commitments given that alternative training opportunities would be provided prior to discharge; if plans have been put in place to provide such training in advance of the 2006 discharges; and if he will make a statement on the matter. [11769/05]

Minister for Defence (Mr. O'Dea): The unsatisfactory age and fitness profile of the Permanent Defence Force was commented upon by the Gleeson commission in its report in 1990. The matter had also been of serious concern to the military authorities for a number of years. The age profile was also the subject of severe criticism by Price Waterhouse consultants who had been engaged by the efficiency audit group, EAG, to conduct an in-depth study of the Defence Forces. One of the key areas identified for urgent action by the EAG was the development of a manpower policy with an emphasis on lowering the age profile of Permanent Defence Force personnel. The

EAG's report was accepted by Government in 1995.

In an effort to alleviate the situation, the Government had decided in 1993 to enlist personnel on a five-year contract basis with a reserve force commitment of seven years. The recruitment of personnel on five year contracts was introduced following consultation with the Permanent Defence Force Other Ranks Representative Association, PDFORRA.

In 1997 agreement was reached with PDFORRA on a new manpower policy for the Defence Forces. This policy, applying to personnel enlisted after 1 January 1994 provided that service for private soldiers would initially be for five years with the option to be extended to a maximum of 12 years. Any extension was subject to the individual soldier meeting certain criteria to include standards of medical and physical fitness and conduct. Longer periods of service were envisaged for junior and senior non-commissioned officers. The new policy represented a substantial improvement for personnel who would otherwise have had to leave after five years service while continuing to address the issues of age profile and fitness levels in the Defence Forces. I am satisfied with these existing arrangements.

PDFORRA has submitted a claim under the conciliation and arbitration scheme for a further review of the terms of service applying to personnel enlisting in the Permanent Defence Force after 1 January, 1994. As discussions on issues raised under the conciliation and arbitration scheme are confidential to the parties concerned the Deputy will appreciate that it would not be appropriate for me to comment further at this time.

Defence Forces Deployment.

465. **Ms Enright** asked the Minister for Defence the way in which the Naval Service defines the term long-term attachment; and if he will make a statement on the matter. [11799/05]

Minister for Defence (Mr. O'Dea): The military authorities have advised that personnel of the Defence Forces may be detached from their parent unit and attached to another unit of the Defence Forces in accordance with Defence Force Regulation A10.

The Defence Forces, including the Naval Service, have no particular definition of the term "long-term attachment". Its use is a matter of custom and practice. Detachments are however normally of a limited duration to perform a temporary duty, attend a course etc. Usually this would not extend beyond a matter of weeks. However, circumstances can arise where personnel are detached from their parent unit, and attached to another unit, for a prolonged duration. This may arise for a variety of reasons. For instance, it may

be authorised as a result of the member's own request due to a domestic or compassionate reason to be at or near a particular location. Such detachments are normally directed to be for a set period and are entirely a matter for the military authorities in the light of operational requirements.

The Defence Forces wish to minimise any long-term detachments of personnel to units outside their own unit or Service. Such Naval Service personnel, while technically borne on the strength of the parent unit in the Naval Service, are unavailable to perform naval duties. They will also be blocking an appointment for their rank-grade in the Naval Service, and thus may also be restricting promotion to that rank-grade.

Defence Forces Property.

466. **Mr. N. O'Keefe** asked the Minister for Defence if electoral and heating works will be completed at the new target shed and workshop for civilian staff at a military camp (details supplied) in County Cork. [12005/05]

Minister for Defence (Mr. O'Dea): The target shed in Kilworth Camp, County Cork, has been reroofed. A new power supply has been brought to the building and will soon be connected, after which heating and lighting will be provided. It is my understanding that the civilian staff involved are being accommodated during the renovations. It is intended that the work will be completed shortly.

467. **Ms Lynch** asked the Minister for Defence if his attention has been drawn to the situation regarding the closure of a pitch and putt club (details supplied) in County Cork; if his Department intends discussing with the club the concerns regarding health and safety within the confines of the pitch and putt course; if he intends that the site will continue to be operated as a pitch and putt course by the club; the timeframe within which he envisages this matter being concluded to the satisfaction of all concerned parties; if his Department has a long term view regarding the site which would result in a change of use, function or ownership of this property; if he will consider leasing the ground to the club under a sporting lease thereby removing any liability on his Department's part; and if he will make a statement on the matter. [12157/05]

Minister for Defence (Mr. O'Dea): Arising from concerns that continuing use of the pitch and putt facilities in question, which are held under licence from the Department of Defence, may present serious health and safety hazards for members and visitors, it was decided to suspend further use of the facilities with immediate effect, pending a complete safety assessment of the site and this decision was conveyed in writing to the club chairman on 30 March 2005.

It is proposed to conduct a full safety assessment by the Department's properties officer and appropriate military personnel as soon as possible. In a further letter dated 13 April 2005 the club chairman has been informed accordingly and in this regard, that a meeting between officials of the Department and representatives of the club will be arranged once the outcome of the assessment is to hand.

Natural Heritage Areas.

468. **Ms M. Wallace** asked the Minister for the Environment, Heritage and Local Government the manner in which a village is designated as a heritage village; if consideration has been given to the designation of Slane in County Meath as a heritage village; the circumstances in which this can be brought about; and if he will make a statement on the matter. [11664/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has no responsibility for the designation of heritage villages. I understand the designation of heritage towns is undertaken by Fáilte Ireland in the context of their tourism promotion role.

Local Authority Funding.

469. **Mr. J. O'Keefe** asked the Minister for the Environment, Heritage and Local Government the amount of funding made available to local authorities to enable them to pay for summer employment schemes for students; and the number of local authorities which will have such schemes in operation in 2005. [11693/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): No specific funding is available from my Department to local authorities for a summer employment scheme for students. The employment of staff, including any summer employment, is a matter for each local authority. The cost of any such summer employment would be met from the authorities' own resources income and from other income received including general purpose grants from the local government fund.

Social and Affordable Housing.

470. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of transactions and the number of housing units constructed under Part V of the Planning and Development (Amendment) Act 2002 and by local authority area since the coming into law of the amended Act; the number and details of transactions whereby cash payment or the transfer of land rather than the construction of housing units which have been accepted as compliance with the Act; and if he will make a statement on the matter. [11697/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I refer to the reply to Questions Nos. 79, 128 and 135 of 13 April 2005 which set out details in regard to land transfers and payments in lieu. Information on the number of housing units acquired under Part V of the Planning and Development Acts 2000-2004 in each local authority area is published in my Department's housing statistics bulletins, copies of which are available in the Oireachtas Library and also the Department's website at *www.environ.ie*.

Water and Sewerage Schemes.

471. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if an application for grant aid has been made by Mayo County Council regarding the Glenamoy group water scheme extension; if his Department has looked at the application; and the decision which has been made. [11716/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Responsibility for the administration of the group water schemes measure of the rural water programme has been devolved to local authorities since 1997. However, the question may relate to an extension of the Erris regional water supply scheme to Glenamoy which is included in my Department's water services investment programme 2004-2006 to start construction this year. Further consideration will be given to Mayo County Council's contract documents for this scheme on receipt of the additional information my Department requested from the council last month.

Local Authority Funding.

472. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government when funding for the local improvement schemes will be announced; his views on whether it is difficult for county councils to properly plan and carry out the work on these important schemes in an organised way when in mid-April they still do not know their allocation; if he has considered a more realistic way of allocating the funding based on demand and need at each county level rather than based on historic allocations; and if he will make a statement on the matter. [11758/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Funding for the local improvement scheme, LIS, is considered in the context of the overall grant allocations for non-national roads and the number of LIS applications on hand in each county at the end of the previous year. A sum of €12.5 million has been provided for the local improvements scheme in 2005 and details of the 2005 individual allocations to county councils will be announced shortly. Local authorities normally carry out works under

the local improvements scheme towards the end of the year when other road works have been completed.

Water and Sewerage Schemes.

473. **Mr. J. Breen** asked the Minister for the Environment, Heritage and Local Government the status and timescale for the start of sewerage schemes in County Clare (details supplied); and if he will make a statement on the matter. [11759/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Feakle, Scariff and Quilty-Mullagh sewerage scheme, which is being procured as a grouped project, has been approved for construction in my Department's water services investment programme 2004-2006. Further consideration will be given by my Department to Clare County Council's contract documents for the scheme on receipt of additional information requested from the council in February last.

The Carrigaholt, Labasheeda and Cooraclare sewerage scheme is also being procured as a grouped project and is included in the investment programme to commence construction in 2006. Further consideration will be given to the preliminary report for this scheme on receipt of the additional information requested from the council in November 2004.

Archaeological Sites.

474. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if he will publish all the archaeological and historical advice which he has received and considered in regard to the M3 at Tara-Skyrne; the source and authority for such advice; and if he will make a statement on the matter. [11774/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As indicated in reply to Question No. 57 of 13 April 2005, all the papers relating to this case will be available in accordance with the provisions of the Freedom of Information Acts when I have completed my statutory determination of the matters involved.

Fire Stations.

475. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government the position in regard to a fire station (details supplied) in County Donegal; and if he will make a statement on the matter. [11777/05]

478. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if he will make a statement on the proposed new fire station for Drogheda Borough Council. [11869/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O’Keeffe): I propose to take Questions Nos. 475 and 478 together.

The fire services capital programme for 2005, which I announced on 16 April 2005, includes provision for new fire station projects at Drogheda and Moville to be advanced to construction stage in the period up to the end of 2006, subject to final agreement on scope and design.

Waste Disposal.

476. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if, in the context of his speech to Dáil Éireann on 15 February 2005 (details supplied), he will specify the detail of the limited exceptions he referred to and details of the existing provisions that were used in this case and could be used in other cases; and if he will make a statement on the matter. [11867/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As I advised the House, local authorities are empowered to make waiver schemes where they are directly providing a waste collection service or to make appropriate arrangements with a private service provider where they are not. Generally speaking, waiver schemes have not been applied in respect of privately provided services.

My Department has no function in the making of waiver schemes or similar arrangements. However, from the information available to my Department, I understood that Limerick City Council, Monaghan County Council and Bray Town Council operate, or are in the process of procuring, a waiver mechanism in respect of certain households in their functional areas where a private waste collector is providing a service.

Local Authority Housing.

477. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he has received a submission in regard to works in lieu of rehousing in respect of a person (details supplied) in County Kildare; and if he is in a position to sanction funding for same. [11868/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department has not yet received an application from Kildare County Council to undertake works under the improvement works in lieu of re-housing scheme in respect of the person in question.

Question No. 478 answered with Question No. 475.

479. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the percentage of local authority housing which

has been allocated to single persons over the past five years; the allocations made by each county city and town council; and if he will make a statement on the matter. [11941/05]

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. N. Ahern): It is estimated that between 20% to 25% of first time lettings by local authorities to households have been allocated to single persons in the last five years. While it is a matter for individual local authorities to decide on the allocation of houses to single persons and other categories on their waiting lists in accordance with their schemes of letting priorities, my Department has advised local authorities of the need to provide a reasonable mix of dwellings suited to the different kinds of households already on waiting lists and to plan their future programmes, taking account of the estimated size and type of households likely to be seeking housing in the future.

Water and Sewerage.

480. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the chronology of correspondence with Waterford County Council for a project (details supplied) under the rural towns and villages initiative; the position in relation to this project and the expected start and completion dates; his plans to streamline the procedure to ensure that communities do not have to wait an excessive number of years for such schemes; the details of the projected cost at the time of the original proposal; and the expected cost of completion. [11942/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche):

The Waterford grouped towns and villages sewerage scheme is included in my Department’s water services investment programme 2004-2006 as a scheme to commence construction this year at an estimated cost of €46 million. The estimated cost of the scheme when it was approved to commence planning in the water services investment programme 2002-2004, published in April 2002, was €43 million.

An updated preliminary report for the scheme was submitted to my Department by Waterford County Council in December 2003. The updated preliminary report was approved in April 2004 when the council was asked to review certain aspects of the scope and design of the scheme. The review report submitted by the council in December 2004 is being examined in my Department and is being dealt with as quickly as possible. The council is proceeding with the planning and design of the other elements of the scheme.

When my Department has approved the planning and design of the scheme as a whole, the

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council will be in a position to prepare tender documents. The anticipated construction timescale is three years overall with services for the first locations becoming available approximately 18 months after work starts.

The procedures for the advancement of projects approved for funding under my Department's water services investment programme are intended to optimise progress through the planning, tender and construction phases, taking necessary account of mandatory procurement and other legislative requirements and the policy of delegating maximum responsibility to local authorities who are responsible for the provision of the infrastructure.

An informal working group, comprising officials of the Department and of the County and City and Managers' Association, is at present engaged in a detailed review of the current procedures with a view to identifying measures to streamline the process further having regard to the financial and statutory responsibilities of the parties involved. I expect the group to report before the summer.

EU Directives.

481. **Mr. N. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that counties Cork and Wexford and other counties have been declared nitrate vulnerable zones; the EU Directive, local government Act or planning Act by which these areas are being regulated; the reason these counties have been so designated; the criteria pertaining to the designation; and the legal status they had. [11979/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 1089 of 12 April 2005.

Local Authority Housing.

482. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government the estimated cost of clearing the housing waiting lists within five years; and if he will make a statement on the matter. [11980/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The estimated cost of the construction-acquisition of some 48,000 social housing units over the next five years based on current units costs would be in the order of €8 billion. This figure does not take into account further construction-acquisition needed to cater for the households that are likely to join the waiting list during the period.

483. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government

the cost of maintaining local authority estates in 2005. [11981/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The latest figures available for local authority housing maintenance expenditure relate to the year 2003 in which expenditure amounted to some €184 million. In addition to maintenance expenditure incurred by local authorities on their housing revenue accounts, my Department also provides capital funding to local authorities to undertake refurbishment works under various schemes, including the remedial works scheme and the central heating programme which was introduced in 2004.

484. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government the cost in 2005 of applying an income disregard to the rent scheme. [11982/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Rents of local authority dwellings are determined on the basis of ability to pay having regard to various factors, including household income and circumstances; rent schemes also provide for exceptional cases where payment of the normal rent would give rise to hardship. Local authorities are responsible for the determination of the rents of their dwellings under the differential rents scheme and for decisions on the types of income to be taken into account in the assessment of rents. Information is not available on the cost of disregarding tenant's income or categories of income for rental purposes.

Grant Payments.

485. **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 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. [11985/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The following table outlines expenditure under section 10 for refuges and transitional housing which cater for women only and for women and children. Expenditure on hostels which cater for women only is also outlined. My Department refunds local authorities 90% of their expenditure for the provision of this accommodation and related services.

In addition, under the local agenda 21 environmental partnership fund, the Department awarded the County Leitrim partnership, Women's Environmental Awareness, €1,125 in 2003 to organise seminars and workshops to pro-

mote sustainable waste management for women's groups, and in 2002 gave €1,000 to the IFA and Coastwatch Ireland for a seminar to develop a forum on farming and environmental issues with

special reference to the role of women as well as for the application of a good practice booklet entitled Farming and Local Agenda 21.

Assistance Provided to Women's Organisations 2002-2004

Local Authority	Project	2002	2003	2004
		€	€	€
<i>Refuges</i>				
Athlone Town Council	Esker House Refuge		35,461.64	51,919.59
Ennis Town Council	Clare Haven Services	141,120.00	210,240.00	210,816.00
Dundalk Town Council	Women's Aid Refuge	49,950.00	60,975.00	69,258.75
Tralee Town Council	Adapt Women's Refuge	61,937.45	148,310.31	149,111.28
Donegal County Council	Domestic Violence Service	5,440.00	7,165.94	5,439.46
Galway City Council	COPE-Waterside House	26,055.89	73,079.85	92,988.90
Kilkenny County Council	Women's Refuge		110,050.41	73,260.29
Mayo County Council	Women's Refuge	12,639.29	27,788.44	7,955.10
Meath County Council	Women's Refuge	64,899.54	125,501.40	83,667.60
Dublin City Council	Aoibhneas	181,021.51	181,021.28	181,022.00
Cork City Council	Renewal Women's Residence	24,173.83	32,193.00	32,281.20
	Good Shepherd-Edel House Refuge	180,781.16	160,965.00	161,406.00
Limerick City Council	Adapt House	191,870.12	208,557.92	208,597.52
Clonmel Borough Council	Cuan Saor Refuge	80,381.71	60,286.28	100,477.14
Drogheda Borough Council	Women's Refuge	11,734.71	23,897.85	8,007.86
Sligo Borough Council	Mc Auley House	71,034.00	51,235.00	39,753.00
Wexford Borough Council	Women's Refuge	0.00	107,876.34	92,034.36
SUB-TOTAL		1,103,039.21	1,624,605.66	1,567,996
<i>Transitional Housing*</i>				
Dundalk Town Council	Sonas-Outreach	28,163.42	32,670.00	36,300.00
Mayo County Council	Sonas-Ballina Support Service	26,506.81	57,600.00	34,511.55
Waterford City Council	Oasis Housing	57,658.02	70,384.06	91,786.04
Dublin City Council	Sonas Ballymun	0.00	22,502.70	60,981.32
	Sonas Killester			79,029.46
	Sonas Ranelagh			35,210.71
South Dublin County Council	Sonas Clondalkin		83,694.60	78,274.85
SUB-TOTAL		112,328.25	266,851.36	416,093.93
<i>Assistance Provided Primarily for Accommodation for Women Only</i>				
Dublin City Council	Haven House			153,909.00
	Sophia Housing Cork St.	73,800.00	134,010.00	138,700.00
Galway City Council	COPE-Osterely Lodge	128,511.00	154,706.00	153,886.00
	COPE-Westside House	127,694.00	185,727.00	170,326.00
Limerick City Council	Associated Charities Trust-Thomond House	91,764.00	133,483.00	157,680.00
Waterford City Council	St. Vincent de Paul-Francis House	40,003.00	67,977.00	67,977.00
SUB-TOTAL		461,772.00	675,903.00	842,478.00
GRAND TOTAL		1,677,139.46	2,567,360.02	2,826,567.98

*Refuges and Transitional housing cater for women only and for women and children.

Housing Grants.

486. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government the amount of funding available for the disabled persons grant; the way in which this funding is allocated; the criteria and process required to

obtain this money; and if he will make a statement on the matter. [12019/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Because the capital allocation to local authorities for disabled persons and essen-

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tial repairs grants is a combined one, amounting to €70 million in 2005, it is not possible to indicate in advance the funding which will be available for each of these schemes.

In 2004, estimated expenditure for the disabled persons grant scheme was some €45 million. It is a matter for local authorities to decide on the level of funding to be provided for each of the schemes and to administer them from within the combined allocation notified to them.

My Department has asked local authorities to indicate their capital requirements and proposals for the funding of their own one third contribution for these schemes in 2005. On receipt of this information, allocations will be notified by the Department to individual local authorities. The administration of the scheme is a matter for the local authorities within the framework laid down in statutory regulations which, as far as practicable, is designed to give an appropriate degree of flexibility at local level. The basic requirements for obtaining a disabled persons grant are that the work for which it is sought is, in the opinion of the local authority, reasonably necessary for the purpose of rendering a house more suitable for the accommodation of a disabled member of the household and that the terms of the disabled persons grant scheme, as adopted by the local authority, are complied with by the applicant.

Waste Management.

487. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government the recent guidelines he has issued to the EPA with respect to dumping and remedial issues; and if he will make a statement on the matter. [12020/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I have indicated that it is my intention, using the powers available to me under section 60 of the Waste Management Act 1996, to issue a policy direction in regard to the approach which the appropriate authorities should take to illegally deposited waste and those responsible for it. This policy direction is now being finalised.

488. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government if he made a submission to the Environmental Protection Agency with respect to a waste licence application for a company (details supplied) in County Wicklow; the details of the submission; and if he will make a statement on the matter. [12025/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Waste Management Act 1996, the Environmental Protection Agency has statutory responsibility for

waste licensing and is independent in the discharge of its functions. In accordance with article 18(1) of the Waste Management (Licensing) Regulations 2004, the Environmental Protection Agency forwarded a copy of a waste licence application relating to the case in question and a copy of the environmental impact assessment, EIS, accompanying the application to my Department.

The application and the accompanying documentation was assessed by the relevant personnel from the national parks and wildlife service of the Department. A response issued to the agency on 2 March 2005. The response stated that the Department was concerned with the proximity of the site to Carrigower River, which is part of the Slaney River candidate special area of conservation, and the resultant potential risk of pollution to the river. Accordingly, a recommendation was made that the licence should not be granted. A number of specific issues relating to nature conservation issues and the EIS were also outlined in this response.

Departmental Staff.

489. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government his role in paying overtime bills to constituency secretaries within his Department; if the proper procedures are being followed; and if he will make a statement on the matter. [12026/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The payment of any overtime to personal secretaries in my Department is in accordance with Department of Finance guidelines.

Planning Issues.

490. **Mr. Curran** asked the Minister for the Environment, Heritage and Local Government if he will consider appointing a planning inspectorate to enforce planning laws; if it will be an effective mechanism of enforcing compliance in this regard; the likely funding required to establish such an inspectorate; the subsequent annual running costs; and if he will make a statement on the matter. [12028/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Enforcement of planning control is a matter for each planning authority which can take action where a development requiring planning permission has not obtained this permission or where permission has not been complied with. Accordingly, I have no plans to introduce a planning inspectorate to enforce planning law.

My Department's role in this matter is to provide the legislative framework within which the planning authorities carry out their functions and, in this regard, one of the major features of the

revised and updated planning code introduced by the Planning and Development Act 2000 was a strengthened and simplified enforcement regime. Changes to enforcement provisions in the Act are as follows: 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; fines were greatly increased, with a maximum penalty on conviction on indictment now €12.7 million and two years' imprisonment; planning authorities are now entitled to retain fines imposed by the courts for planning offences to help finance more active planning control; planning authorities can refuse to grant planning permission, subject to the consent of the High Court, to any developer who has seriously failed to comply with a previous permission; the period for taking action was extended from five to seven years; an application for retention or even a grant of retention permission is no longer a valid defence to enforcement action; fees for retention permission were increased; and if people attempt to hide behind a corporate identity, this can be prevented. There were previously many types of enforcement notice. In the 2000 Act there is only one. This reduces the potential for mistakes.

These provisions set out a strong legal framework for planning authorities to take enforcement action. I will continue to keep the implementation of the enforcement provisions of the 2000 Act under review and to work with planning authorities, through the formal consultation mechanism established with the City and County Managers Association with a view to improving their performance on planning matters.

491. **Mr. Curran** asked the Minister for the Environment, Heritage and Local Government if, in view of the recent survey conducted by NUI Maynooth on the commuter belt, he will set up a task force to examine the way in which the concerns expressed in the survey might be addressed; the likely cost of such a task force; and if he will make a statement on the matter. [12029/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 152 of 13 April 2005. In this I stated that I have asked for a copy of the relevant symposium papers to be sent to my Department so that its findings can be taken into account in the ongoing development of planning policies. This process already involves two broadly based working groups: an inter-departmental steering committee which oversees the implementation of the national spatial strategy and an implementation group to drive forward the process of implementing the regional planning guidelines for the greater Dublin area. The Department will ensure that the symposium papers are made available to both of these groups.

Motor Taxation.

492. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the annual cost to his Department of the on-line motor tax website; and the average cost to his Department of each transaction. [12055/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): It is estimated that the annual cost to my Department of the online motor tax system is some €2.17 million and the average cost per transaction is €3.80. The annual cost includes fixed charges and, as a result, the unit cost per transaction reduces as the volume increases.

Urban Renewal Schemes.

493. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government his plans to extend the urban and village renewal scheme beyond 2006; if he is reviewing the current scheme; and if he will make a statement on the matter. [12152/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Three tax incentive based regeneration initiatives, the urban and town renewal schemes and the living-over-the-shop scheme, are being examined by the Department of Finance and the Office of the Revenue Commissioners as part of a review of a wide range of tax incentive schemes and tax exemptions. Pending the outcome of this review and developments at EU level concerning regional aid guidelines for the post-2006 period, there are no proposals to extend these regeneration schemes.

Housing Grants.

494. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the estimated cost of the disabled persons building grant in 2005; the annual cost of increasing it to €30,000; the proportion of building work costs covered by the disabled persons housing grant; the estimated annual cost of increasing the disabled persons housing grant to cover 100% of actual building work; and if he will make a statement on the matter. [12160/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): As a result of the capital allocation to local authorities for disabled persons and essential repairs grants being a combined one amounting to €70 million in 2005, it is not possible to indicate in advance the funding which will be available for each of these schemes. My Department has not carried out a detailed estimate of the increased costs associated with an increase in the allowable maximum grant under the disabled persons grant scheme to €30,000. It

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is likely, however, that this increased cost to my Department and local authorities would not be less than €20 million annually.

It is a matter for local authorities to decide on the level of funding to be provided for each of the schemes and to administer them from within the combined allocation notified to them. The Department has asked local authorities to indicate their capital requirements and proposals for the funding of their own one third contribution for these schemes in 2005. On receipt of this information, allocations, will be notified by the Department to individual local authorities.

Under the terms of the scheme, the maximum grant of €20,320 can cover up to 90% of the cost of the works to private houses. The grant may cover the full cost of the works to local authority dwellings. Based on activity levels in 2004 and allowing for an anticipated increase in building costs, it is estimated that the cost of increasing the grant to cover 100% could be over €5 million. Factors such as the number and value of grants paid in any one year, the difference in building costs throughout the country, the percentage of grant paid by each local authority and the percentage of the work covered by the current maximum grant in individual cases could cause the real additional cost to diverge significantly from the above estimate.

Local Authority Funding.

495. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the amount of revenues raised by local authority development charges in 2004. [12161/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Information in relation to development contributions collected by planning authorities are published in my Department's annual planning statistics and the collection of the 2004 figures is under way. The total amount of development contributions collected by planning authorities in 2003 was €215,449,057.

Housing Aid for the Elderly.

496. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the funding available for adapting houses to the needs of older persons; and the extent of funding for older persons for the maintenance, insulation and essential repair of their homes and appliances. [12163/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The accommodation needs of older people are catered for by a number of schemes operated by my Department. The essen-

tial repairs grant scheme is designed to enable people whose houses cannot be made habitable in all respects at a reasonable cost to have basic repairs carried out. The types of work allowable under the scheme, which is administered by local authorities, include repairs to roofs, chimneys, gables, repair-replacement of windows and doors, drylining, rewiring, provision of central heating etc. The maximum grant under the scheme is €9,523 and can cover up to 100% of the cost of the works. It is estimated that some 2,100 grants were paid under the scheme in 2004 at an estimated cost of €9.4 million.

The disabled persons grant scheme, which is also administered by local authorities, provides grant assistance for works necessary for the proper accommodation of disabled persons, including older people. The types of work allowable under the scheme include the provision of access ramps, downstairs toilet facilities, stairlifts, accessible showers, adaptations to facilitate wheelchair access, extensions etc. The maximum grant under the scheme is €20,320 and can cover up to 90% of the cost of the works. It is estimated that some 5,300 grants were paid under the scheme in 2004 at an estimated cost of some €45 million.

The special housing aid for the elderly scheme was established to provide assistance by way of necessary emergency repairs to improve conditions in the existing house of elderly persons living alone in unfit or unsanitary conditions. The scheme is administered by a task force under the aegis of my Department and is operated at local level by the Health Service Executive. Some 4,414 jobs were completed under the scheme in 2004 at a cost of €10.8 million.

Older people will also benefit from the central heating programme introduced by my Department in July 2004. The programme will assist local authorities in providing central heating facilities in their rented dwellings which lack them. This scheme has been extended for a further period in 2005. Funding for these schemes in 2005 totals €116.6 million.

497. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if, in view of the amendment to the capital assistance scheme introduced in November 2001, he will give access to housing association properties for the older persons built with capital assistance to older Irish emigrants wishing to return to their homeland through the Safe Home programme; if the details of those older emigrants on the Safe Home programme waiting list will be calculated in each of the county council assessment of housing need figures for 2005 as a category in their own right; the recently notified requirements that such applicants holding PPS numbers will not be a requirement at this time to ensure that the assessment of housing needs be fully inclusive

and truly representative of housing needs; and if he will make a statement on the matter. [12186/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the amendment made to the terms of my Department's voluntary housing capital assistance scheme in November 2001, up to 25% of accommodation in new projects provided throughout the country by individual voluntary housing bodies with funding under the scheme may be allocated to elderly returning emigrants who satisfy eligibility criteria in relation to their present circumstances and are included in the Safe Home waiting list.

The Safe Home organisation carries out a co-ordinating role liaising with relevant individual voluntary housing bodies throughout the country in relation to accommodation for eligible elderly emigrants who are included on their waiting lists. Safe Home assesses applications from elderly emigrants for accommodation under the scheme and compiles a list of eligible applicants. It liaises with relevant voluntary bodies throughout the country and with local authorities in relation to accommodation for eligible elderly emigrants on its waiting list and carries out a co-ordinating role generally in relation to the scheme.

Allocation of accommodation under the amended scheme is not contingent on persons being included or accepted for inclusion in the housing authority assessment of housing need. Instead, specified conditions in relation to their present circumstances and inclusion in the Safe Home waiting list are relevant.

Library Projects.

498. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government the proposals his Department has received from Kildare County Council for the provision of new library accommodation in the county; the priority given to the projects submitted by Kildare County Council; and if he will make a statement on the matter. [12210/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Local authorities were asked in 2004 to review their capital programmes for library development and to submit a prioritised list of proposals which they wished to have considered by my Department in its current review of the programme. In its submission, Kildare County Council has listed five projects for consideration in the following order of priority: mobile library vehicle; school library van; Kildare town library; Newbridge; and Maynooth. The review is ongoing in my Department but I hope to be in a position shortly to announce details of the projects to be included

for funding in an expenditure programme for 2005-2007.

Fire Stations.

499. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government the proposals his Department has received from Kildare County Council for the provision of new or improved fire station accommodation in the county; and if he will make a statement on the matter. [12211/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keefe): There are no proposals before my Department from Kildare County Council for the provision of new or improved fire station accommodation.

Architectural Heritage.

500. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his Department has given consideration to buying the former Stella Cinema in Rathmines with a view to reinstating it as a model of the old architectural style of cinemas of Dublin; the discussions his Department have had with regards to preserving this type of cinema in Dublin or throughout the country in view of their rapid demolition and replacement with multiplexes. [12218/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Statutory protection of the architectural heritage is primarily a matter for planning authorities to whom my Department provides advice in the exercise of their functions in that regard under the Planning and Development Act 2000. Under the provisions of the Act, each planning authority shall for the purpose of protecting structures or parts of structures which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest include in its development plan a record of such protected structures within its functional area. Inclusion in the record of protected structures places a duty of care on the owners of protected structures and also gives planning authorities powers not only to deal with development proposals affecting them, but also to seek to safeguard their future.

The purpose of the national inventory of architectural heritage, NIAH, being prepared under the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999 is to identify, record and evaluate the country's post-1700 architectural heritage uniformly and consistently. Each NIAH survey undertaken by my Department within a particular local authority's jurisdiction provides the basis for recommendations under the Planning and Development Act 2000 to planning

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authorities for the inclusion of particular structures in the record of protected structures in their development plan. The decision to include structures, including that referred to in the ques-

tion, in the record of protected structures rests with the local elected representatives. The purchase of the former Stella Cinema in Rathmines, Dublin, is not under consideration in my Department.