



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 26 April 2005.

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DÁIL ÉIREANN

—
Dé Máirt, 26 Aibreán 2005.
Tuesday, 26 April 2005.
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Chuaigh an Ceann Comhairle i gceannas ar 2.30 p.m.

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Paidir.
Prayer.
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Ceisteanna — Questions.

Recycling Policy.

1. **Mr. Sargent** asked the Taoiseach if he will report on the level of recycling taking place in his Department; and if he will make a statement on the matter. [8690/05]

2. **Caoimhghín Ó Caoláin** asked the Taoiseach if there are guidelines for recycling within his Department; and if he will make a statement on the matter. [11933/05]

3. **Mr. Kenny** asked the Taoiseach the procedures in place in his Department for recycling; and if he will make a statement on the matter. [12841/05]

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

My Department follows best practice in recycling and our policy is expressed in our 2003 Annual Report in which it is stated that “The Department continues to seek out and avail of opportunities to recycle waste and, wherever possible, to use recycled paper”.

All paper and cardboard waste from my Department is recycled. Paper waste is disposed of through a private contractor. For security reasons, I do not wish to disclose the name of the company. This contractor also removes cardboard free of charge for recycling.

Our current suppliers, Toshiba Ireland, who comply with the EC directive on Waste Electrical and Electronic Equipment, WEEE, and the EC directive on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment, RoHS, on the disposal of photocopiers remove redundant photocopiers.

In recent years, my Department has had three main areas of IT equipment disposals, as follows: empty toner cartridges are boxed and collected by a company called Ergo Services for recycling. As part of this arrangement, Ergo Services donates a sum for each toner cartridge returned to it for recycling to a charity; hardware that is still useable but not good enough for more recent

applications is made available for re-use — in 2003 and 2004, a number of PCs were disposed of to staff in my Department, for a nominal fee, while others were given, free of charge, to a charity called PCs for Africa and to schools-community groups; and hardware that could not be reused was disposed of in 2004 to a company called Systems 2000, following a tendering process. This comprised 62 monitors, 42 PCs, 11 laptops, 12 printers, 47 keyboards, one scanner and two routers. None of this equipment was of any further practical use.

Glassco Recycling recycles glass waste for the Department. We are in the process of putting in place arrangements to recycle cans and plastic bottles. Old mobile phones are disposed of to Temple Street Hospital for use for charitable purposes. Dublin City Council removes general waste. We are continually reviewing the possibility of increasing the amount of such waste that can be disposed of by recycling.

Mr. Sargent: I ask this question after my colleague, Deputy Cuffe, asked each Department about various details of their policy on waste management. Will the Taoiseach indicate whether he regards it extraordinary that his Department, which is one of the smallest Departments with approximately 200 core staff, would create 104 tonnes of waste paper, which is approximately half a tonne per person? Other Departments appear to produce less. The Department of Transport produced 45 tonnes of waste paper; the Department of Foreign Affairs, 27 tonnes and the Department of Social and Family Affairs, which the Minister will agree is a large Department, produced 140 tonnes of waste paper for recycling.

Mr. F. McGrath: There is a great deal of work going on there.

Mr. Sargent: Given that the Taoiseach has not given an overall figure for the total amount of waste produced in his Department, is there a possibility of reducing the level of waste paper? While he referred to best practice, he has not yet put in place facilities for recycling cans or plastic bottles, which constitute a large amount of waste throughout the country. Will he indicate what progress has been made since the last reply was given and if he has taken on board the need for better recycling infrastructure, given the closure of Smurfitts and the Irish Glass Bottle Company?

An Ceann Comhairle: The Deputy has been making a statement since he began giving information in the House.

Mr. Sargent: I was asking a question.

An Ceann Comhairle: The Deputy should confine himself to questions. The question refers specifically to the Taoiseach’s Department.

Mr. Sargent: The Ceann Comhairle interrupted me only when I referred to Smurfitts and the Irish Glass Bottle Company.

An Ceann Comhairle: I did not hear the Deputy mention either of them.

Mr. Sargent: I did and I do not wish to repeat them. Given that the level of waste in the Taoiseach's Department is considerably larger proportionately than in other Departments, will he indicate any improvements in that regard?

The Taoiseach: All the measures being taken in the different areas in regard to waste paper and cardboard, amounting to 104,000 kg, have been in place for a long time. I referred to glass and cans, which are already being dealt with. Efforts are being made to try to reduce and recycle waste as much as possible, which has been the policy of the Department for several years. We must ensure that waste disposal is carried out in line with best practice. I assure the Deputy that efforts are being made to deal efficiently with the issue and to try to continually reduce the amount of waste.

The e-Cabinet system throughout all Departments will reduce the need for a large amount of paper. This is already working quite well in that everything does not have to be replicated 40 times. This is having an impact each month as people begin to have more confidence in the system. Perhaps it will take another few years, but it will continue to make a big difference to the amount of paper that goes through the Cabinet secretariat, which creates a large volume of paper. It is writing up the system in that regard. It is being recycled but it is a question of doing so in a formal way. My Department, other than the staff, use it, but we do not have a great volume in that regard.

Caoimhghín Ó Caoláin: Will the Taoiseach note that these questions are timely given the publication today of an EU report that highlights, once again, the failure of this State to properly manage its waste? Does he agree the Government in general, and his Department in particular, have a responsibility to take the lead in this regard?

Given the significant number of hard copies of reports that Deputies and Senators receive almost on a daily basis, and certainly on a weekly basis, does he agree that such documentation would be better offered on-line? Will he initiate a process whereby his Department will take the lead in this area by offering each Deputy and Senator such reports on-line or notifying them of their publication such that they will be available to them on request? Does the Taoiseach recognise that I am proposing this because, in the case of reports received by many Deputies, whose job may not be to focus on the particular issues addressed in them, they are either gathering dust on shelves or are dumped? Sadly, I suspect this

occurs in many cases. Does the Taoiseach agree that his Department can and should take the lead regarding a very programmatic and determined effort to reduce the very high volume of printed reports, thereby setting an example for other Departments and society in the wider context?

The Taoiseach: The Deputy raised a number of points. Most of the reports issued by the Department, including the social partnership reports, the annual reports and SMI reports, are published on the website straight away. However, I take the Deputy's point that this should be the case for all reports. On the issue of printing, there is a long tradition whereby hard copies are created of all the reports, including annual reports. They are circulated not only to Members of the Houses of the Oireachtas but also to many others throughout the country. I am sure they are looked at very attentively in many cases but it is probable that the majority are not. That is probably a valid point. I will check with my Department whether it publishes every report on-line. I have no difficulty doing that.

Projects such as the e-Cabinet project represent the best approach. I am told by colleagues that 5 kg less paper per Minister are coming to Government because of the e-Cabinet project. As it is extended over a number of years, as is intended, it will have a significant impact. I do not know about the merits of stopping the production of hard copies as I believe it leads to difficulties. In some areas, advertisements state that if one wants a report, one can seek it. I suppose that is the way things will move into the future.

Mr. Kenny: On the Department's recycling policy, does the Taoiseach have any idea where the Department's waste goes? Does any of it end up in Northern Ireland, to which 250,000 tonnes of waste are sent from this city? What is the procedure regarding used toner cartridges from photocopying machines in the Department? Are they sent to a particular collection point or distributed to charities? Some agencies receive remuneration in this regard. Considering that the Taoiseach is in favour of e-government, does he have a view on the problem that arises from extensive packaging? When one considers the amount of packaging placed on the streets in our towns for disposal, by way of recycling or otherwise, one will realise the problem of recycling waste is as much a problem of packaging as anything else. The amount of packaging left on the streets for disposal by either recycling or collection reveals that the waste problem is as much one of packaging as of recycling. Packaging design includes a significant quantity of internal packaging for some pieces of equipment. Does the Taoiseach have a view on that? Is he satisfied that all the waste material in his Department is recycled and that only inert material goes to waste?

The Taoiseach: For several years a contractor, whose name I cannot mention for security reasons but which is well known, has disposed of waste from my Department. The Department has considered other companies but stays with this one because it provides a secure facility for sorting paper and non-paper waste which the Department requires. I asked about this some time ago and was told no other company provides such an efficient service.

This company has been entirely reliable over a long period particularly in terms of the speed and conditions in which it disposes of the large volume of paper waste the Department generates. Department officials have been to the location to see how the paper is treated and are satisfied that it meets the laws, directives and regulations on this issue.

Empty toner cartridges are boxed and collected by a company called Ergo Services for recycling. As part of this arrangement Ergo Services donates a sum for each toner cartridge received for recycling to the Jack and Jill Children's Foundation, which works out well.

Like everyone, when I open something and dig through boxes and wrapping I wonder why it is necessary, particularly if the contents are wooden or something else unlikely to break. There is far too much packaging on most items. Some new retailers opt for less design and packaging. It must be possible to reduce much of the refuse on the streets outside stores and take-away outlets. Few shops seem to make a serious effort in this direction.

Dublin City Council, and other local authorities which now have enough staff, run campaigns to reduce waste. There must be a way to reduce it significantly once a means can be found to deal with packaging.

International Agreements.

4. **Mr. Sargent** asked the Taoiseach if he will report on the work of the Newfoundland and Labrador business partnerships which fall within his Department's remit; and if he will make a statement on the matter. [8694/05]

5. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the work of the Newfoundland and Labrador business partnerships; and if he will make a statement on the matter. [11934/05]

The Taoiseach: I propose to take Questions Nos. 4 and 5 together. The Ireland Newfoundland partnership, previously named the Newfoundland and Labrador business partnership, was established on foot of a memorandum of understanding signed by the Government of Ireland and the Government of Newfoundland and Labrador. The original agreement was signed by former Taoiseach, Mr. John Bruton, in 1996, with the then Premier of Newfoundland, Brian Tobin. I reaffirmed that agreement, and it was again reaffirmed when Premier Danny Williams visited Dublin in July 2004.

The agreement derives from the very significant migratory ties between Ireland and Newfoundland which date back to the 17th century. Approximately 50% of the population of Newfoundland is of Irish origin. The migration stemmed mainly from the south-east corner of Ireland and the settlement took place within a 100 mile radius of St. John's, the capital city of Newfoundland.

The purpose of the agreement is to promote mutually advantageous co-operation between the two partners through government, industrial, business, educational and cultural activities. To give effect to the provisions of the memorandum of understanding, each government has established a board and small executive office.

The Ireland Newfoundland partnership board in Dublin was established in 2001 and is chaired by the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Michael Ahern. The executive office for this function was originally located within the Department of Enterprise, Trade and Employment, but since January 2004, it has been relocated under the aegis of the Department of the Taoiseach.

This change reflects the widening scope of the work of the partnership, which spans co-operation initiatives and activities in a wide range of sectors. The partnership has promoted several grant schemes to encourage joint research projects between third level institutions in marine science and engineering, IT, folklore, business studies, tourism and the arts. The arts and culture sector has been an area of strong interest with successful projects completed in music, literature, drama and art. The partnership also promotes trade missions to Newfoundland and has facilitated several Newfoundland missions to Ireland.

Mr. Sargent: I was interested in asking this question when I looked at the Estimates for the Taoiseach's Department which indicated that €321,000 had been set aside for the Newfoundland and Labrador business partnership in 2005, which is an increase of 3% on 2004. I hear what the Taoiseach is saying about co-operation and the large proportion of the population of Irish extraction. What employment has been offered in Newfoundland by Irish companies establishing there? I understand that at 15%, it has one of the highest unemployment rates in Canada. Has the Government been able to offer employment in Ireland for people from Newfoundland and, if so, are there figures to indicate its success? This area of responsibility was transferred from the Department of Enterprise, Trade and Employment to the Department of the Taoiseach. Does the Taoiseach consider that is where the partnership belongs, is a review taking place or is there an indication it might revert to the Department of Enterprise, Trade and Employment given the large trade factor involved in the agreement?

The Taoiseach: The location is just a matter of convenience for co-ordination and co-operation.

[The Taoiseach.]

Its location does not really matter because it is chaired by a Minister of State at the Department of Enterprise, Trade and Employment and the subhead could be in any Department. It straddles a number of Departments. Two officials are involved in the partnership on a full-time basis and we are trying to keep staffing levels to a minimum to keep it co-ordinated. It covers business and educational areas. Much work has been done on fisheries given its expertise in marine and research matters. From what I have read and seen, it has done much work that is valuable not only to Departments but to those involved in marine and fisheries matters.

There is a permanent exhibit on Newfoundland at the Waterford Museum of Treasures which was opened by President McAleese. There have been a number of trade missions which have helped a number of companies which have started to trade with each other. I do not have figures for the volume but I expect it is not enormous.

Mr. Sargent: Is it worth the money?

The Taoiseach: In terms of what we are spending it is probably well worth the money. In fairness when the then Taoiseach, Mr. John Bruton, set it up, it was not just a money matter and was based on the cultural ties. Two marine technology agreements have been set up, there is film co-production between Ireland and Newfoundland and there have been technology transfers. We have saved the money we have spent many times over but the amount would not be enormous.

Bord Iascaigh Mhara and the Memorial University in Newfoundland have a joint e-learning course. There is also a joint masters in learning education technologies between the Institute of Technology Tralee and the university in Newfoundland. There have been scholarships and bursary schemes under seven awards, an Irish and Newfoundland poetry anthology has been published, and there are theatrical productions and many initiatives in trade and other areas. There is more two-way trade in the tourism business every year. While the numbers are not enormous, more people are taking an interest. That interest always existed but it has grown during the past decade.

Caoimhghín Ó Caoláin: It seems difficult to pinpoint exactly what gains there may be although I wish the partnership a fair wind. Is the Taoiseach aware that there is a strong co-operative movement in Newfoundland and Labrador and that the Government there and the federation of co-operatives provide financial assistance to the co-op sector in establishing and sustaining viable communities based on local ownership and democratic control? The province has a total of 70 co-ops with a membership in excess of 57,000.

Nowhere in the Taoiseach's reply about the partnership did he refer to that significant sector in Newfoundland and Labrador. Is there any co-

op sector involvement in the partnership? Has this country learned anything from the Newfoundland-Labradorean approach to the co-operative sector, which is a significant factor in their economy? What lessons can be learned from their experience that can be applied to the Irish co-operative sector to enhance and sustain it as it is also a very important part of our economy?

The Taoiseach: I am sure there is a connection in the areas of fishing and the marine as a result of trade missions dealing with companies. Our co-operative sector has developed to a further stage as I am confident will be the case in Newfoundland and Labrador. Co-operatives have changed their status and become private companies. Most companies in the Irish food sector originated as co-operatives. In many cases their shareholders are the former members of the co-operative and the transition has been successful.

I suggest that an area of high unemployment such as Labrador could learn from what happened in Ireland rather than the other way round and there is co-operation in that regard. Half the population is of Irish descent and this is a good initiative considering the small amount of money involved. I am happy to build on what was begun by the former Taoiseach, Mr. John Bruton. He had good reasons for the initiative and it has proved successful. It has developed well and I am confident it will continue to do so. Much has happened within the space of a decade. I refer to the excellent connections between third level educational institutions, institutes of technology and in the area of the arts, which more than justify the reason for this partnership.

OECD Report.

6. **Mr. Kenny** asked the Taoiseach if he will report on progress in respect of the implementation of the recommendations of the OECD report on regulatory reform; and if he will make a statement on the matter. [8767/05]

7. **Mr. Rabbitte** asked the Taoiseach the progress made to date with regard to implementation of the OECD report on regulatory reform; and if he will make a statement on the matter. [11817/05]

8. **Mr. Sargent** asked the Taoiseach if he will report on progress in implementing the OECD recommendations on regulatory reform; and if he will make a statement on the matter. [11879/05]

9. **Caoimhghín Ó Caoláin** asked the Taoiseach if there is a deadline for implementation of the recommendations of the OECD report on regulatory reform; and if he will make a statement on the matter. [11935/05]

The Taoiseach: I propose to take Questions Nos. 6 to 9, inclusive, together.

Considerable progress has been achieved since the publication in 2001 of the OECD report on regulatory reform in Ireland. Many of the OECD recommendations related to specific sectoral

issues and appropriate Ministers with responsibility for those sectors report progress to the House.

A key recommendation of the OECD report was the development of a national policy on better regulation. As Deputies will be aware this recommendation was acted upon with the publication in January last year of the Government White Paper, *Regulating Better*. The White Paper sets out six core principles of better regulation and a detailed action plan to translate these principles into how we design, implement and review legislation and regulations. Accordingly, the White Paper contains the thrust of the Government's efforts on regulatory reform rather than the original OECD reports. Key actions include the introduction of regulatory impact analysis, RIA, currently being piloted; improvements to our approach to sectoral regulation; greater clarity and accessibility of regulation especially by means of Statute Law revision and a renewed drive on red tape.

The OECD report made long-term strategic recommendations that do not particularly lend themselves to fixed timetables. However, the White Paper gave a number of time-bound commitments on a range of actions. Four specific actions include the establishment of the better regulation group, the development of consultation guidelines, the piloting of regulatory impact analysis and the updating of the Statute Book.

A better regulation group comprised of senior officials was established to oversee implementation of the White Paper and promote better quality regulation across the public service. To date, the group has met four times and has focused on a number of better regulation issues, including aspects of the enterprise strategy group's report relating to regulatory reform and a proposal to map the regulatory framework in Ireland. The group has also held initial discussions with representatives of both IBEC and ICTU and will engage in regular dialogue with these and other organisations as necessary on better regulation issues.

A central commitment in the White Paper was the development of guidelines to promote better quality public consultation. A sub-group of the better regulation group was formed in 2004 to oversee the development of these guidelines which are intended to act as a practical resource for Departments, public bodies and any other organisations that consult stakeholders. They are also designed to help those interested in participating and responding to consultations. The guidelines are close to completion and are expected to be published shortly.

In addition to these developments, my Department established a steering group to oversee the piloting of regulatory impact analysis, RIA, in Departments. Five Departments and offices are piloting RIA and are represented on the steering group which is chaired by my Department and

also includes a representative from the committee for public management research. Based on the experience of piloting RIA, the group will make recommendations to Government on the most appropriate form of RIA for the Irish context. The piloting process is close to completion and it is hoped the final report will be published in the next two to three months.

RIA is a tool which contributes to the quality of regulation by ensuring regulatory proposals are subject to robust analysis prior to being brought to Government. It involves formal consultation in advance of regulation, better quantification of impacts, including costs, structured consideration of alternatives and greater focus on compliance and enforcement. RIA ensures the social and economic implications of regulations are considered as well as the burdens on small and medium enterprises. By incorporating the consideration of a wide range of impacts, it helps to ensure regulations strike the right balance between the need to protect the interests of the citizen and consumer and meeting the needs of business.

My Department has also made substantial progress, working in conjunction with the statute law revision unit in the Office of the Attorney General, to progress the commitments in the White Paper in respect of statute law revision. The Attorney General and I initiated a review of all legislation that predates the foundation of the State and Deputies will recall that in April 2004, I announced a public consultation process on the repeal of more than 100 Acts. The Statute Law Revision (Pre-1922) Bill 2004 was subsequently published in November 2004. The Minister of State, Deputy Kitt, is sponsoring this important legislation which passed through Second Stage in the Seanad on 13 April. The Bill will repeal almost 100 Acts that are spent or no longer of any practical use. A further round of consultation is under way and may lead to the inclusion of additional Acts before the Bill completes its passage through the Houses of the Oireachtas. This is an important first step in delivering on our commitment. The next stage is the identification of the pre-1922 Acts which are still in force and the development of a strategy to repeal and re-enact these in a modern, consolidated form.

Better regulation remains a significant and important component of the public service modernisation agenda and considerable progress has been achieved in implementing the White Paper, *Regulating Better*, and the recommendations of the OECD report on regulatory reform.

Mr. Kenny: I do not know how long the author laboured over that answer but one would hardly get away with it during Leaders' Questions. To translate it into understandable English from a business perspective requires some thought.

Since 1999, 11 regulators have been appointed, each of whom has built his or her own little empire in respect of the appropriate area of responsibility. Does the Taoiseach consider the

[Mr. Kenny.]

time has come for the appointment of one powerful office of regulation with the capacity to pool resources of knowledge and expertise and which would carry a much greater degree of accountability? Does he believe this is a concept that should be followed?

Ireland is losing out from a business perspective. The report commissioned for the Oireachtas Committee on Enterprise and Small Business observed it takes an average of four days to set up a new business in the United States while the figure for Europe is 38 days. In addition, the cost is much higher in Europe than in the United States. The Dutch authorities have undertaken a detailed analysis on reduction of regulation for business in the EU and its findings are important for Ireland. The Department of the Taoiseach estimates the cost to business of compliance with existing legislation is approximately €4 billion per annum. According to the Government White Paper on regulation, 15% of that burden is avoidable. That is €600 million a year. In the context of a reduction in regulation and making it easier for business to do business in the national interest, does the Taoiseach consider that the Government is doing enough to achieve that? Does he see a role for the Department of Finance and the Department of Enterprise, Trade and Employment in focusing on a real reduction in regulation, so that businesses can find it tangibly and demonstrably easier to set up companies and do business without having such a burden pressing down on them? Would there be value in that, given that, according to the Department of the Taoiseach, €600 million could be saved a year?

When does the Taoiseach expect the introduction of proposals to put in place a modern framework for pharmacies? The situation in pharmacy is causing a great deal of concern for qualified people and for those who wish to enter that business.

The Taoiseach: The regulatory impact analysis and the whole question of regulations are not the most interesting of topics, but they are hugely important. Deputy Kenny is correct about Europe, in that the system of bureaucracy and legislation in Europe is very different from that in the United States, where it is very simple. In OECD terms, we are considered not to be a very highly regulated country, and we should keep it that way.

Irrespective of whether the figure of €600 million is right, the analysis my Department undertook was based on what happens in other countries. The cost of regulation is considered to be somewhere between 2.5% and 4.5% of GDP. Approximately 15% of that is considered to be not necessary. Taking that in the Irish context, my Department took those figures of 2.5% and 15% of that, and it worked out as €600 million. That was the calculation. It is crude enough, but the figure is probably as accurate as it would be

if it were calculated any other way. In 1999, we were one of the early countries to put ourselves forward to the OECD to get engaged in this area. The White Paper and the various processes that have developed very much follow what is happening in Europe. I hope we are ahead in some areas; perhaps we are not so in others. The whole concept is that we do not do anything any more without checking whether there is another way or a simpler way of doing it, or whether we need to do it at all. Might a measure be just red tape or bureaucracy?

To answer Deputy Kenny's question, there are many things we can do. Much of what I read out in my reply covers the detailed work being done. There are some really good officials in my Department working in this area and interacting with business. It is extraordinary how things have moved forward in recent years. The position used to be that nobody was too interested in the subject. Now, chambers of commerce, small and medium-sized businesses, the Competition Authority, IBEC and other bodies are all very interested in this area, because they see the added value involved. People were recently getting excited about the issue of the companies Acts and regulations for directors, which was an interesting debate.

The issue of the super-regulator or combining the regulators is now being discussed. The enterprise strategy group with its publication last year of "Ahead of the Curve" recommended merging a number of regulators to create a larger, multisectoral regulatory body. A group in my Department considered that recommendation, and it has been tasked with implementing it. The group does not think a super-regulator is the way to go, because it would cover such different areas. It believes that, before we set up any new regulators, we should try to match existing regulators with any new focus taken, rather than simply adding to them. The White Paper recognises the value of having an ongoing assessment of the possibilities of rationalising the current system. It accepts that it would be beneficial to strengthen the ties between the regulators, the office of the Director of Consumer Affairs and the Competition Authority. The group is not ruling out the whole lot. A super regulator approach would lead to certain cost savings, for example, the availing of shared services and expertise and, according to the group, this would make sense. However, given the disparate nature of the functions carried out by independent regulators, from the licensing of travel agents to the building of new power stations, the synergies could be overstated. Therefore it does not agree with the Enterprise Strategy Group and regards its view as oversimplistic. However, it does not suggest that we should keep adding to them but that we should try to match them.

The debate regarding the number of regulators misses the point. The issue is the quality of decision-making by regulators. Are we getting better outcomes in key regulated areas? If not,

why not? Are regulators fulfilling their functions, both in respect of market players and consumers? Have they sufficient powers to carry out their mandates? Can they strengthen those powers of sanction? Can we limit recourse to the courts by parties wishing to frustrate regulatory decisions? This happens a lot in that if somebody is not happy with a decision they want to fight it in court. This seems contradictory to the idea of a regulator listening to everybody and coming up with a decision. One does not get far if such a decision is challenged in court.

All of these issues have been examined and it is my Department's view that we should try to tidy up the system and not put new regulators in place unless absolutely necessary. One must rationalise where possible. A super regulator would result in too much power resting with one organisation. The Better Regulation Group feels that we would be dealing with the issue of an overly powerful super regulator in five or ten years' time, and I tend to agree with this view.

With regard to other questions raised, there are literally mountains of analysis and material. The model that has been piloted in five Departments is almost finished and will be rolled out in other Departments. Discipline is then required to ensure that people, before jumping to the call of an organisation with regard to new legislation, think in terms of the RIA as to whether the legislation or regulation is needed. They must consider the cost and burden for everybody, not just in terms of business and industry. They must decide whether it is necessary to update legislation.

Europe is different to the US in that countries keep filling their Statute Books with complex legislation which costs more and, in many cases, does not solve the problem. This view is held everywhere. I am not saying that legislation does not need to be updated in some instances, but costs are involved and it affects modern business. There is endless data, some of which I have read, which proves this issue.

Mr. Rabbitte: It is on days such as this that I am glad I do not have to write a cover piece for tomorrow's newspapers. It is hard to see much colour in issues such as waste paper, business partnerships in Newfoundland and Labrador and regulation.

I would like to address the OECD recommendations and tangible matters such as complete liberalisation of the pub trade, the elimination of restrictions on economic freedoms for pharmacists and seven or eight other issues. As distinct from theory, has any of this been done? I have a cutting from one of the national newspapers of 25 July 2001. The headline reads, "Coalition To Abolish Curbs on Pubs and Pharmacies Within a Year".

An Ceann Comhairle: The Deputy should confine himself to questions because we are rapidly running out of time.

Mr. Rabbitte: We are not running out of time because of me. I am confining myself to questions.

An Ceann Comhairle: It is not appropriate to quote at Question Time and this is a long-standing rule of the House.

Mr. Rabbitte: I was only showing the headline and not quoting from it. The Tánaiste committed to the abolition of such curbs on 25 July 2001. Four years have elapsed and very little has been achieved in any of the areas relating to the OECD's tangible recommendations. Rather than having the Tánaiste torture him about deregulation and multiple terminals at Dublin Airport, does the Taoiseach not believe we would be better off if his Ministers implemented some of the OECD recommendations on deregulation? Does the Taoiseach believe it would be possible to leave the terminal problem at Dublin Airport if adequate space were provided to the regulator to deal with the consumer issues that arise?

The Taoiseach: I was asked about the pharmacy area, which was mentioned by Deputy Rabbitte along with other areas. I have a brief note which I can give the House. A number of these are implemented or in the process of implementation. The Competition Authority has made considerable progress in the non-life insurance market, the banking sector and architectural and engineering professions. The document on the legal profession was published in February and is now open for consultation. Considerable consultation is ongoing between the Bar Council and the Law Society in trying to come to an agreement on the final report which is due in a few months.

Mr. Rabbitte: Even the Taoiseach will have reached——

An Ceann Comhairle: The Taoiseach should be allowed to reply without interruption.

Mr. Rabbitte: At what age did the Taoiseach say he would retire? He will have reached 60 before we do anything.

The Taoiseach: We are all right. We will get there yet. The Tánaiste has carefully considered the complex issues raised by the pharmacy review group. The memorandum outlines her plans to consolidate and update the existing legislation to provide for the safe and effective delivery of pharmaceutical services to all citizens in a comprehensive manageable and robust legislative framework. In particular it will address the education, training, registration and fitness to practice provisions for pharmacists and will incorporate recommendations from the pharmacy review group as necessary. That memorandum is being revised on foot of observations received and it is expected to come to Government shortly.

[The Taoiseach.]

Without going through them all individually the Competition Authority expects to complete them all by the end of this year. It has already completed six. The professions involved are construction, medical, legal, engineers, architects, veterinary surgeons, solicitors, barristers, medical practitioners, dentists and optometrists. These will all be completed by the end of the year. A significant body of work is already finished. Each one of those areas raises its own problems with particular professional groups. They have all been challenged in the work that has been done by the Competition Authority and by the pharmacy review group.

Priority Questions.

Schools Building Projects.

51. **Ms Enright** asked the Minister for Education and Science the financial support given by her Department to fee-paying schools for building and refurbishment works; and if she will make a statement on the matter. [13329/05]

Minister for Education and Science (Ms Hanafin): The Government has invested in the largest school building programme in the history of the State. Between 1998 and the end of 2004, almost €2 billion was invested in school buildings and approximately 7,500 large and small projects were completed in schools, including 130 new schools and 510 large-scale refurbishments and extensions. Funding for school building and renovation projects has increased fivefold since 1997. In 2005, €493 million will be spent on school building projects compared with just €92 million in 1997.

Of the €2 billion that has been invested in school buildings since 1999, only €14.5 million, or 0.7%, was provided to fee-charging second level schools for building and refurbishment works. Last year just over €970,000 in capital funding was given to fee-paying schools. This represents 0.29% of total expenditure on school buildings in 2004.

Almost 1,200 schools will benefit from the announcements that I have made so far this year with regard to the school buildings and modernisation programme. The list of projects approved to date includes a total allocation of €493 million, with €270 million for primary and €223 million for post-primary schools. The breakdown of projects is as follows: 122 large-scale projects to tender and construction over the next 12 to 15 months, 97 projects under the small schools initiative, 75 projects under the permanent accommodation initiative, 140 prefabs, 43 projects authorised to enter design phase, 590 summer works projects and 124 projects approved for progress through architectural planning. A total of 1,191 schools will benefit from this year's announcements.

Only ten of the building projects funded by my Department this year are in fee-charging schools. Schools building projects, whether for fee-charging schools or schools in the free education scheme, are selected for inclusion in the schools' building and modernisation programme on the basis of priority of need using published criteria.

Ms Enright: Conveniently, the Minister's statistics did not tell us the percentage of this year's programme it is proposed to spend in fee paying schools. When did the policy change for both the Government and her own party? Does the Minister recall that her predecessor was considering the abolition of the payment of teachers' salaries in fee paying schools? Fine Gael certainly would not countenance such a measure but the Minister has been questioned on this issue previously in the House. Can the Minister recall her predecessor stating that the building programme would be "up the creek" if fee paying schools were to be included? It appears they are now being included to a significant degree. In light of this, will such schools take all children from a relevant catchment area regardless of their capacity to pay fees or not?

Ms Hanafin: There has been no change in the policy of supporting fee paying schools. Since the foundation of the State all parties and all Governments have supported such schools, largely to protect choice and the ethos of minorities. The change of policy in Fine Gael surprises me. Despite the operation of the same policy for 80 years, Fine Gael has now decided that schools should not receive moneys for day-to-day expenses or refurbishment and building costs if they charge fees .

Ms Enright: That is not accurate.

Ms Hanafin: Basically, this will penalise the Church of Ireland ethos, the Presbyterian ethos and the Jewish ethos, as these are the only schools in the country who receive funds for capitation and day-to-day expenses. This is a major change of policy on Fine Gael's part. However, there has been no change of policy in Fianna Fáil or the Government. We continue to pay the teachers of the fee paying second level schools, irrespective of religious ethos. The Church of Ireland schools have traditionally received 100% grants for their capital programmes and continue to do so. Successive Governments, including Governments led by Deputy Enright's party, have done so and this has not changed.

As far as Catholic fee paying schools are concerned, traditionally approximately 50% has been given depending on the available funds. In or around 1999, the former Minister for Education and Science, Deputy Martin, came close to signing off on such an arrangement, but it has not always been possible to do so depending on the amount of money available. However, the policy of funding the capital programmes for fee paying

schools has been in place since the foundation of the State. It is Fine Gael policy which has changed, which is a serious and retrograde step for the minority religions.

Ms Enright: In the announcement made by the Minister made last week, the bulk of the money did not go to schools for minority religions. She should admit that point. There has been no change in Fine Gael policy. The Minister is in this House at Question Time to answer for Government policy but has avoided the questions I asked her. I want to clarify that there has been no change in Fine Gael policy. We have always supported the payment of teachers. I have asked the Minister where exactly she and the Government stand on that question because previously there certainly was talk of removing it. I ask again whether these schools are prepared to take all children from the catchment areas. The Minister stated something to the effect that there appears to be plenty of money available. How can the Minister explain that to the hundreds of schools which are still on the building programme with no end in sight and which do not have the capacity to generate an income by charging the parents of their students?

Ms Hanafin: There will be no change in the policy of paying teachers' salaries in fee paying schools at second level. Those teachers would have to be paid, irrespective of which school those children attended.

Ms Enright: I agree with that.

Ms Hanafin: There is no change in policy in that regard. Only ten of the almost 1,200 school projects which are being funded for building this year are for fee paying schools. A number of them are for Protestant schools which receive 100% grants anyway. The announcement made last week did not concern schools that will be going to tender or construction this week. It only concerned those moving forward to the architectural planning stage. Consequently, the amount of expenditure on them this year will be very small because it will only be for fees. We have not changed. However, the Fine Gael Party should explain its position to the minority religions.

Ms Enright: There is no issue. As to the catchment area——

An Ceann Comhairle: The Deputy should note that more than six minutes have already been spent on this question.

Ms Hanafin: Each school and each board of management is responsible for its own enrolment policy, as the Deputy is well aware.

Ms Enright: The Minister is responsible for overall policy.

School Staffing.

52. **Ms O'Sullivan** asked the Minister for Education and Science if her attention has been drawn to the decreasing number of males entering the teacher profession at all levels; the steps she intends to take to ensure a better gender balance in the teaching profession; and if she will make a statement on the matter. [13161/05]

Ms Hanafin: I am aware of the decreasing number of males entering the teaching profession and I know that the situation is particularly acute at primary level. The relatively low number of males in the teaching force is a feature common to all OECD countries. OECD statistics show the situation in Ireland to be close to the OECD average. It is important to attract more men into teaching for a number of reasons, not least of which is the positive role models teachers provide in children's lives and the desirability of having both male and female role models in our schools.

Teaching should be seen as an attractive profession for the best candidates of both genders. It is fulfilling work which makes a significant social contribution. With the increases in teachers' salaries under partnership agreements and benchmarking in recent years, it is also now a well paid job. The average salary for a teacher is now €50,000 per annum, an increase of approximately 43% on the 1997 figure. This compares very favourably with an average industrial wage of about €29,000 per annum. The pension and holiday entitlements of teachers also heighten the attractiveness of the profession. Teachers are deservedly held in very high regard in this country.

This Government wants to attract and reward the best teachers. In addition to increasing teachers' salaries, we have also undertaken other initiatives to enhance the status of the profession. Not least of these is the establishment of the Teaching Council as a professional regulatory body.

I know however, that a particular focused effort must be made to encourage more men to become teachers, particularly at primary level. A report on attracting more men into primary teaching is being compiled by a committee comprised of representatives of the colleges of education, the Institute of Guidance Counsellors, the INTO and officials of my Department.

The main objective of this committee is to make recommendations on strategies and initiatives to increase the number of males entering primary teaching. It is expected that the committee will make recommendations in respect of both short-term and long-term strategies. The work of the committee is almost complete and I understand I can expect to receive its report within a few weeks. In examining the recommendations of the committee, my Department will also have regard to elements of the report which would assist in the examination of this issue at second level.

Ms O'Sullivan: I welcome that this report is due shortly. Will the Minister publish it when it becomes available? On the OECD figures, the average is 20% whereas in the figures available here, only 10% of students in teacher training colleges are now male. At second level, only 15% of new ASTI members are male, so I suggest the trend is also progressive at second level. Does the Minister agree that this needs to be addressed, especially if it is a progressive trend? If the imbalance were the other way around, we would feel the need to address it. We should address the issue of males in teaching. Does the Minister intend to examine the effect of the leaving certificate curriculum on how boys perform and does she propose changing it? Does the Minister intend to look at the teaching of Irish and the fact that the need for honours level Irish to get into primary teaching is a possible obstacle for men in teaching? Moreover, does the Minister have figures for postgraduate courses and if men feature more predominantly in them?

Ms Hanafin: I am not sure if there is any connection between boys doing honours Irish for the leaving certificate and their subsequent entry into the training colleges. It is useful to look at the numbers across both sectors, as Deputy O'Sullivan has done. For example, when the appointment of teachers at primary school last year is considered, 1,213 female teachers were appointed and only 144 male teachers. This represents a 9:1 ratio, which is of great concern. The situation is somewhat better at second level in the voluntary, secondary, community and comprehensive schools where 279 male teachers were appointed for the first time, which represents 29.1% of the total number of first-time appointees. This is genuinely a concern. However, various factors are involved in this trend, including personal choice, parental influence, career guidance, academic ability and the image of teaching as a career generally, particularly for men. The factors also include the image of the colleges of education, perhaps based on tradition rather than fact and perceptions regarding pay and conditions.

I look forward to receiving the report to see the recommendations. There are positive moves that could be taken, but one must be very careful about equality legislation to ensure one does not discriminate in favour of one group. I am conscious of the trend because of the need to have role models of both genders.

Ms O'Sullivan: In light of boys' performance in the leaving certificate and the Minister's somewhat conservative approach to reforming the curriculum, would the Minister accept that the current method of examining the leaving certificate, which is mainly about memorisation, hinders boys' examination performance and their opportunities to enter teacher training colleges, which have quite high points?

Ms Hanafin: Deputy O'Sullivan is quite mistaken in thinking I am opposed to changing the curriculum. The curriculum needs to be constantly updated and to respond to societal changes. We need to examine the entry-points rating of teacher training colleges in the context of the question. The entry points rating is not prohibitively high. The dearth of men in teacher training colleges has more to do with men not actively choosing teaching as a career. Recently, I met some young male teachers at the INTO conference and suggested to them that they should go out and promote the profession in secondary schools. The lack of status men afford to teaching has much to do with the dearth of men entering the profession. However, I will certainly take the report's recommendations on board.

Special Educational Needs.

53. **Mr. Crowe** asked the Minister for Education and Science if she will clarify her position regarding the education of the deaf community in view of comments made during a debate on 30 June 2004 which suggested that there were mutually exclusive arguments within the deaf community regarding education models; if her attention has been drawn to the fact that there are not such major disagreements within the community, but rather between service providers and the deaf community; and if she will make a statement on the matter. [13426/05]

395. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the anger and frustration at her decision to disband the advisory committee for the deaf and hard of hearing; the number of persons on the NCSE tasked with advising her Department on policy matters and who come from a deaf or hard of hearing background; the effort she made to ensure that the committee finalised its report; and if her attention has further been drawn to the two bodies of opinion shared by the committee; and if, in the absence of compromise, it was asked to produce a majority and minority report. [13427/05]

Ms Hanafin: I propose to take Questions Nos. 3 and 395 together.

The advisory committee for the deaf and hard of hearing was established in December 2001. The committee held 38 meetings over a three-year period as well as a number of other meetings at subcommittee stage. However, from an early stage in the committee's deliberations it became apparent that there were entrenched, divergent views among representatives of deaf and hearing persons and their families on approaches to the teaching of the deaf and hard of hearing and that there was little willingness to reach consensus.

One group, which came from an oralist tradition, favoured a focus on teaching deaf and hard of hearing children to speak and to understand spoken language. The emphasis in the oralist approach is on the use of residual hearing and has been assisted by advances in audiology and

technology. Another group strongly advocated sign language as the appropriate and exclusive means of communication. The opposing viewpoints of these groups made it very difficult for the committee to reach decisions. In some cases, decisions arrived at sub-committee stage were challenged at plenary level by members who were involved in the decisions of the sub-committee.

While various chapters of the committee's report were drafted, including chapters on early intervention, primary education, post primary education, visiting teacher service and communication issues, no consensus was reached on any of these due to the divergent views of members of the committee. To progress matters, and as two previous deadlines which had been set for finalisation had not been met, my predecessor, Deputy Noel Dempsey, met the committee in June 2004. At that meeting, he stressed that its report should be completed by October 2004. This did not materialise. In the circumstances and following consultations between my officials and the chairperson of the committee, I formed the view that there was no prospect of the advisory committee reaching an agreed position in the foreseeable future. Given this position, I recently wrote to the chairperson of the committee and informed her of my decision to disband it. I have no plans to change that decision.

In disbanding the committee, however, I requested that all of the material produced by it to date be sent to my Department and this has been done. I now intend to discuss the very important issue of deaf education with the National Council for Special Education with a view to carrying out research initially and devising policy on issues relating to deaf and hard of hearing pupils.

I am disappointed that it was not possible for the committee to complete its work but the reality was that, over three years after its establishment, there was no prospect of its doing so. Rather than continue down the cul-de-sac that the committee's work had become, I have decided that a different approach is required and this approach includes involving the National Council for Special Education, which has a remit to advise my Department on policy matters.

I am confident the National Council for Special Education, which has a research function and part of whose remit is to advise my Department on policy matters, will be in a position, after undertaking appropriate research and analysis of this matter, to advise my Department on policy and other issues relating to the education of deaf and hard of hearing pupils.

Mr. Crowe: I listened to the Minister's comments about the entrenched views on the committee. However, would she accept that there is anger and frustration with the deaf community at her arbitrary decision to disband the committee? Was the committee asked to produce a majority report and minority report? I am informed that there were too many professionals on the com-

mittee, as opposed to people from the deaf or hard of hearing community and that the difficulty arose from this preponderance of professionals. I accept that there were two groups with opposed views; one favouring the oral tradition and the other favouring sign language. Did the Minister attempt to get the two bodies of opinion on the committee to produce a majority report and a minority report in order for the committee to finalise its report? One can argue that enough time was given to the committee but the decision to disband it appeared to be arbitrary to many people. Has the Minister reached a decision with regard to Irish sign language? Will Irish sign language be promoted and supported or will the oral tradition be favoured?

Ms Hanafin: After three years, it was evident the differences between the two groups on the committee were not only insurmountable but historical and deeply felt. At no stage was there any possibility of progress being made. Even if things were agreed at the subcommittee level, differences emerged once decisions were brought back to plenary level. There are two very fundamental differences between the two groups. One concerns the oral method and mainstream schools, while the other concerns Irish sign language. There was little point in leaving the two groups to work together when there was no prospect of agreement between them and they had not been able to come forward with reports. Producing majority and minority reports would not have helped because that would have solved none of the problems.

What is important now is that since the original establishment of the committee — which was very broadly based and represented parents, teachers and deaf and hard of hearing people — the National Council for Special Education has been established. The council has the expertise in special education and the ability to carry out research and drive policy. I hope it will be able to work with the groups. It is an issue in which I have long been interested. My decision to disband the committee was not an arbitrary one. It was based on the recognition that the two sides would never agree and that it was better to try and move the issue forward rather than leave in existence a committee that could not agree.

Irish Language.

54. **Ms Enright** asked the Minister for Education and Science if a full assessment of the teaching of Irish in primary and secondary schools will take place; and if she will make a statement on the matter. [13328/05]

Ms Hanafin: The recent report of the Irish Language Commissioner highlighted the fact that despite appreciable time devoted to Irish in the school system, many students emerge from primary and post-primary education without achieving a reasonable command of the language. Part-

[Ms Hanafin.]
icular concerns were raised about students' command of the spoken language.

While I accept that the standard of oral Irish in particular of many of our young people is not as it should be, it is important to note that the Department of Education and Science has made significant efforts in recent years to improve standards in the teaching and learning of Irish in our schools. The revised Irish language programme at primary level places a strong emphasis on oral Irish. This programme, implemented in all schools since September 2003, and supported by extensive in-service training by the primary curriculum support programme, should bring significant improvement to the standard of spoken Irish over time. This development at primary level complemented similar curricular changes at second level where syllabus reform is ongoing.

Significant improvements are being made in the provision of materials and resources for the teaching of Irish. An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta has been established to progress this area and to provide support services for schools. Funding has been provided to an chomhairle to support this task and I know this is an area that will need further work. Marino Institute of Education now provides Irish courses at different levels for teachers and an enhanced range of supports for those studying for the scrúdú le h-aghaidh cailíochta sa ghaeilge has been put in place. My Department is currently engaged in a number of evaluation activities relating to the teaching and learning of Irish. Also, at the request of my Department, the National Council for Curriculum and Assessment is carrying out a review of languages in the post-primary curriculum, including Irish. I am confident those reports will both inform us of good practice within the system and point to areas requiring improvement.

The inspectorate of my Department, on foot of a major review of Irish language policies carried out in the Department last year, has recently prepared an internal report for policy discussion regarding areas where further improvements could be made. The Coimisinéir Teanga, along with other interest groups, contributed to that process. I have also recently met An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta to discuss further improvements that could be made to support schools in improving the teaching and learning of Irish and to promote high quality education through the medium of Irish.

It is important to note that the issue of promoting the Irish language is not one that can be advanced by schools alone. Societal attitudes to the Irish language certainly impact on students' desires to learn it.

This Government has demonstrated a clear commitment to promoting our national language. It is hoped the continuing initiatives in education along with the increased emphasis on the use of Irish in the Official Languages Act will create a positive climate whereby students will realise the

value of learning our native language in time and language competence will prosper as a consequence.

Ms Enright: Does the Minister agree that societal attitudes can be coloured by the school experience of students in many cases? Does the Minister accept that Irish is not being taught in a relevant and applied way, particularly at second level, and that it does not reflect the modern needs of the language? Is the Minister aware of the situation of students learning off reams of passages for oral examinations without having a real understanding of the spoken language itself? Will the Minister carry out a comprehensive and impartial review of all aspects of Irish learning and teaching as recommended by the commission?

I will return to Deputy O'Sullivan's point. Three out of every ten leaving certificate students attempted the honours Irish paper in 2003 and only 30% of this number were young men. Does the Minister believe there is an impact on primary teaching in light of these statistics? Requiring an honours qualification lessens the numbers that can go into this field unlike the situation with English and mathematics. Has the Minister considered proposals being mooted in terms of changing the mandatory nature of the subject after leaving certificate level?

Mr. F. McGrath: We need more men.

Ms Hanafin: I have no plans to change the mandatory nature as it is important that people should learn their native language at all levels of the education system. On the matter of the overall environment, Institiúid Teangeolaíochta Éireann and other language groups have made it clear that the learning of a second language in school cannot flourish in the absence of environmental supports. As any Irish speaker knows, one loses the language once one leaves the realm of always using it. There has been significant progress has been made in the primary school curriculum. It is an enjoyable curriculum based on oral Irish and much emphasis is placed on the positive step of speaking and listening to the language.

The inspectorate is evaluating the teaching and learning of Irish at junior certificate level in the current academic year. The inspectorate is examining a cross-sample and I look forward to its findings because it is examining the curriculum, the timetabling and the whole school support system. Speaking as an iar-múinteoir Gaeilge, there should be more emphasis on oral Irish at second level, in particular approaching the leaving certificate examination, as it is too heavily weighted on literature rather than on the language itself considering we are encouraging people to go to the Gaeltacht. There are issues that can make a difference. Having materials that people can use, such as the excellent material now available for junior classes for example. The finances going into this will ensure it is improved. Having

téacs leabhar for the gaeilscoileanna is another important issue.

A teacher will teach Irish as a basic language that is a part of the school day and it is, therefore, important to have a proficiency. There is a sizable difference between the honours and pass Irish levels in the leaving certificate. I am not sure that someone with a pass Irish qualification would be competent to teach it as a major subject throughout primary school. I do not know whether this is affecting the male in-take but I will examine the issue.

The figures the Deputy has raised are quite interesting. Our inspectorate has examined the primary school and junior certificate curricula. The inspectorate examined 50 schools' reports in 2002 and stated that, while the teaching of Irish was good in approximately half the schools, there are concerns about the low levels of language confidence achieved by many second level pupils. There is also a concern that Irish is not being taught through Irish at this level, affecting the way people learn it.

As everyone knows, I would like to keep talking about Irish.

Higher Education Grants.

55. **Ms O'Sullivan** asked the Minister for Education and Science if she will give a breakdown, county by county, of the new awards of higher education grants under socio-economic categories for the 2001-2002 and subsequent academic year; if she is satisfied the allocation of grants is fair and representative of the geographic and socio-economic breakdown of the country; the action she intends to take to broaden access to third level grants; and if she will make a statement on the matter. [13162/05]

Ms Hanafin: The most recent data on participation rates at third level is that published in the HEA review of higher education participation in 2003, which showed that participation in higher education among the school leaver age cohort has passed the 50% mark for the first time. The study puts the overall transfer rate to higher education in 2003 at 54%, as opposed to 44% in 1998, 36% in 1992, 25% in 1986 and 20% in 1980. This data is based on a full census of entrants.

The study also contains findings based on a sample of new entrants relating to their socio-economic breakdown in that year. It should be noted that previous studies on participation by socio-economic groups, the Clancy reports, conducted in regard to 1998, 1992, 1986 and 1982 were based on a census of new entrants in these years. A follow up to previous Clancy studies based on a census of entrants in 2004 is under way and will provide a full picture of progress in higher education participation by socio-economic grouping since 1998.

Final analysis and comparison with previous Clancy studies, together with any policy conclusions, should await the outcome of the full survey that will be available later this year. The cur-

rent study provides some interesting pointers nonetheless, suggesting that participation rates of some of the lower socio-economic groups have increased substantially, in among particular skilled, semi-skilled and unskilled manual and other non-manual workers.

On the issue of the number of students in receipt of financial assistance under the student support schemes, the most recent figures show that 11,500 benefited from top up grants as well as the basic maintenance grant. This Government introduced the top up grant to provide greater assistance to the most disadvantaged students. We should note that the maximum amount of grant support available this year, inclusive of the top grant, is €4,855 compared to €2,032 in 1996-97.

In so far as data on the socio-economic backgrounds of grantholders is concerned, my Department has collected a limited amount in the past with specific reference to the higher education grants scheme. For this reason, the level of data the Deputy requested is not yet available for each of the schemes. Looking to the future, the HEA has been working with the universities and institutes of technology to develop an electronic student record system at the request of my Department. This is intended to provide more detailed information on students, including their socio-economic backgrounds. I have asked the HEA to examine how this might provide more timely and reliable data on the socio-economic backgrounds of grantholders.

Additional information not given on the floor of the House.

On the matter of the system for allocating higher education grants, the Deputy will be aware that I propose to introduce a single unified scheme of maintenance grants for students in higher education for the academic year 2006-07 in accordance with the commitment in the agreed programme for Government. In this context, I intend to put in place a more coherent administration system as early as possible that will facilitate consistency of application and improved client accessibility. This is necessary if we are to ensure public confidence in the awards system and the timely delivery of grants to those who most need them.

Whatever new arrangements are eventually decided upon will be provided for in the new statutory arrangements through a student support Bill. This Bill, which will provide a statutory underpinning for the schemes, will have the promotion of equality of access as a key objective. I envisage that the Bill will also provide for an independent appeals system. The time frame for the introduction of this Bill is contingent on the range of issues that are the subject of ongoing consultations.

Another significant development in the area of access to third level education was the launch of the national action plan in December 2004 prepared by the National Office for Equity of Access

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to Higher Education with the assistance of an advisory committee from the education and social partners. A key objective of the plan is the development of the most effective means of increasing the access and participation of learners from disadvantaged schools and communities in higher education. My Department is in consultation with the universities and institutes of technology about their proposals for alternative entry and retention processes to improve access opportunities for students from socio-economically disadvantaged backgrounds.

Ms O'Sullivan: The Minister's answer was interesting but did not address my question. I asked about students who received grants for the year 2001-02. Is it a failure of the Minister's Department that the most recent statistics on grants and socio-economic breakdown are for the year 2000-01? These figures have been out since 2004 but there are three subsequent academic years for which we do not have figures. When does the Minister expect the information on 2001-02 to become available?

Does the Minister feel there is a need to overhaul the system? This is the intention of the student support Bill, which I am to understand will not be introduced for some time. Figures show that twice as many students from farming, professional, managerial and self-employed backgrounds received grants than students from lower socio-economic groups in 2000-01. We were promised a centralisation of this system. I propose that we have not received this because there is a dispute between the Minister's Department and the Department of Social and Family Affairs in terms of assessing students' families for these grants. When can we have more up to date information on who gets grants from the Minister's Department?

Ms Hanafin: I understand the number of people in receipt of third level grants and benefiting under the schemes is 56,000. The amount of money involved in this has increased substantially. The HEA and my Department are working on a comprehensive computerised student records system that will not only deal with the numbers of people but their social profiles and educational courses they are following. This will ensure we receive up to date information more quickly. We are still pursuing a number of returns for the period prior to 2002-03 from the various granting authorities. A central system would undoubtedly make it much easier and I accept what the Deputy said in that regard.

In regard to a new system, we all accept there is a need for a one-stop-shop, or at least one body, which would be responsible for distributing grants. Two issues arose in the context of the new legislation. One was a new scheme because there are talks about taking capital into account, and the other was a single body which would be responsible for the administration. The former is

the more difficult issue and we discussed that before. I would not like to delay a proper administrative structure by waiting for the outcome of studies on the capital issue. There is no particular disagreement between any bodies; it is just that we do not have agreement yet.

Ms O'Sullivan: That is one definition of no agreement. Does the Minister accept the system is unfair to the PAYE sector?

Ms Hanafin: When one looks at the profile, one finds the rate of participation among people in working class, or even middle class, Dublin in the grant schemes is not as great as that in rural areas. As I said before, the widow in the large house in Dún Laoghaire who has no money—

Ms O'Sullivan: Far be it that the widow from Dún Laoghaire should suffer.

Ms Hanafin: The capital value of her home might be considerable but one cannot expect her to sell her house to send her child to college. These issues must be balanced against the farmer with a lot of land. It is an issue we must examine carefully. I am more anxious to move ahead to find a system which would streamline the administration of the grant system in a fair way because it is being dealt with by four or five different bodies.

Other Questions.

Task Force on the Physical Sciences.

56. **Mr. Hogan** asked the Minister for Education and Science if she will establish an implementation group for the task force on the physical sciences; and if she will make a statement on the matter. [12940/05]

Ms Hanafin: The Department of Education and Science continues to progress the recommendations of the task force on the physical sciences as resources permit in collaboration and consultation with the Department of Enterprise, Trade and Employment, Forfás and industry. One of the recommendations in that report was the appointment of a chief scientist who would have responsibility for overseeing developments under the task force and other science focused initiatives and providing advice on all aspects of science and technology policy. A chief science advisor and a deputy chief science advisor have been appointed and maintain continuing contact with my Department on implementation issues. The office of the chief science adviser works in conjunction with the interdepartmental committee for science, technology and innovation and the Cabinet Sub-Committee on Science and Technology. It is not intended, therefore, to establish an implementation committee for the task force report.

Significant progress has been made in a range of areas pertaining to my Department. For example, a new science curriculum has been introduced at primary level supported by a resource grant in December 2004 of €1,000 per school plus €10 per pupil and revised syllabi in junior certificate science and in leaving certificate physics, chemistry and biology have been introduced. Work on the revision of the two remaining leaving certificate subjects, agricultural science and physics and chemistry combined, is well advanced. The introduction of the revised syllabi has been supported by comprehensive in-service programmes for teachers; additional equipment grants have been provided to schools and laboratories continue to be refurbished as part of the ongoing schools building programme. In that context, €16 million was issued to schools in 2004 to support the implementation of the revised junior certificate science syllabus; a review of grading of subjects in the leaving certificate and initial reports on teacher training have been undertaken; a review of mathematics at post-primary level is being undertaken by the National Council for Curriculum and Assessment; and investment in the programme of research in third level institutes is continuing apace to enhance and promote world class standards in research, innovation and development. Between this programme and the various grants to the research councils, and other sources, an estimated €101.5 million will be invested in third level institutions in 2005.

The discover science and engineering programme, operated under the aegis of Forfás with the collaboration of the education sector, was launched in October 2003 to bring together existing science awareness activities in a unified strategy. I have recently announced a provision of €750,000 towards the cost of the BA Festival of Science which is being hosted by Trinity College this year. This is one of the world's leading science events and will be attended by 3,000 delegates, with an estimated 7,000 to 10,000 people enjoying some part of the programme.

Ms Enright: In the last question, we discussed the overlap and the number of groups dealing with the third level grants. However, the situation is the same with the implementation of the science report. There seem to be a large number of groups trying to drive it forward, which they are failing to do. Does the Minister accept that it is the high quality of human skills, and their availability, which will determine whether companies invest here? Is the Minister aware that fewer students are choosing science as an option at third level even though the points have fallen quite dramatically? Why is the task force not being resourced sufficiently?

I accept a number of initiatives have been brought forward but the most hard-hitting and most important ones have not been driven forward with the pace required. I am disappointed the Minister will not set up an implementation

group which was one of the foremost recommendations of the task force and was highlighted again by it earlier this month. Will she reconsider that decision? Will the Irish Council for Science, Technology and Innovation review the state of science education on an annual basis, which was proposed in the task force report and which would be a good co-ordinating body to consider it?

Ms Hanafin: The Deputy began by saying a number of different bodies were dealing with this issue and then went on to suggest there should be another body.

Ms Enright: I suggested a co-ordinating body. The other bodies have different roles.

Ms Hanafin: I do not believe we need another implementation group when we already have the Cabinet sub-committee, a chief science adviser, a deputy chief science adviser and an inter-departmental committee for science, technology and innovation. I will certainly not add another layer to look at this issue.

It is important to look at the teaching of science in schools. The numbers taking science subjects at leaving certificate level have improved. Some years ago, there were fewer students studying chemistry than physics but that has reversed. New science laboratories and investment in science is making a difference for schools and students.

I accept those skills will be needed by the economy. I met some of the major investors and major multinationals in this country which are concerned about the falling number of graduates not only in the strict science area, but also in the technology area. That is why the Government is taking such a serious approach to this issue and to research and investment in the programme for research in third level institutions, PRTLI, etc. By looking at syllabi and making them more attractive, which is happening, by investing in schools and by providing ongoing training for teachers, significant change is being brought about.

It will not be possible to implement some of the recommendations in the task force report as some involve considerable cost — for example, having a technician in every school. If we do that, every other practical subject will require an assistant and other European countries do not do that. Of the 35 recommendations of the task force referred to the Department of Education and Science, we are making progress on 25 of them.

An Leas-Cheann Comhairle: I remind the Minister and Deputies that questions, supplementary questions and answers are subject to a maximum time limit of one minute.

Ms Enright: Does the Minister have plans under the building programme to ensure good quality science laboratories in schools? I know a small amount of money was given to schools to

[Ms Enright.]
implement the junior certificate science syllabus. Given the condition of some laboratories, it is a drop in the ocean. Will the Minister consider that under the building programme as a side issue rather than wait for a school to apply for large scale development? Can the provision of science laboratories be prioritised?

Mr. Stanton: What about Midleton CBS?

Ms Hanafin: New schools and major extensions get such funding. In addition, curricular change is included under the summer works scheme and schools can get laboratories under that. We spent €60 million on summer works this year but I hope next year we will be able to do more under curricular work as well.

Mr. F. McGrath: Is the Minister satisfied there is enough investment in science at primary level? Is training for teachers and those directly involved up to international standards? There is a lack of resources to teach science at primary level. Some schools do not have the necessary space or facilities to teach science subjects effectively. Gaelscoil Colmcille in Whitehall in my constituency uses a football club as its premises. It creates a major difficulty in teaching science subjects and there is a lack of space in corridors and in the rooms. Will the Minister agree that science must be taught to pupils at a young age and that ensuring it is made a curriculum subject is an important part of the economic strategy for the further development of the country?

In regard to the Young Scientist of the Year competition, from her experience as a new Minister does she consider that standards, particularly in science subjects, among students
4 o'clock have risen dramatically in the past three or four years? I welcome the fact that the falling number of young people becoming involved in the sciences has been reversed. We need to have a more focused emphasis on these students because science subjects are a major important strategy for the economic development of the State.

Ms Hanafin: I accept what the Deputy said about the skills of our young people, particularly those who have participated in the Young Scientist of the Year exhibition, having been an exhibitor fadó, fadó.

Mr. F. McGrath: How did the Minister get on?

Ms Hanafin: Their success in international competitions is certainly to their credit. Gaelscoil Colmcille decided to set up in a football club. If a school wants to establish itself in a football club, it must realise the restrictions under which it will have to operate. The building needs of that school are currently being considered.

We are spending €500 million on the schools building programme this year to ensure that people can respond to the curriculum. There has

been a huge welcome for the primary school science curriculum. All primary teachers are able to get support for its introduction. Extra funding was given to them. The teachers involved and the children find the subject very exciting. It is a good basis from which to move forward to respond to our skills needs.

School Completion Programme.

57. **Mr. Stanton** asked the Minister for Education and Science the number of schools participating in each of the school completion programmes and the Giving Children an Even Break initiative; the number of schools participating in each of these programmes which offer school meals projects; the number of pupils who receive school meals as part of these projects; and if she will make a statement on the matter. [13126/05]

Ms Hanafin: The school completion programme, which was launched in 2002, incorporates the learning, experience and best practice derived from previous early school leaving initiatives, namely, the eight to 15 early school leaver initiative and the stay in school retention initiative. The programme is a key component of the Department's strategy to discriminate positively in favour of children and young people who are at risk of early school leaving and it is based on an integrated cross-community approach to tackling educational disadvantage, involving 82 projects in 21 counties. There are currently 300 primary schools and 112 second level schools participating in the school completion programme. Approximately 15,000 pupils were targeted by the school completion programme in the 2003-04 school year.

The Giving Children an Even Break programme was launched in 2001 to tackle educational disadvantage at primary level. Primary schools participating are in receipt of a range of additional supports, including teacher posts and other non-teaching supports to be targeted at disadvantaged pupils. A total of 2,345 primary schools are participating in this programme, covering a spectrum ranging from highly concentrated to very dispersed levels of disadvantage. Financial support is allocated to schools on a sliding scale, and schools with greater proportions of pupils from disadvantaged backgrounds are allocated proportionately more funding than those with fewer numbers of such pupils.

The majority of the 412 schools in the school completion programme, and more than 100 of the most disadvantaged primary schools participating in the Giving Children an Even Break programme, operate some level of breakfast or other meal provision, in accordance with the nutritional guidelines issued by the Department of Social and Family Affairs. In addition to being able to use funding, the provision of school meals is primarily funded by the school meals programme, administered by the Department of Social and Family Affairs, and involving both an urban scheme operated by 36 participating local authorities and a local projects scheme.

The school meals programme aims to supplement the nutritional intake of pupils from disadvantaged backgrounds in order to allow them to fulfil their potential within the educational system and to reduce the risk of early school leaving. Some 41,000 children benefited in 450 schools under the local projects scheme and the urban scheme provided support for more than 380 primary schools and 51,000 pupils. The Department of Social and Family Affairs has provided funding of €6.38 million for the programme.

We will continue to ensure that the resources available are used to best effect to further expand school meal provisions in schools serving disadvantaged communities.

Mr. Stanton: Have these programmes being evaluated recently and, if so, what information has the Minister received in respect of them? What is her view of their effectiveness? Has she measured that? Does she plan to expand these programmes to other schools across the State? If so, will she give us information on that?

Is all the money being made available by the Department of Social and Family Affairs under the school meals programme being used? Is the Minister satisfied with the quality of the breakfasts and other food made available to pupils?

Ms Hanafin: The Deputy's last question would be more appropriately directed to the Department administering that programme. The money available under the programme is used to great advantage, as any of us who have been in schools would have seen. We have devised models of best practice for breakfast clubs, which provide that food is offered to all pupils in a class or in a school rather than targeting individual children, that the food is nutritious and hot, a specific room is allocated to serve the food which is a familiar place to the children and parents are encouraged to become involved in the programme. It works very well. Unfortunately, as I have said before, it is a terrible indictment of our society that children will get out bed to go for breakfast and then they stay in school, having been fed. It is a hugely successful programme.

The Deputy asked about the school completion programme. We have examined various elements of it and decided to adopt a co-ordinated approach to the whole area of disadvantage, taking the best elements and progressing them further and, more particularly, targeting resources at areas that need them most. Disbursing money in many different areas throughout the country is not having the best effect because we need to specifically target resources. There are very good elements in some of these programmes we will continue to operate under the new co-ordinated programme with extra investment to tackle disadvantage.

Mr. Stanton: I asked the Minister about evaluation of these programmes. Has an evaluation

been carried out? Does she plan to expand these programmes to all schools? Will she agree it is an indictment of our society that there is such a need and such poverty that children come to school hungry? What other plans has she, in conjunction with other Ministers, to deal with poverty, in particular food poverty, in schools and elsewhere in society?

Ms Hanafin: Much can be done to promote healthy eating. It is promoted in the schools through the SPHE programme through encouraging students to learn about nutrition and food at primary and post-primary level. Family support services do great work in this area. We have seen this in our communities with the implementation of initiatives such as the Springboard Project where families in very disadvantaged areas are encouraged and brought in and receive training on the nutritional aspect. I visited very disadvantaged schools that run a parallel programme for mothers who receive adult education on healthy eating and food. Full credit is due to one school in Tallaght that not only brought in the mothers and taught them about healthy eating but gave them the cooking implements to bring home. If the class made a Chinese stir-fry, the mothers were given a wok to keep, which was a lovely idea. It was like teaching a man to fish and giving him the equipment to do so. This programme is working and it must be promoted by way of a cross-departmental approach.

Under the new disadvantaged action plan, having evaluated in-house the programmes that have worked, we will extend the schemes that work.

Ms O'Sullivan: I recently visited a Barnardos project and it was interesting to hear that the children are willing to get up early in the morning where there is a breakfast club whereas prior to its introduction they might not have wanted to go to school. We must urge the Minister to expand that programme as quickly as possible.

Regarding the general proposals to tackle educational disadvantage — I presume this scheme is part of the overall discussions — when does the Minister expect to publish her proposals?

Ms Hanafin: The document has gone to the printer and for translation as a policy document. *Caithfidh sé bheith ar fáil i nGaelige freisin.* As soon as it is available I will launch it.

Mr. F. McGrath: The Minister's primary concerns at the beginning of her ministry were the areas of disadvantage and special needs. Has there been a drift away from that focus, particularly when there is much talk about private schools lately and about the third level debate? Has the Minister changed her focus on the areas of disadvantage and special needs?

Does she have any long-term plan for pre-school education, particularly in targeting educational disadvantage because children are turning up in primary schools who are three or four

[Mr. F. McGrath.]

years, and sometimes even five years, behind in literacy and language skills? Does she have a strategy to deal with this issue?

Regarding the healthy eating project we all support, it is sad that children have to come to school in the morning to get a breakfast in a breakfast club in a primary school, although it is a service that is urgently needed. Will the Minister agree that if children constantly eat junk food, it leads to indiscipline in the classroom and, at times, particularly in some schools, more violence in the yard during breaks?

Ms Hanafin: At the outset of my ministry I made it clear that each sector within the education system was important and it would be highly dangerous to ignore the third level sector in favour of any one of the other two sectors, because we need each of them for the future of society and the economy. My concentration continues to be on disadvantage and special needs. The amount of extra Exchequer spending on special needs has been evident in the last couple of months, including the huge increases on addressing disadvantage. The new co-ordinated approach and the attention on disadvantage will be evident when the new plan is launched in the next few weeks. I accept that pre-school early intervention is essential for disadvantaged areas. It is also important to examine other provisions in disadvantaged areas because there is no point in duplicating provisions. The role of parents, the community and pre-school services must be examined together, but it is my intention to extend it.

Schools Building Projects.

58. **Ms Enright** asked the Minister for Education and Science the amount being spent on prefabricated buildings in the education sector each year; and if she will make a statement on the matter. [12968/05]

Ms Hanafin: In the five years to the end of 2004, my Department has spent €73.5 million on the purchase of prefabricated buildings in the primary and post-primary sectors. This expenditure was for the supply and installation of the prefabricated buildings, including associated site works and other costs such as for compliance with planning permission conditions, professional fees, connections for water, electricity and sewage. The breakdown of this expenditure by year is €4,407,981 in 2000, just over €9 million in 2001, approximately €21.5 million in 2002, €25.75 million in 2003 and €12,711,802 in 2004.

This expenditure represents less than 5% of the total expenditure on school buildings between 2000 and 2004. The total spent in these years on primary and post-primary school buildings, including PPP projects at second-level, amounted to €1.6 billion. The demand for additional accommodation in schools has risen significantly over the last number of years, mainly due to the rapid

expansion in teacher numbers, particularly in the area of special needs, the growth in the school-going population in rapidly developing areas and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools.

The current focus within my Department is to empower schools to resolve their accommodation needs, wherever possible, in a permanent manner rather than relying on temporary accommodation. In order to reduce the amount of temporary accommodation at primary level, a new initiative was launched in 2003. The purpose of this initiative is to allow primary schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money. The feedback from the 20 schools in this pilot was very positive. The initiative was expanded to include 44 additional primary schools in 2004 and more than 70 schools have been invited to participate in 2005.

My Department has also used other innovative solutions to deliver urgently required permanent accommodation for schools in rapidly developing areas. An example of this is the new 16 classroom primary school for Griffeen Valley Educate Together national school, Lucan, which was delivered through the use of a design and build contract within 13 months.

Ms Enright: Some €73.5 million over five years, which is a relatively short period, is a significant amount of money to spend on a temporary facility. I accept there is a need for stop-gap measures. The amount of money decreased in 2004 but it climbed steadily in the four years preceding that. What is the average lifespan of a prefabricated building? Given that €12.7 million was spent in 2004, how many schools were provided with prefabricated accommodation? When will these schools get permanent accommodation? How long is it intended to use these stop-gap measures in schools?

Ms Hanafin: Expenditure on prefabricated buildings amounts to just 5% of the €1.6 billion spent in recent years. The measure is used to ensure a speedy response in growing areas in particular. Many of these buildings are used throughout the country for children with special needs. A number of them have a very long lifespan and are of very good quality. In many instances, one would not recognise that the new ones are not a permanent solution. However, they are not designed to be a permanent solution, which is why the new initiative of allowing people funding is to allow them to decide whether they are able to build an extra classroom. Many schools are taking that option, which is encouraging. Unfortunately, there will always be a need for these buildings in order to provide extra space until new buildings are built.

Written answers follow Adjournment Debate.

Adjournment Debate Matters.

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Neville — school transport for secondary school, Salesian College, Pallaskenry; (2) 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; (3) Deputy Stagg — the reduction by 40% of the hours available for the home help service in County Kildare since 2002; (4) Deputy Haughey — the imminent closure of the Northside Community Law Centre in Coolock, Dublin 17; (5) Deputy McEntee — extending of fuel allowance for old age pensioners in view of the ongoing bad weather; (6) Deputy Breeda Moynihan-Cronin — the shortfall in funding available to qualifying applicants and the lengthy waiting lists for the curam home care grant in County Kerry; (7) Deputy Burton — the need to renovate and expand St. Brigid's national school, Castleknock, following the masonry fall from the building last week; (8) Deputy Boyle — that the Minister outline the Government's policy on the construction of high voltage overhead power lines; (9) Deputy Cowley — if the Minister will immediately place advertisements for tenders for static units for the roll out of BreastCheck in the south and west; (10) Deputy Ring — that the Minister provide funding for a project in County Mayo (details supplied) considering that the facility has planning approval; (11) Deputy McGinley — the closure of the Nuvotem Teo (Donegal) factory and the loss of another 30 jobs in that Gaeltacht; and (12) Deputy Connolly — the effects of the proposed changes in school transport provision on children from the Bawn-Bellatrain community attending St. Aidan's comprehensive school, Cootehill, County Cavan.

The matters raised by Deputies Moynihan-Cronin, Cowley, Haughey and McGinley have been selected for discussion.

Leaders' Questions.

An Ceann Comhairle: In view of the near habitual overrun in recent times, which on a given day can create a perceived lack of balance, I feel obliged once again to remind leaders of the strict time limits laid down in Standing Orders for Leaders' Questions. The time limits are as follows: the leader of the party, two minutes; the Taoiseach, three minutes to reply; leaders' supplementary question and the Taoiseach's final reply, one minute each, with an overall time of seven minutes.

As I readily acknowledged previously in correspondence, Leaders' Questions is regarded as one of the more visible and lively features of Dáil proceedings, enabling topical issues of the day to be raised early in the sitting day. In the spirit of the relative spontaneity of the procedure, as Ceann

Comhairle, I rarely intervene at Leaders' Questions. However, in view of the overrun in time, I ask the leaders to co-operate with the Chair in ensuring that the time limits laid down by the House are adhered to. It is not necessary to remind the House that Leaders' Question Time is confined to the leaders of the Fine Gael and Labour parties, the designated leader of the Technical Group and the Taoiseach. All contributions by others by way of interruption are not in order.

Mr. Kenny: Let me test your edict, a Cheann Comhairle.

The Taoiseach will no doubt recall the furore around the country when it became known that the Government had signed on with the IRA for the early release of the killers of Detective Garda Jerry McCabe. I welcomed at the time the Taoiseach's withdrawal of this offer. Does he agree with the Garda Representative Association that the circumstances in which these killers are currently held in the Grove section of Castlereagh Prison is completely inappropriate for the murderers of a serving garda? Can I remind him, in particular, that in his report of 25 February last, the Inspector of Prisons uncovered a shocking situation. He outlined that these prisoners appear to be running their own show in Castlereagh, living in bungalows and ordering take-away meals. What steps has the Government taken in the two months since the report was published to clamp down on a situation where these people were effectively giving the two fingers to the McCabe family, the Irish Government and the Irish people?

The Taoiseach: I will try to be equally brief. The Provisional IRA prisoners have been detained in the Grove area in Castlereagh since 1999, which is an open prison. I understand from everyone involved that it cannot be described as living in luxury. The McCabe killers, together with the other prisoners in Castlereagh, are under no illusions that they are in prison. The governor is totally in charge in all prisons, including Castlereagh. It is a matter for the governor to determine the duties of prisoners. It is entirely inaccurate to say that these prisoners are in control of the prison. The fact is that the murderers of Detective Garda Jerry McCabe are in prison. They will remain there for the duration of their sentence and, to the best of my knowledge, there are no proposals to change this.

Mr. Kenny: The Inspector of Prisons said in his report that a house in the Grove area has only two occupants, but they will not allow anyone else to share it unless they are attached to their organisation. How can it be the case in an open prison that a group, or members of a group, can determine who else the governor of the prison should put into a particular area? Can I remind the Taoiseach what the Minister for Justice, Equality and Law Reform said arising from a

[Mr. Kenny.]

Dáil question last July? He said he had inherited the circumstances that obtain in the Grove, presumably from his very vociferous predecessor, Deputy O'Donoghue. Were the prison arrangements for these murderers ever the subject of discussions between Government representatives and members of the Sinn Féin Party? Will the Taoiseach give an assurance that the decision to locate these prisoners in the Grove area of the Castlereagh prison was not the result of any secret deal with the leadership of the Sinn Féin Party?

The Taoiseach: The leadership of the Sinn Féin Party has argued vociferously since the signing of the Good Friday Agreement that the McCabe murderers should be let out under that Agreement. We have gone all the way to the Supreme Court to reject that. There were many attempts for us to come to an arrangement regarding this matter. I have explained to the House previously that the Government was once prepared to make such an agreement. There was no secret deal involved. Many prisoners have been moved out of the prison in Portlaoise over the years and in this case a number of prisoners were moved as well. When all the other prisoners were released in 1998 and 1999, the McCabe killers were the only remaining prisoners in this category held in the jurisdiction. Everybody else had been released. There might have been some INLA prisoners.

Quite frankly, we have moved to a position in which the McCabe killers are not being released. Any argument regarding where they are is a matter for the governor of the prison. The GRA never once raised this issue with me on the occasions on which it met me.

Mr. Rabbitte: Has the Taoiseach seen the appeal from the INO for him to declare a national emergency because of the crisis in accident and emergency wards throughout the country? Does he intend to respond to this request made *in extremis* by the INO? It is manifest that the Taoiseach's Minister for Health and Children does not have the competence to deal with the crisis.

Many accident and emergency wards throughout the country are at breaking point. The relevant figures have been adduced in this House more than once. My colleague Deputy Howlin tells me about the circumstances in Wexford General Hospital, which was stretched to the limit. Thirty-five patients were on trolleys in what is a mid-sized to small-sized hospital. Deputy Costello advises me that an elderly patient in the Mater Hospital has been on a trolley for five days and five nights. This is the picture that obtains in most accident and emergency wards. The Health and Safety Authority warns that being in an accident and emergency unit could be a danger to one's health and safety. That is how serious this matter is.

Should this matter not be given overall political priority? The Tánaiste announced on the day the Estimates were published, 18 November 2005, that we would begin to see the "benefits" of her ten-point plan this spring. She has now revised this statement by saying she remains extremely hopeful that we will see measurable results by autumn 2005. The problem is going from bad to worse. The Taoiseach's Ministers are divided every which way. The Minister for Defence, Deputy O'Dea, jumped in to get one up on the Tánaiste by announcing facilities in St. Bricin's, which has turned out to be unsuitable according to the Health Service Executive Eastern Region.

Mr. F. McGrath: More hot air.

Mr. Rabbitte: In the absence of Máire Geoghan-Quinn, there is nobody to slap him down and send him back to the Curragh.

Mr. O'Dea: The mudguard has got it wrong again.

Mr. Rabbitte: Nobody seems to be capable of controlling the crisis in accident and emergency units. The INO has pleaded for the Taoiseach to intervene.

The Taoiseach: I have noted what the INO has said. Progress is being made on the implementation of the ten-point plan. The Tánaiste, her key officials and, increasingly, the Health Service Executive are spending considerable time trying to deal with this particular aspect. Many actions are being taken, including the freeing up of the acute beds and the efforts to improve the patient flows. I receive a report daily on what is happening.

Mr. Howlin: It is not working.

Mr. Broughan: Does the Taoiseach ever enter an accident and emergency unit? He should check them out for himself.

The Taoiseach: Improvements in the accident and emergency service are expected in the coming weeks as patients——

Mr. Broughan: First-hand experience is needed.

Mr. Howlin: It is just not working.

The Taoiseach: ——ready for discharge from acute hospitals are placed in more appropriate care settings. The Health Service Executive is working with hospitals to deliver these measures as quickly as possible and to ensure the investments announced are being sustained.

Mr. Howlin: Ambulances were sent to Waterford from Wexford.

An Ceann Comhairle: Deputy Howlin's leader is well able to handle this question.

The Taoiseach: The HSE has completed its programme of inspections in the 11 hospitals.

Ms Burton: The problem lies with the Chairman's leader.

The Taoiseach: The HSA has acknowledged that the hospitals are fully engaged in the process of—

Mr. Howlin: Two separate discussions.

The Taoiseach: —addressing health and safety—

Mr. Howlin: The Taoiseach is living on a different planet.

The Taoiseach: —in their accident and emergency units. As I stated, I believe all—

Ms Burton: It is waffle.

The Taoiseach: I do not believe that €70 million amounts to that.

Mr. Howlin: It is not working.

The Taoiseach: The home care packages—

Mr. Howlin: It has never worked.

The Taoiseach: —and the buying of beds from the private sector are progressing.

An Ceann Comhairle: I ask Deputies to refrain from interruption and to allow the Taoiseach to continue.

Mr. S. Ryan: It is very difficult.

The Taoiseach: We are contracting out long-term nursing care beds and providing acute medical units for non-surgical patients at Tallaght, St. Vincent's and Beaumont hospitals. We are ensuring that access to GPs is provided outside normal working hours. All of these measures are being implemented.

Mr. Howlin: It is having no impact.

The Taoiseach: They are having a sizeable impact in most of the hospitals.

Mr. Howlin: The Taoiseach should come down to Wexford.

Ms McManus: Where are they having an impact?

Ms Burton: Most of the—

An Ceann Comhairle: I ask Deputy Burton to allow the Taoiseach to speak without interruption.

Mr. Howlin: None of the Government Deputies turned up at the protest.

An Ceann Comhairle: If Deputy Howlin does not desist, the Chair will have to deal with him. I call on Deputy Rabbitte to speak.

Mr. Rabbitte: For the past eight years the Government has been promising that something might work. In spite of the ten-point initiative, announced with great fanfare by the Tánaiste and greeted by the media, which alluded to her unparalleled courage in taking on this problem, nothing has changed. The problem ought to be considerably less acute at this time of the year than it is. Not even the publication of the capital programme has been managed by the Tánaiste. She is locked in combat with the Department of Finance regarding its publication, which has been promised week after week. Meanwhile, real, live patients are enduring acute stress and distress under circumstances in accident and emergency units that would not be tolerated in any advanced country in the western world. The Taoiseach tells us after eight years in Government what he might do about it.

It is clear the Tánaiste allowed herself to be talked into doing a job by her party for which it appears she does not have the competence. Her having spent too long talking to American chief executives lead her to believe that all she had to do was enter the Department of Health and Children and exercise a certain managerial competence for it all to fall into place. It has not fallen into place but into ruin and decline in certain acute areas of the health service. There is no hope in prospect. I ask the Taoiseach again whether he will respond to the INO's request for him to intervene personally.

The Taoiseach: The Government works on these issues so there is no need for me to intervene personally. Everybody is involved.

The home care packages try to improve the flow in those hospitals that have a difficulty. These are mainly the Dublin hospitals and a few others around the country. The packages will free up an additional 500 beds occupied by older people. The only way to deal with this issue is to try to free up beds, including in private facilities.

I am the first to admit that there are problems but the figures I receive on a daily basis indicate that there are improvements. Yesterday's figures indicate that there was nobody on a trolley in Waterford. There is a problem in Wexford—

Mr. Howlin: Thirty-five are on trolleys.

The Taoiseach: No, it is 28.

Mr. Howlin: It is 35. I was in the hospital.

An Ceann Comhairle: Deputy Howlin should allow the Taoiseach to contribute.

The Taoiseach: If the Deputy can count better than those who produced the official figure, then it is 35.

Mr. Howlin: I was there.

The Taoiseach: I am giving the Deputy the official figures. If he does not want to——

Ms McManus: The Taoiseach is massaging the figures.

An Ceann Comhairle: The Taoiseach without interruption.

Mr. S. Ryan: Will the Taoiseach join Deputy Broughan and me in Beaumont Hospital? Does he know where it is?

The Taoiseach: The number of people on trolleys in accident and emergency units is as follows: seven in Cork University Hospital, three in Tralee, four in the Mercy in Cork, six in Drogheda and zero in Louth, Monaghan and Navan hospitals. There are some——

Mr. Crawford: It is zero full stop.

The Taoiseach: I am just making the point.

Mr. Quinn: The Taoiseach is beginning to sound like Comical Ali.

An Ceann Comhairle: Deputy Quinn is no longer leader of his party. Deputy Rabbitte is the only one entitled to submit a question.

The Taoiseach: The country does not stop on the outskirts of Dublin.

Mr. Howlin: It certainly does not.

The Taoiseach: The Irish Nurses Organisation may point out to me that there is a problem in certain hospitals, which I know, but it could also point out there are many hospitals where there is no problem.

Mr. Howlin: The Taoiseach is doing nothing about it.

Mr. Crawford: Nothing is the word.

The Taoiseach: Deputy Howlin knows in his heart that people moved from Waterford because there was no problem in Waterford that day. Was that not a sensible thing to do? Did he want more people in Wexford?

Mr. Howlin: The Taoiseach seems to think people should go to Cork or somewhere else. They would spend another one and a half hours in an ambulance.

The Taoiseach: It is nice to see Deputy Howlin has turned up today. He has not been here for weeks. I have answered Deputies Rabbitte and Howlin.

An Ceann Comhairle: The Chair wishes to put the House on notice that seven members of the Labour Party interrupted the Taoiseach today. The Chair will not tolerate that behaviour and will be obliged to ask Members to leave the House. It is not possible for a Member on either side of the House to be frustrated in making his or her contribution. For the benefit of Deputy Burton, the Chair is totally independent of all political parties in this House.

The Taoiseach: It happens every week.

Caoimhghín Ó Caoláin: Last week I asked whether the Taoiseach is an ostrich and of course he did not reply. His reply to the questions from Deputy Rabbitte a few moments ago confirms the answer to that question. He told the House on this most pressing issue of accident and emergency units that where there is nothing, there is nothing.

When he said there was zero people on trolleys in Monaghan General Hospital he showed that he knows nothing about the reality despite the fact that I, and others in this House, have continually told him there is no accident and emergency unit at Monaghan General Hospital. That is why there are no patients on trolleys at that hospital.

At the start of this week 249 patients were on trolleys in accident and emergency departments. If the Taoiseach and the Tánaiste and Minister for Health and Children were seriously addressing this crisis they would recognise that hospitals such as Monaghan General Hospital, and others for which the Taoiseach said there were zero people on trolleys, have beds beyond their requirement that are not occupied and should be used to relieve the overcrowding in neighbouring hospitals. The Taoiseach must recognise the issue in Monaghan General Hospital relates to the overcrowding and intolerable situation at Cavan General Hospital.

Is the Taoiseach aware that the Irish Nurses Organisation has called on him to do something specific, not just to intervene? It has called on him to declare a national emergency in regard to our health services. Is he conscious of that position and will he spell out exactly what he and the Tánaiste are doing to address this crisis instead of repeatedly trundling out the same mishmash reply prepared for him in his Department, with the aid of the Department of Health and Children? The Taoiseach must face up to the reality and give the answers we and the people who are suffering need.

The Taoiseach: Yesterday there were just over 200 people in accident and emergency units awaiting beds.

Mr. Rabbitte: There were 249 people.

The Taoiseach: The official figure for yesterday supplied by the Department of Health and Children is just over 200, not 249.

Mr. Rabbitte: I would not rely too heavily on the counting in that Department.

The Taoiseach: Every year 1.25 million people pass through accident and emergency units. Many hospitals which have accident and emergency units deal satisfactorily every day with emergency cases. In approximately six hospitals the numbers are consistently large. I have pointed out to the House on many occasions the type of actions being taken in accident and emergency units, including putting in large numbers of medical and nursing staff resources, capital and other facilities that will help.

There are several hospitals where problems are caused by the inadequate flow of patients from acute beds back home or elsewhere, and of those from accident and emergency units who need to be moved into beds. They cannot—

Ms O. Mitchell: We know that.

Mr. Rabbitte: We know that. The problem has existed for five or six years.

The Taoiseach: The Department of Health and Children and the Health Service Executive state that the hospitals require other beds in order to rectify this problem. We have put together several action points to assist in this, which are being implemented. Buying beds from the private sector for step-down care is one measure and yields approximately 500 beds. Another point is to install acute medical facilities in hospitals where there is a continual problem, for example, Tallaght Hospital, St. Vincent's Hospital and Beaumont Hospital. I have previously spoken about facilities for beds and temporary beds being considered for the Mater Hospital.

We are also trying to establish GP out-of-hours services in the regions of these hospitals. All these measures are underway. Resources have been made available for capital equipment and for staffing, although the staffing issues have been dealt with. These improvements are under way. Until those actions are completed and properly implemented we will not be on top of this issue for the four or five hospitals that have a continual problem. In other areas, such as Limerick—

Ms O'Sullivan: There is a problem in Limerick.

Ms Hanafin: Not this week.

The Taoiseach: I go through these figures every week but there is no problem in Limerick Hospital this week. There is no problem in Galway.

Mr. Broughan: That is what the Taoiseach's spin doctors say.

Ms O'Sullivan: I spoke to someone who spent a night on a trolley.

The Taoiseach: There is no problem in Cork. There is a problem in Dublin and Wexford. I have outlined the measures we are taking. There is a capital issue in Wexford which is being studied too.

Ms Burton: Is there a war between the Department of Health and Children and the Department of Finance?

An Ceann Comhairle: Deputy, this question was asked by the leader of Sinn Féin and is not a Labour Party question. I ask the Deputy to behave herself and allow the Taoiseach to speak without interruption.

The Taoiseach: If the Irish Nurses Organisation wishes to work with us to resolve these problems, as I hope it does, the Government will work with it.

Mr. Rabbitte: It is working night and day.

Caoimhghín Ó Caoláin: In the course of his reply the Taoiseach said "the staffing issue has been resolved". How does he expect the Irish Nurses Organisation to respond to that claim? The staffing issue has not been resolved. That is one of the key problems that needs to be addressed but has not been addressed because there is no improvement whatsoever in the service.

Is the Taoiseach aware that the Irish Nurses Organisation has indicated that 100 beds could be brought on stream in accident and emergency provision in Dublin but are being held up because of a "black hole" in bureaucracy between the Health Service Executive and the former Eastern Regional Health Authority? Is he aware when he says Galway does not have a problem that Galway has a repeated overcrowding problem yet 60 beds in the University Hospital there remain closed?

The recent report of the Health and Safety Authority states that overcrowding has led to an unsafe environment for staff and patients. What action is the Taoiseach taking to address that dreadful situation?

The Taoiseach: The Health and Safety Authority, following its report on accident and emergency services in 11 hospitals, is working with the Department of Health and Children and the Health Service Executive to resolve some of the problems it highlighted. The problems involve capital issues, cleanliness and the provision of new facilities and equipment, details of which I gave last week. Obviously the position has not changed since last Wednesday.

[The Taoiseach.]

There has been a substantial increase in staffing in accident and emergency departments in recent years and in the number of nurses and supervisory nurse positions. In the five or six hospitals where there is a problem, we will continue to work with the Irish Nurses Organisation and the hospital management. The Health Service Executive is working daily on this issue to try to overcome the difficulties in the four of five hospitals that continue to have a problem.

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.

Mr. Boyle: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the need for the Minister for Communications, Marine and Natural Resources to outline the Government's policy on the construction of high voltage overhead power lines, and explain why a review report on the construction of one such line over Cork Harbour has not been published and why the findings, as implemented, seem to have resulted in little or no change over much of the proposed route.

Mr. Cuffe: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the need for the Minister for the Environment, Heritage and Local Government make a statement to the House regarding Ireland's appalling failure to honour its obligations under the 1975 EU waste directive and to explain the European Court of Justice ruling today to the House.

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

Order of Business.

The Taoiseach: It is proposed to take No. 14, Safety, Health and Welfare at Work Bill 2004 — Report Stage (resumed) and Final Stage; and No. 4, Electoral (Amendment) Bill 2005 — Order for Second Stage and Second Stage. Private Members' business shall be No. 41, motion re class sizes.

An Ceann Comhairle: There are no proposals to put to the House.

Mr. Kenny: On No. 4, the Electoral (Amendment) Bill 2005, I understand the Houses of the Oireachtas Commission is setting up a sub-committee to examine in the context of future elections the questions that may arise regarding the use of the facilities of the Houses of the Oireachtas by Members, Senators and Ministers in their Departments. As this Bill will not be able

to take account of that sub-committee's work and any recommendations it may make, how is it intended to deal with this issue because this area needs clarification?

I understand from an internal report on bullying at the Galway hospice that a serious problem exists. When will the nurses (amendment) Bill, dealing with the regulation of nurses, come before the House?

The Taoiseach: I do not have a date for the nurses (amendment) Bill but I will ask when it will be ready. In regard to the other matter, there are issues to be clarified. It is clear from what happened in previous elections that we need to know the position one way or the other. Subject to correction, the only way to get absolute certainty in these matters is to legislate and primary legislation is the way to do that. Otherwise we will find ourselves in the same position as before. From what I have read and seen, some of these areas need to be clarified. The sub-committee should complete its work and primary legislation should be put through the House and passed.

Mr. Rabbitte: Following the Taoiseach's admission last week that he had a substantive brief and did not read it on a matter that has exposed the taxpayer to €2 billion, does he still have confidence in the Minister for Enterprise, Trade and Employment?

An Ceann Comhairle: Has the Deputy got a question appropriate to the Order of Business?

Mr. Rabbitte: It is very appropriate.

An Ceann Comhairle: It does not come under the Standing Order.

Mr. Rabbitte: Has the Taoiseach received any notice of resignation from the Minister concerned and does he still have confidence in him?

An Ceann Comhairle: I call Deputy Sargent.

Mr. Durkan: Is there any communication at all?

Mr. Sargent: A reply might be in order.

Mr. Rabbitte: The Ceann Comhairle has just said how independent he is. Will the Taoiseach reply to the question? There is a €2 billion exposure for the taxpayer. A Minister went before the committee and said he did not bother to read the brief—

An Ceann Comhairle: It does not arise on the Order of Business and the Deputy knows that.

Mr. Rabbitte: —and the Ceann Comhairle says it is of no concern to this House.

Mr. Durkan: He was too busy.

An Ceann Comhairle: I advise Deputies to be very careful of accusing the Chair of saying things it did not say. The Chair attempts to implement Standing Orders laid down by this House. That is what the Chair is going to do and it will not be intimidated by any Member. If the Deputy wishes, I shall read Standing Order 26.

Mr. S. Ryan: The Taoiseach wishes to reply.

Mr. Rabbitte: On the matter of confidence in his Minister, I am entitled to raise on the Order of Business whether the Taoiseach still has confidence in this particular Minister who has left us with the legacy that we spent the earlier part of Leaders' Questions discussing and who, in a blasé manner, says that we should blame the civil servants because he did not read the brief.

An Ceann Comhairle: It does not arise on the Order of Business and the Deputy knows that.

Mr. Rabbitte: The Chair should at least allow the Taoiseach to reply. Clearly he does not have confidence in his Minister. Certainly I do not.

Mr. Sargent: Perhaps the Taoiseach will reply to me and Deputy Rabbitte together. Given that the European Court of Justice has again put the Government in the dog house on the non-implementation of EU directives, will the building control Bill, which involves the energy performance of buildings directive, be dealt with any more urgently having been promised since 2003? Will it deal not only with architects and surveyors but also with labour inspectors? We have twice as many dog wardens as labour inspectors, although we do not have many dog wardens either.

The Taoiseach: The building control Bill should be ready late this year. The heads of the Bill have been approved. It will deal with the issues in the Building Control Act 1990 and will provide statutory protection for architects, building surveyors and quantity surveyors. During the debate it will be open to Members to extend it if they so wish.

Mr. Bruton: When will the civil law Bill be brought forward? In my constituency the northside community law centre is facing closure — it is on protective notice — because this Bill, which would bring it under the Department of Justice, Equality and Law Reform and have it properly funded, is being held up. We will lose a vital service unless the legislation comes forward urgently and decisions are taken.

Mr. Broughan: I wish to raise the same matter as Deputy Bruton. The northside community law centre is facing imminent closure in approximately ten days unless some action is taken.

The Taoiseach: I understand that matter is on the Adjournment. Work is under way on the

heads of the civil law (miscellaneous provisions) Bill and it is hoped it will come before the House later this year.

Mr. Quinn: My question is by way of supplementary because Deputy Sargent has raised the issue. Arising from all the queries we raise, what is the system of communication to the relevant Departments? We have had the same reply which, in fairness to the Taoiseach, has been given to him by his able civil servant. What happens after that? For example, do those responsible for the building control Bill simply ignore what has been said or what the Taoiseach has promised here, or is there an added urgency attached to bringing forward the next Stage? While I would not expect him to have it unless it is in front of him, can the Taoiseach recall from memory the heads of the Bill being cleared at Cabinet, if so, when, and where is it in the pecking order? To the best of my knowledge that Bill has not moved during the past three years.

An Ceann Comhairle: The Deputy has made his point.

The Taoiseach: What Deputy Quinn has said is correct. The heads of the Bill were cleared about three years ago and it has been in the system since then and has not come forward.

Mr. Quinn: What happens next?

The Taoiseach: When it is raised here it goes back to the section. In regard to priority we deal with many Bills in each session and priority Bills are brought forward. We are hard-pressed even to get those through the House. Usually 20 Bills are dealt with in each session. New Bills are always being introduced. The pecking order or the timeframe relating to the drafting of Bills decide when Ministers or Departments bring them forward.

Caoimhghín Ó Caoláin: Will the Taoiseach note that the minimum wage is due to be increased from Sunday next, 1 May? It is paltry but welcome. Will this be brought about by a ministerial order or by another mechanism? Given that the increase will——

An Ceann Comhairle: That does not arise.

Caoimhghín Ó Caoláin: With respect, my question does arise. Given that some 30,000 workers——

An Ceann Comhairle: That does not arise. The Deputy cannot make a statement on the matter.

Caoimhghín Ó Caoláin: Will the Ceann Comhairle allow me to finish my question? How can he second-guess what I am attempting to ask? He should allow me to finish the question. As a result of the increase, some 37,000 workers will find

[Caoimhghín Ó Caoláin.]
themselves back in the tax net. Will the Taoiseach—

An Ceann Comhairle: That question does not arise. I will allow the question on the secondary legislation.

Caoimhghín Ó Caoláin: —allow a special debate in the House on this matter in the coming weeks?

The Taoiseach: The minimum wage in this country is the second highest in Europe, it is not paltry. If the Deputy so desires, we can have a debate to congratulate ourselves on the fact that the rate is so high. The Government has tried to keep those on the minimum wage out of the tax net. All EU and OECD statistics prove that low paid workers in this country — in so far as they are on low pay — are outside the tax net. With respect, the Deputy is talking nonsense.

Caoimhghín Ó Caoláin: Will the Taoiseach arrange a debate on the matter? The 37,000 workers to whom I refer will be back in the tax net.

An Ceann Comhairle: Unless a debate is promised, that is a matter for the Whips.

Ms O. Mitchell: I am sure the Taoiseach is aware that there is a six to eight-week waiting period in respect of electricity connections. This is the position throughout most of the country and, in particular, in the majority of areas in Dublin.

An Ceann Comhairle: The Deputy should ask a question appropriate to the Order of Business.

Ms O. Mitchell: This is reminiscent of Ireland in the 1960s and is a result of a failure to invest in the distribution system in recent years. When will the electricity Bill be introduced? Will the latter make any difference to the situation regarding electricity connections, which is imposing a huge cost on emerging businesses and bringing many of them to near ruin?

The Taoiseach: The heads of the Bill are being revised at present. The Bill will probably be brought forward next year.

Mr. Howlin: Some months ago the House approved the public capital programme for 2005. When will the health capital programme be published?

The Taoiseach: I do not know. I suggest the Deputy table a question to the relevant Minister.

Mr. Howlin: It is voted money.

The Taoiseach: As far as the Government is concerned, it has been cleared.

Mr. Connolly: Under promised legislation, namely, the social welfare (consolidation) Bill, why are persons living in Northern Ireland precluded from receiving carer's benefit, despite the fact that they work and pay tax in this State and that the recipient of care is resident here?

The Taoiseach: The Bill will be brought forward in the autumn.

Mr. Stanton: I have two related questions. The Commission to Inquire into Child Abuse Act 2000, Additional Functions Order 2001, was struck down by the courts as being *ultra vires* because the Minister was acting outside his powers. When will the draft resolution to revoke the order be brought before both Houses of the Oireachtas? Does the Government intend to bring forward legislation to deal with the issue of vaccine trials? This was attempted in 2001 but it was subsequently struck down by the courts.

The Taoiseach: On the second question, it is true that the Act was struck down. In answer to the Deputy's first question, I understand that legislation may be required. I will consult with the Department of Health and Children and inform the Deputy of the position.

Ms McManus: Is the Taoiseach aware that since the Tánaiste took over as Minister for Health and Children, her Department seems to be suffering from some kind of paralysis? As Deputy Howlin said, the health capital programme has not been forthcoming. In addition, legislation from the Tánaiste's Department seems to be moving at a slower rate than was promised. The House was promised there would be no delay regarding the nursing homes repayment scheme. What has happened to the relevant Bill and when will it be published?

When Dr. Neary was deregistered by the Medical Council, the House was promised that the medical practitioners Bill would be published as soon as possible. The heads of that Bill were expected last autumn. The Tánaiste promised that they would be forthcoming but we still have not seen them. When will the Bill be published? When will the nursing homes repayment scheme be introduced? When will the Taoiseach deal with the serious problems in the area of health that are causing such suffering?

The Taoiseach: On the medical practitioners Bill, further heads are expected by the summer. The legislation will probably be introduced next year. The Department of Health and Children has other legislation which will be dealt with in this session. Work is well advanced on the nursing homes repayment scheme. Legislation has already been enacted and the scheme is being put in place. The Tánaiste is giving this scheme priority and she will endeavour to ensure the legislation is in place to deal with it. That matter

is being dealt with and the Government has received a number of reports on it.

Mr. Boyle: I have questions on two items of legislation. The Taoiseach has just indicated that the social welfare (consolidation) Bill will come before the House in the autumn. However, the Government's legislation programme published two weeks ago indicates that it would be published in mid-2005. Will he explain the reason for the delay of a further three or four months?

The building societies (amendment) Bill is due for publication in late 2005. Is the Taoiseach prepared to publish the heads of the Bill in advance of its publication? Will he publish any representations made by individuals and organisations that have asked for this Bill to be brought before the House?

The Taoiseach: The Deputy is correct that the social welfare (consolidation) Bill is due to be published in mid-2005. The Department of Social and Family Affairs is hoping to meet that deadline but it seems more likely to be taken in the autumn session. It may be published in the summer but it is unlikely to be taken in the House until the autumn.

The heads of the building societies (amendment) Bill were approved in 2003. I understand work is continuing on the Bill. On the matter of representations made, the Deputy should table a question to the relevant Minister.

Mr. Crawford: I wish to ask a question about the alcohol Bill and the matter of advertising and the control of the sale of drink to young people. The Minister for the Environment, Heritage and Local Government recently had a meeting with the farming organisations to inform them on action to be taken on the nitrates directive.

An Ceann Comhairle: The Deputy should ask a question on legislation.

Mr. Crawford: Will the Taoiseach at least consider allowing the House to discuss the future of agriculture?

An Ceann Comhairle: That matter does not arise at this stage.

Mr. Crawford: The nitrates Bill will be the single most important issue for people in the Border area.

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

The Taoiseach: The heads of the alcohol products (control of advertising, sponsorship and marketing practices/sales promotions) Bill have been approved by Government. The legislation should be ready sometime later this year.

(Interruptions).

Mr. S. Ryan: The Taoiseach and the Tánaiste have previously referred to their commitment to bring forward the pharmacy Bill. Will the Taoiseach outline the current status of the Bill and indicate when the heads thereof will be available?

The Taoiseach: The heads of the Bill are expected shortly. However, I do know when the Bill, which will update the various items of pharmacy legislation that have been on the Statute Book for many years, will be published.

Mr. Durkan: Will the Taoiseach instil some urgency into the Minister for Communications, Marine and Natural Resources regarding the legislation that is required to deal with the rapid rate of inflation in motor fuel prices? The national oil agency Bill has been promised for late 2005. In view of the circumstances that currently obtain, will the Taoiseach encourage the Minister to bring the Bill forward as soon as possible?

The Taoiseach: The heads of the national oil agency Bill were recently approved. The legislation should be drafted by the end of the year.

Mr. Durkan: The price will be gone out of sight by that time. More urgency is required.

Dr. Cowley: Two persons have needlessly died under the hands of Ms Mineke Kamper, an alternative practitioner. After failing to attend the first inquest she was fined €6.35. It has subsequently been revealed that she continues to treat a number of patients, including children. The public must be protected.

An Ceann Comhairle: Does the Deputy have a question on legislation?

Dr. Cowley: Legislation must be introduced urgently because a fine of €6.35 is insufficient.

An Ceann Comhairle: Is legislation in this area promised?

The Taoiseach: I have already indicated that the medical practitioners Bill will be produced next year.

Safety, Health and Welfare at Work Bill 2004: Report Stage (Resumed) and Final Stage.

Debate resumed on amendment No. 16:

In page 23, to delete lines 32 to 36.

—(Deputy Morgan).

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): We had a long debate on 23 February on the related amendments Nos. 16, 17, 18 and 36 which deal with section 13(1)(c). In response to questions raised by Deputies, I pointed out

[Mr. Killeen.]

that the provisions in this section will only come into play after regulations have been put in place. I also emphasised my intention to have the Health and Safety Authority prepare draft regulations in consultation with the social partners and other interested bodies. Moreover, I undertook that when a reasonable draft is prepared, I will bring it before the Joint Committee on Enterprise and Small Business for its consideration.

An Ceann Comhairle: Deputy Howlin has spoken twice on this amendment. I call Deputy Morgan to conclude the debate.

Mr. Morgan: I have raised concerns about this section on Committee and Report Stages. It is essential that we recap briefly on this because it is a fundamentally important aspect of the Bill. Section 13(1)(c) deals with a very grey area and a number of questions remain unanswered. For example, what level of alcohol or other drug will be accepted within a person's system? Will it be some or none? What categories of employees will be subject to testing? There is no indication whether only those employed in sectors where safety is critical will be affected.

The section does not deal with the term "reasonable suspicion". Earlier in this debate, I observed that gardaí testing motorists for alcohol consumption under the provisions of the Road Traffic Act 2002 must apply a requirement of reasonable suspicion. Nothing similar is required under the terms of this section. Are the tests designed to identify alcohol or drug use or alcohol or drug effect? I understand some drugs which may have been consumed very recently, perhaps even on the same day, may not show up in tests. Correspondingly, a person who has taken an illegal substance some weeks before testing may receive a positive result, as we aware from recent incidents in the sporting world.

I cited Part 9 of the Railway Safety Bill 2001 as an indication of the type of provision my party would like to see in this Bill to offer some

measure of safety to employees. Will the Minister of State insert an amendment to include a requirement regarding the term "reasonable suspicion"? The absence of such a basic provision demonstrates the flawed nature of this section.

The Minister of State referred to a commitment to introduce regulation. I accept his word that the provisions of 13(1)(c) will not be implemented until such regulations are in place. However, it is a fundamental problem that the regulations will be drawn up by the Department and Deputies will have no opportunity to amend them. An even greater difficulty is that notwithstanding the Minister of State's commitment, we must consider the possibility of a Cabinet reshuffle in the future.

Mr. Howlin: The Minister for Enterprise, Trade and Employment is bound to be demoted.

Mr. Morgan: What might happen if one of the headcases in Government were transferred to this Department? One can only imagine the consequences if the Minister for Justice, Equality and Law Reform were let loose on section 13(1)(c). It does not bear thinking about the level of hassle that unfortunate employees could be subjected to under such conditions.

I have fundamental reservations about section 13(1)(c) for the reasons outlined. We have already covered this ground on Committee Stages and during the Report Stage debate on the last occasion. I hope the Minister of State will delete this section until he has had a proper opportunity to consider the regulation he has committed to bring forward. In other jurisdictions, particularly the United States, significant volumes of regulations are in place in advance of legislation or are produced in tandem with legislation. This affords legislators an opportunity to be more sure-footed in considering the issue at hand. This is a significant matter and the section should be deleted so we may be afforded a proper opportunity to establish what is involved.

Question put: "That the words proposed to be deleted stand."

The Dáil divided: Tá, 63; Níl, 47.

Tá

Ahern, Bertie.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Callanan, Joe.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
de Valera, Síle.
Dempsey, Noel.
Dempsey, Tony.

Dennehy, John.
Ellis, John.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Hoctor, Máire.
Jacob, Joe.
Keaveney, Cecilia.
Kelleher, Billy.
Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.

Tá—continued

Kitt, Tom.	O'Donovan, Denis.
Lenihan, Brian.	O'Flynn, Noel.
Lenihan, Conor.	O'Keefe, Batt.
McEllistram, Thomas.	O'Malley, Fiona.
McGuinness, John.	O'Malley, Tim.
Moloney, John.	Power, Peter.
Moynihan, Donal.	Power, Seán.
Moynihan, Michael.	Roche, Dick.
Mulcahy, Michael.	Sexton, Mae.
Nolan, M. J.	Smith, Michael.
Ó Cuív, Éamon.	Wallace, Dan.
Ó Fearghaíl, Seán.	Wilkinson, Ollie.
O'Connor, Charlie.	Woods, Michael.
O'Donnell, Liz.	

Níl

Allen, Bernard.	McGrath, Paul.
Breen, James.	McManus, Liz.
Broughan, Thomas P.	Mitchell, Olivia.
Burton, Joan.	Morgan, Arthur.
Connolly, Paudge.	Moynihan-Cronin, Breeda.
Costello, Joe.	Murphy, Catherine.
Cowley, Jerry.	Murphy, Gerard.
Crawford, Seymour.	Ó Caoláin, Caoimhghín.
Crowe, Seán.	Ó Snodaigh, Aengus.
Cuffe, Ciarán.	O'Dowd, Fergus.
Deasy, John.	O'Shea, Brian.
Deenihan, Jimmy.	O'Sullivan, Jan.
Durkan, Bernard J.	Pattison, Seamus.
English, Damien.	Penrose, Willie.
Gormley, John.	Quinn, Ruairi.
Gregory, Tony.	Rabbitte, Pat.
Healy, Seamus.	Ryan, Eamon.
Higgins, Joe.	Ryan, Seán.
Howlin, Brendan.	Sargent, Trevor.
Kehoe, Paul.	Shortall, Róisín.
Kenny, Enda.	Stanton, David.
Lynch, Kathleen.	Timmins, Billy.
McEntee, Shane.	Upton, Mary.
McGrath, Finian.	

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

Question declared carried.

Amendment declared lost.

Amendment No. 17 not moved.

Mr. Howlin: I move amendment No. 18:

In page 24, between lines 22 and 23, to insert the following:

“(2) (a) *Subsection (1)(c)* shall apply only to such categories of employee and in such circumstances as are prescribed by regulations made by the Minister,

(b) regulations made under this subsection shall not be made unless a draft thereof has been approved by both Houses of the Oireachtas.”.

Amendment put and declared lost.

Amendment No. 19 not moved.

Mr. Howlin: I move amendment No. 20:

In page 28, between lines 29 and 30, to insert the following:

“(2) An employer shall not be required to appoint a competent person under *subsection (1)* in respect of the employment by the employer of a person whose sole or principal function is to perform domestic duties in or in connection with the employer's place of residence or as part of the employer's household.”.

A number of sections draw a distinction between domestic and non-domestic workplaces. I am grateful to the Minister for providing a briefing note in justification of the section subsequent to our Committee Stage deliberations. The Civil Service is determined to justify the unjustifiable with regard to this matter. I mention this in respect of justifying refusal of the amendment the Minister put forward.

The appointment of safety officers under section 18 is a provision that should only have relevance to a non-domestic workplace, and the amendment is designed to make this clear. On Committee Stage, the Minister said the original version of the amendment could mean health boards that employ district nurses for home visits, and other similar examples, could avoid the obligations of this section. I have therefore changed the wording to make it clear that we are referring

[Mr. Howlin.]

only to the employment of home workers where the home owner is the employer. Under the provisions of the Bill as it stands, if one hires an *au pair* to work in one's house, one must appoint a safety officer under section 18. That is somewhat eccentric.

In his useful and helpful briefing note, the Minister states that a domestic premises could become a place of work in either of two circumstances. In one case, the person residing there might carry on work of some sort, such as farming or teleworking. For this purpose, he or she may need to call on the services of a competent person to either advise or identify hazards and safety risks, etc. Does this mean that if somebody at home decides to do some telemarketing, telepolling or work on the census he or she must appoint a safety officer to carry out an audit in his or her house?

I am in favour of health and safety but some sense must be applied. There must be limitations to the reasonable intrusion of the State. Trundling legislation into the private dwelling cannot be justified without a compelling reason and I do not see one either in the Minister's notes or in his argument on Committee Stage. The amendment makes it clear that where there is justifiable need for the appointment of a safety officer such a person should be appointed. However, the appointment is not justified when it represents a patent encumbrance and a situation where red tape has gone mad.

The Joint Oireachtas Committee on Enterprise and Small Business has had discussions with regard to placement of burdens on anybody with a spark of entrepreneurship. They will collapse under the weight of regulations and we will kill off the spirit of entrepreneurship if we are not careful. A simple principle should apply. There must at least be a reasonable justification if not a compelling reason to place any obligation on an employer or citizen. I am at a loss to find a compelling reason either in the Minister's briefing note or in his contribution on Committee Stage. I ask him to be independent in this matter and not simply stick to the wording because it was in the original draft of the Bill. He should take the legislative responsibility of this House at face value and allow for a reasonable proposal from this side of the House to be put into effect. I hope he will accept the amendment.

Mr. Durkan: I agree with Deputy Howlin. We live in an era of such political correctness, definitions and interpretations that a full-time judge would be required to determine what is meant by certain proposed and existing legislation. There is a grave danger that some of the improvements deemed necessary will not improve things. They may in fact become a burden. The points made by Deputy Howlin are accurate and relevant in this sense. There is nothing more to be gained by adding another layer of bureaucracy on top of several existing layers.

Surely the purpose of the exercise is to ensure that health and safety procedures are applied and enforced. However, there will always be situations for which one cannot legislate in every circumstance. Parliamentary Counsel will say they must cover every situation in so far as it is possible and that may be the case. However, a realistic appraisal of a situation must be undertaken before one can reasonably argue one way or another. The extension of bureaucracy into every conceivable area is not in the interests of health and safety and every circumstance cannot be covered.

Mr. Morgan: A burdensome regulatory framework that is patently irrelevant to their circumstances could inhibit the self-employed. The weight of such legislation would act as a barrier to them commencing employment because they would be liable to inspection. That is not the intention of the legislation and therefore I support the amendment.

Mr. Killeen: I acknowledge that Deputy Howlin's amendment differs from that proposed on Committee Stage and excludes the areas about which I expressed concern on that occasion. Concerns were expressed with regard to health and safety provisions in domestic situations when the Bill was published almost a year ago. Unfortunately, more cases have been brought to our attention in the interim period. Considerable worry has been expressed regarding the treatment of domestic workers in domestic situations, in particular those who are foreign nationals.

Mr. Howlin: What about health and safety?

Mr. Killeen: The concern about health and safety prompted the initial inclusion of this provision. There are possibilities, for example, regarding electrical installations, gas installations etc. Unfortunately, in a very small number of cases employers clearly have little regard for their employees, particularly if those employees are foreign nationals. This House would send a very poor signal if we were to exclude the necessity for any employer, including domestic employers, to have in place the same the health and safety requirements as in any other workplace. In situations of some kind of danger it does not seem unduly onerous that a competent person should prepare the risk assessment, safety statement or code of practice on safety. Indeed, this is not required under the Bill where fewer than three workers are employed. Excluding domestic workers from the general provisions applying to all other employees would send a very negative signal and therefore I am not minded to accept the amendment.

Mr. Howlin: The empire never gives in. It is unreasonable to impose the requirement to have a competent person under section 18(1) to identify the hazards in the place of work on a person

who hires someone for a few hours each week to do the ironing. Most people will not do this because they will not be aware of the requirement and are not employers in the sense that people understand. A rule of thumb is that the basic law of reasonableness should apply to any legislation this House passes. The Minister of State is a very sound and reasonable person. It is unreasonable to try to extend health and safety legislation into the domestic household. Obviously every household should ensure that, for example, the wiring is appropriate to avoid the risk of electrocution. A person who hires someone for a few hours to look after the children should not need to carry out an audit of the sharp knives or ensure that the tiles in the kitchen are sufficiently non-slip. I am sure the departmental officials would agree with this because it is just not reasonable in the average household. The more we err on that side of unreasonableness—

An Leas-Cheann Comhairle: For the clarification of the Chair, is the Deputy replying?

Mr. Howlin: I hope the Minister of State will respond to this, following which I might get a final opportunity to speak.

An Leas-Cheann Comhairle: The Deputy is replying.

Mr. Howlin: I am not replying to the debate. I presume the Minister of State will have a chance to speak after me if I do not exercise that right.

An Leas-Cheann Comhairle: The Minister of State may only speak for two minutes if the Deputy confines himself to two minutes.

Mr. Howlin: I will confine myself to a sentence. We have an obligation not to bring the law into disrepute. The major issues fall with the smaller issues and people only focus on the minor issues that are patent overkill. This is to the detriment of the important legislation we are enacting.

Mr. Killeen: While the Deputy is right about the majority of employers, considerable evidence suggests that a small group of employers, including some who employ foreign workers for domestic duties, have little regard for the law across a range of areas, including the minimum wage and health and safety issues. Therefore I am not disposed to accept the amendment. The Deputy is also right that large groups have not complied with elements of the 1989 Act. In recent years we have seen considerable evidence that more of them are at least preparing a risk assessment, which is the minimum required for anybody in a position of engaging an employee to do any kind of work. In view of our experience and the complaints we have received, excluding the domestic workplace from basic health and safety requirements would send a very negative signal.

Mr. Howlin: It seems ludicrous to me. Presumably it will be necessary to have prepared a risk assessment before the plumber is called. It would be rather awkward if a pipe bursts and no risk assessment has been completed.

Mr. Durkan: If hot water comes out, it could be fun.

Mr. Howlin: As the person might be flooded, the poor plumber might be in more danger by the time the assessment is completed. Perhaps a plumber or washing machine repair engineer might refuse to enter the house without seeing the risk assessment. It is ludicrous.

The Minister of State should not provoke me by mentioning the treatment of non-national workers. While I have not heard of complaints about health and safety issues, I have certainly heard complaints about exploitation. If the Minister of State provided adequate inspectors to enforce existing regulations, he would do a greater service in the protection of the welfare of migrant workers.

This kind of provision will be highlighted as a sign of the nanny state gone mad. It will bring legislation into disrepute and ultimately will undermine the body of important legislation we are introducing. We need to tread very carefully when we cross the domestic doorstep. We are too prepared to enter the domestic household and assert regulations. While some provisions are necessary, this is a step too far. I am deeply disappointed that the Minister of State seems embedded in his view and is unable to even accept my amendment which I modified for Report Stage.

Amendment put and declared lost.

Mr. Morgan: I move amendment No. 21:

In page 30, line 39, after “annually” to insert “, upon commencing employment”.

This is a very straightforward amendment, which is loaded with common sense, as are all my amendments. Section 20(3) states:

(3) Every employer shall bring the safety statement, in a form, manner and, as appropriate, language that is reasonably likely to be understood, to the attention of—

(a) his or her employees, at least annually and, at any other time, following its amendment in accordance with this section.

This is acceptable up to a point. However, if a person commences employment two to three weeks after an employer has met all his or her obligations under this section, the employer would be unlikely to revisit the safety statement for another year. Under those circumstances the new employee would need to remain employed for in excess of 11 months without the benefit of having the safety statement communicated to him or her in the appropriate manner. My amendment is the essence of reasonableness, common sense

[Mr. Morgan.]
and good practice. What guarantees does a new employee have that he or she would be made aware of the safety statement in the circumstances I have just outlined? Such an employee working in a heavy engineering company would be employed for in excess of 11 months without the benefits of being advised of the statement, which is not good practice and does not make common sense. My amendment would ensure that the safety statement would need to be brought to the attention of any new employee.

Mr. Killeen: I accept that the spirit of the amendment would clarify the situation somewhat. The advice of the Parliamentary Counsel was that while the amendment would be a useful clarification, the text would require redrafting if I were to accept it.

My intention is to bring forward an amendment which deals with the point made by Deputy Morgan in the Seanad.

Mr. Morgan: I thank the Minister for his words and for recognising the amendment's merit. I therefore withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Durkan: I move amendment No. 22:

In page 32, to delete lines 5 to 11.

I wish to hear the Minister of State's response.

Mr. Killeen: We had a very long debate on this issue on Committee Stage and among the points I made was that a health hazard identified by a risk assessment is the only situation where the employer is required to put health surveillance in place and only if it is sought by the employees. That is basically the provision which the amendment seeks to have deleted. In view of this provision's importance, I am not prepared to agree to its deletion.

Mr. Howlin: Deputy Hogan made a strong case on Committee Stage. Section 22 states:

(1) Every employer shall ensure that health surveillance appropriate to the risks of safety, health and welfare that may be incurred at the place of work identified by the risk assessment under section 19, is made available to his or her employees.

(2) Subsection 1 is without prejudice to any more specific requirement for health surveillance which may be in force under the relevant statutory provisions.

The Minister of State might recall that on Committee Stage there was some debate as to what constituted health surveillance. I have a briefing note on the points I raised at the time. Has the Minister of State had a chance to consider further the points made by Deputy Hogan on Committee

Stage as to what constitutes health surveillance? What is his view?

Mr. Killeen: Employees, for reasons of medical confidentiality, have the option of refusing health surveillance. However, we had much discussion on the subject on Committee Stage and there were a number of instances where it might be necessary to make the health surveillance available to employees. To answer Deputy Howlin's question, monitoring would be carried out by an occupational health nurse or occupational medical physician. As I have already stated, this would only occur in situations where hazards had already been noted in the risk assessment statement.

Amendment, by leave, withdrawn.

An Leas-Cheann Comhairle: Amendments Nos. 23 to 27, inclusive, are related and can be taken together. Is that agreed?

Mr. Howlin: They are not related to the extent that they should be taken together. Can they be taken separately?

An Leas-Cheann Comhairle: Yes, if the Deputy feels strongly about the point.

Mr. Morgan: I feel similarly. A number of these—

An Leas-Cheann Comhairle: It is not a problem. The amendments will be taken separately.

Mr. Durkan: I move amendment No. 23:

In page 36, to delete lines 43 to 46.

Mr. Killeen: Unfortunately, the notes in my possession refer to all the amendments together, so forgive me if I repeat some of them as we proceed. The amendments propose changes to the section on protection against dismissal and penalisation. We had a substantial debate on this matter and it is extremely important that the protections provided for in the legislation as it stands be maintained. This is why I do not accept this amendment. Amendment No. 23 in particular would weaken considerably the provisions in question if it were to be accepted as would amendment No. 24. Amendment No. 25 would extend the examples of penalisation set out in section 27(1). I apologise, I had forgotten that we are taking the amendments separately.

Mr. Durkan: I do not have the benefit of prior participation in the debate on the subject, but I want the Minister to shed some more light on it. How do the amendments which he wished to take together weaken the legislation in general? I would have thought they merely tidy up the section with a view to making it more even-handed and fair-minded in the determination of the legislation's intended purpose.

Mr. Killeen: The provision would remove section 27(1). In this section, penalisation includes any act or omission by an employer or person acting on behalf of an employer that affects to his or her detriment, an employee with respect to any term or condition of his or her employment. It seems to be a fundamental requirement of the act in this particular area, that an action by an employee regarding health and safety issues ought not to result in their penalisation.

Question, "That the words proposed to be deleted stand", put and declared carried.

Amendment declared lost.

Mr. Durkan: I move amendment No. 24:

In page 36, to delete lines 47 and 48 and substitute the following:

"(2) In this section, "penalisation" means—".

I want to hear the Minister of State's comments.

Mr. Killeen: This amendment seeks to delete lines 47 and 48 on page 36 and to substitute "in this section 'penalisation' means". The legislative framework covering protection against dismissal and penalisation contained in section 27 and later sections is similar to that in other worker protection legislation. This amendment and amendment No. 22, if accepted, would considerably weaken the provision in question. Under the Unfair Dismissals Acts for example, the employer would have a defence if actions taken to ensure the employee's safety were taken in compliance with requirements under health and safety laws and that would clearly undermine the effect of the entire provision.

Amendment, by leave, withdrawn.

Mr. Morgan: I move amendment No. 25:

In page 37, between lines 9 and 10, to insert the following:

"(f) harassment by way of abuse of any provision contained in this Act."

This amendment would offer some protection to employees from any malicious employers who, for example chose to abuse the provisions for the testing of alcohol and intoxicants. Given that workers are already considerably exposed to potential abuse under the provisions of 13(c), to which we have just lost an amendment, it is reasonable for the Minister to accept this amendment. I doubt if any of the social partners would have qualms about hauling a malicious employer over the coals for abusing the provisions of section 13(c). There are five paragraphs in section 27 and they all relate to employees and how they may be dealt with. However, there is nothing to deal with the issue of malicious employers. This straightforward amendment is reasonable as it would do so. We now know, as never before, that malicious employers exist. We have seen what has

happened in Gama Construction, Irish Ferries and a host of others.

Without a provision like this which gives some balance to section 13(c), employees will be dangerously exposed to malicious employers. Therefore, I ask the Minister of State to see this amendment, which cannot be argued against, as reasonable.

Mr. Killeen: I understand Deputy Morgan's intention with regard to this amendment. However, among the provisions in subsection (1) are "anything that affects the employee to his or her detriment". That definition covers harassment. If one stipulates that the terms "harassment" and "bullying" must be included in the Bill, one could find arguments for including a range of other terms as well. Including the term "harassment" does not appear to strengthen the provisions of the Bill in this section, particularly in view of the provisions at section 27(1).

Mr. Morgan: I accept there are some general protections afforded to employees in subsection (1) but they are insufficiently specific. This amendment gives a very specific balance to the Bill, in particular to section 13(c). I accept the generality of subsection (1) and do not mean to criticise it, except to say that it is insufficiently specific with regard to something as broad as section 13(c). It is essential to include this kind of specificity in the Bill to deal with wayward employers. We have certainly seen enough wayward employers in recent times and their determination to ride roughshod over employees generally warrants affording some kind of specific protection to employees. I am not referring to the overwhelming majority of employers who have their employees' best welfare at heart. I am referring to a hard core element, such as the employers I referred to earlier and others who have no regard for their employees.

Mr. Killeen: The terms "coercion" and "intimidation" are already specified in section 27(2)(e). All the provisions which are specified lend themselves readily to being understood. I do not agree with Deputy Morgan that the inclusion of the term "harassment" would lend itself either to clarity regarding the provisions or to strengthening the provisions of the section. It would have the opposite effect.

Mr. Morgan: We are going nowhere with this amendment. I thought that including the term "harassment" would have been quite specific and clear and that the Bill required that level of clarity. The Minister of State disagrees with my argument so we must rest the matter.

Amendment put and declared lost.

Mr. Howlin: I move amendment No. 26:

In page 37, line 27, to delete "danger" and substitute "circumstances".

[Mr. Howlin.]

The Minister of State and I once stood in front of a classroom teaching plain English. A very straightforward argument regarding this amendment was made on Committee Stage. I am amused at the briefing note the Minister of State sent me. Subsection (3) (f) reads:

subject to *subsection (6)*, in circumstances of danger which the employee reasonably believed to be serious and imminent and which he or she could not reasonably have been expected to avert, leaving (or proposing to leave) or, while the danger persisted, refusing to return to his or her place of work or any dangerous part of his or her place of work, or taking (or proposing to take) appropriate steps to protect himself or herself or other persons from the danger.

This subsection is one of the defined areas where an employer shall not penalise or threaten a penalisation against an employee. Plain English tells me that “in circumstances of danger” should be followed by “where the circumstances of danger” or “where the circumstances” persisted. I thought the Minister of State was convinced of this on Committee Stage because he said he would recheck it with the parliamentary draftsman. A serious rechecking obviously took place because the Minister of State now states that it is necessary to specify that the Oireachtas means dangerous circumstances and not other circumstances. He argues that to use the word circumstances instead of danger would dilute the message of the section. I concede that this is not an extremely important issue but plain English should be used in any enactment of the Oireachtas. “In circumstances of danger” should be followed by “while those circumstances persist, refusing to return should not be penalised”. The subsection should not contain “where the danger persisted” because it is circumstances of danger rather than dangers that are the subject of the subsection. Circumstances of danger are quite different to dangers because the circumstances that give rise to danger might continue to exist. It is an important point of plain English. If the circumstances of danger require someone to leave his or her workplace, he or she cannot be penalised for that. Where those circumstances continue, the employee cannot be penalised for refusing to return. The meaning of the subsection is changed if “danger” is used in the second subclause instead of “circumstances of danger”.

It is an extremely important issue because I can see an employer insisting that an employee return to his or her workplace because there is no danger present when the circumstances that gave rise to that danger are still in existence. The Minister of State argues for not diluting the message, which should be said to the cumann in Mayo. However, I do not see its relevance here. The Minister of State would show a degree of logic, as well as that much rarer quality in a Minister of State, inde-

pendence, by accepting the amendment, which patently makes sense.

Mr. Killeen: Deputy Howlin is quite correct in suspecting that the schoolmaster in me had a particular view regarding syntax and grammar when he presented the original amendment. Another thing I have learned along the way is that syntax and grammar do not necessarily cut it when it comes to legal matters. I did what I undertook to do on Committee Stage and referred the Bill to the Parliamentary Counsel, who was wedded to the word “danger” rather than “circumstances of danger” in this section.

Mr. Howlin: Why did the Parliamentary Counsel not put the word in the first clause?

Mr. Killeen: I have also learned that it is generally very foolish not to accept legal advice in these situations. In the circumstances, I do not think it would be sensible to accept the change proposed by Deputy Howlin, notwithstanding my view on the grammar.

Mr. Durkan: Notwithstanding the Minister of State’s reluctance to depart from legal advice, I am sure he is aware of the maxim that approximately 50% of such advice is ill-founded. I mean no disrespect to the parliamentary or departmental legal advisers but it is no harm to, on occasion, pose questions on the basis put forward by Deputy Howlin. There is no dilution of the thrust—

Mr. Howlin: Of the message.

Mr. Durkan: —of the message or of the Bill. This does not undermine anything. I am reminded of arguments over the years about whether to insert the word “shall” or “may”. This amounts to old-fashioned jargon. In one instance, the word “shall” simply means that a person shall do something while, in another, the term “may” means that he or she he may or may not do it. I do not see this amendment as a diminishing of the content of the Bill or the thrust of this particular section in any way.

I am concerned that legal opinion was sought. I have a healthy respect for such opinion but I have no qualms about challenging it. Unfortunately, we have had to do so in the past. It might not do any harm if the Minister were to re-examine this and proof it against all eventualities, with a view to determining whether accepting the amendment might be a good choice.

Mr. Howlin: I can accept bad English if it serves a purpose but can the Minister of State state that my analysis is not wrong and that the circumstances of danger could persist without triggering the danger in the second clause? That is what this debate hinges on. The term “circumstances of danger” is quite different from “danger persisting”. If it were not so, the Minister of State would have included the word “danger”

in the first clause. The circumstances of danger could still be persisting but the employee in the Minister of State's drafting would be deprived of the protection of the section because the employer would insist that no danger, as defined by someone else, persisted. If this is the case, there is a real difficulty with the Minister of State's drafting and I want his clear attention and assurance on this point.

Mr. Killeen: Deputy Durkan will be pleased to know that we will be dealing with a "may or shall" amendment in the not too distant future.

Mr. Durkan: I was reading ahead.

Mr. Morgan: I take umbrage with——

Mr. Killeen: To address Deputy Howlin's question, it is no harm that all the provisions of subsection (3)(f) are subject to subsection (6), which states:

In determining whether the steps which an employee took or proposed to take were appropriate, account should be taken of all the circumstances and the means and advice available to him or her at the relevant time.

Mr. Howlin: That is of no help.

Mr. Killeen: It may well have been what led the Parliamentary Counsel to give the advice on preferring the word "danger" to that of "circumstance" in line 27.

Mr. Howlin: Does the Minister of State see the difficulty in what I am outlining?

Mr. Killeen: I do and my difficulty is that, were I to accept this amendment in opposition to the legal advice, I might be placing an employee at a disadvantage should the matter be challenged in the courts.

Mr. Howlin: I do not understand it.

Mr. Killeen: Despite my view on the grammar, I accept that the term "while the danger persisted" seems clearer and more definite than that of "while the circumstances persisted".

Mr. Howlin: No. The circumstances that caused the employee to leave his or her place of work could still be extant. However, someone could argue there was no real danger and that the employee would not have the protection of the section.

Mr. Killeen: Except that all of this is informed by section 6——

Mr. Howlin: Subsection (6).

Mr. Killeen: I apologise. It is informed by subsection (6), to which I have already referred. This

deals with the circumstantial requirement — if not the grammatical requirement — that Deputy Howlin is proposing to include in line 27. The inclusion of the term "danger" there and the word "circumstances" in the other deals with both concerns.

Mr. Howlin: I have said all I can on this amendment.

Question, "That the words proposed to be deleted stand", put and declared carried.

Amendment declared lost.

Mr. Durkan: I move amendment No. 27:

In page 37, between lines 31 and 32, to insert the following:

"(4) An employer shall not be deemed to have penalised an employer where it is established that any of the actions taken in subsection (2) were—

(a) in order to guarantee the employee's safety,

(b) taken for commercial reasons; or,

(c) taken for other reasons unconnected with the conduct or actions of the employee."

This is somewhat similar to the previous amendment in the sense of what it deals with. There seems to be an error where the amendment states "An employer shall not be deemed to have penalised an employer". I presume this should read "penalised an employee".

There is a valid case in respect of the new subsection (4)(a) put forward in the amendment. There may be a determination by an employer who has responsibility to take an action, which may not be seen to be fair at the time, in order to guarantee an employee's safety. It may not be possible to explain the reasons for such a determination. For example, there may be other matters internal to the organisation to which reference cannot be made. To ensure that there are no abuses under this heading, the section referred to by Deputy Howlin and other sections should address this.

The term "taken for commercial reasons" is used in paragraph (b) of the amendment. In certain circumstances, the person deemed to be the employer may have to take decisions for commercial reasons beyond his or her control without falling foul of this section.

I do not have the benefit of Deputy Hogan's thoughts on the final part of the amendment but I suspect it has a number of meanings, such as actions or impending actions in other areas or developments of which the employer may know in advance and to the employee seems unfair. This amendment takes one issue with another and highlights the typing error. I wish to know the Minister of State's views of it.

Mr. Killeen: Deputy Durkan is correct in that the second “employer” should read “employee”. It would not be appropriate to override protection against dismissal and penalisation in the case of actions taken by the employer for commercial reasons, which deals with paragraphs (b) and (c).

In respect of the proposed new subsection (4)(a), the employer would have a defence under the Unfair Dismissals (Amendment) Act 1993 if actions taken to ensure the employee’s safety were taken in compliance with requirements under health and safety laws. Provision in this regard is already made in section 27(2)(a).

Amendment put and declared lost.

Mr. Howlin: I move amendment No. 28:

In page 41, line 14, to delete “Act” and substitute “section”.

This is one of the drafting amendments I tabled.

Under section 1 the Minister is empowered to commence various sections of the Bill at different times. That is a normal provision. The problem with section 32 is that it states the National Authority for Occupational Safety and Health shall continue in being and shall from the commencement of this Act be known as the Health and Safety Authority. However, it should be from the commencement of this section. Some sections of legislation take years to come into effect, if ever. I remember dealing with the intoxicating liquor legislation several years ago, a section of which has still not commenced. There is other legislation, sections of which have been commenced over a decade or more after enactment.

It is logical that for the purposes of maintaining the National Authority for Occupational Health and Safety and bringing into being the new authority being established by this Bill, it should be a stand alone section which may be commenced by ministerial decision in accordance with section 1 with which we already dealt on Committee and Report Stages. In defending this provision and in rejecting my amendment on Committee Stage, I recall that the Minister of State was most unconvincing. I hope he has had time to reflect and accept the logic of what I propose.

Mr. Killeen: I sought advice, which I undertook to do on Committee Stage.

Mr. Howlin: From the same fellow.

Mr. Killeen: From the same person. I am advised that the appropriate provision is that the commencement order should state “the Act” because that is what is done elsewhere. However, I confirm that it is intended to commence this section as soon as possible.

Mr. Howlin: How can one commence the section when it states “the Act”?

Mr. Killeen: The commencement order states “the Act”. I am advised that is the appropriate

way to deal with bringing the Act into operation even where some sections are excluded for the time being. It is consistent, therefore, with such language that this section also refers to the commencement of the Act. I can confirm that this section will be among the first to be commenced.

Mr. Howlin: On this occasion I will have to accept the legal advice. Generally, I have very good legal advice available to me on these matters and I have been told that the more correct phrase, as logic would indicate, would be to refer to the section as opposed to the Act. However, the Minister of State has given an assurance that he is not hampered in any way from commencing this section immediately following the enactment of the legislation. With that reassurance, I will withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Howlin: I move amendment No. 29:

In page 41, line 14, after “as” to insert the following:

“an tÚdarás Sláinte agus Sábháilteachta, or, in the English language,”.

As I said on Committee Stage, I am sure the Minister of State will have no difficulty accepting that the Irish version of the new authority, an tÚdarás Sláinte agus Sábháilteachta, should be officially recognised in the Bill. It would be shattering to the core if the inheritor of the legacy of de Valera would do anything other than accept this amendment.

Mr. Killeen: I am not empowered to accept the amendment since I did not accept amendment No. 1.

Amendment put and declared lost.

An Leas-Cheann Comhairle: Amendments Nos. 31, 32, 63 and 64 are related to amendment No. 30. Amendment No. 32 is an alternative to amendment No. 31. Amendments Nos. 63 and 64 are cognate. Amendments Nos. 30 to 32, inclusive, and 63 and 64 may be taken together.

Mr. Howlin: It makes sense to take some of those amendments together.

Mr. Killeen: I think I will be able to explain why.

Mr. Howlin: As we are on Report Stage, if it becomes apparent that we need to disentangle one of these amendments, will the Leas-Cheann Comhairle give us some leeway?

An Leas-Cheann Comhairle: The Deputy can move to recommit the amendment.

Mr. Howlin: Otherwise, we will have to disentangle every conjoined amendment.

Mr. Killeen: I move amendment No. 30:

In page 44, line 35, to delete “12” and substitute “11”.

Amendments Nos. 30, 63 and 64 in my name are all technical and arise following my acceptance of the proposal Deputy Howlin made that the chief executive officer be excluded from the board of the authority. Amendments Nos. 31 and 32 in the names of Deputies Howlin and Morgan refer to gender balance.

Mr. Howlin: I welcome the acceptance of good governance practice that the chief executive will not be a voting member of the authority. The separation of operational control from governance is a good thing and should be reflected in all legislation which I believe will increasingly happen. I have no difficulty with the consequent knock-on amendments that necessitates.

In regard to the composition of the authority, my amendment No. 31 states that the Minister should ensure not less than 40% of the members of the authority shall be women and not less than 40% shall be men. For more than a decade, there have been standing Government instructions that public bodies be required to have gender equity. The 40% threshold for men and women is the norm that has been followed, I think, by every Government since the establishment of the former Department of Equality and Law Reform in 1993. The fact we have not achieved that balance more than a decade later is quite alarming. The fact we are required to include a specific provision in each enactment to achieve this balance is also disappointing. A decade later, achieving gender balance should be automatic.

In the past, there was a view that it was not possible to get suitable women candidates for certain types of boards. That is baloney and bunkum. There is no board which cannot have gender balance. I have not heard the Minister’s current view on this amendment but I hope he will accept it as he accepted my previous one on structure.

Deputy Morgan wants to go one step further and have absolute gender balance with which I have no difficulty. He wants to ensure that not less than 50% of members of the authority should be women. That does not give one gender balance because on that basis, 100% of members of the authority could be women. I remember appointing a board which was very imbalanced in favour of women and there was an equality check on it. The notion that at least 40% of members of the authority should comprise both genders is the correct way to go and I hope the Minister of State accepts the amendment.

Mr. Morgan: In terms of good practice, I acknowledge the Minister of State’s amendment to remove the chief executive officer from the board. That is a welcome move and is helpful to the Bill. It is not like me to be mischievous and to try to up the ante in regard to the 50%. If that

impression has been created, let it rest lightly with the Minister of State. I am not opposed to Deputy Howlin’s amendment requiring a 40% minimum of both gender in terms of board membership. However, it is important we try to up the ante to achieve these things. It is Government policy to achieve 40% membership by women. Either of these amendments would ensure it is not an aspirational target but one which must be met. That would significantly strengthen the Bill. I hope the Minister of State is prepared to accept one or other of the amendments. It would be helpful if he were to do so.

Mr. Durkan: I support the points made by the previous speakers. These amendments are progressive. In this era, it is natural to expect that gender balance would be achieved is so far as is possible in all circumstances. As Deputy Howlin said, the 40% target leaves sufficient scope for eventualities which may arise in certain cases, whereas it might not be possible to meet the requirement in this respect if it were laid down too precisely. The Minister of State acknowledged this by virtue of introducing amendments, consequent on the previous discussion. The amendments are progressive and I support them.

Mr. Killeen: There have been two developments since the Committee Stage debate on this matter. One is that I nominated a new board which, when this Bill is enacted, will have 43.66% female representation. Such representation is smaller at present because the last position will only come into play when the Bill is passed. Members who were present for the Committee Stage debate will remember one of the difficulties in meeting this requirement was that there are nominating bodies to this board as there are to a great many boards.

Mr. Howlin: They should be asked to nominate women.

Mr. Killeen: There was no requirement that they supply the names of men and women. Since 21 April, however, the Minister of State, Deputy Fahey, has, with the agreement of the Government, announced that in future nominating bodies will be required to give the names of men and women.

Mr. Howlin: Requested or required?

Mr. Killeen: Required. The note I have been given states:

The Government has decided that from now on, nominating bodies must put forward both male and female options for those appointments to State Boards where they are the responsible authority. The Government will then choose from among nominees so as to

[Mr. Killeen.]

ensure that the 40% minimum representation from both genders is achieved.

There have been those two developments which I am sure Members would accept are positive.

Mr. Howlin: The Minister of State will, therefore, have no difficulty in accepting all the amendments.

Mr. Killeen: It would be better if provisions of this nature applied across boards rather than specifically to this board. There is not much more that I could have done than to exceed the 40% target. I welcome the Government decision in regard to other boards.

Mr. Howlin: I welcome the requirement for nominating bodies to nominate a panel. At least if there is position open and they nominate a man and a woman, it will ensure that there can be gender equity. As long as that provision is arbitrary and not required in legislation, the 40% target will not be met.

I thank the Minister of State for his briefing note but it reveals a mindset that I thought had disappeared. I do not know whether he knows what the civil servants are saying in his name. His briefing note states "The Minister's position is that he will encourage equal gender representation bearing in mind the availability of qualified people for the job". There is the catch that I have heard for more than a decade. The implication is that it is a great idea but we will not get women who are qualified. That is the mindset revealed in his briefing note, pure and simple, but I do not believe that is the mindset of the Minister of State, regardless of whatever words are put in his mouth by way of a briefing note.

The Minister said that when he appoints the 12th nominee, the total number of women on the board will be five. I say this in light of the fact that it will have a female representation of 43.66%. That is according to a mathematical formula which I have not calculated but which I take as being correct, based on the assumption that those who drafted the Minister of State's briefing note are able to count. If he can provide gender equity now, he can do it perpetuity and we can insert a provision in the legislation to require that to be done. That would put paid to the old notion of one having to bear in mind the availability of qualified people for the job, as if there is any conceivable job on a board where there could not be a gender balance. That is the reasoning and the mindset that has prevented us from having equal numbers of men and women on State boards for a very long time.

There is a statutory requirement for gender equity in place for a decade or more in most Scandinavian countries. If one stood up in a par-

liament in a Scandinavian country and uttered that sort of old blather, one would not get out alive. It is time we stopped paying lip service to these issues. If we are serious about this matter, we would include the requirement in this statute. The Minister of State should take the brave decision, which I would applaud, and say that I am right. He should indicate that he will bite this bullet, include the requirement in the legislation and require what he is doing voluntarily to be part of the norm from now on.

Mr. Morgan: I am disposed to praise the Minister of State yet again for his appointment of in excess of 40% of women to the board. However, I am reluctant to do so in case I get him sacked. I remind him of my earlier point that there are a few people in Cabinet who are, to say the least, wayward, if not bordering on the lunatic. Lunatics. Imagine the position if one of them came to the Chamber at this point. The Minister of State has the opportunity to cement in the legislation his disposition in terms of gender balance and some kind of equality representation on the board, going forward, by accepting one or other of these amendments. I am as well disposed to the first amendment dealing with this issue as I am to the second. The Minister of State should pay not attention to the note from whoever drafted it or from whatever section of Government it came. He should insert one of these amendments and that would be the job done for all time. We will not be worried about the Minister, Deputy McDowell, or any of the other head cases.

Mr. Killeen: All three Deputies will be well aware that no notice whatever was taken of the fact that there is in excess of 40% of female representation on the new board. In a sense, that makes the point Deputy Howlin has been arguing that it is an area where we have not been as strong as we should have been. However, I welcome the announcement by the Minister of State, Deputy Fahey, and that is the appropriate way to proceed in regard to Government policy. It ought to come from the Department with responsibility for equality issues. I have done as much as can be reasonably expected in appointing a board that meets the 40% requirement. I am not disposed to changing the provision in the Bill.

Amendment agreed to.

Mr. Howlin: I move amendment No. 31:

In page 44, between lines 45 and 46, to insert the following:

"(3) The Minister shall ensure that not less than 40 per cent of the members of the Authority shall be women and not less than 40 per cent shall be men."

Amendment put.

The Dáil divided: Tá, 41; Níl, 56.

Tá

Allen, Bernard.
Boyle, Dan.
Breen, James.
Broughan, Thomas P.
Burton, Joan.
Connolly, Paudge.
Costello, Joe.
Cowley, Jerry.
Crawford, Seymour.
Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Deenihan, Jimmy.
Durkan, Bernard J.
English, Damien.
Gormley, John.
Gregory, Tony.
Healy, Seamus.
Howlin, Brendan.
Kehoe, Paul.
Lynch, Kathleen.

McEntee, Shane.
McGinley, Dinny.
McGrath, Paul.
Mitchell, Olivia.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Murphy, Catherine.
Murphy, Gerard.
Ó Caoláin, Caoimhghín.
O'Dowd, Fergus.
O'Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Rabbitte, Pat.
Ring, Michael.
Ryan, Eamon.
Shortall, Róisín.
Stanton, David.
Timmins, Billy.
Upton, Mary.

Níl

Ahern, Michael.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Callanan, Joe.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Dempsey, Tony.
Dennehy, John.
Ellis, John.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Haughey, Seán.
Hoctor, Máire.
Keaveney, Cecilia.
Kelleher, Billy.
Kelly, Peter.

Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McEllistrim, Thomas.
McGuinness, John.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M. J.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
O'Connor, Charlie.
O'Donnell, Liz.
O'Donovan, Denis.
O'Flynn, Noel.
O'Keeffe, Batt.
O'Malley, Fiona.
O'Malley, Tim.
Power, Peter.
Power, Seán.
Roche, Dick.
Sexton, Mae.
Smith, Brendan.
Wallace, Dan.
Woods, Michael.

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

Amendment declared lost.

Mr. Morgan: I move amendment No. 32:

In page 44, between lines 45 and 46, to insert the following:

“(3) The Minister shall ensure that not less than 50 per cent of the members of the Authority shall be women.”.

Amendment put and declared lost.

Mr. Howlin: I move amendment No. 33:

In page 47, between lines 5 and 6, to insert the following:

“(3) A disclosure under this section or *section 42* shall be recorded in a register together with particulars of any interest of members of the Authority or persons to whom *section 42* applies, and the register shall be available to public inspection during office hours.”.

This amendment provides a mechanism for public information on the interests and any potential conflicts of interest of the staff of the authority. As I explained in some detail on Committee Stage, it simply replicates the sort of disclosure required under the Standards in Public Office Act

[Mr. Howlin.]
in respect of a variety of senior public servants and Members of the Oireachtas.

It should be the norm to have a mechanism to allow the public to assure itself that there is no potential for conflicts of interest. I hope the Minister of State has had time to reflect on this amendment since Committee Stage and that he will accept it.

Mr. Killeen: I have considered the amendment in the interim and, as Deputies will be aware, under the Ethics in Public Office Act 1995 Members of both Houses are required to make a disclosure which is subsequently made public. I am not prepared to allow the Health and Safety Authority to be the only public body that must make public a register of its members' interests.

Mr. Howlin: The Minister of State could start a trend. That the provision has not applied to other bodies does not mean he cannot consider setting a precedent. Reassurance should be offered regarding any authorities to which we give fairly substantial legislative powers to enforce in the name of the people and in respect of which people are concerned that there be no arbitrary decision-making, vested interests or conflicts of interest. This should be achieved using the same mechanisms we have enshrined in legislation for Members of the Houses of the Oireachtas and senior public servants. I do not know why these could not apply to all aspects of administration that impact so greatly on people's lives. I include the Health and Safety Authority in this regard.

The Minister of State's contention that the Health and Safety Authority should not be subject to the requirement because no other body is subject to it is not compelling. There should be a reason. If he is convinced that the sort of disclosure I advocate should not be made, I would like to hear his argument therefor.

Mr. Durkan: The collegiality that exists on this side of the House should be added to. I fully agree with the points made by Deputy Howlin. His amendment would lead to improvement. That the legislation does not apply in certain other cases is not necessarily a good basis on which to refuse to accept his amendment. This area of legislation can be much more sensitive than other areas of legislation and the extent to which interests may be of importance in one way or another may only become known in certain circumstances that arise as time passes.

Having said that, I do not see the harm in the amendment. It can only improve the Bill. I have not heard any statement by the Minister of State, other than the reference to other bodies, which indicates the amendment would in any way weaken, damage or bring the legislation into disrepute.

Mr. Killeen: If I were to accept the amendment, the Health and Safety Authority would be

the only body to which the requirement would apply and, therefore, I would be creating an anomaly. If the point made by Deputy Howlin is correct and his argument is sustainable, his objective should be achieved by way of an amendment to the Ethics in Public Office Act 1995. That opportunity will undoubtedly arise in the House because, as Deputy Durkan implied, considerable pressure is being applied in this area. It is appropriate to address the matter in this way rather than by making a provision that makes one body anomalous.

Amendment put and declared lost.

Mr. Morgan: I move amendment No. 34:

In page 49, line 15, to delete "may" and substitute "shall".

Section 45 of the Bill states:

In each year there may be paid to the Authority out of moneys provided by the Oireachtas a grant or grants of such amount or amounts as the Minister, with the consent of the Minister for Finance, determines for the purposes of expenditure by the Authority in performing its functions.

The main flaw in the area of health and safety is that of underfunding, particularly regarding inspectors. The use of the word "may" will not change anything. If we are to effect change, we should strengthen the Bill by replacing "may" with "shall". We need to strengthen the Bill significantly in this regard and my amendment will do exactly that.

I hope the Minister of State will not employ comments made by Deputy Durkan to rebut me because one may recall he had a fairly negative view on this subject some time ago. I was disappointed that I was not somewhat closer to him such that I could have nudged him or winked at him to indicate I was tabling this amendment. However, I hope the Minister of State will accept it because it will strengthen the provisions in this area. They certainly require strengthening.

Mr. Killeen: This amendment seeks to oblige rather than enable the Government to pay moneys to the Health and Safety Authority. However, it is a matter for the Oireachtas to vote on the Estimates each year. The amendment, if accepted, would represent an improper incursion into the powers of the Oireachtas.

Mr. Howlin: God forbid that the Government would do that.

Mr. Durkan: I have no problem agreeing with my colleague on this matter because—

Mr. Howlin: The Mullingar accord.

Mr. Durkan: Absolutely. The effects of the Mullingar accord are spreading. The only problem is that it used to be the fashion to apply the

word “may” in all circumstances. It is in this regard that I have had a dispute. In some circumstances, the word “may” is useful in legislation. In other circumstances, however, the word “shall” can be stronger, as is intended in this case. Deputy Morgan’s point is good. We have often noted that various organisations and bodies are underfunded. I do not want to engage in a budgetary review at this point but I can think of several organisations that are underfunded at present. Deputy Morgan’s amendment is quite appropriate in the circumstances under discussion.

Mr. Morgan: I thank Deputy Durkan for his support and I noted his reference to the Mullingar accord. We must bring the Deputy a bit closer and perhaps we can have an Ardee accord. The Minister of State said this amendment would represent an intrusion on the Oireachtas. On many occasions, a good intrusion is exactly what the Oireachtas needs. This is one such occasion. What better way is there of strengthening an area that needs it? This is the Oireachtas. That is what the amendment is about.

There is no reason this amendment cannot be accepted. It would place a significant onus on the person who accounts to the Minister for Finance to provide for an area in respect of which such a provision is needed. Without this, the section is inadequate. This is the Minister of State’s opportunity to go for broke and make a name for himself. To judge by the contributions so far, he will have support from all of us.

Mr. Killeen: Section 45 (1) states “In each year there may be paid to the Authority out of moneys provided by the Oireachtas a grant or grants”. It is an enabling provision and if it were not there the money could not be paid. Whether one uses the word “may” or that of “shall” does not have any effect because the section also states that it is “of such amount or amounts as the Minister, with the consent of the Minister for Finance, determines for the purposes of expenditure by the Authority in performing its functions”.

The words “may” or “shall” have no impact on the amount because the Minister determines the amount, with the consent of the Minister for Finance. This provision enables the payment of moneys to the authority. That is all that is required in this instance.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Mr. Howlin: I move amendment No. 35:

In page 51 to delete lines 23 to 26.

This is an insidious little section which states:

In the performance of his or her duties under this section and *section 50*, the Chief Executive shall not question or express an opinion on the

merits of any policy of the Government or a Minister of the Government or on the merits of the objectives of such a policy.

The chief executive of the Health and Safety Authority could not, for example, have any view, even if he or she had no inspectors or had a totally inadequate number of inspectors to police these provisions. He or she is not allowed question, or have an opinion on, any matter of policy, although he or she is the chief executive of an important national body charged with upholding legislation on health and safety.

This section is frequently inserted in Bills of this nature. It is an attack on free expression, democracy and on the rights of people to comment on Government policy in order to improve it. I propose that we remove the gag.

This is a mechanism for public interest and information and it is quite wrong that the chief executive should be prevented from commenting on the merits of any Government policy, the utterances of a Minister or the merits of the objectives of such a policy. I hope Minister of State sees that this old provision, which has been grafted on to Bills as a matter of form for many years, is no longer appropriate in an era when people expect the chief executives of public bodies to express their views forcefully.

It is important that an Oireachtas committee be able to summon the chief executive to give an honest appraisal of Government policy, if the Oireachtas so wishes. In the debate on the previous amendment, the Minister of State was concerned to protect the rights of the Oireachtas. Will he again assert the rights of the Oireachtas to allow it to summon the chief executive of the authority to comment on anything the chief executive deems appropriate? He or she should be able to do that, without hindrance, in a public forum dealing with IBEC, the trade unions or anybody else. It is quite wrong for the Government to impose this type of gag.

Mr. Durkan: I agree with Deputy Howlin and regard it as ironic that this straightjacket should be imposed under the guise of allowing the Oireachtas have discretion. The Oireachtas does not have discretion. Government has discretion and introduces all the rules that affect the Oireachtas, including those for the running of this House. The Oireachtas merely rubber stamps these matters because there is no system by which Members on the Government benches may vote freely to determine the absolute independence of the Oireachtas.

I fully support Deputy Howlin’s points. It may be necessary in front of a committee or whatever for a chief executive or some other accounting officer to criticise or dispute the views held by Government or by a Minister. We saw an example of that in the past week when there was a clear conflict of evidence between a Minister and a senior officer. In this instance, action is being taken to ensure that a person making any such statement is quickly put offside.

[Mr. Durkan.]

That is a dangerous precedent and an example of retrograde thinking. The Minister of State should consider its implications carefully. It creates a double-lock for those instances when a Minister answers an issue we have raised by saying he has no responsibility to the House, that it is the function of the chief executive of the Health and Safety Authority. The section increases the Minister's power. He or she does not have to answer to the House on issues that fall within the ambit of the Health and Safety Authority and can muzzle the authority in regard to any criticism or perceived criticism that may issue from it.

I urge the Minister of State to take account of the points raised in Deputy Howlin's amendment and reconsider the section.

Mr. Morgan: What would be the consequences for a chief executive officer coming before an Oireachtas committee where he or she is expected to answer honestly a question put by the committee? If the opinion of the chief executive officer happened to be at variance with the policy of the Government of the day — which is an important qualification — what would be the consequences for the chief executive who gave his or her honest opinion to that committee or perhaps to a tribunal of inquiry established outside the Oireachtas? Would that chief executive be in breach of the terms of this legislation? What would be the consequences for that chief executive if he or she did not, or refused to, answer honestly? Would the chair of a tribunal, for example, have the authority to direct that the chief executive be imprisoned? Which would have precedence in such circumstances?

What is wrong with criticism? If we accept this situation, we will move towards a totalitarian system. I commend Deputy Howlin's amendment and strongly support it because this section harks back to the Victorian era.

Mr. Eamon Ryan: I support Deputy Howlin's amendment. In many areas it is impossible to know what is Government policy or opinion. In some instances, there might be two or three different opinions. To gag someone against commenting on Government opinion is to impose an unfair burden on that person because it would be impossible for anyone to divine what is Government policy, much less comment on it.

Debate adjourned.

Private Members' Business.

Class Sizes: Motion.

Ms O'Sullivan: I move:

That Dáil Éireann:
noting,

- the educational needs of children are more difficult to meet in large classes;
- the Government has reneged on the commitment contained in An Agreed Programme for Government that the average size of classes for children under nine would be brought below the international best-practice guideline of 20:1;
- there are more than 100,000 primary pupils and 35,000 second level pupils being taught in classes of 30 or more;
- Ireland has currently the second highest average class size in the EU and that there has been no improvement over the past three years;
- there are significant numbers of graduate teachers who cannot get full-time jobs; and
- additional teachers are also urgently required to meet the needs of pupils with special educational needs and those from disadvantaged areas;

calls on the Government to:

- set out a timetable for meeting the commitment on class sizes given in An Agreed Programme for Government within the lifetime of this administration and to put in place the steps needed to ensure the recruitment of the additional teachers required and the provision of the extra classrooms required;
- reduce maximum class sizes to 25:1 in mainstream classes, 20:1 in disadvantaged schools and 15:1 in schools where there is chronic disadvantage; and
- sanction the appointment of additional special needs teachers to meet current needs and to implement the terms of the Education for Persons with Special Educational Needs Act 2004.

I wish to share time with Deputies Moynihan-Cronin and O'Shea.

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

Ms O'Sullivan: We have tabled this motion for debate because class size is important. It is important to the many children who leave school unable to read. It is important to the quiet child in a class of 30 who falls behind because the teacher does not notice that she is having problems among the many demands of the 29 others in the room. It is important to the trouble maker who hides his learning difficulties by playing the class stand-up comic. It is important to the child who wants to learn and is held back because there are so many others who need the teacher's attention.

Class size is not just an abstract numbers game that teachers' unions and Opposition parties play

against the Government. It is a vital issue for hundreds of thousands of young people who are losing opportunities right now and for their future and it is about the kind of society we are building. The school system is failing many children, giving them a negative experience, a negative self-image and a negative attitude to the world.

Research has shown consistently that outcomes for young people, particularly those who are disadvantaged or have learning difficulties, are much better if they are in small classes. For example, the Sage Programme in the US, where certain classes were reduced to 15:1 or less, reports:

After the second year, pupils performed consistently better than other pupils in mathematics, reading, language, arts and overall total scores on standardised tests.

Smith and Class state:

Smaller classes are associated with higher achievement at all grades. Major benefit of class size reduction is where numbers of pupils are less than twenty.

From his research Ferguson states, "Pupil achievement falls as the pupil teacher ratio increases for every pupil above 18".

Parents know this and they want it addressed. I have a large file of letters from parents around the country, as have my colleagues. I shall quote from three sample letters, the first from a parent in Dublin which reads:

I wish to express my serious disappointment and concern about the current size of sixth class. Approximately 35 pupils per class. With classes of this size it is asking too much of teachers, no matter how conscientious, to teach any curriculum — let alone the much-vaunted new curriculum, with its emphasis on communication and participation — or to pay attention to weaker pupils, particularly in the area of numeracy and other basic skills.

A parent in Galway wrote as follows:

One teacher in our school actually has 36 children. Class size in our school, and resources for children with special needs are issues of urgent concern for this community. We believe that it is not fair or equitable that our children should be taught in classes of these sizes, which belong to a bygone age, at a time when our country is experiencing unprecedented economic prosperity.

A letter from a teacher reads:

A typical Junior Infant class in our school in September will have over 30 pupils which will include several non-nationals, some Travellers and several other children presenting with special needs. To expect any teacher to manage this situation is intolerable. Our difficulties are compounded by the fact that many of our large classes are in pre-fab rooms, where it is impossible to carry out our new action filled curricu-

lum. How can Ireland boast of its educational system and claim to cherish the children of the country when this is the real situation on the ground?

That is just a small sample of the letters I received. Other colleagues will have received letters from their constituencies which more or less tell the same story.

Anyone who walked into an Irish classroom or an accident and emergency department or many of our local authority estates, might be forgiven for thinking we are one of the poorer states of Europe and that we are not addressing our problems because we cannot afford to. We know that is not the case. We are one of the richest states in Europe, yet our public services are among the poorest. The amount of money invested in education as a percentage of GNP or GDP puts us near the bottom of the league in Europe and in the OECD. Spending on education in Ireland as a percentage of GDP has fallen from 5.4% in 1994 to 4.6% this year, having dipped to 4.1% in 2000.

There is a strong commitment to education among the people. There would be massive public support for using our new found wealth to give learning opportunities to all our people. It is a matter of priority and the Government is out of step with the people in this regard. The need to invest in education became one of the biggest issues in the recent by-elections. Like most Members I was knocking on doors in Kildare North and Meath recently. It was one of the strongest issues that came to my attention and the media and others here will agree. There was a feeling of frustration. The most important issue in their people's lives was their children but they were not being heard. That children were in large classes was one of the major educational issues brought to my attention in the by-elections.

People care enormously about giving their children the best possible chance to be the best they can be and we can be quite sure that if a family increased its wealth, as this country has done, spending more on opportunities for the children would be a top priority but that is not so with the Fianna Fáil-PD Government.

What is even more scandalous is that specific commitments were made in the programme for Government. I do not have much in common with Michael O'Leary but, like him, I made the mistake of thinking that An Agreed Programme for Government was in the non-fiction category. However, the chapter entitled "Building a Caring Society" could be eligible for the Booker prize. Under the heading of health it reads:

We will implement a full range of measures to improve accident and emergency services by significantly reducing waiting times and having senior doctors available at all times.

Under "Education" it reads:

We will implement changes to retention and support policies which will assist schools in

[Ms O'Sullivan.]

areas of significant disadvantage to recruit and retain teachers...

We will ensure that every school building attains set modern standards.

The part which is most relevant reads:

We will continue to reduce the pupil/teacher ratio in our schools. Over the next five years, we will progressively introduce maximum class size guidelines which will ensure that the average class size of classes for children under 9 will be below the international best-practice guideline of 20:1.

Despite this latter commitment the Minister for Education and Science, Deputy Hanafin, in one of her first interviews after she was appointed as Minister for Education and Science said she did not believe it could be implemented in the lifetime of the Government. Of course it could be implemented if the political will was there. Why do we continually get this "no can do" approach in so many areas of public service from the Government? Why was there no attempt to reduce the size of classes during the past three years, despite what was in An Agreed Programme for Government? Why has nothing been done about educational disadvantage? The Minister informed me today that her proposals are now with the translators and printers so I hope for proposals in this area soon. We have been hearing about this for the past eight years and nothing has been done.

Smaller classes are particularly important in areas of disadvantage. This is the reason the Labour Party calls for a maximum class size of 20:1 in these schools and 15:1 where disadvantage is chronic. This is crucial if the cycle of inter-generational poverty and lack of opportunity is to be broken.

Public representatives are very conscious of the problems. There are sad stories of little children coming to school with bright eyes and full of enthusiasm. A few years later the same children are not happy in school, cannot cope and have not received the attention they required. They often become early drop outs from school and probably will not make any significant contribution to society. Early intervention, small classes and other proposals my party made would make a significant difference to these young children. We have not seen the action we were led to expect if one believed what the former Minister for Education and Science said about educational disadvantage.

A recent study, Literacy and Numeracy in Disadvantaged Schools, carried out in 12 primary schools in our three largest cities, is most alarming in its findings. On average, 25% of students in the schools assessed suffered severe literacy difficulties and up to 50% of pupils in some of the schools had severe literacy problems. How can a Government with a current budget surplus of €7 billion last year stand idly by?

Smaller classes will not, in themselves, address these urgent issues for the weakest of our children, but they will be of help as part of a broader strategy. However, there is no strategy, no action plan and no extra investment to address educational disadvantage, just seven and a half years of lip service from the former Minister and nothing on the table from the current Minister, Deputy Hanafin. I look forward to considering her proposals.

Smaller classes in disadvantaged schools will give teachers the opportunity to help children with individual problems and in groups with similar needs. Such classes give teachers the opportunity to change their teaching methods, which is a point many experts made. A teacher with a large number of children in a class must adopt a "whole class" approach even though there may be children with many different needs within that class. A smaller class allows the teacher to subdivide the group into smaller units and give individual attention where needed. The teacher can deal with the children and the varying needs more effectively. This is particularly difficult in the case of split classes, for instance, third and fourth classes together under one teacher. There will be a wide variation of needs in this situation and unfortunately this is a fact in many disadvantaged schools.

Children with special learning needs are being accommodated more often in mainstream schools. The early years in particular are vital. It has been common for specific learning disabilities such as dyslexia to remain undetected. Smaller classes would make it much easier for the teacher to develop a relationship with each child that would enable him or her to spot the early signs. If the weighted system is to be introduced there is a concern that children with special needs will not have the resources they previously enjoyed. The Minister will be aware of the concern particularly in rural schools about the introduction of the weighted system.

Large classes and lack of places for local children are a significant problem for the growing suburbs around our cities, particularly Dublin. My colleagues will elaborate on this problem from their own experience. School principals are put in the catch 22 position of having to either expand their classes to beyond capacity and good educational guidelines or turn away local children from their schools. This has reached crisis point for many communities around Dublin.

Health and safety issues have arisen when many children are in cramped classrooms. It is a major concern at second level for the more practical subjects such as science, art, technological subjects, home economics and PE. The new junior science course is of concern to the teachers' unions. They are of the view that this course cannot be properly taught unless the teacher-pupil ratio is at 20:1. The children are required to conduct experiments in pairs. A class of 24 children will make 12 pairs of children. This is

impossible to achieve due to the size of some second level classrooms.

This is not an insoluble problem. It needs more teachers and more classrooms. New primary school teachers will amount to 1694 graduates this year and teachers from other EU countries are applying for work. Despite an assertion that there are not enough teachers to help reduce class size a recent survey showed that more than one fifth of those who completed the postgraduate primary teaching course in TCD and more than 10% of the Mary Immaculate College cohort could not secure full-time jobs. There is a need for forward planning and resource to provide the classrooms. Schools and communities needing schools invariably go through years of under-provision and inadequate buildings before permission to build is granted.

Government statistics indicate that by 2020, there will be 70,000 extra post-primary students and 150,000 extra primary students. This is an issue to be addressed. In many rural schools, classes are smaller than average but there are also very large class sizes. A reply to a parliamentary question I asked showed that last year, five classes in the country had more than 40 children and one class had 44 children. More than 100,000 classes have more than 30 children in the class. These large numbers create great difficulties for teachers in dealing with disruptive children. A task force on school discipline and behaviour has been promised. Smaller classes are the norm in other European countries. In France the system decrees that if a class goes above a certain size, it must be divided in two. I suggest this proposal should be considered otherwise large classes will be created in the areas of expanding population. This is neither fair to the children nor to the teachers and parents. This is an ongoing problem that can be addressed through proper planning.

This Private Members' motion is tabled to move this agenda forward and inject some urgency into the Government's non-response to its An Agreed Programme for Government. A number of items were agreed but now appear to be no longer agreed and are a subject of dispute between Fianna Fáil and the PDs. The issue of class size has been shamelessly neglected. I acknowledge the work of the teachers and parents groups represented in the Public Gallery. I look forward to a positive debate and positive action.

Ms B. Moynihan-Cronin: I am pleased to have the opportunity to contribute to this important debate. I commend my colleague, Deputy O'Sullivan, for the significant amount of work and energy she has committed to this issue over a long period. This is one of the greatest policy failures of the Government and the Labour Party motion deserves the support of all sides of the House. Members receive continuous representations on this issue at their clinics from parents and teachers. Time and again the Government parties trumpeted their commitment at the last

general election to dramatically reduce class sizes. It was made clear in the programme for Government that they would be reduced, with a specific commitment that children under nine years would be taught in classrooms with 20 pupils or less in accordance with international best practice.

Almost three years on, class sizes in Ireland have continued to increase and are now the second highest in the European Union. The Government's pledge to reach a 20:1 pupil-teacher ratio for children under nine years was cynically and callously torn up by the Minister for Education and Science, Deputy Hanafin, during a radio interview some months ago. We have learned all too often that the election promises of Fianna Fáil and the Progressive Democrats are easily made and easily broken.

The statistics in this area are alarming, as illustrated by the situation in my constituency. Recent replies to parliamentary questions indicate there are 2,789 primary school pupils in classes of 30 or more in County Kerry. A further 9,063 pupils in the county are in classes of between 20 and 29. One must consider whether the 2,789 pupils in classes of 30 or more are getting the level of attention and education they deserve. This is not to question the dedication and abilities of teachers who are doing the best they can with limited resources in a restricted physical environment.

Mr. F. McGrath: Hear, hear.

Ms B. Moynihan-Cronin: We must ask whether the State is supporting the education system to a sufficient degree to ensure children are provided with the education they deserve and demand.

The Minister and her colleagues also trumpet what they claim is a reduction in the pupil-teacher ratio in recent years. I received a reply to a parliamentary question several weeks ago which stated that the pupil-teacher ratio had fallen from 22:1 in the school year 1996-97 to 17:1 in 2003-04.

Ms Hanafin: That was the information requested by the Deputy.

Ms B. Moynihan-Cronin: However, a reduced pupil-teacher ratio does not mean a reduction in class sizes. In calculating the pupil-teacher ratio in a school the Department divides the number of pupils in the school by the total number of teachers. What this calculation does not indicate is the number of pupils in each classroom or the number of pupils taught by each teacher. We must have access to information which properly reflects the reality in our schools.

One of the major contributors to large class sizes in hundreds of schools is under-investment in school buildings. Where there is such under-investment, large class sizes are usually inevitable, especially in rural schools. We cannot reduce class sizes without additional accommodation, including classrooms and school buildings. I could

[Ms B. Moynihan-Cronin.]
instance numerous examples of County Kerry schools in dire need of investment to expand or upgrade existing facilities to cope with increased pupil numbers. Many primary and secondary schools have waited year upon year for investment to allow them extend or upgrade their facilities. In many schools I have visited staff and principals are at their wits' end in trying to progress their case for funding with the Department. In the meantime they must try to cope with teaching pupils in small and unsuitable classrooms and prefabs.

We must consider the effects of large class sizes on teachers and pupils. For pupils, they often mean inadequate levels of individual attention. In such situations weaker pupils may not get the extra attention and support they need. In this environment teachers are under increased pressure to meet the educational needs of every child. A large class makes it more difficult for a teacher to maintain control and discipline. We are all aware of the problems teachers are experiencing in terms of discipline. Whatever hope a teacher has of maintaining order in a small class, he or she has a far more difficult job in a large class.

Reducing class sizes means teachers have more flexibility to use different teaching techniques by adapting their teaching methods to meet the needs of each individual child. Teachers can more easily monitor the needs of each of their pupils in such an environment. Smaller class sizes make for a completely different and much better teaching environment.

In terms of educational disadvantage, it is vital that class sizes are controlled in areas of significant socio-economic deprivation. However, it must not and cannot be assumed that educational disadvantage is confined to large urban centres. There are undoubtedly pockets of educational disadvantage in many urban areas which demand greater resources and reduced class sizes to increase levels of educational attainment. However, there is educational disadvantage and a corresponding need for smaller class sizes to increase educational attainment in all schools and all communities to one degree or another.

In the area of child care the Minister for Justice, Equality and Law Reform is attempting to refocus staffing grant investment to areas where there is social, economic and educational disadvantage. However, the criteria in child care, education and every other area should be concerned with meeting the demands of the individual child. There are children with particular needs in every classroom, even in the most affluent communities. What the Labour Party calls for is clear. The Government must set out a timetable for meeting the commitment on class sizes made in the programme for Government within the lifetime of this Administration. It must put in place the steps needed to ensure the recruitment of the additional teachers required and the provision of extra classrooms.

Ireland is rightly proud of its record in the area of education which has been a key factor in our economic success and in attracting international investment. However, we will suffer economically if we allow a situation to continue where our children are taught in large classes and, in many cases, substandard and crumbling school buildings. This is a damning indictment of the Government parties after seven years in office and despite increased investment in education. That investment is not being used to reduce class sizes or recruit more teachers for the schools that need them most. This must change immediately if educational standards are to be maintained and if our children and teachers are to be enabled to work in the optimum teaching environment.

I support my colleague, Deputy O'Sullivan, in her comments on the weighted system which the Minister proposes for the allocation of special educational needs and learning support teaching resources. It will be disastrous and entirely detrimental to rural Ireland. In County Kerry, for instance, 72 schools will lose 38 learning support teaching posts. This is an issue that deserves much debate in this House. I urge the Minister to rethink before those in most need suffer.

Mr. O'Shea: Tá áthas orm labhairt sa díospóireacht tábhachtach seo agus molaim mo chomhghleacaí, an Teachta Jan O'Sullivan, urlabhraí an Lucht Oibre ar chúrsaí oideachais agus eolaíochta, as ucht an rún seo a chur os comhair na Dála. Níl aon rud níos tábhachtaí don pháiste ná an t-oideachas a oireann go pearsanta don pháiste sin a chur ar fáil i dtreo is go mbainfidh an páiste an tairbhe is fearr as an éirim aighe agus an gcumas atá aige nó aici.

Dár ndóigh, tiocfaidh an torthaí is fearr don pháiste as scolaíocht i rang ina bhfuil líon na bpáistí sa rang ar aon dul le treorlíní idirnáisiúnta den chéad scoth, sé sin meán de 20:1 faoi naoi mbliana d'aois. Ní mar sin atá sé sa tír seo. Bhí gheall déanta ag an Rialtas ach níor comhlíonadh an geall. Tá an dealramh sin ar an scéal ar aon chuma. Beidh mé ag siúl le rud éigin maith a chloisint ón Aire anocht, ach nílim ródhóchasach. Níl sé sin inglachta i dtír ina bhfuil neart saibhris innti. Caithfidh an Rialtas tabhairt faoin bhfadhb seo láithreach agus an geallúint a chomhlíonadh le linn saol an Rialtais.

Many clichés are trotted out by Ministers and others, such as "Educate that you may be free", "Education is the best means of escaping the poverty trap" and "Education is the key to economic success", when they are eulogising our highly educated young workforce. There is no doubt that education has been a huge factor in developing the Celtic tiger economy. Unfortunately, there remain many problems, and many people have not benefited in any real way from our period of economic growth.

Ireland has the second highest class size in the EU. That makes it all the more remarkable that we have reached the standards that we have, and it speaks volumes for the professional skills and

commitment of teachers, the supportive role of parents and the application of students that this is so. What having the second highest class size in the EU means was brought home to me at a meeting on 21 March, which was called by the Irish National Teachers' Organization in Ballymacarbry, County Waterford for the purposes of a briefing on a major INTO survey on class size in Waterford. I spent from 1966 to 1987 serving as a national teacher. Many of my teaching colleagues have told me that the change in the classroom situation since 1987 has been enormous. They tell me that I would not recognise the job of teaching that I left in 1987 to become a Member of the Oireachtas. For a short period in my early years teaching at Tramore CBS in County Waterford, I had a second standard class of 49 boys. Those were different times. The Ceann Comhairle will remember those times.

Teaching has become more difficult. By its nature, it has become more challenging and demanding. The INTO survey received responses from 75% of schools in Waterford, and the picture that emerges is grim. Thousands of children in Waterford constituency primary schools are taught in classes well above the national average size. Four primary schools have 35 or more pupils; 60 primary classes have 30 to 34 pupils; 148 pupils are in classes of 35 or more; and 1,964 pupils are in classes of 30 to 34. Two hundred children in classes of 30 or over are in multiple classes, with up to four classes involved. Of Waterford primary school children, 22% are in classes of 30 or over. There are 133 primary classes of 25 to 29 in Waterford, which accounts for 3,600 pupils, 1,350 of whom are in multiple classes of two to four different classes. There are three learning support remedial teachers in Waterford, catering for in excess of 40 pupils. The Department of Education and Science recommends a case load of 30 pupils. There are five learning support remedial teachers with case loads of 34 to 39 pupils, while nine of them have case loads of 30 to 34 pupils.

In many cases, learning support teachers have excessive case loads and must travel between three, four or even five schools. This sorry story was the subject of that meeting at Ballymacarbry, which was also attended by Oireachtas Members for the Waterford constituency, principals of neighbouring schools, representatives of boards of management and representatives of parents. The crisis in Waterford primary education is clearly illustrated in the statistics I have mentioned. Waterford should have five educational psychologists, but has only four to serve the primary and post-primary sectors.

The situation in second level class sizes is no less critical. The second level sector, according to an independent report from 2001 on staff levels in second level schools, which was commissioned by the Department of Education and Science, recommends the appointment of more than 1,200 additional classroom teachers. An ASTI survey carried out in late 2003 showed that 78% of part-

time or non-permanent teachers in second level schools are seeking permanent teaching positions. There are talented teachers at second level who are unable to find stability in their lives or in their careers because of the shortage of permanent jobs.

Further issues include the serious criminal damage that is done to schools and equipment, which is becoming all too prevalent. We are still awaiting the implementation of a pension scheme for primary school caretakers. This has been promised for some time, but it is taking a long time to deliver. A further 2,500 additional primary teachers are needed nationally to bring the pupil-teacher ratio to an average of 20:1, to provide the required additional learning support resource and to train substitute teachers. Deputy O'Sullivan calls for a maximum mainstream pupil-teacher ratio of 25:1, 20:1 in disadvantaged schools or 15:1 where there is chronic disadvantage. She further calls on the Government to sanction the appointment of additional special needs teachers.

The Minister for Education and Science recently informed me, in a written reply, that the system for allocating primary school teachers is based on ensuring an overall maximum class size of 29 in each school. The INTO estimates that 2,500 additional teachers are needed to bring levels up to the standard of the best international guidelines and to bring them in line with current trends. The intake at colleges of education for 2004-05 is 1,280. Graduates of a new primary teacher training course, which has been accredited by the Higher Education and Training Awards Council and which is delivered online by Hibernia College, will be recognised as primary school teachers. I have some difficulty understanding how primary school teachers can be trained online. Teaching is about class and pupil contact and the teacher's oral communication skills. How can those skills be developed adequately online?

I eagerly await the Minister's response. However, like many other promises that have been made by this Government, the ones in this area have been consigned to the dustbin, and the Government has absolutely no intention of doing anything about the situation. The shambles that is developing now in the special education sector is a black mark on the record of the Government. There are conditions such as attention deficit disorder, attention deficit hyperactivity disorder, oppositional defiant disorder and dyslexia. There is no comprehensive scheme available that involves health boards, schools or the Department of Justice, Equality and Law Reform. That is because, if trends continue, a number of children who have ADHD are unfortunately likely to end up in prison. The arrangements are totally disjointed. The weighted system is causing chaos and concern for parents. As Deputy Moynihan-Cronin said, the school system is worse than previously. It has achieved much for this country through the years, but is not being looked after

[Mr. O'Shea.]

at a time when money is spent on many other activities which are frivolous. The Government must commit resources to the education system for it to be brought in line in terms of class size, support and back up. In this way, we can give the very best to children with special needs and those whose background puts them at a disadvantage.

Minister for Education and Science (Ms Hanafin): I propose to share time with Deputy Carey.

I move amendment No. 1:

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

- "commends the Government on the significant additional resources provided since 1997 for the educational system generally and for the education of disadvantaged pupils and those with special needs in particular;
- recognises that there are over 400,000 more teachers in our primary schools and over 2,000 in our post-primary schools than there were in 1997;
- notes the cost of posts already provided;
- acknowledges that these extra teaching resources have been used to reduce class sizes, to tackle educational disadvantage and to provide additional support for children with special needs;
- acknowledges the six-fold increase in the provision for expenditure on school buildings compared to the amount in 1997;
- acknowledges the significant increase in the number of teacher training places provided in the Colleges of Education and the resultant drop in the numbers of unqualified teachers in our primary schools; and
- notes that the Government is committed to reducing further class sizes with priority given in the first instance to pupils in disadvantaged areas."

I am glad to have the opportunity to outline again to the House the major increase in the number of teachers in our schools, the extra support for children with special needs and those from disadvantaged areas and the major investment in school buildings that this Government has provided.

This Government has prioritised education. The priority we attach to providing quality education at all levels is evident from the fact that my Department's budget has doubled since 1997. Historic under-investment in school staffing, facilities and services for children with special needs has been reversed. Under this Government, schools have benefited from the largest increase in teacher numbers since the expansion of free education and the largest fall in class sizes

in the history of the State. Class sizes are now at their lowest level in Irish history. Deputy O'Shea reminded us that not so many years ago he taught a class of 49 pupils. Today the average class size is 24.

We are investing in the largest school building programme in the history of the State and have greatly improved the services provided for children with special needs and those from disadvantaged areas.

With regard to primary class sizes, there have been major improvements in recent years with the hiring of 4,000 additional teachers. In the 1996-97 school year, the average class size was 27 pupils but is now 24. However, most significantly, the number of primary school children taught in classes of more than 30 has almost halved since 1997. While class sizes could be further reduced, we should acknowledge the progress made in recent years.

Our record in this area is one of action. This record stands in stark contrast to that of the rainbow Government, which in its January 1997 budget proposed to cut teacher numbers. Deputies Kenny and Rabbitte were both at the Cabinet table when that very regressive decision was made and many of the Deputies on the Opposition benches today walked through the Tá lobby of this House to support the measure. Unlike Fine Gael and Labour, who say one thing in Opposition and do quite another in Government, Fianna Fáil and the Progressive Democrats have put significant staffing resources in place and dramatically improved the supports available to our school children.

The Opposition conveniently likes to gloss over the fact that 190,000 children were in classes of more than 30 when they left office. There is more work to be done in this area and this Government is determined to reduce the average class size for the under-nines to 20. However, it is indisputable that major progress has been made in recent years.

The level of teaching support provided in schools is not restricted to classroom teachers. Resource, learning support and language support teachers play an invaluable role in providing extra help for children who need it. In the 1996-97 school year, there was one teacher for every 22 pupils in our primary schools. By the 2003-04 school year, the ratio was one teacher for every 17 pupils. The pupil teacher ratio at post-primary level also fell from 16 pupils to one teacher to less than 14 pupils in the same period. Students with extra learning needs are getting more individual help than ever before.

Since 1997, more than 4,000 additional teaching posts have been created in primary schools. The annual estimated value of the additional expenditure on these posts is more than €200 million. These posts have been used to provide additional resources for disadvantaged pupils and children with special needs, reduce the pupil teacher ratio and reduce class sizes.

Other initiatives in the period include the reduction in enrolment figures required for the appointment and retention of teachers; the appointment of administrative principals to ordinary schools where there are nine or more teachers including ex-quota posts; the reduction in the enrolment figures required for the appointment of administrative principals to ordinary schools and Gaelscoileanna; the allocation of resource teacher posts to either individual schools or to a cluster of schools where a need has been identified; and the allocation of teaching posts to schools where 14 or more pupils with significant English language deficits are identified.

Over the course of this debate, Deputies will give examples of primary schools in their constituency that have large classes in particular grades and try to claim that these are typical of the situation in our school system as a whole. However, this is not the case. The average class size at national level is now 24 and all schools are staffed on the basis of a maximum class size of 29.

There are a number of different reasons a particular school may have a large class in a given year. These include significant fluctuation in enrolments from one year to the next and-or a decision by the school principal not to have multi-grade classes.

Regardless of the reason there is a large class in a particular school one year, it should be noted that in the majority of cases this is not the situation in the following year. In the main, the same schools do not have large classes year after year and therefore the same children are not in large classes year after year. There is a particular problem in developing areas where enrolment patterns can be very unpredictable and schools may experience a dramatic increase every year. There are areas in some of the counties surrounding Dublin where a school that only had three or four teachers a few years ago now has 16.

Areas such as Counties Meath and Kildare and west Dublin do not just attract young couples whose children will need school places in a few years' time. There is also an influx of families with children of school-going age who need to be immediately accommodated in local schools. This places pressure on schools in areas with rapidly growing populations and I have asked my officials to consider any additional measures the Department can take to assist them.

It is particularly important to prioritise the provision of additional accommodation for these areas to ensure that extra staffing resources are matched by appropriate facilities in which to teach. The Government has made major investment in school buildings in developing areas in recent years to accommodate the increasing number of children going to school there. Some €85 million has been provided for major school building and modernisation projects in County Kildare between 1998 and 2004 and more than €65 million was invested in school buildings in Meath in the same period. We are investing in the largest school building and modernisation programme in the history of the State and I will

ensure that developing areas get the priority they deserve in this process.

With regard to the number of large classes in our schools, Deputies should be aware that all schools are staffed on the basis of having a maximum class size of 29 pupils. Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use teaching resources to have smaller numbers in other classes. I often find that when I look into why a particular school has a class of 35 in a particular grade, the answer is that there is another class in the same school with approximately 15 pupils.

Splitting classes may not always be an option for a school, because, for example, there might be a large group in junior infants and a small group in sixth class. However, where possible, principals should consider the benefits of smaller multi-grade classes rather than large differences in class sizes at different levels in the school.

Multi-grade classes are the norm in the majority of our primary schools, namely small schools with four teachers or less. There is no evidence that being taught in a multi-grade setting is detrimental to the child. In fact, the opposite is true. More principals should consider multi-grade classes where they are in the best interests of pupils who might otherwise find themselves in large classes.

There are a number of reasons a particular school might have a large class group in a given year. The number of children in classes of more than 30 pupils has halved under this Government but there is undoubtedly more work to be done in this area.

While the average class size nationally has been reduced to 24 pupils, in line with Government policy, I am committed to delivering further reductions in class sizes for the under-nines. The Government accepts that smaller class sizes at junior level can make a difference. However, there is no evidence to show that smaller class sizes further up the line can make a real difference to educational achievement. There is considerable evidence that reductions in class size must be accompanied by a change in teaching styles to achieve all of the benefits. Teacher quality and the work the teacher is doing in the classroom are even more significant than the size of the class.

Mr. P. McGrath: The Minister is now blaming the teachers.

Ms Hanafin: The two go hand in hand. Before Christmas I launched the numeracy and literacy report on disadvantaged schools which looked at many of the schools with class sizes of 15 or 20 and which found that the literacy levels there had not improved because of other factors that impinged on the literacy levels of a child, mainly related to the literacy level of the family, whether the home had books, whether the children had been read to and whether they knew nursery rhymes.

Mr. F. McGrath: Large classes are not good for students.

Ms Hanafin: A number of factors feed into literacy levels. We accept that class size can make a difference at junior level. The INTO has also accepted that changes in teaching styles need to go hand in hand with class size reduction.

Mr. F. McGrath: That is a different debate.

Acting Chairman (Mr. McGinley): The Minister should be allowed to speak without interruption.

Ms Hanafin: In achieving the Government target on smaller class sizes priority must, in the first instance, be given to children with special needs and those in disadvantaged areas. As I told the teacher conferences last month, it is in this area that I will be making significant progress initially, with extra staffing for disadvantaged schools in the next school year.

Mr. P. McGrath: Was that when the Minister abandoned the programme for Government?

Ms Hanafin: In recent years we have placed a particular focus on reducing class size in schools in disadvantaged areas. The 32 schools in the Breaking the Cycle programme operate to a maximum class size of 15 for junior classes. When the Giving Children an Even Break programme was launched in January 2001, it subsumed the previous process of designation of schools that served areas of educational disadvantage. The programme has separate urban and rural dimensions. Urban schools with the highest concentration of at-risk pupils are supported where necessary through staff allocations to implement a maximum class size of 20 in junior classes. Rural schools with the highest concentration of at-risk pupils have been allocated the services of a teacher/co-ordinator who works in clusters of four or five schools. Rural schools that could not be clustered with other similar schools receive financial supports as an alternative to teacher/co-ordinator support.

With a view to addressing the needs of children in disadvantaged areas into the future, my Department has completed a full review of the measures put in place to support pupils from disadvantaged areas in the past two decades. Arising from this review process, a new policy framework for tackling disadvantage in education will shortly be published.

Mr. P. McGrath: Will the Minister publish the review?

Ms Hanafin: The new action plan will build on the success of existing programmes, while addressing the issues that have diluted the overall effectiveness of some measures.

Mr. P. McGrath: Will the Minister publish the review?

Acting Chairman: The Minister should be allowed to speak without interruption.

Ms Hanafin: I will publish the action plan. We have had enough reviews.

Mr. P. McGrath: The Minister should let us see the review.

Ms Hanafin: Under the new plan, children from areas of socio-economic disadvantage will receive more support than ever before to help them reach their full potential. Every child deserves the opportunity to reach his or her potential and it is my aim, as Minister for Education and Science, to create the environment where that can be achieved. In the case of children with special needs, a particular targeted response is needed to enable such children develop their particular abilities, enhance their educational level and prepare them for participation in society. The record of the State over decades in providing for children with special needs has been poor.

Mr. P. McGrath: That is absolutely true. The Government would only deliver under the threat of being taken to court.

Ms Hanafin: Without doubt, we are playing catch-up. In any area of historical under-provision it takes time to improve services to an appropriate level. Significant advances have been made in this area in the past six years which have made a real difference to the lives of many children with special needs and their families. It is appropriate to outline these advances to the House. We now have more than 2,600 resource teachers in our schools compared with 104 in 1998. We have 1,500 learning support teachers. We have more than 1,000 teachers in special schools and more than 600 in special classes. We have nearly 6,000 special needs assistants in our schools compared with just 300 in 1998. This year more than €30 million will be spent on school transport for special needs students while more than €3 million will be spent on specialised equipment and materials compared with €800,000 in 1998.

The scale of resource allocation I have outlined has facilitated the provision of education for children with special needs in mainly mainstream national schools. However, education for children with special educational needs is provided in a variety of settings. In addition to supported provision in mainstream classes, placement may also be made in special classes and units in special schools. Pending such a placement, arrangements have also been made for tuition to be delivered in the child's home. Where appropriate for the individual child, integrated provision with necessary supports is the desired choice of most parents. For children for whom mainstream provision is not appropriate, placement may be made in one of the 108 special schools and 654 special classes and units located throughout the country. I want to recognise, in particular, the role these

schools and classes play in providing educational services for children with special needs. In this regard, I have asked my Department in consultation with the National Council for Special Education and other partners to consider how we can optimise the role and potential of special schools.

In the light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department in consultation with educational interests has developed a model of general teacher allocation for these disability categories. The original model was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. The model was constructed in order that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard. Using a general allocation model has a number of advantages: it will reduce the need for individual applications and supporting psychological assessments; it will ensure children can be given help at a much earlier stage as the resource will already be in the school; it will give schools more certainty about their resource levels; and it will make the posts more attractive to qualified teachers.

It is important that resources continue to be allocated on the basis of individual applications for children in the lower incidence disability categories. The involvement of the National Council for Special Education and the local special educational needs organisers should greatly enhance the speed of response to such applications. I am conscious of the need to inform schools as soon as possible as to the procedures that will apply for the allocation of resource teachers for the next school year and will shortly be in touch with them. In recent months I have spent considerable time meeting parents, teachers and the various bodies to discuss the impact of this matter and consider the children with a verified need. I look forward to being in contact with the schools very shortly.

My Department allocates resource teacher support and special needs assistant support to second level and VEC schools to cater for students with special educational needs. The nature and level of support provided in each case are based on the professionally assessed needs of the individual student. The level of resources being made available to support students with special educational needs in the second level system has grown significantly in recent years. In the current school year provision is being made for 1,259 whole-time equivalent resource teachers and 628 special needs assistants. This represents an increase of approximately 209 resource teacher posts and 178 special needs assistant posts on the previous school year.

The precise model of provision made available will depend on the assessed needs of the pupils involved. Some students are capable of attending ordinary classes on an integrated basis with resource teacher and/or special needs assistant

support. In other cases placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil-teacher ratios. For example, a special class catering for children with a mild general learning disability would have a support rate equating with a maximum pupil-teacher ratio of 11:1. A class catering for children on the autistic spectrum would be supported at pupil-teacher ratio of 6:1. My Department also supports arrangements whereby students attached to these special classes are facilitated in attending ordinary subject classes on an integrated basis wherever possible.

My Department's teacher education section has developed a strategy designed to meet the continuing professional development needs of personnel working with children with special educational needs. This involves a major expansion of the range of postgraduate professional training programmes available to teachers in the special needs area. As I have outlined, major improvements have been made in the provision for children with special educational needs in recent years. However, we are not there yet and I will not pretend that we are. While I will record achievement, I know there are problems that still need to be addressed. I am confident, however, that the recent establishment of the National Council for Special Education and the transfer of functions to it will resolve many of the difficulties encountered in the past.

The Opposition motion talks about school accommodation. I am delighted to point out the massive investment in school buildings being made by the Government. Between 1998 and the end of 2004 almost €2 billion was invested in school buildings and in the region of 7,500 large and small-scale projects were completed in schools, including 130 brand new schools and 510 large-scale refurbishments and extensions. Funding for school building and renovation projects has increased fivefold since 1997.

Mr. P. McGrath: The Minister failed to spend €50 million last year.

Ms Hanafin: A sum of €50 million was carried over to this year. Therefore, it was not lost to the building programme.

Mr. McEntee: It should have been spent last year.

Ms Hanafin: It will be spent this year.

Acting Chairman: The Minister should be permitted to speak without interruption.

Ms Hanafin: As I stated, funding for school building and renovation projects has increased fivefold since 1997. In 2005, €493 million will be spent on school building projects, compared to just €92 million in 1997. Nearly 1,200 schools will benefit from the announcements I have made so far this year with regard to the school buildings

[Ms Hanafin.] and modernisation programme. The list of projects approved to date includes 122 large-scale projects approved to go to tender and construction over the next 12 to 15 months, of which 89 are primary school projects and 33 are post-primary school projects; a total of 97 primary schools approved for devolved funding under the small schools initiative; a total of 43 major projects authorised to enter design phase; a total of 590 schools which will have renovation and other works carried out this summer under the summer works scheme; a total of 124 schools which have been given the go-ahead to move through architectural planning; a total of 74 schools which have been approved for devolved funding to enable them to deliver additional classroom accommodation; another 20 schools which will be provided with prefabricated accommodation; and 120 which have been authorised to rent premises.

Mr. McEntee: How many were on the waiting list?

Ms Hanafin: A €3.4 billion capital investment in school buildings for the 2005-09 period was announced in the last budget.

Mr. P. McGrath: The Minister will not be in office for that long.

Ms Hanafin: I look forward to being Minister for Education and Science during all of that five year period.

Mr. Cassidy: Hear, hear.

Ms Hanafin: The overall priorities over the next five year period are: to provide appropriate school facilities as quickly as possible in areas with expanding populations; to move as many projects as possible from design to construction stage; to further develop the potential of schemes for devolving funding and responsibility to local level and to enable projects to proceed at a faster pace.

Mr. P. McGrath: Dream on. Will the Minister not be Taoiseach by then?

Ms Hanafin: The 14% increase in funding in 2005 is clear proof of my commitment to tackling and ensuring the completion of the school building programme and to ensuring the facilities teachers and children deserve are provided.

The recruitment and appointment of teachers to fill vacancies in an individual school are matters for the board of management of the school concerned. Untrained personnel should only be employed in exceptional circumstances and when all avenues for recruiting qualified personnel have been exhausted. The primary sector has experienced a shortage of trained teachers in recent years mainly as a result of the creation of the large number of posts outlined. The difficulties being experienced were aggravated by the number of teachers availing of career breaks, tak-

ing pensions and availing of job-sharing schemes. As a result of initiatives taken by my Department, the number of unqualified teachers at primary level has reduced in recent years. There have been a number of initiatives to tackle the problem. This year approximately 1,280 new teachers are expected to graduate from the colleges of education and approximately 400 from the Hibernia course. I am committed to ensuring the shortage of qualified teachers will be eliminated as speedily as possible.

Mr. P. Power: Hear, hear.

Ms Hanafin: In line with Government policy and commitments, I will continue, through my Department, to provide for 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 in junior classes. We will continue to build on the tremendous work we have been doing since 1997.

Deputies: Hear, hear.

Ms O'Sullivan: What about the commitments in the programme of Government?

Mr. Carey: I am pleased to have an opportunity of speaking on this motion and supporting the Government's amendment.

Mr. P. McGrath: I am surprised.

Mr. Carey: There is a danger that this debate will turn into a cruinniú na múinteoirí.

Mr. P. McGrath: As Deputy Cassidy is present, we are all right.

Mr. Carey: It is also important to look at the educational landscape in the mid-1990s. Many Members present will remember when the teaching unions asked for innovative schemes to enable teachers to take an extended career break or job-share because classes and schools were emptying rapidly as the demographic figures moved in the wrong direction. Thankfully, we are now benefitting from a resurgence.

One of the things done by the Government and its predecessor, of which I am most proud, is that it has underpinned the legislative landscape for education after years of neglect. For years we had been governed by circular letters from the Department of Education and Science and by that famous book known to some Members present, *the Rules and Regulations for National Schools*. There was no system of governance in the education system. Primary education and, to a lesser extent, post-primary education were the Cinderella of the system. The last innovative move in education had been made when Donogh O'Malley introduced free post-primary education for all.

Ms O'Sullivan: That is not true.

Mr. Carey: When the Government took office, it was incumbent on it to introduce what had been long sought. I remember union congress after congress looking for an education Act. Such a step was necessary to underpin educational governance, to give rights to parents and ensure they were equal partners in education and to ensure students had rights. Without that legislative underpinning, it was pointless to do much. The building of the legislative structure, including the Education Act, the Education (Welfare) Act and the Education for Persons with Disabilities Act, has been critically important.

A measure for which many of us called when we were more active in our trade unions was the Teacher Council, to provide teachers with the same rights, recognition and esteem as other professionals. We could then move to the massive expenditure we have seen education. I happened to pick up the answer to a parliamentary question I asked last week. Capitation funding for secondary schools, for example, in 1996—

Mr. P. McGrath: Why did the Deputy pick that example?

Mr. Carey: Capitation funding for secondary schools was nearly €40 million. At the primary level the figure came to €52 million. In 2004 the provisional outturn for secondary schools was almost €109 million and €102 million at primary level.

Ms O'Sullivan: We were spending more than that.

Mr. Carey: That is just the figure for capitation funding alone.

Mr. P. McGrath: What were the equivalent figures in 1994 when we were in government?

Mr. Carey: I have the figures for 1994 also. It was €31.5 million for secondary schools and €48 million for primary schools.

Mr. P. McGrath: It was different.

Acting Chairman: Order please. The Deputy should be allowed to make his point.

Mr. Carey: One does not need to have a degree in mathematics to see the exponential increase in education spending. To take another example, that of 1,000 special teachers in 108 schools, last year the total cost of their salaries came to €45 million. More are to be appointed but I remember when some of us were in college, including Deputy Paul McGrath, 100 male teachers were recruited per year with probably a couple of hundred female teachers. Remember the debacle closing teacher training colleges led to?

Mr. P. McGrath: Who did that?

Mr. Carey: Let us look at the issue of class size. What the Minister stated was important. It was not good but I taught classes with figures in excess of 55. I also taught classes as small as 16. There is an optimum figure of approximately 25 pupils for the best possible outcomes. We can get hung up on class numbers instead of the quality of teaching and teaching methodologies.

I strongly support the Minister in what she is attempting to do in focusing resources over an extended period on areas of disadvantage. To a greater or lesser extent, all Members have been responsible for trying to stretch the boundaries of areas of disadvantage with the result that resources are stretched ever more thinly. It is important that we identify the core areas of disadvantage in both rural and urban areas. We should ensure the strategies in place continue, not just for the life of this Government or the next but become the norm for educational provision. Research carried out into Early Start shows that while there has been a measurable improvement in the area of social development, there has not been a commensurate improvement in the area of academic achievement. The reason for this is that the inputs have not continued right through up to and including sixth class.

Regarding the issue of school buildings, there is nothing more depressing than to teach and work in a rundown working environment. That is the reason the Minister is correct in investing heavily in upgrading existing buildings and providing good quality buildings in areas where new school buildings are required. My biggest concern is the capacity of the construction industry to meet the demands of the summer work scheme and the normal school building programme over the next six to 12 months. The Minister said that not everything is perfect but many things that needed to be done have been done. I have heard the expression "progressive implementation" being used with regard to legislation. It is important that we build up resources in accordance with the needs that we identify. There is a danger that we will be tempted to throw money at it although no Minister for Finance will allow that to happen. I am pleased to support this Government amendment, I compliment the Minister on the Trojan work she is doing and I think she will go down as one of the most reforming Ministers in modern Irish history.

Mr. English: I wish to share time with Deputies Deenihan, McGrath and Lynch. We in Fine Gael are delighted to support the Labour Party motion on this subject. I look forward to the day when a Government will finally agree with a motion. It is obvious that we are failing with regard to education. The Government is trying to deflect attention from it, condemn our motion and insert its amendment. This behaviour is not good enough. This is the biggest issue I encountered while campaigning in the recent by-election in Meath. Class size is one of the most important issues in education. During the by-election, principals, teachers and parents were all interested in the issue of class size. It is worth noting that parents

[Mr. English.]

were not as concerned about class size a few years ago but now they are aware that their children are at a disadvantage.

Both the Minister and Deputy Carey spoke of the millions of euro that have been spent on education. If we wish to go down that route, we should look at the GDP and GNP for 1990 to 2005 and then look at figures because they are lower than they were between 1994 and 1996.

Mr. Carey: Absolute expenditure has increased.

Mr. English: The GDP figure is well down on that of 1996, while the GNP is level with that of 1996 and 1997. Deputies should look at the figures. If Fianna Fáil wishes to quote figures, we will match them. I have asked every Minister to compare the 1997 figures with those of today. I was in school in 1997. It is a different era now, we have moved on and our population has grown. The Minister quoted County Meath as an example.

Mr. Carey: Government policies have transformed—

Mr. English: They have transformed very slowly and we are failing. The school mentioned does not have a new building, on the contrary, it is falling apart. I would like to make a few quick points before I deal with the main speech by the Minister. I am surprised to hear the Minister encouraging multi-grade classes. She condemns school principals for not attempting to mix classes.

Ms Hanafin: I did not condemn principals for not attempting to mix classes.

Mr. English: The Minister more or less said it in her speech. She said that principals and teachers were distorting the figures by not having mixed classes.

An Leas-Cheann Comhairle: The Deputy should address the Chair.

Mr. English: Mixing classes is not the solution to large class sizes. I have been in multi-grade classes and they are not the answer. I was sufficiently lucky to survive a multi-grade class. Many of the other children in my class might not have been as lucky.

Ms Hanafin: Is Deputy English suggesting we close small schools?

Mr. English: I am not suggesting that but we should not use them as a solution.

(Interruptions).

An Leas-Cheann Comhairle: All interruptions must cease.

Mr. English: The Minister spoke about making arrangements in developing areas and that she could not predict the figures. For four and a half years, myself and colleagues from Fine Gael and Fianna Fáil campaigned for a new school in an area in Navan that we knew needed one. Four and a half years later, that school is still in temporary accommodation. We could identify the figures but the Department of Education and Science did not want to listen to us. The Department must begin listening to people who can see figures increasing and who can recognise well in advance the need for new schools. The Minister then said the Department was making amendments in developments.

Ms Hanafin: I did not say that.

An Leas-Cheann Comhairle: Order, please.

Mr. English: The Minister said the Department was taking additional measures to cope with developing areas. There are schools in developing areas that cannot be told now where they are going in September. Is this an example of additional measures?

When Fianna Fáil and the Progressive Democrats sat down to hammer out a programme for Government after the general election, they made many specific promises and commitments in a large number of important areas. As we have seen all too often in recent years, these promises and commitments were built on sand. We all know the status of promises made regarding overseas development aid, the Garda and the allocation of medical cards. This evening, we are examining the promises made to reduce average class sizes. The Government is guilty of an appalling lack of action in this regard. The programme for Government was clear on what it set out and the Government has failed on that despite all the figures quoted by the Minister.

Since these promises were made, the Government took no action to realise its commitment. Class sizes in schools throughout the country have remained excessively high and have increased in areas like Meath. Carnaross national school in Meath has an average of 27.5 children in a class and has a mixed class of 33 pupils. St. Oliver Plunkett national school in Navan is four teachers short and has an average of 29.5 pupils per class. Dunboyne senior national school is waiting for teachers. Another national school in Meath has an average class size of 29.25 and has five or six prefab blocks.

The Labour Party has outlined the benefits of reduced class sizes. We all know these benefits. I was in classes of between 40 and 46 pupils in prefabs, which is not good enough. Many of my classmates did not get the education they were entitled to. Children need to get the education they are entitled to now more than ever with a competitive European market. In November 2004, the Taoiseach said it was true that the Government had not done what it set out to do but that it was committed to reaching its target. Can I ask the Minister if the Taoiseach was mis-

leading the Dáil again? This was after the Minister's comment that it would only be a noble aspiration. If there is no chance of a promise being delivered, what hope is there that a noble aspiration will be delivered?

Mr. Deenihan: There is a clearcut case for smaller class sizes. Reducing class size naturally alters the classroom environment and creates a better classroom atmosphere where pupils receive more individual attention from their teacher. Teachers have more flexibility to use different teaching techniques, teachers and pupils have more classroom space in which to work, fewer students distract each other, every pupil gets more time to speak, the level of noise in the classroom is reduced and teachers know their pupils better. Class sizes in Ireland are the second highest in the EU. In the programme for Government agreed by Fianna Fáil and the Progressive Democrats in 2002, a clear commitment was made to reducing the pupil-teacher ratio in schools over the next five years. The Government promised to introduce maximum class size guidelines that would ensure the average size of classes for children under the age of nine would be below the international best practice guidelines of 20:1. These developments have not taken place.

There has been no reduction in class sizes in primary schools for the past four years. John Carr, general secretary of the INTO said:

The clock is ticking on this Government's commitment. This Government is running out of time and excuses. The teachers are there, the public support is there and the children are certainly there but where is the political will to implement promises made?

This sums it up. The political will is not there.

I will refer to County Kerry in particular. Figures compiled by the INTO show that more than 2,700 children are taught in classes of 30 pupils or more there. Kerry class sizes are among the largest in Europe, second only to their counterparts in the UK. In reply to a number of recent parliamentary questions, it emerged that 2,789 children in County Kerry are in class sizes of between 30 and 39. A further 9,063 pupils are in classes of between 20 and 29 children. This is unacceptable.

I visited two schools recently and have information on the class sizes from the Holy Family national school in Tralee, where the principal said: "I wish to state that our average class size is 29, and of the 16 classes we have, 11 have 29 or more pupils." This is not acceptable.

In regard to the awaited proposal, I carried out a survey in my constituency recently and 48 schools went to the trouble of responding. The survey shows that 23 schools would lose out considerably if the Minister introduced the new system while only 13 schools would gain any hours.

Ms Hanafin: The Deputy is wasting his time. I said 24 October.

Mr. Deenihan: In north Kerry schools, eight teachers will also be let go. Will the Minister scrap the system in the interests of Kerry schools in particular?

Mr. P. McGrath: I compliment Deputy Jan O'Sullivan and the Labour Party on this motion. I wholeheartedly support it. I was disappointed to hear the Minister's speech. She has put much energy into producing figures claiming the Government is better, the situation now is better than in 1997, the Government is better than this and that, and better than the time the Opposition was in Government.

Ms Hanafin: It is progress.

Mr. P. McGrath: If the Minister wishes to go down the road of talking figures, why does she not go further back? One of her predecessors, a Fianna Fáil Minister, was the only Minister in the history of this State who worsened the pupil-teacher ratio. This business of going over the past is ridiculous.

Ms Hanafin: The Deputy voted in 1997 to get rid of teachers.

Mr. P. McGrath: The Minister said she would provide services to people where a verified need is identified.

Ms Hanafin: Deputy O'Sullivan said that.

Mr. P. McGrath: Why do some parents of children with special needs, when they submit the professional assessments of their children, receive a response from the Department that the professional assessment is not accurate and that they will receive less from the Government? The Department will not even interview the child in question or carry out its own assessment. However, if the parents threaten to go to court or apply for a court order, what happens? The Department suddenly caves in and provides the services——

Ms Hanafin: The special education organiser——

Mr. P. McGrath: ——that the professionals recommended initially.

It was said in the programme for Government that there would be class sizes of 20:1 on average for children under 9. The Minister has since scrapped this plan but, even were it the case or if the ratio were 25:1, how can the Minister justify that schools must take in junior infant classes of 29 pupils? Is it not ironic that, if one runs a child care centre and looks after children between four and six years of age, the Government will require the ratio of children to care workers to be 6:1 but when these children go into junior infants in primary schools, it is all right to have 29:1? How can the Minister stand over this?

On the matter of entry into schools, I wish to speak about the crisis in Mullingar. The schools

[Mr. P. McGrath.]

are bursting and cannot accommodate what is happening. I submitted a parliamentary question to the Minister that was answered on 12 April 2005 but I must advise her to return to her officials and tell them that their response to my question was a load of rubbish. They are hanging her out to dry.

Ms Hanafin: They are the facts.

Mr. P. McGrath: The first part of the reply was that there are 21 primary schools in the Mullingar catchment area. This is only true if one were to travel out as far as Castlepollard or Ballinagore. How can the Minister tell a Mullingar parent with a child starting school in September that there is a place 12 miles away in Ballinagore? How will they get there? This is rubbish.

There was a comment about temporary accommodation being provided to some schools, such as in Curramore and Gainstown. I checked with these schools and they got extra accommodation but it was not for new pupils. Rather, it was for pupils already within the schools. The extra accommodation is not helping the current situation.

The Minister spoke about a school losing 50 pupils and this is where her officials are pulling the wool over her eyes. There is a school that lost 50 pupils over a period of five years, but why was this so? To include it in a response is degrading to the school. There were classes of 38 to 40 pupils but these returned to the norm of 29 in a class.

Ms Hanafin: Proving we have reduced class sizes.

Mr. P. McGrath: The loss of 50 pupils is the reason the numbers decreased. I carried out a survey on four schools in Mullingar this morning where there are major problems with school enrolments. Of the schools I surveyed, they were able to send out 139 acceptances but how many rejection slips were issued? Exactly 140. Here we are, faced with the situation in Mullingar, and the Minister will ask me what my solution is. The principals are meeting on Friday and the Minister should have officials present to speak with them, to determine what can be done and to discover if there is duplication in the numbers they have. The Minister must work out a solution to this.

Ms Hanafin: I am sure the principals are capable people.

Mr. P. McGrath: The Minister must take the initiative. Mullingar is a growing area that must accommodate these children. We need the facilities to do so.

Ms Lynch: I will let my colleagues in Fine Gael know that I have three minutes left if the Chair is to stick to the rules rigidly.

Mr. P. McGrath: We started at 8 p.m.

Ms Lynch: I thank the Deputy. Deputy O'Sullivan moved this motion but I will congratulate her on her work in the education area over the past two years, whether dealing with schools in desperate need of repair or with class sizes. There are times when one speaks on a subject that is not being addressed by the Government and feels there is not much more to say. However, when it comes to class sizes, education or, in connection with my constituency, education for disadvantaged children, there is always more to be said because so little has been done.

The Minister was not in the Department of Education and Science for the bulk of the past eight years. Deputy Dempsey had the greater bulk of that period but the Minister is a member of a Government that has continuously spoken about producing guidelines on disadvantage and education. We are still waiting eight years later. It worries me that we may continue to wait on this and other issues, such as health, BreastCheck or whatever. When it comes to this Government doing something concrete on a community difficulty, we seldom see results. The Ministers will stand up and tell us how bad the other crowd were, what they did not do and what they should have done, but the members of the Government never take any blame themselves.

There are 9,067 pupils between the ages of four and twelve in classes of more than 40 in County Cork.

Ms Hanafin: Out of 750,000 there are 9,067 pupils in classes of more than 40?

Ms O'Sullivan: More than 30.

Ms Lynch: More than 30. When one considers the advantages other people have in education, one must admit it is not right that this should happen. I nearly fell off my chair when I heard Deputy Carey speaking of his terrible worry about the construction industry not being capable of keeping up with the demand the Minister would create over the summer with the summer works scheme.

Mr. P. McGrath: The Galway races.

Ms Lynch: This was laughable. There is a school in my constituency from the 1950s, which most of them are. When one walks in the door there is a stench of urine that would knock one back on one's heels. This is a primary school that deals with children from entry to first class. Work needs to be done on the electrics. There are two prefabs out the back that were intended as temporary accommodation. The porch fell off and almost killed someone. For the past eight years, the school has been told that it may be included next year. Children are desperately trying to learn in overcrowded, appalling conditions. It is not only about class sizes; it is about the awful conditions in which teachers are trying to teach and pupils are trying to learn. The Minister needs to take this on board, start to produce the guidelines on disadvantage in education and fulfil the prom-

ise made on class size. I know the Minister has not been in office for the majority of the time but her predecessor was and the same Government was in office. Where are the guidelines? What action will the Minister take?

Debate adjourned.

Adjournment Debate.

Home Care Grants.

Ms B. Moynihan-Cronin: I thank the Leas-Cheann Comhairle for the opportunity to raise this very important matter of the shortfall in funding to meet the demand of the Cúram home care grant in County Kerry and the associated waiting list created as a result of the funding deficit.

The home care grant, or Cúram grant, was introduced last October on a pilot basis in the HSE, southern area, to help older people and their families or carers meet the cost of care for their relatives in the home. It is available to people on low income who are struggling to pay to provide care for a sick or disabled person at home. However, the funding allocated is completely insufficient to meet demand. Some 67 people in County Kerry have been awarded the home care grant this year but only 23 received payment. The remaining 44 people who have been awarded the home care grant are not being paid because the HSE, southern area, does not have the money to pay them.

What would be required to pay the grant to the 44 people on the waiting list is the tiny sum of €6,664 per week. That is a small sum of money, which if paid to the qualifying applicants, would have enormous benefits. Many of the Government's spin-doctors and managers probably earn €6,664 just to get out of bed in the morning. The Taoiseach probably spends that much every day on his make-up. However, the Department of Health and Children is denying 44 people in County Kerry in need of additional care in the home the tiny sum of money to meet the cost.

What is more reprehensible is that people are getting a letter from the HSE, southern area, telling them that they have been approved for the grant and how much they have been awarded. However, in the next paragraph, they are told the HSE cannot afford to pay the grant. It is a terrible insult to people to tell them they qualify for the grant and to how much they are entitled but in the next breath tell them they cannot be paid.

One of these letters from my constituents reads as follows:

Re: Application for Cúram Home Care Grant

Dear Mr.

I refer to an application for Cúram Home Care Grant which you submitted to this office. You have been assessed as Maximum Depen-

dency and have been approved for a grant of [so many euro per week]

I wish to inform you that the allocated funding for this scheme is now fully committed and no additional payments can be made at this time. Accordingly you have now been placed on a Waiting List for consideration for the payment of this grant on a future date. You will be informed in writing when this Section is in a position to offer payment . . .

The individual who got this letter is over 75 years of age and looks after his wife who is bedridden following a stroke. They cannot wait.

Why was this grant introduced on a pilot basis? If a Department, county council or other body does not have money, it writes to the applicant to say that due to funding constraints, it cannot process the application. However, the HSE, southern area, is writing to people telling them they are "maximum dependency" and are entitled to something but that they cannot get it. The individual about whom I spoke cannot wait. He is over 75 years of age, his wife is confined to bed, an invalid, and he is the only one who can look after her. There are 44 people like him on the waiting list in my county alone. I know the Minister of State, Deputy Seán Power, is a decent individual. Is there any possibility he could provide the funding so that this man is not forced to put his wife into care, which he does not want to do?

Minister of State at the Department of Health and Children (Mr. S. Power): I thank Deputy Moynihan-Cronin for raising this matter and I am happy to reply. The Health Service Executive has piloted home care grant schemes in several areas. The purpose of these schemes is to support older people at home in the community as an alternative to long-term residential care. Older people who are being discharged from the acute hospital system and those living in the community have been targeted under these schemes.

Following discussions with my Department, the HSE, southern area, introduced with effect from October 2004 a pilot home care grant scheme through a system of direct payments to older people, their families and carers which allows them to purchase additional home care.

With these home care packages, the HSE, southern area, is supporting the expressed wish of older people to remain at home as long as possible as prioritised in the area's "Ageing with Confidence" strategy. This home care grant is called curam in the HSE, southern area. This new service is for those aged 65 years and over and is designed to supplement the community services already in place for these persons.

The former Southern Health Board's letter of determination for 2004 provided funding of €125,000 to commence the development of home care packages. The 2005 letter of determination provided further funding of €320,000 bringing to €445,000 the funding for the scheme that my Department made available to the HSE, southern area. The HSE, southern area has supplemented

[Mr. S. Power.]

this sum by €65,000 bringing to €0.5 million the funding available for this scheme in 2005.

Currently, 64 people are in payment of average weekly payments of €151 under this scheme which commenced in October 2004 as a pilot project in Cork and Kerry. Some 36% of those currently in receipt of payment reside in County Kerry. The level of home care grant that can be funded from the existing allocation of €0.5 million for 2005 is limited to approximately 65 recipients at any one time. Accordingly, there is a waiting list for this service which stands at 87 approved clients, including 44 from County Kerry.

The home care grant is but one of a number of services available in the HSE, southern area, to support older people at home. These support services include general practitioner services, public health nursing, home helps and access to respite services.

My Department has been working with the representatives of the HSE areas, including the southern area, to develop a national home care grant scheme. A draft of the scheme is currently being finalised. 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 to the home help service to support older people living in the community with this funding being increased to €118.75 million in 2005.

I will take on board what Deputy Moynihan-Cronin said, particularly the wording of the letter and the expectation one would have on reading it. When writing to people, it is important we are sensitive. This is a sensitive subject for the people with whom we are dealing. On the basis of what the Deputy said, I will make further inquiries and revert to her on the matter.

Cancer Screening Programme.

Dr. Cowley: I thank the Ceann Comhairle for giving me this opportunity to ask the Tánaiste and Minister for Health and Children to immediately place advertisements in the EU Journal for tenders for the static units required for the national roll-out of the BreastCheck programme to the south and west. The executive of the BreastCheck programme has stated this is necessary to ensure the 2007 deadline is not missed.

I have been pushing for the extension of the BreastCheck programme nationally for some time. I started the campaign for its extension. I pointed out that there was cancer care apartheid in Ireland which was unacceptable. In early 2003 I caused the board and executive of the BreastCheck programme to be brought before the Joint Committee on Health and Children to explain why the programme had not been extended. In March 2003 I co-organised a march on Leinster House to force the extension of the programme nationally. Its extension was announced within 48 hours of the march but it was only when the then Minister, Deputy Martin, was leaving the health Ministry in September

2004 that he sanctioned funding for the programme.

I introduced a Private Members' motion in the Dáil on 15 April 2003 on the BreastCheck programme and cancer services. I am glad the Labour Party has come on board in calling for the extension of the programme and that Fine Gael has also done so, having introduced a Private Members' motion on the matter the week before last in the Dáil.

It was the wrong decision not to extend the BreastCheck programme nationally *ab initio*. Some 65 women have died every year in the south and west since the programme was introduced initially and 65 more will die there every year until it is extended nationwide. It is predicted it will be 2007 before that comes to pass. I am convinced the decision was based on financial considerations. Justifying the failure to extend the programme nationally, the Department stated, "It was better to get the roll-out right than to get it done quickly". The Minister should try telling that to the families of the 300 women who have died from breast cancer who should not have died.

The good effect of breast screening programmes has been known internationally for at least 20 years. The death rate in Scotland was cut by 30% in only five years. There has been a screening service in place in Northern Ireland since 1993 and, as we know from a cancer report, the death rate has been cut by 20%. I calculate that over 300 women have died in the south and west needlessly since 2000 due to the decision to provide the BreastCheck programme in three health board areas in the eastern part of the country serving half the population.

On 11 February 2003 the Galway clinic offered a BreastCheck service to the Government. This offer could still be taken up. I asked the Minister if she would do this under the national treatment purchase fund but that request was refused. The women who are dying are mothers, sisters and nieces — all important members of families. That is not acceptable. I could name people who have died. I knew them and know their families who have to struggle without a mother or sister. Cancer could be detected 18 months before a lump is detected. It is amazing that half the population are on their second round of screening while the other half have still not received a service. The BreastCheck programme has picked up hundreds of cases of cancer but this is cold comfort to the families who are now without their loved ones. The women of the south and west deserve better.

Today's edition of the *Irish Examiner* carried the headline, "Breast cancer deaths rise in Cork". The pattern is the same in the west. The BreastCheck programme needs to be extended nationally, not just to women up to the age of 64 years but to women up to the age of 69. This is a proven treatment which would cut the death rate by 20% to 30%. If there was a drug that could do this, people would regard it as a wonder drug. This is all about money but there was no delay in providing €300 million for the racehorse industry when funding was needed.

The then Minister, Deputy Martin, announced the extension of the BreastCheck programme within 48 hours of the march in March 2003 but only sanctioned funding before he left office in September 2004. The excuse for proceeding on a phased basis was, in the words of the then Minister, "a reflection of the complexities involved in the screening process rather than the cost involved". That is balderdash. There was no complexity in providing the service for half the female population, the only complexity is in trying to understand why the Government could deny the other half of the female population an essential service such as BreastCheck which is supposed to be a national programme but is not.

I hope the Minister of State will tell me that the design has been completed and that an advertisement will be placed in the EU Journal to enable construction to start on the static units necessary in the west and south to ensure the extension of the BreastCheck programme nationally. I hope he has news for me.

Mr. S. Power: On behalf of the Tánaiste and Minister and Health and Children, I am replying to the matter raised by the Deputy. I welcome this opportunity to set out the current position on the BreastCheck programme and, in particular, its extension to remaining counties.

The national breast screening programme commenced in the eastern and midland regions in February 2000. Screening is offered free of charge to women in the 50 to 64 year age group. The extension of the programme to the south east commenced last year with a mobile unit providing screening for women in County Wexford. Screening commenced in County Carlow recently and will be extended to County Kilkenny early next year. The expansion to the south-eastern counties will result in an additional 18,000 women being invited for screening.

Since 1998 cumulative revenue funding of approximately €60 million and €12 million capital funding has been allocated to support the programme. Up to the end of October last year the number of women screened by BreastCheck was in the region of 179,000. It is estimated that the cancer detection rate is approximately 7.4 per 1,000 screened. To date over 1,300 cancers have been detected.

The national roll-out of the BreastCheck programme to remaining counties is a major priority in the development of cancer services. The expansion of the service will ensure all women in the relevant age group will have access to breast screening and follow up treatment where required. A capital investment of €21 million has been earmarked for the construction and equipping of two static clinical units, one at South Infirmar-y-Victoria Hospital, Cork, and the other at University College Hospital, Galway. This investment will also ensure mobile units will be available to screen all women in the relevant age group.

Detailed planning for the static units is progressing as a matter of priority. A project team was established to develop briefs for the capital

infrastructure required for the two new units. The design briefs for both sites were completed in January this year. The next stage is to appoint a design team to complete the detailed design of the two units. The advertisement for the appointment of the design team will be placed in the EU Journal shortly.

Capital funding for the facilities at Cork and Galway has been identified under the capital investment framework 2005-09 and both developments will be progressed simultaneously. Funding in the region of €3 million has also been earmarked for the relocation and development of the symptomatic breast disease unit at University College Hospital, Galway. This unit will be developed in tandem with the BreastCheck development. The Health Service Executive, in conjunction with the Department, is examining the health capital investment framework with a view to initiating as quickly as possible new capital commitments, both for this and subsequent years.

The Tánaiste is committed to the national expansion of BreastCheck, the national breast screening programme, and is confident that the target date of 2007 for its expansion nationally will be met.

Dr. Cowley: We live in hope.

Legal Aid Service.

Mr. Haughey: The mission statement of the Northside Community Law Centre is as follows:

The [Northside Community Law Centre] . . . is an independent community-based legal centre. [It works] . . . to protect and develop the legal, social and economic rights of individuals and groups.

The Centre provides free information and advice to individuals and groups in its community who otherwise would not be able to access legal services and works to give power to the community through education, research and campaigns.

[The Northside Community Law Centre] . . . believes in the dignity of each individual. [It is] . . . committed to working with the community for the creation of a just and tolerant society.

On 23 February this year President Mary McAleese formally opened the new offices of the Northside Community Law Centre in the new Northside Civic Centre in Coolock, Dublin. Two months later this important community facility is about to close its doors because of a lack of funding. The centre has been in existence for 30 years during which period it has played a central role in the civic life of the community and surrounding areas. It has campaigned forcefully on behalf of disadvantaged communities in regard to family law, social welfare law, consumer credit and debt and on poverty in general. In addition, it has provided free legal advice to many people and, in particular, to people experiencing difficult personal and distressing circumstances.

As a public representative for the Coolock area, I know that the closure of this centre will

[Mr. Haughey.]
 cause real hardship for many people. I am not in a position to give professional legal advice to my constituents but I regularly refer people to the free legal advice clinic organised by the Northside Community Law Centre every Thursday evening. There clients can get advice on marriage, separation, divorce, barring orders and many other issues. No one else in the area provides this service. Very often clients are in a very distressed state, perhaps because of violence in the home or whatever, and they need immediate legal assistance as to what they can do, particularly in emergency situations.

Bureaucratic wrangling between the Department of Social and Family Affairs and the Department of Justice, Equality and Law Reform must not be allowed to cause the closure of this invaluable community service. It is unacceptable that the Department of Social and Family Affairs would allow the closure of the Northside Community Law Centre by ceasing funding without putting alternative financial arrangements in place. The Department of Justice, Equality and Law Reform has been asked to examine the issue as a matter of urgency. Ministerial heads must be knocked together immediately to sort this administrative failure. The Department of Social and Family Affairs should continue to fund the centre out of its information budget, given that the centre's activities are well within the scope of the Department's goals.

The Northside Community Law Centre is modelled on the US law centres, which were set up as part of President Johnson's War on Poverty. According to the Northside Community Law Centre, the idea was that law centres would assist marginalised communities in tackling structural causes of poverty and exclusion, thereby empowering those who had been disempowered. The centre is seen as one of the great success stories of the Department of Social and Family Affairs, as a thoughtful and innovative approach to the problem of poverty and as something which is entirely appropriate to that Department.

Some 30 years ago, community volunteers in a disadvantaged area of the city had a vision. A law centre was established to meet real and practical needs being experienced by ordinary people in their daily lives. A little bit of imagination at this time is needed to ensure this dream is fulfilled. A public meeting is being held on Friday. Many representatives of local organisations and individuals have indicated that they will attend the meeting. Therefore, I ask the Minister for Social and Family Affairs to meet with the board of directors of the Northside Community Law Centre to sort out this administrative problem.

Mr. S. Power: I thank Deputy Haughey for raising this important issue. I am replying on behalf of the Minister for Social and Family Affairs.

The Northside Community Law Centre is one of a number of organisations funded under the Department of Social and Family Affairs' scheme of grants for the development and promotion of

information and welfare rights. Since its establishment in 1975, the centre has been funded exclusively by State agencies, including the Department of Justice, Equality and Law Reform and the former Eastern Health Board, with the Department of Social and Family Affairs taking over direct funding in 1995. The Department provided €215,000 to the centre last year.

The necessity for the centre to source additional funding over and above what the Department can provide has been explained to the board of the centre for a number of years. This is in line with the situation of all other voluntary organisations funded through the Department's information grants scheme. The Minister is fully cognisant of the valuable role which a community-based legal advice service such as the Northside Community Law Centre can play in the delivery of a comprehensive and cost-effective legal advice service for citizens. However, he is satisfied that his Department is not in the long term the most appropriate source of funding for this service having regard to the fact that the Department of Justice, Equality and Law Reform has primary responsibility for funding legal aid services.

It is worth pointing out that in 2004 queries on social welfare represented less than 5% of the law centre's annual business. Also, the Northside Civic Centre in Coolock, where the community law centre is located, has a local social welfare office with a full-time information officer, a citizen's information centre and a money and advice budgeting service office that are all directly or indirectly funded by his Department. The Minister has, therefore, written to his colleague, the Minister for Justice, Equality and Law Reform, regarding future funding for the centre as an integral part of its legal aid services. He will follow this up with him as a matter of urgency.

Payments totalling €140,000 have already been made to the centre this year to ensure continuity of service, including payment of salaries. Departmental officials have been in discussion with the centre's management on the financial issues involved. The Minister is examining the options for assisting the centre until the issue of future funding for the centre has been resolved. He has decided to invite a delegation from the centre, together with Oireachtas representatives from the area, to meet with him in the coming days to discuss how best to ensure the future of the centre.

Job Losses.

Mr. McGinley: Gabhaim buíochas don Leas-Cheann Comhairle as deis a thabhairt dom an t-ábhar seo a thógáil sa Dáil arís. Ní seo an chéad nó an dara huair le roinnt míosa anuas a phlé muid an t-ábhar seo.

Le hocht mí anois tá ceisteanna fá cad é a bhí i ndán don mhonarcha seo i gCroitshlí. Is dócha go bhfuair muid an freagra inné nuair a d'fhógair an bainisteoir go bhfuil an mhonarcha le dúnadh. Na hoibrithe atá as obair nó ar fhionraí le hocht mí, ní bheidh fostaíochta ar bith dóibh, ní bheidh

siad ag dul ar ais. Tá an bainistíocht ag cur deiridh go cinnte le táirgeadh sa mhonarcha seo.

Deireadh ré é deireadh le fostaíocht sa mhonarcha seo. Tógadh an mhonarcha breis agus 100 bliain ó shin. Bord na gCeantar Cúng a thóg í, monarcha bhreá déanta de chloch gearrtha agus atá mar mharc ansin do dhuine ar bith a thugann cuairt ar an pháirt sin de Ghaeltacht Dhún na nGall. Is fíor a rá go bhfuil bunadh na háite, fir agus mná, ag obair ansin i dtionscal amháin nó i dtionscal eile i rith an ama sin. Thosaigh siad ar dtús ag deireadh na 19ú haoise ag déanamh earraí agus éadaigh. Ina dhiaidh sin bhain siad clú agus cáil le bábógaí Chroichshlí a raibh iomrá orthu ar fud an domhain agus gur mhaith le gach cailín a fháil mar bhronntanas. Girseach ar bith nach bhfuair, bhraith sí go raibh sí easnamhach.

Tháinig Novotem isteach 25 bliain ó shin le tionscal nua-aimseartha, trasfhoirmitheoirí, Bhí fir agus mná ag obair ansin, breis agus 100 duine. Tháinig sin anuas go dtí 43 agus leis an fhógra a rinneadh inné, ní bheidh éinne ansin ón mhí seo chugainn amach. Buille sin don cheantar, buille mór do na daoine nach mbeidh ag dul ar ais ag obair.

Níor chuir mise riamh fáilte roimh ráiteas nach mbeidh daoine ag dul ar ais ag obair ach sa chás seo bhí siad i bpurgadóir go dtí seo, na daoine nach raibh ag obair agus nach raibh a fhios acu cad é bhí ag dul a tharlú nó an raibh an tionscal ag teacht ar ais. Dúirt an tAire sa Dáil liom go mb'fhéidir go dtarlódh rud éigin san earrach ach tharla go bhfuil an mhonarcha ag druidim. Ar a laghad, tá a fhios ag na hoibrithe anois nach mbeidh fostaíocht ansin dóibh agus go gcaithfidh siad pleananna eile a dhéanamh le malairt fostaíochta a fháil. Tá bord úr ceaptha d'Údarás na Gaeltachta anois, agus tá na baill ag teacht le chéile ag deireadh na seachtaine seo den chéad uair. Tá ceathrar as ár gcontae féin ar an bhord sin agus cathaoirleach. Ba mhaith liom comhghairdeachas a dhéanamh leis an chathaoirleach, atá atofa agus a rinne jab breá chomh fada agus a bhí sé ansin. Tá lúcháir orm go bhfuil an tAire ag tabhairt tréimhse eile dó. Beidh mé ag súil go dtiocfaidh siad uilig le chéile, chomh maith le comhaltáí an bhoird as ceantair eile agus go ndíreoidh siad isteach ar fhostaíocht agus obair de chineál éigin a chur ar fáil do na daoine seo atá as obair anois, ar máithreacha agus aithreacha iad. Níl aon teacht isteach acu ach liúntais fhostaíochta. Tá a gcuid teaghlach ar shiúl ar choláistí agus institiúidí tríú leibhéal, agus tá costais mhorgáiste agus mar sin orthu. Caithfidh muid tús áite a thabhairt do thionscal éigin a mheallú isteach chun obair agus fostaíocht a chur ar fáil dóibh sin.

Chomh maith leis sin, tá na daoine seo atá fágtha le hocht nó naoi mí — trí ráithe ar an laghad — nuair a bheas na téarmaí iomarcaíochta á bplé.

Tá a fhios againn uilig go bhfuair siad an méid atá dlite dóibh ó thaobh na reachtaíochta de, ach tá súil agam go mbeidh an tionscal agus an bhainistíocht fial, fiúntach agus flaitiúil do na daoine sin, a thug seirbhís chomh fada sin sa mhonarchain agus go mbeidh siad ábalta bonus a thabhairt dóibh le cois an mhéid atá dlite dóibh go reachtúil. Tá a

fhios agam go bhfuil a fhios ag an Aire faoin mhonarchain seo mar gur phléigh muid chomh minic sin sa Dáil í, agus ba cheart dó úsáid a bhaint as gach deis atá aige chun cur ina luí orthu bheith fial, fairsing, flaitiúil agus fiúntach leis na daoine seo. Bhí mé ag éisteacht leo ar an raidió inné. B'fhéidir go raibh an tAire féin ag éisteacht leo; is cinnte go mbainfeadh sé deoir as cloch bheith ag éisteacht leis na daoine sin ag caint. Caithfear infheistíocht a chur ar fáil leis an fhoirgneamh breá seo a chur in oiriúint do thionscal nua-aimseartha le go mbeidh dream eile istigh ag obair ansin roimh dheireadh na bliana seo. Má éiríonn leis an Aire agus an leis an Údarás é sin a dhéanamh, beimid uilig thar a bheith sásta.

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):

Ba mhaith liom buíochas a ghabháil leis an Teachta as ucht an cheist seo a ardú anocht. Mar a dúirt sé féin, ar bhealach amháin, is scéal thar a bheith brónach é seo, agus tá trua agam do na hoibrithe atá tar éis a gcuid post a chailliúint. Nuair a bhí mé i dTír Chonaill in earrach na bliana seo, chas toscaireacht ón mhonarchain liom. D'iarr siad orm cinntiú go gcuirfí deireadh leis an scéal seo ar bhealach amháin nó bealach eile, mar bhíodar gan obair le tamall fada. Ag an am céanna, ní raibh siad in ann dul ar aghaidh leis an gcuid eile dá saol, mar ní raibh a fhios acu an rabhadar ag dul a theacht ar ais nó an rabhadar ag imeacht. Sa mhéid sin, sílim féin ar a laghad go bhfuil scéal soiléir ann anois. Níor chuir mé ariamh fáilte roimh dhúnadh monarchan ar bith, ach is fearr go bhfuil a fhios againne anois nach bhfuil sí ag dul a dh'oscailt. Níor mhaith leis na hoibritheoirí fanacht ní b'fhaide leis an scéal seo. Sin an rud a d'iarr siad orm ag an am. Mhínigh mé dóibh gur bheag an méid a dhféadfaidís a dhéanamh faoi sin. Má bhí dóchas acu sa mhonarchain go bhfaighidís poist eile, chaithfí an deis sin a thabhairt dóibh.

D'fhógair Nuvotem Teoranta ar an Aoine seo caite, 22 Aibreán 2005, go bhfuil an comhlacht chun deireadh a chur go hoifigiúil leis an ngné táirgthe dá ghníomhaíochtaí i gCroithlí, Contae Dhún na nGall. Mar a dúirt an Teachta, is foirgneamh an-álainn é. Ciallaíonn sé seo go mbeidh na hoibrithe táirgthe, a leagadh as a gcuid oibre ar bhonn sealadach san Fhómhar seo caite, á scaoileadh in iomlán ón gcomhlacht le héifeacht ó 23 Bealtaine 2005.

De réir ráitis a d'eisigh an comhlacht, theip ar Nuvotem an gnó nua a bhí ag teastáil a ghineadh. Beidh roinnt gníomhaíochtaí díolacháin, innealtóireachta agus riaracháin an chomhlachta ag leanúint ar aghaidh i gCroithlí agus an chuid sin den fhoireann á gcoinneáil ina bpoist — tuigtear dom gur idir 12 agus 15 post atá i gceist anseo.

Tá Nuvotem Teoranta i mbun déantusaíochta i gCroithlí ó 1979 agus é ag táirgeadh trasfhoirmitheoirí don earnáil teileachumarsáide agus leictreonaice.

Tá Nuvotem, maraon le dhá chomhlacht eile — ceann i bPoblacht na Seice agus ceann eile san Ind — agus oifig dhíolacháin sa Ghearmáin, mar

[Éamon Ó Cuív.]

chuid den ghrúpa idirnáisiúnta Talema. Is fochuideachta 100% de chuid Nuvotem é an comhlacht i bPoblacht na Seice, agus tá mionscairshealbhaíocht, 1%, ag Nuvotem san Ind. Tá an gnó sa tSeic agus san Ind á bhainistiú ag Nuvotem agus, anois, tá gníomhaíochtaí táirgthe an chomhlachta á n-aistriú chuig na tíortha ísealcho-stais sin.

Caithfear a aithint gur chuir Nuvotem fostaíocht mhaith ar fáil i nGaeltacht Dhún na nGall, i gceantar Ghaoth Dobhair agus na Rosa, ó 1979 go dtí le gairid. Bhí leibhéal fostaíochta os cionn 70 i gceist ar feadh scór bliain agus buaicphointe 114 post i lár na 1990í.

D'íoc Údarás na Gaeltachta €1.531 milliún i ndeontais leis an gcuideachta thar an thréimhse 1979 go dtí 1995, agus níor íocadh aon deontas ó shin. Rinne an tÚdarás infheistíocht €780,889 i scaireanna tosaíochta sa cuideachta freisin. Caithfidh mé a threisiú gur scaireanna tosaíochta iad seo gan aon cheart vótála, rud a chiallaíonn nach bhfuil aon chearta ag an Údarás ó thaobh bhainistiú nó riaradh na cuideachta ó lá go lá. Is ag gnáthscairshealbhóirí na cuideachta amháin atá na cearta sin. Rinneadh an infheistíocht dheireannach i scaireanna tosaíochta sa chomhlacht i 1998. Ag breathnú ar an bhfostaíocht mhaith a cuireadh ar fáil thar na blianta, is léir go bhfuarthas luach maith ar infheistíocht an Stáit sa chomhlacht seo.

Mar is eol don Teachta, tá coimhlint ghéar in earnáil na déantúsaíochta le roinnt blianta anuas, agus tá poist á gcailliúint ar fud na tíre seo dá réir, na ceantair Ghaeltachta san áireamh. Ní féidir a shéanadh go bhfuil an cuideachta ag feidhmiú in earnáil atá thar a bheith leochaileach sa tír seo i láthair na huaire mar gheall ar an gcoimhlint ghéar ó tháirgeoirí atá ag feidhmiú i dtíortha le costais táirgthe i bhfad níos ísle. Ní amháin go bhfuil an margadh dá tháirge ag laghdú le roinnt blianta anuas, ach, comhthreomhar leis sin, tá an brabús féin ag laghdú.

Ba mhaith liom bogadh ar aghaidh anois go dtí staid na fostaíochta sa cheantar i gcoitinne. Tá Croithlí, an ceantar ina bhfuil Nuvotem Ionnaithe, i gcomharsanacht Pháirc Ghnó Ghaoth Dobhair agus, mar is eol dúinn uile, fuair an ceantar sin buillí troma ó thaobh fostaíochta de le roinnt blianta anuas. Mar thoradh ar an drochstair seo, tá tréan-iarrachtaí ar siúl ag Údarás na Gaeltachta chun fostaíocht nua a chruthú sa cheantar sin agus chun dul i ngleic leis na riachtanais ó thaobh oiliúna, oideachais agus infrastruchtúir de a chabhróidh leis na spriocanna fostaíochta a bhaint amach.

Ag eascairt as obair an ghrúpa oibre ar chruthú fostaíochta sa Ghaeltacht sa bhliain 2002, sheol an tÚdarás plean gníomhaíochta le dul i ngleic leis an ngéarchéim fostaíochta i gceantar Ghaoth Dobhair. Mar thoradh ar an bplean seo, gineadh 439 post nua — 369 lán-aimseartha agus 70 páirt-aimseartha — ar Pháirc Ghnó Ghaoth Dobhair i meascán d'earnálacha idir sheirbhísí nua-aimsear-

tha agus dhéantúsaíocht ghinearálta. D'éirigh leis an Údarás ceann de phríomhspríocanna an phlean gníomhaíochta a bhaint amach, sin é, 400 post nua a chruthú don chéad dá bhliain ar Pháirc Ghnó Ghaoth Dobhair. Tá breis agus 830 duine fostaithe ar Pháirc Ghnó Ghaoth Dobhair i láthair na huaire, agus caithfear a aithint gur athbheochan iontach é seo ar pháirc ghnó a bhí in ísle brí timpeall dhá bhliain ó shin.

Tá an tÚdarás ag leanúint ar aghaidh leis an dúshlán tuilleadh fostaíochta a chur ar bun. Tá comhlachtaí i nGaoth Dobhair ag earcú foirne san am i láthair, agus tá comhráití ar siúl ag an Údarás le dhá chomhlacht ar leith eile a bhfuil suim acu lonnú i gceantar Ghaoth Dobhair. Táthar ag súil go dtabharfar na cainteanna seo chun críche gan mhoill agus go gcruthófar breis agus 60 post nua eile do cheantar Ghaoth Dobhair dá réir. Tá iarrachtaí eile i gcur chun cinn na fiontraíochta ar siúl ag an Údarás freisin, mar shampla, tús a chur le tógail ionad nua fiontraíochta do cheantar Dhóbhair atá i gcóngaracht dhá mhíle de Chroithlí. Comhthreomhar leis an ngá chun fostaíocht a chruthú, aithníonn an tÚdarás an gá le tacaíocht bhreise a chur ar fáil do phobal na háite chun scileanna nua a fhoghlaim. Dá réir sin, cuireann an tÚdarás, i gcuideachta leis na heagrais stáit, Acadamh na hOllscolaíochta Gaeilge, FÁS, TG4 agus Institiúid Teicneolaíochta Leitir Ceanainn, agus comhlachtaí Gaeltachta mar Telegael agus Cúl an Tí, deiseanna oiliúna agus oideachais ar fáil i gcomharsanacht Ghaoth Dobhair. Sa tréimhse 2004-05, mar shampla, chláraigh 179 duine ar naoi gcúrsa atá ag plé le hábhair éagsúla cosúil le teilesheirbhísí, athscríbhneoireacht, scriptscríbhneoireacht, léiriúcháin teilifíse, sealbhú teanga, cúram leanaí, teicneoireacht ríomhairí agus cúram aosaithe.

Tuigim go bhfuil dul chun cinn suntasach á dhéanamh ó thaobh infrastruchtúir sa cheantar chomh maith. Rinneadh tuilleadh forbartha agus feabhsúcháin i 2004 ar infrastruchtúr teileachumarsáide an pháirc ghnó nuair a cuireadh seirbhís leathanbhanda, i bhfoirm córais ADSL agus nóid IP, ar fáil do chomhlachtaí ar Pháirc Ghnó Ghaoth Dobhair. Cheadaigh An Ciste Idirnáisiúnta d'Éirinn €354,000 d'ionad nuálaíochta ar an bpáirc ghnó agus cheadaigh clár INTERREG III, €270,00 do chlár aistrithe teicneolaíochta trasteorainn. Tá an mhórchuid d'iarmhonarcha SMTC athchóirithe agus tionóntaí mar Ollscoil na hÉireann Gaillimh agus Teagmháil Cheilteach Teo. lonnaithe ann agus tá an réamhobair tosaithe ar athchóiriú iarmhonarcha eile ar an bpáirc ghnó seo.

Mar achoimre, ag cur san áireamh na céimeanna uile seo; rath an phleana gníomhaíochta, tograí fiontraíochta, cúrsaí oiliúna, deiseanna oideachais agus feabhsú infrastruchtúir, tá mise dóchasach go leanfar leis an mbeart fostaíocht fhiúntach ar ardchaighdeán a bhaint amach do cheantar Ghaoth Dobhair.

The Dáil adjourned at 9.15 p.m. until 10.30 a.m. on Wednesday, 27 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 50, inclusive, resubmitted.

Questions Nos. 51 to 58, inclusive, answered orally.

Education Welfare Service.

59. **Mr. G. Murphy** asked the Minister for Education and Science the number of education welfare officers currently employed by the NEWB; and if she will make a statement on the matter. [12933/05]

Minister for Education and Science (Ms Hanafin): The Education (Welfare) Act 2000 established the National Educational Welfare Board as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The priority I attach to supporting the NEWB in delivering on this goal is evident from the fact that the budget which has been allocated to the NEWB for 2005 is up by 20% on the 2004 allocation, to nearly €8 million. To discharge its responsibilities, the board is developing a nationwide service that is accessible to schools, parents-guardians and others concerned with the welfare of young people. For this purpose, educational welfare officers, EWOs, are being appointed and deployed throughout the country to provide a welfare focused service to support regular school attendance and discharge the board's functions locally.

The board issued an information leaflet to 330,000 families and 4,000 schools in March 2004. The leaflet targeted parents and guardians of children aged between six and 16 years of age and young people aged 16 and 17 years who have left school early to start work. It outlined the role parents and guardians play in ensuring that their children do not miss out on education and training and also gave information about the National Educational Welfare Board. In addition, the board launched a new lo-call telephone number to inform parents and guardians about their legal role and responsibilities under the Education (Welfare) Act 2000.

The service is developing on a continuing basis and the board received sanction in late 2004 from my Department to recruit an additional ten educational welfare officers. This brings its total authorised staffing complement to 94, comprising 16 headquarters and support staff, five regional

managers, 11 senior educational welfare officers and 62 educational welfare officers. These additional posts will ensure that every county will have an educational welfare service.

To date, the board has focused the resources available to it on providing a service to the most disadvantaged areas and most at risk groups. Five regional teams have now been established with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. A total of 13 towns with significant school going populations, 12 of which are designated under the Government's RAPID programme, also now have an educational welfare officer allocated to them.

Guidelines were issued by the NEWB to all primary and second level schools in January of this year on reporting student absences. The guidelines provide step-by-step advice on how and when school attendance returns should be made and on how a new website established by the NEWB can be used by schools to comply with their legal obligations to report student absences to the board.

I will keep the issue of the NEWB's staffing under review in the light of the roll out of services and any further proposals that the board may put to me on clearly identified priority needs.

Third Level Education.

60. **Dr. Twomey** asked the Minister for Education and Science the failure rates for first year science courses at universities and institutes of technology; and if she will make a statement on the matter. [12939/05]

Minister for Education and Science (Ms Hanafin): Information on national failure rates in specific programmes is not available. However, national research conducted by the HEA into the issue of student non-completion found that science had a higher rate of non-completion than the average across the university sector, at 22.2% against 16.7% otherwise. This, however, refers to the number who do not complete the full degree rather than the failure rate in any individual year of course. The report also found that overall Ireland's completion rate in degree level programmes compared favourably against the OECD average of 70%.

I am aware of recent media reports of a high failure rate in science, for example, the finding that in UCD some 28% of students either failed their first year or dropped out of the course. However, it is important to note that students may repeat examinations or all of first year or, choose to follow an alternative subject in higher education. The UCD study found that more than 95% of those who leave during the period of study re-enter the college or another third level institution or intend to do so in the near future, suggesting that only a small percentage of students are leaving third level education entirely. It is also instructive to note that a HEA study on completion rates found that of the total com-

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pletion rate of 83%, some 15% completed late, which would include some individuals who would have repeated a year of a course.

Nevertheless, I am particularly concerned that this issue be addressed in view of the importance of science for Ireland's continued economic and national development. A number of actions are under way to enhance completion levels in science and all subjects in higher education. Since 2000, €3.8 million in funding has been made available for the HEA's targeted initiatives fund, which funds projects which aim to consider and develop approaches to non-completion and supports activities aimed at examining and improving student retention and participation in HEA funded institutions.

Institutes of technology have also introduced specific measures aimed at improving retention rates and have provided learning supports programmes with particular emphasis on strengthening skills in the areas of maths and science. They have also established retention projects, personal tutor and mentoring systems, training programmes for staff, orientation programmes to facilitate the transition to third level, information handbooks and guides to best practice, additional tutorials and school liaison and improved pre-entry information.

A separate scheme for student retention in the area of ICT was also introduced by the HEA in 2002, as part of the drive to enhance skills output in the ICT area. Some €3 million has been allocated since 2003, mainly focused on the areas of tutorials and mentoring, drop-in learning centres, student advisers and problem based learning.

The effectiveness of these schemes will be kept under review to ensure that maximum encouragement is given to all those who wish to study in the areas of science and technology.

Teacher Training.

61. **Mr. Timmins** asked the Minister for Education and Science if the curriculum in primary education contains a module on the way in which dyslexia is recognised and the way in which to deal with it; and if she will make a statement on the matter. [13129/05]

Minister for Education and Science (Ms Hanafin): I understand the Deputy is referring to teacher training programmes in the colleges of education. The existing pre-service teacher training programmes provided by the colleges of education include specific elements aimed at enabling all primary teachers to recognise and deal appropriately with the particular needs of all children who have learning disabilities, including those associated with dyslexia.

To further enhance the relevant preparation teachers will have received at pre-service level in the colleges, my Department, in co-operation with colleges of education and universities, also provides a nationwide programme, on an annual basis, of additional specialist training at post-graduate level for learning support teachers and resources teachers. Learning support teachers are

available to all primary schools as additional support for children with learning difficulties, including dyslexia. Resource teachers are available to primary schools, as required, as an additional support for children with special educational needs, including children with dyslexia.

In addition, my Department is currently engaged in a further programme of professional development for all teachers in primary schools, with particular emphasis on whole school and classroom based strategies for responding effectively to the learning needs of children with reading difficulties, including those associated with dyslexia. This work is being undertaken in conjunction with the learning support guidelines which have been made available to all schools by my Department.

This specialist training is supported and directly funded by the teacher education section of my Department, which is responsible for the education, training and continuing professional development of teachers across the continuum from initial pre-entry education to inservice. The course syllabi include training in the diagnosis and identification of reading difficulties, including the appropriate techniques for remediation. In particular, there is a focus on the problem of specific learning disabilities, including dyslexia, in diagnosis and pedagogy.

Through the special education support service, which was established in September 2003, my Department also supports many other relevant short-term intensive courses, including some on-line courses, for primary teachers. In its current programme of support and professional development, the special education support service includes dyslexia as an area of priority with other similar courses which are provided through the network of education centres, teachers' organisations and through the programme of summer courses for primary teachers.

Special Educational Needs.

62. **Mr. Ferris** asked the Minister for Education and Science the appeal mechanism for parents who wish to transfer their dyslexic child to a special school in a case in which family psychologists rate the pupil at eight and school psychologists rate the same pupil at a scale of 22, closing the child's access to the school, in view of the widespread confusion surrounding new structures. [13122/05]

Minister for Education and Science (Ms Hanafin): Based on the information provided by the Deputy, it is not possible to respond specifically on the case in question. However, my officials will arrange to have the matter examined further if the Deputy or the pupil's family arranges to forward the specific details of the case, including the relevant professional reports, to my Department's special education section.

Children with dyslexia have, up to now, generally been catered for on an integrated basis in ordinary primary schools where they can be supported by the learning support teacher service or the resource teacher service. At present, there are

approximately 2,600 resource teachers and 1,531 learning support teachers in the primary system. The Department also provides funding to schools for the purchase of specialised equipment such as computers to assist children with special needs with their education, including children with dyslexia, where recommended by relevant professionals. Schools may apply, through the local SENO, for this support.

Where the condition of a pupil with dyslexia is of a more serious nature, provision can be made in one of the four special schools or 23 special classes attached to ordinary primary schools and dedicated to the needs of children with dyslexia. All special schools and special classes for such children operate at a reduced pupil teacher ratio of 9:1.

My officials will arrange to have the matter examined further if the Deputy or the pupil's family arranges to forward the specific details on the case to my Department's special education section.

63. **Mr. O'Dowd** asked the Minister for Education and Science the progress being made on the implementation of the recommendations of the task force on autism; and if she will make a statement on the matter. [12971/05]

Minister for Education and Science (Ms Hanafin): The recommendations of the task force on autism provide an invaluable basis for development of educational services and supports for persons with autism. In responding to the recommendations, my Department has given priority to implementing the core legislative and structural measures required to underpin service development and delivery.

The Education for Persons with Special Educational Needs Act 2004 has been enacted, while on the structural front, the National Council for Special Education, NCSE, has been established on a statutory basis. These developments represent significant progress and I am confident they will have a positive impact on services for children with special educational needs, including those with autism.

My Department has already acted on many of the recommendations of the task force and is continuing to develop the network of special educational provision for children with autism. The extent of improvement in services for children with autism in recent years can be measured from the fact that, since 1998, when autism was first recognised as a distinct special educational need, a number of dedicated facilities have been developed. A total of 141 special classes for children with autism attached to special schools and mainstream schools have been created; 13 pre-school classes for children with autism have been established; eight autism facilities, some of which are providing an applied behavioural analysis model of response to children with autism, are being funded and five special classes for children with Aspergers syndrome have been created.

The typical pupil teacher ratio for pupils with autism in special schools and classes is 6:1, with

two special needs assistants in each class. The Department also sanctions home tuition grants for children with autism for whom a home based applied behavioural analysis programme is considered appropriate or in cases where such children are awaiting an appropriate school placement.

The task force on autism made a number of recommendations on teacher professional development and significant progress has been made in this area also. The special education support service was established in 2003 to manage, co-ordinate and develop a range of supports in response to identified training needs. The service has established teams of trainers to deliver training in the four specific areas of autism, challenging behaviour, dyslexia and inclusion at post-primary level. This training is delivered locally across the State through the education centre network. In addition, the service provides immediate responses to requests from schools for support in a variety of autism related areas. The service also funds the provision of on-line training courses, including a course on autism, during the summer months of July and August and during the autumn and spring terms.

My Department also now provides 140 places per annum on a postgraduate diploma programme in special educational needs and 20 places per annum on a postgraduate programme in autism. It has also funded the development of an applied behaviour analysis training programme in Trinity College, Dublin, and funded the participation of 12 teachers on the course in 2003-04. The successful participants are now available to the Department, as classroom teachers and as a further training resource.

I am satisfied the steps taken in recent years and those in hand represent significant progress in the development of services for children with autism. However, I recognise that further progress is required and my Department, in consultation with parents and existing service providers, will seek to ensure the recent rate of development is maintained.

Literacy Levels.

64. **Mr. English** asked the Minister for Education and Science the percentage of young persons leaving secondary school with literacy difficulties; and if she will make a statement on the matter. [12975/05]

Minister for Education and Science (Ms Hanafin): There is no facility within the education system to measure the percentage of young people leaving post-primary schools with literacy difficulties. However, the results of PISA, the programme of international student assessment, provide detailed information on the standards of reading literacy among Irish 15 year olds.

In the second cycle of PISA, which was carried out in 2003, Ireland ranked 6th in reading out of the 29 OECD countries for which results were analysed. Just three countries — Finland, Korea and Canada — had significantly higher scores than Ireland. The percentage of Irish students in

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the 2003 survey whose performance in reading was at or below level 1, the lowest level of proficiency, was 11%. The corresponding OECD average was 19.1%. The results of the first cycle of PISA, which took place in 2000, displayed similar differences in favour of Ireland. These outcomes provide strong evidence that, with regard to reading, there are proportionately fewer low achieving students in Ireland compared to the OECD.

Closer examination of the category of low achievement referred to reveals that 2.7% of Irish students performed below level 1 compared with the OECD average of 6.7%. This indicates that the proportion of students with serious reading difficulties in Ireland is less than half that of the OECD average. The results of PISA 2000 provide similar evidence with regard to the prevalence of reading difficulties of this nature among Irish 15 year olds.

Notwithstanding that, young people with poor levels of literacy are a source of concern for my Department. To address their needs, learning support teacher services are available to all second level schools. Currently, there are 528 whole time teacher equivalent posts for learning support. In addition, a total of 1388 whole time teacher posts are provided at second level to cater for students with special educational needs. All of these teachers prioritise the development of literacy skills.

There are also a number of initiatives at post-primary level that have students with literacy difficulties as their target group. The junior certificate school programme focuses specifically on developing literacy skills and schools participating in the school completion programme are given considerable financial resources to provide targeted students with opportunities to improve their literacy skills in accordance with their identified needs. The reduction of the numbers of students with literacy difficulties continues to be a key priority for my Department

Special Educational Needs.

65. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to further special needs requirements at both primary and second level schools throughout the country; if she intends to make provision for the appointment of the necessary teaching staff to ensure the availability of maximum hours for children with special needs requirements; and if she will make a statement on the matter. [12990/05]

Minister for Education and Science (Ms Hanafin): Every effort is made to ensure that children with special educational needs receive an education appropriate to their needs and, in this regard, in recent years significant additional resources have been made available to schools to enable them to provide for children with such needs.

The following dedicated resources are now deployed to support children with special edu-

ational needs in the primary system: more than 2,600 resource teachers — up from 104 in 1998; more than 1,500 learning support teachers; more than 1,000 teachers in special schools; more than 600 teachers in special classes; nearly 6,000 special needs assistants — up from 300 in 1998; more than €30 million on school transport for special needs pupils; more than €3 million towards specialised equipment and materials — up from €0.8 million in 1998.

In addition, the level of resources being made available to support students with special educational needs in the second level system has also grown significantly in recent years. In the current school year, my Department has allocated approximately 1,388 whole time equivalent teachers and 630 special needs assistants to second level schools and VECs to cater for pupils with special educational needs.

In addition to the measures I have outlined, the National Council for Special Education, NCSE, has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order, 2003. The establishment of the NCSE is a further major step in ensuring that the requirements of children with special educational needs are identified and the necessary resources put in place in a timely and effective manner.

There are 71 special education needs organisers, SENOs, employed by the council since September 2004. These have been deployed on a nationwide basis, with at least one SENO being deployed in each county. Each SENO is responsible for the primary and second level schools in their area and they have made contact with each of their schools and informed them of their role.

In addition to processing requests for resources, the council will co-ordinate the provision of education and related support services with health boards, schools and other relevant bodies. Placing organisers in the locality will enable them to work with the parents and the schools, particularly to co-ordinate the services on a local level. That will ensure that when a child has been identified as having a special need, the services can be put in place immediately.

The issue of providing adequate resources to meet the needs of children with special educational needs will continue to be a priority for me. In this regard, my Department is continuing to take steps to develop the network of special educational provision for children with special needs. The steps taken in recent years and those currently in hand represent significant progress in the development of those services.

Psychological Service.

66. **Mr. G. Murphy** asked the Minister for Education and Science the number of psychologists employed by the NEPS; and if she will make a statement on the matter. [12959/05]

Minister for Education and Science (Ms Hanafin): The National Educational Psychological Service, NEPS, has delegated authority to

develop and provide an educational psychological service to all students in primary and post-primary schools and in certain other centres supported by my Department. A leaflet explaining the NEPS model of service, Working Together to Make a Difference for Children, was issued to all schools in October 2002.

In addition to providing assessments for individual children, NEPS is pursuing a policy of enhancing the skills of teachers in the areas of group and individual testing, programme development and behavioural management. This means that many children's needs can be speedily met without the necessity for individual psychological assessment, although the NEPS psychologists are available as consultants to teachers and parents, thus helping the children in an indirect way. This reduces the waiting times for individual assessment.

The NEPS psychologists address the need for psychological assessments in the schools they serve and provide advice on the identification and screening of children who might need to be assessed. Each psychologist is responsible for a number of named schools and visits each on a regular basis. The school authorities provide names of children who are giving cause for concern and discuss the relative urgency of each case during the psychologist's visits. This allows the psychologists to give early attention to urgent cases and such children will be seen or referred on in a matter of weeks, if not days. Where cases are less urgent, the psychologist will, as a preliminary measure, act as a consultant to teachers and parents, offer advice about educational and behavioural plans and monitor progress.

The complement of psychologists in NEPS has increased from 43 psychologists — 30 in permanent full-time posts and 13 on secondment — on the date of establishment in September 1999 to 128 in January 2005, plus two psychologists on career break. Recruitment of psychologists to NEPS has, until recently, been undertaken by the Civil Service and Local Government Commissioners. The last Civil Service Commission panel of 69 psychologists has been exhausted and the recently established Public Appointments Service is now making arrangements to set up a new panel.

With regard to achieving a better regional spread of NEPS psychologists, under the next recruitment competition for NEPS psychologists, regional panels rather than one national panel will be established. This will allow my Department to give greater priority in filling vacancies to areas with the greatest need.

It should be noted that all schools that do not currently have NEPS psychologists assigned to them may avail of the scheme for commissioning psychological assessments, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. Details of this process, and the conditions that apply to the scheme, appear on my Department's website. NEPS also provides assistance to all schools that

suffer from critical incidents, regardless of whether they have a NEPS psychologist assigned to them.

School Staffing.

67. **Mr. Quinn** asked the Minister for Education and Science if her attention has been drawn to the recent survey undertaken by the ASTI, which showed that work related stress accounted for more than one in three teacher absences from school; the steps she intends to take to reduce stress levels among teachers; and if she will make a statement on the matter. [13020/05]

Minister for Education and Science (Ms Hanafin): Opportunities for professional development and the availability of support on a personal level are important in every profession in enabling staff to work to the best of their abilities and to deal with stress. The priority I attach to providing quality professional development for teachers is evident from the fact that this year's inservice budget is up by almost 19% on the 2004 allocation to roughly €31 million.

Enhanced opportunities for professional development will help teachers to stay at the top of their profession. However, I recognise that just like employees in every other line of work, there will be times during a teacher's career when they might need support on a personal, rather than on a professional level. As I told the ASTI annual conference last month, there is a need to develop an occupational health strategy as a supportive resource for teachers. The aim of such a strategy will be to promote the health of teachers in their workplace, with a focus primarily on prevention rather than cure. In this context I have asked my officials to look at possible models for the development of both an occupational health service and an employee assistance service. Exploratory talks have already commenced with the teacher unions and management groups on the possibilities involved. I will maintain a strong interest in developments.

With regard to creating a positive school environment in our schools in which students and staff can work, I established a task force to review the issue of student behaviour. The task force will produce an interim report shortly with its final report expected before the end of this year.

Schools Building Projects.

68. **Mr. Eamon Ryan** asked the Minister for Education and Science the timescale for the allocation of funding to commence construction of an extension of a school (details supplied) in Dublin 20; and if she will make a statement on the matter. [13118/05]

Minister for Education and Science (Ms Hanafin): I have included the building project for the school in question in my recently announced list of school projects to be progressed through architectural planning in 2005. My Department will be in contact with the school shortly to progress the design process. A decision on which

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school building projects will advance to tender and construction as part of the 2006 schools building and modernisation programme will be taken later in the year.

I have now announced the first phases of the 2005 schools building and modernisation programme which provided details of: 122 major school building projects country wide, including 89 primary school projects, which will prepare tenders and move to construction during the next 12 to 15 months; an additional 171 in the number of primary schools that will be invited to deliver their building projects on the basis of devolved funding; 43 schools, of which 32 are primary schools, that will be authorised to commence architectural planning; 590 schools approved for funding under the 2005 summer works scheme, of which over 360 are primary schools; 124 schools, of which 73 are primary schools, whose projects will further progress through the design process.

In addition, approximately €18 million in respect of all primary schools will be issued under the devolved grant to enable schools to carry out minor works. Each primary school gets a standard rate of €3,809 together with a per pupil rate of €12.70.

I plan to make a further announcement in the coming period regarding the 2005 schools building and modernisation programme that will include details of projects identified as suitable for construction under public private partnerships.

Pupil-Teacher Ratio.

69. **Mr. G. Mitchell** asked the Minister for Education and Science the number of children at primary level in classes of more than 35; and if she will make a statement on the matter. [12947/05]

79. **Ms O. Mitchell** asked the Minister for Education and Science the number of children at primary level in classes of more than 25; and if she will make a statement on the matter. [12946/05]

93. **Mr. Bruton** asked the Minister for Education and Science the number of children at primary level in classes of more than 20; and if she will make a statement on the matter. [12945/05]

133. **Mr. Deasy** asked the Minister for Education and Science the number of primary school children in classes of more than 30; and if she will make a statement on the matter. [12936/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 69, 79, 93 and 133 together.

The information requested is as follows and refers to ordinary classes only for the 2003-04 school year: more than 20 — 346,066; more than 25 — 233,262; more than 30 — 73,069; more than 35 — 4,499. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been

taken at local level to use the teaching resources to have smaller numbers in other classes.

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 number of children being taught in classes of 30 plus nationally has almost halved since 1997. The pupil teacher ratio, which includes all the teachers in the school including resource teachers, has fallen from 22.2 to one in the 1996-97 school year to 17.4 to one in 2003-04. More than 4,000 additional teachers have been employed in our primary schools since 1997. These additional teaching posts have been used to reduce class sizes, to tackle educational disadvantage and to provide additional resources for children with special needs.

Significantly smaller class sizes have been introduced in disadvantaged schools involved in the Giving Children an Even Break and 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. With regard class sizes, the commitment in the programme for Government is to reduce class sizes for the under nine year olds. The Government is committed to doing this, with priority being given in the first instance to pupils in disadvantaged areas.

Higher Education Grants.

70. **Mr. Rabbitte** asked the Minister for Education and Science the position of discussions with the Department of Social and Family Affairs and the Revenue Commissioners regarding the introduction of a new higher education grants scheme; the steps being taken to bring these discussions to a conclusion; when she expects that the new system will be in place; and if she will make a statement on the matter. [13023/05]

Minister for Education and Science (Ms Hanafin): My Department funds three means tested maintenance grant schemes for third level students. The higher education grants scheme operates on a statutory basis, while the vocational education committees' scholarship scheme and the third level maintenance grants scheme for trainees operate on an administrative basis. The statutory framework for maintenance grants under the higher education grants scheme is set out in the Local Authorities (Higher Education Grants) Acts 1968 to 1992.

The administration of student support schemes is complex and resource intensive involving the processing and assessment of applications resulting in the approval of payments to over 56,000 students annually. Expenditure in 2004 was almost €203 million.

In accordance with the commitment in the An Agreed Programme for Government, I propose to introduce a single unified scheme of maintenance grants for students in higher education for the academic year 2006-07. In this context, I

intend to put in place as early as possible a more coherent administration system which will facilitate consistency of application and improved client accessibility. This is necessary if we are to ensure public confidence in the awards system and ensure the timely delivery of grants to those who need them most.

My Department has been engaged in extensive consultations with the key stakeholders and with other relevant Departments to map the most logical and effective arrangements for the future structure and administration of the student support schemes. Discussions with the Department of Social and Family Affairs and the Revenue Commissioners relate to their possible contribution to the future shape and administration of the student support schemes.

I expect these discussions will be concluded in the near future. I will then be in a position to determine the best strategy to give effect to the programme for Government commitment to the payment of the maintenance grants through a unified and flexible payment scheme. Whatever new arrangements are eventually decided upon will be provided for in new statutory arrangements through a new student support Bill. This Bill, which will provide statutory underpinning for the schemes, will have as a key objective the promotion of equality of access. I also envisage that the Bill will provide for an independent appeals system.

The timescale for the publication of this Bill is contingent on the range of issues which are the subject of the consultations already mentioned.

School Staffing.

71. **Mr. O'Shea** asked the Minister for Education and Science the number of school days taken by unqualified teachers in the latest year for which figures are available; if her attention has been drawn to the difficulties experienced by school principals in obtaining fully qualified substitute teachers; if she has proposals to address this problem; and if she will make a statement on the matter. [13017/05]

Minister for Education and Science (Ms Hanafin): The figures requested by the Deputy are not readily available in my Department. I am aware, however, that the primary sector has experienced a shortage of trained teachers in recent years mainly as a result of the creation of a large number of additional posts — more than 4,000 since 1997 — in our primary schools. The difficulties experienced were aggravated by the number of teachers availing of career breaks and job sharing schemes. With regard to the difficulty of getting trained teachers to work as short-term substitutes, this would be more pronounced in rural areas.

My Department introduced a range of measures to address the shortage of qualified teachers and I am pleased the number of unqualified teachers in our schools has significantly reduced. It is important to acknowledge that the colleges of education have done much to increase the output of primary teachers to meet the needs

of schools arising from significant additional teacher allocations in recent years.

Since 1999, more than 1,000 students have been admitted annually to the bachelor of education programme in the colleges of education. Since the 1995-96 academic year, an 18 month postgraduate course has been provided in the colleges of education. The total intake to the colleges of education in the current academic year is circa 1,280 students. This compares with an intake of 500 in 1996-97.

There are currently some 3,500 students enrolled and pursuing various stages of primary teacher training programmes in the colleges of education. In addition, graduates of the new primary teacher training course, which is being accredited by HETAC and delivered by Hibernia College, an on-line third level educational company, will be recognised for the purposes of primary teaching.

I am committed to ensuring that the shortage of qualified teachers will be eliminated as speedily as possible and, in this context, my Department will continue to consider initiatives and keep developments, under review.

Residential Institutions Redress Scheme.

72. **Ms Lynch** asked the Minister for Education and Science the number of persons who have made compensation applications to the Residential Institutions Redress Board at the latest date for which figures are available; the way in which the number of applications compares with the original estimate made by her Department; the latest estimate of the number of likely applications; the total amount paid out in awards to date; the estimated likely total liability of the State; and if she will make a statement on the matter. [13010/05]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Board is an independent body established under statute in December 2002 to provide financial redress to persons who, as children, were abused while resident in industrial schools, reformatories or other institutions that were subject to State regulation or inspection. To date, the board has received 5,909 applications and has made awards in just over 3,000 of these cases at a total cost of approximately €229 million.

The board has prepared its second annual report which covers the period 1 January 2004 to 31 December 2004. This report was laid before each of the Houses of the Oireachtas on 13 April 2005 and will shortly be available on the board's website at www.rirb.ie. In its 2004 report, the board states that, based on the pattern of receipt of applications to date, it anticipates receiving between 7,500 and 8,000 applications by the final date for receipt of applications on 15 December 2005, although it emphasises that this is a tentative estimate.

The redress scheme has now been in operation for almost two and a half years and the board will continue to accept applications until December 2005. At that stage, it will be possible to deter-

[Ms Hanafin.]

mine the total number of applications under the scheme but, as it will take the board some considerable time to deal with all applications, the final cost of the scheme may not be known until some time in 2007. Based on the total number of applications the redress board expects to receive up to the end of this year, and allowing for legal and administration costs, the estimated total cost of the scheme will be somewhere in the region of €680 million and €730 million.

The Department's estimate prior to the establishment of the redress board was that the amount of compensation would be €508 million, not including legal and administration costs. Including legal and administration costs the cost of awards under this estimate would be €610 million. The final cost of the redress scheme must be viewed in the context of the Government's concern to provide reasonable compensation towards the hurt and suffering experienced by victims of abuse and the very substantial costs that would have been incurred in any event if no such scheme had been established and if cases had been processed in the normal manner through the courts.

Special Educational Needs.

73. **Mr. Sargent** asked the Minister for Education and Science the measures which will be put in place to ensure that the National Council for Special Education can handle the workload involving deaf education; her views on whether it would be better to reconstitute the advisory committee for the deaf and hard of hearing for a further fixed period with a majority and minority report arrangement in place; and if she will make a statement on the matter. [13120/05]

Minister for Education and Science (Ms Hanafin): The advisory committee for the deaf and hard of hearing was established in December 2001. The committee held 38 meetings over a three year period as well as a number of other meetings at subcommittee stage.

From an early stage in the committee's deliberations it became apparent that there were entrenched, divergent views among representatives of deaf and hearing persons and their families on approaches to the teaching of the deaf and hard of hearing and that there was little willingness to reach consensus. One group who come from an oralist tradition favours a focus on teaching deaf and hard of hearing children to speak and to understand spoken language. The emphasis in the oralist approach is on the use of residual hearing and has been assisted by advances in audiology and technology. Another group strongly advocates sign language as the appropriate and exclusive means of communication. The opposing viewpoints of these groups made it difficult for the committee to reach decisions. In some cases, decisions arrived at on subcommittee stage were challenged at plenary level by members who were involved in the decisions of the subcommittee.

While various chapters of the committee's report were drafted, including chapters on early intervention, primary education, post-primary education, visiting teacher service and communication issues, no consensus was reached on any of these due to the divergent views of members of the committee. To progress matters, and as two previous deadlines which had been set for the finalisation had not been met, my predecessor, Deputy Noel Dempsey, met the committee in June 2004. At that meeting, Deputy Dempsey stressed that its report should be completed by October 2004. The report did not materialise.

In the circumstances and following consultations between my officials and the chairperson of the committee, I formed the view that there was no prospect of the advisory committee reaching an agreed position in the foreseeable future. Given this position, I recently wrote to the chairperson of the committee and informed her of my decision to disband it. I have no plans to change that decision. In disbanding the committee, however, I requested that all of the material produced by it to date be sent to my Department and this has been done. I now intend to discuss the important issue of deaf education with the National Council for Special Education with a view to carrying out research initially and devising policy on issues relating to deaf and hard of hearing pupils.

I am disappointed that it was not possible for the committee to complete its work but the reality was that, more than three years after its establishment, there was no prospect of it doing so. Rather than continue down the cul de sac that the committee's work had become, I have decided that a different approach is required and this approach includes involving the National Council for Special Education which has a remit to advise my Department on policy matters.

I am confident the National Council for Special Education, NCSE, which has a research function and part of whose remit is to advise my Department on policy matters, will be in a position, after undertaking appropriate research and analysis of this matter, to advise my Department on policy and other issues relating to the education of deaf and hard of hearing pupils.

Pupil-Teacher Ratio.

74. **Mr. Healy** asked the Minister for Education and Science the timescale and the way in which she proposes to respond to the disturbing facts uncovered in the survey recently carried out by the Irish National Teachers Organisation which showed that there are 55 primary classes in south Tipperary of 30 or more and that 25% of all south Tipperary primary pupils are in classes of more than 30; and if she will make a statement on the matter. [12746/05]

Minister for Education and Science (Ms Hanafin): The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been

taken at local level to use the teaching resources to have smaller numbers in other classes.

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 26.5 in 1996. The pupil teacher ratio, which includes all the teachers in the school including resource teachers, has fallen from 22.2 to one in the 1996-97 school year to 17.4 to one in 2003-04. More than 4,000 additional teachers have been employed in our primary schools since 1997. These additional teaching posts have been used to reduce class sizes, to tackle educational disadvantage and to provide additional resources for children with special needs.

Significantly smaller class sizes have been introduced in disadvantaged schools involved in the Giving Children an Even Break and 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.

Other improvements in school staffing in recent years include the following: a reduction in the appointment and retention figure for the first mainstream class teacher to 12 pupils; the appointment of administrative principals to ordinary schools where there are nine or more teachers, including *ex quota* posts; a reduction in the enrolment figures required for the appointment of administrative principals to ordinary schools and Gaelscoileanna; the allocation of teaching posts to schools where 14 or more pupils with significant English language deficits are identified.

With regard to the average class size in south Tipperary, the latest data available in my Department show that in the 2003-04 school year the average class size in primary schools in Tipperary South was 23. Only 14% of pupils in south Tipperary were being taught in classes of more than 30, down from 40% of all pupils in the area in 1996-97. South Tipperary had one of the smallest proportions of primary pupils being taught in classes of more than 30 in the country.

This improvement is a reflection of the significant increases in staffing that have been provided to our primary schools by this Government. The number of children being taught in classes of more than 30 nationally has almost halved since 1997. In line with Government policy, my Department will continue to provide further reductions in the pupil teacher ratio in our schools. Priority will be given to pupils with special needs and to those from disadvantaged areas.

School Discipline.

75. **Mr. P. McGrath** asked the Minister for Education and Science the way in which she intends to tackle growing discipline problems in schools; and if she will make a statement on the matter. [12937/05]

119. **Ms McManus** asked the Minister for Education and Science if her attention has been drawn to the call from the TUI, arising from con-

cerns regarding declining school discipline, for the introduction of new legislative measures to outline the rights and responsibilities of both pupils and teachers; and if she will make a statement on the matter. [13012/05]

137. **Ms Lynch** asked the Minister for Education and Science when she expects to receive the report of the task force on student behaviour in secondary schools; if her attention has been drawn to serious concern expressed at recent teacher union conferences regarding the increasing problems of school discipline; if she plans interim measures to deal with this problem, pending the receipt of the report; and if she will make a statement on the matter. [13011/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 75, 119 and 137 together.

I recently established a task force to consider and report on the issue of student behaviour in second level schools. The task force is chaired by Dr. Maeve Martin of the National University of Ireland, Maynooth. I want the work of this task force to provide a solid foundation for developing policies and best practice in our schools into the future. The task force will link closely to a wide range of interests across our education system on this important issue.

A consultative group is part of the process, comprising all the partners in education and allowing for their input to the deliberations of the task force. In addition, I have asked that the task force constitute fora of teachers, parents and students with a view to testing emerging ideas and proposals. The task force invited, by public advertisement, submissions from interested individuals and groups.

There have been eight meetings of the task force to date and other meetings are planned. The partners in education were invited to make oral submissions at a number of the task force meetings. Two consultative fora have been held, in Cork on 14 March and Galway on 21 March. A further two consultative fora have been organised for the coming weeks in Dundalk and Clondalkin. The chairperson and three of the task force members have attended the fora. The format is to meet separate groups of teachers, parents and students, with a member of the task force acting as *rapporteur* for each group. This is followed by a plenary session which is chaired by Dr. Martin.

To date more than 130 submissions have been received. The deadline for receipt of submissions, 31 March 2005, has passed. However, submissions continue to arrive and the task force is still accepting them. I have asked the task force to let me have an interim report by June 2005 and complete its work by the end of 2005.

Lisbon Agenda.

76. **Mr. Bruton** asked the Minister for Education and Science the steps being taken by her Department to ensure that the targets set under

[Mr. Bruton.]
the Lisbon strategy are achieved; and if she will make a statement on the matter. [12954/05]

Minister for Education and Science (Ms Hanafin): The strategic goal set at the Lisbon European Council in March 2000 is to make the European Union the most competitive and dynamic knowledge based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion, by 2010. Education and training have a central role in achieving the Lisbon goal.

The Lisbon strategy is at the core of policy-making in my Department. The statement of strategy for my Department is informed by, and explicitly acknowledges, the importance of the Lisbon strategy. My Department has taken a range of policy initiatives and measures in recent years which contribute to developing the knowledge society and achieving the Lisbon goal.

Since the time constraint does not permit me to give a comprehensive list of all the steps taken, I will focus on a number of key areas. Excellent progress has been made in the area of recognition of qualifications. The establishment of the national qualifications framework represents a significant new departure in Irish education with the needs of the learner taking priority. The framework provides a unique opportunity to develop the awards system for education and training in an innovative and creative way, ensuring that Ireland is at the forefront of international developments in this area.

The expert group on future skills needs studies the supply and demand for skills in individual business/industrial sectors and occupations. There has been concrete progress in implementing the expert group's reports: for example, there have been substantial increases in third level and training course places to address supply shortages in the ICT and life sciences sectors in particular. Social cohesion is a significant dimension of the Lisbon strategy. My Department has put in place a range of measures aimed at promoting social inclusion ensuring that all of our young people leave the education system with a high quality education and related qualifications to support their full participation in society. The national anti-poverty strategy is coherent with the achievement of the Lisbon goal.

The lifelong learning dimension of the Lisbon strategy has been advanced by a range of initiatives such as the adult guidance initiative and programmes to promote adult literacy, as well as increased flexibility of education provision which addresses access barriers. Significant progress has also been made in the curriculum at both first and second level in improving ICT access and in science and technology. Over €130 million has been invested in ICT in primary and secondary schools since 2000.

At third level, the Government has also made a strategic decision to invest heavily in research and development as a key means of assuring future economic and social development. Under the National Development Plan 2000-2006, major

public investment is being made in research and development. This investment is creating new centres and research programmes through the higher education sector, providing valuable new labour market skills through the development of researchers and providing opportunities for academic-industry research collaborations.

Another important element in achieving the Lisbon goals is the Europass initiative. Europass is a new Europe wide instrument for better recognition of qualifications and skills in the enlarged Europe. It provides for a single framework for the transparency of qualifications and competences. The National Qualifications Authority of Ireland is working with all relevant stakeholders to ensure that Irish people can avail of Europass at the earliest opportunity.

In the context of the Lisbon strategy, the European Commission has been monitoring progress on a number of benchmarks for education and training. Ireland's comparative performance in a number of areas is particularly good: for example, we are among the best performing countries in the number of mathematics, science and technology graduates and in the reading ability of pupils at age 15 years.

Third Level Education.

77. **Mr. Coveney** asked the Minister for Education and Science the progress which has been made in implementing the recommendations of the OECD review of third level education here; and if she will make a statement on the matter. [12960/05]

95. **Mr. S. Ryan** asked the Minister for Education and Science the steps she intends to take arising from the decision of the Government to endorse the recent OECR report on third level education; and if she will make a statement on the matter. [13025/05]

99. **Mr. Gormley** asked the Minister for Education and Science the aspects of the OECD report into higher education which the Government will implement in the coming 12 months. [13117/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 77, 95 and 99 together.

Following consideration and approval by my Government colleagues of the broad thrust of the recommendations contained in the OECD review of higher education, I was delighted to announce yesterday the creation of a strategic innovation fund to facilitate the process of change in the sector and also the bringing forward of legislation to provide for the transfer of the institutes of technology to the Higher Education Authority. These initiatives are evidence of my and the Government's commitment to providing a comprehensive response to the OECD report and ensuring that our higher education system is capable of meeting the challenges ahead. They form part of a detailed response to the report I gave yesterday in which I set out some of the main policy par-

ameters which should now guide the process of change and development that lies ahead.

The OECD report emphasises the need to modernise structures within higher education institutions so they may better deliver on their broad educational mission. This need is already being recognised in the programmes of structural reform which are under way in a number of institutions. The Government recognises the reform efforts required and under way. It has agreed that they should be promoted and supported through accelerated prime funding.

The strategic innovation fund will enable higher education institutions to incentivise and reward internal restructuring and rationalisation efforts, provide for improved performance management systems, meet staff training and support requirements associated with the reform of structures and the implementation of new processes and implement improved management information systems. The fund will also facilitate institutions in introducing teaching and learning reforms, supporting quality improvement initiatives and promoting access, transfer and progression.

A key priority will be the incentivisation of stronger inter-institutional collaboration in the development and delivery of programmes. Funding will be competitively awarded on the basis of an independent external evaluation of the quality of proposals with a requirement for excellence. The fund will be created on a multi-annual basis and I will now ask the HEA to initiate the process of drawing up detailed criteria and launching a competitive process for the approval of funding awards, with a view to the draw down of awards commencing in 2006.

The strategic innovation fund is one part of a process of moving towards a more targeted approach to the overall funding of higher education. The HEA is already working towards the phasing in of a revised funding model which will act as an incentive to institutions to achieve progress on a range of strategic priorities. The challenges to be faced in increasing and diversifying the sources of funding available to higher education, as recommended by the OECD, are also significant and I have stated my intention to work with the sector to ensure that the conditions for a greater diversification of funding are facilitated.

A number of the key recommendations made by the OECD will require legislative change. It is my intention to develop comprehensive new legislation for the sector to give effect to these. The establishment of a new single oversight body to succeed the current Higher Education Authority will be addressed. So too will the need for change in the composition of governing bodies at institutional level. There is a need to place the two research councils, the Irish Research Council for the Humanities and Social Sciences and the Irish Research Council for Science, Engineering and Technology, on an appropriate statutory footing.

In the meantime, I intend to move ahead with the designation of the institutes of technology under the existing Higher Education Authority.

This is a key step in developing a coherent management and strategic framework for the sector and in promoting inter-institutional collaboration. Interim amending legislation will now be introduced to give effect to the designation. The aim is for this to be achieved by the end of October of this year, with the designation to take effect from that time. The membership of the authority itself will also be re-configured at that time to ensure that it reflects an appropriate balance of interests.

An important role of the current HEA and its successor body will be to achieve a broad collective fit between the institutional strategies of individual higher education providers and national strategic objectives. An essential starting point has to be the identification of what those national economic, social and cultural objectives are. The OECD report has recommended the establishment of a national council for tertiary education, research and innovation, to be chaired by the Taoiseach. I am not convinced that the particular model recommended by the OECD is the optimal one.

However, there is a need to provide formal structures for an articulation of the broad cross sectoral perspectives that should inform a national strategy for higher education. Those structures need to reflect the central importance of that strategy to Irish society. A re-constituted Higher Education Authority, representing a wider range of interests, and the recently established Cabinet committee on science, technology and innovation form important parts of the picture. It is my intention to further explore the potential approaches, consult further with colleagues and return to Government with proposals on the most effective model overall for achieving the objective behind the OECD recommendation.

I intend all of this to proceed against a background of extensive consultation with key stakeholders in the sector. I initiated this process in January with a colloquium involving myself, senior officials of my Department, the Conference of Heads of Irish Universities, the Higher Education Authority, the Council of Directors of the Institutes of Technology and Dublin Institute of Technology. My Department is now engaged in a consultative process on key areas such as research and access with a view to obtaining the input of relevant stakeholders to the reform process. A research consultative forum is due to take place shortly and others will follow.

I reiterate my commitment to the process of reform and development which will enable our higher education system to move forward, within a framework of a unified national strategy, in contributing to the achievement of our broad economic, social and cultural objectives.

Educational Disadvantage.

78. **Mr. Stanton** asked the Minister for Education and Science the number of children who have participated in the Early Start programme in each year since its inception; the cost of this

[Mr. Stanton.]

project for each of those years; the success of this project in combating educational disadvantage; the success of this project in involving parents and the community in the programme; the success of this project in developing methods of best practice; and if she will make a statement on the matter. [13127/05]

Minister for Education and Science (Ms Hanafin): The Early Start pre-school project was established in 40 primary schools in designated areas of urban disadvantage in Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk during 1994 and 1995. The aims of Early Start are to expose young children to an educational programme which would enhance their overall development, prevent school failure and offset the effects of social disadvantage. The total number of places available in Early Start centres has been 1,680 in each year since 1996, the first full year of operation, with the funding provided to support this number of places on a year to year basis. The provision involved for 2005 is €5 million.

Early childhood education and care is a horizontal policy issue involving several Departments and agencies. Policy options in this area are under active consideration within my own Department and also by the interdepartmental high level group on child care and early education, which is chaired by the National Children's Office.

Question No. 79 answered with Question No. 69.

School Accommodation.

80. **Ms O'Sullivan** asked the Minister for Education and Science the way in which she proposes to address the growing problem of adequate provision of school places for children in areas of expanding population; and if she will make a statement on the matter. [12997/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is charged with planning the provision of suitable cost effective accommodation to underpin the delivery of first and second level education. Key tasks of the section include ensuring that there are sufficient pupil places available in first and second level schools and that the use of existing accommodation is optimised.

The process of assessing the need for new or additional educational facilities at primary or post-primary level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing developments and the capacity of existing schools to meet the demand for places. Liaison with existing schools is an important part of the process also, as the school authorities would usually alert my Department where, in their view, the need for additional accommodation is anticipated. In this way, every effort is made to ensure that there is adequate existing provision or that timely

arrangements are made to extend capacity or provide new infrastructure where necessary.

Over and above the statutory consultation provisions relating to draft area development plans, my Department has in recent years worked to strengthen contacts with local authorities to enable informed decisions to be made in planning future educational provision, for example, a specific forum, the Dublin school planning committee, chaired by officials of my Department, interacts with the Dublin local authorities. This forum comprises representatives of the local authorities in Dublin together with representatives of the patron bodies of primary schools and it works proactively in monitoring demographic changes and their likely impact.

The criteria for prioritising large scale building projects were revised following consultation with the education partners. Under the revised criteria, school projects in rapidly developing areas are assigned a band 1 rating which is the highest priority possible. This is clear evidence of my Department's commitment to ensuring that the needs of rapidly developing areas are met as quickly as possible.

The school planning section of my Department is also working proactively with some local authorities to explore the possibility of the development of school provision in tandem with the development of community facilities. This enhanced cooperation has the effect of minimising my Department's land requirements and thus reducing site costs while at the same time providing local communities with new schools with enhanced facilities. In addition, under the provisions of the strategic development zones, SDZ, it is generally the position that sites must be reserved for schools and that the schools must be developed commensurate with housing and other developments such as community facilities.

My Department has recently adopted an area based approach to school planning where, through a public consultation process involving all interested parties, a blueprint for schools' development in an area for a ten year timeframe is set out. The areas covered in the pilot phase of this new approach to school planning include the rapidly developing areas of north Dublin, south Louth, mid-Meath and the N4/M4 route running from Leixlip to Kilbeggan and including all rapidly developing towns and villages on that route.

Taken in combination the measures outlined will improve the speed and effectiveness of the response to emerging needs in rapidly developing areas.

Physical Education Facilities.

81. **Mr. Sherlock** asked the Minister for Education and Science the steps she is taking to ensure that all goalposts used in schools are safe, in view of a number of accidents in which temporary or portable goalposts have collapsed on children causing injury and in some cases death; and if she will make a statement on the matter. [13031/05]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work Act 1989, individual school authorities are responsible, in the first instance, for ensuring the safety and welfare of children and others in their care. The National Standards Authority of Ireland has recently launched a new committee to develop a standard for the safety of goalposts. Involved in this committee, in addition to the National Standards Authority of Ireland itself, are such sporting organisations as the Gaelic Athletic Association, the Football Association of Ireland, Irish Rugby Football Union, the International Rugby Board, engineering firms, universities and other relevant State agencies, including an official from my Department.

Standardised Testing.

82. **Mr. M. Higgins** asked the Minister for Education and Science if she has received a report from the NCCA recommending that all 450,000 primary school pupils should be tested for literacy and numeracy in first class and fifth class; if she intends to implement this proposal; and if she will make a statement on the matter. [13006/05]

129. **Mr. Kenny** asked the Minister for Education and Science the position with regard to the introduction of standardised testing at primary level; and if she will make a statement on the matter. [12953/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 82 and 129 together.

Within the past week, I received the advice of the National Council for Curriculum and Assessment, NCCA, on standardised testing in compulsory schooling. This advice contains a number of recommendations all of which complement the NCCA's ongoing work on supporting assessment in schools. Standardised tests offer real potential to improve the quality of teaching and learning in our classrooms, to assist parents in supporting their children's progress and to provide system level data on pupil achievement.

I intend to consider the advice of the NCCA carefully and to consult, as appropriate, before making any decisions on implementing standardised tests as a requirement in primary schools.

Special Educational Needs.

83. **Mr. Eamon Ryan** asked the Minister for Education and Science if she will reconsider her decision to abolish the advisory committee for the deaf and hard of hearing; her views on whether the National Council for Special Education is the appropriate forum to deal effectively, comprehensively and quickly with deaf education issues, particularly at developmental stage; and if she will make a statement on the matter. [13119/05]

432. **Mr. Gogarty** asked the Minister for Education and Science the reason there was no consultation between her Department and the deaf community regarding her decision to abolish the advisory committee for the deaf and hard of hearing. [13138/05]

433. **Mr. Gogarty** asked the Minister for Education and Science the reason the advisory committee for the deaf and hard of hearing was not consulted before her decision to disband it; the assessment she received before her decision; the person who made the assessment; and if she will make a statement on the matter. [13139/05]

434. **Mr. Gogarty** asked the Minister for Education and Science if her attention had been drawn to the unbalanced representation on the advisory committee for the deaf and hard of hearing before her decision to disband it. [13140/05]

435. **Mr. Gogarty** asked the Minister for Education and Science if her attention had been drawn to the intransigent stance adopted by her officials to proposals and suggestions of the deaf community regarding deaf education issues on the advisory committee for the deaf and hard of hearing. [13141/05]

436. **Mr. Gogarty** asked the Minister for Education and Science her views on receiving majority and minority reports from the advisory committee for the deaf and hard of hearing based on its work up until disbandment. [13142/05]

437. **Mr. Gogarty** asked the Minister for Education and Science if she will clarify her position regarding the education of the deaf community in view of comments made during a debate on 30 June 2004 which suggested that there were mutually exclusive arguments within the deaf community regarding education models; if her attention has been drawn to the fact that there are not such major disagreements within the community, but rather between service providers and the deaf community; and if she will make a statement on the matter. [13143/05]

449. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the anger and frustration at her decision to disband the advisory committee for the deaf and hard of hearing; and if there was any communication suggesting that the committee draw up a minority and majority report. [13233/05]

450. **Mr. Crowe** asked the Minister for Education and Science the number of persons on the NCSE tasked with advising her Department on policy matters and who come from a deaf or hard of hearing background in view of her decision to disband the advisory committee for the deaf and hard of hearing. [13234/05]

451. **Mr. Crowe** asked the Minister for Education and Science the effort she made as a newly appointed Minister to ensure that the advisory committee finalised its report in view of her decision to disband the committee; if her attention has been drawn to the two bodies of opinion shared by the committee; and if, in the absence of compromise, it was asked to come up with a majority and minority report. [13235/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 83, 432 to 437, inclusive, and 449 to 451, inclusive, together.

[Ms Hanafin.]

The advisory committee for the deaf and hard of hearing was established in December 2001. The committee held 38 meetings over a three year period as well as a number of other meetings at subcommittee stage.

From an early stage in the committee's deliberations, it became apparent that there were entrenched, divergent views among representatives of deaf and hearing persons and their families on approaches to the teaching of the deaf and hard of hearing and that there was little willingness to reach consensus. One group who comes from an oralist tradition favours a focus on teaching deaf and hard of hearing children to speak and to understand spoken language. The emphasis in the oralist approach is on the use of residual hearing and has been assisted by advances in audiology and technology. Another group strongly advocates sign language as the appropriate and exclusive means of communication. The opposing viewpoints of these groups made it difficult for the committee to reach decisions. In some cases, decisions arrived at on subcommittee stage were challenged at plenary level by members who were involved in the decisions of the subcommittee.

While various chapters of the committee's report were drafted, including chapters on early intervention, primary education, post-primary education, visiting teacher service and communication issues, no consensus was reached on any of these due to the divergent views of members of the committee.

To progress matters, and as two previous deadlines which had been set for the finalisation had not been met, my predecessor, Deputy Noel Dempsey, met with the committee in June 2004. At that meeting, Deputy Dempsey stressed that its report should be completed by October 2004. This did not materialise. In the circumstances and following consultations between my officials and the chairperson of the committee, I formed the view that there was no prospect of the advisory committee reaching an agreed position in the foreseeable future. Given this position, I recently wrote to the chairperson of the committee and informed her of my decision to disband it. I have no plans to change that decision.

In disbanding the committee, however, I requested that all of the material produced by it to date be sent to my Department and this has been done. I now intend to discuss the important issue of deaf education with the National Council for Special Education with a view to carrying out research initially and devising policy on issues relating to deaf and hard of hearing pupils.

I am disappointed it was not possible for the committee to complete its work but the reality was that, more than three years after its establishment, there was no prospect of its doing so. Rather than continue down the cul de sac the committee's work had become, I have decided that a different approach is required and this approach includes involving the National Council for Special Education which has a remit to advise my Department on policy matters.

I am confident the National Council for Special Education, NCSE, which has a research function and part of whose remit is to advise my Department on policy matters, will be in a position, after undertaking appropriate research and analysis of this matter, to advise my Department on policy and other issues relating to the education of deaf and hard of hearing pupils.

School Text Books.

84. **Mr. Sherlock** asked the Minister for Education and Science if she will take action to prevent publishers of school books from reprinting text books with minor textual changes, forcing parents and schools to discard expensive books after a short period of time; and if she will make a statement on the matter. [13030/05]

Minister for Education and Science (Ms Hanafin): Syllabus planners are conscious of the need to avoid over frequent changes, primarily to minimise increases in the cost burden for parents. Apart from a small number of prescribed texts at second level, mainly in the case of language subjects, school books are not approved or prescribed by my Department at first or second level. The publication and sale of school books are in the hands of independent enterprises. Decisions on which books to use are taken at school level.

School authorities have been advised that books should be changed only to the extent that is absolutely necessary. However, textbooks must be changed periodically to enable students' work to be kept educationally stimulating and to ensure that content and methodology are kept up to date.

My Department operates a grant scheme towards the cost of providing school textbooks for pupils from low income families in schools at first and second level. For the purposes of these grants, a needy pupil is a pupil from a family where there is genuine hardship because of unemployment, prolonged illness of a parent, large family size with inadequate means, single parenthood, or other family circumstances, such as substance abuse, which would indicate a similar degree of financial hardship. Principal teachers administer the book grant schemes in schools in a flexible way under the terms of the schemes based on their knowledge of particular circumstances in individual cases. Many schools operate book rental schemes and second-hand book exchanges.

A total of €3,961,683.89 was paid by my Department in respect of 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 or rental scheme. The total expenditure in post-primary schools for the 2004-05 school year was €6,359,000, which includes €221,240.00 in respect of the book rental or loan schemes seed capital.

School Administration.

85. **Ms McManus** asked the Minister for Education and Science if she has considered the recent survey carried out by the Irish Primary

Principals Network which found that many principals are extremely overloaded and overworked; if she will address the administrative burden under which principals are operating; and if she will make a statement on the matter. [13013/05]

Minister for Education and Science (Ms Hanafin): I am aware of the concerns expressed by a number of organisations, including the Irish Primary Principals Network in their survey, about the administrative burden placed on schools and the effect this has on the workload of principals. In response to these concerns, I have already started a process of review of the administrative burden imposed on schools arising from departmental and legislative requirements. We can collectively seek opportunities to ensure that this burden is kept to the minimum, consistent with achieving the worthwhile and essential objectives of legislation in recent years.

The core purpose of the review I have set in motion is to focus sharply upon administrative processes and consequent administrative burdens which arise within the school as a result of regulations and/or departmental requirements and to consider what scope exists for alleviating these or having them performed in a more efficient and less demanding manner from the perspectives of the school.

In March my Department wrote to the various representative bodies inviting them to consider where and in what way present processes can be improved upon. My Department will work closely with all parties involved to find meaningful solutions in respect of this important issue.

Computerisation Programme.

86. **Mr. Allen** asked the Minister for Education and Science if a new strategy for introducing information technology into schools will be announced; and if she will make a statement on the matter. [12941/05]

Minister for Education and Science (Ms Hanafin): The major focus for my Department at present is the roll out of broadband connectivity to all recognised schools. This project is being undertaken in partnership with industry, following the establishment of a three year €18 million joint Government/IBEC-TIF fund. The broadband connectivity will be provided via a backbone schools network supported by HEAnet, which will provide managed Internet access, e-mail, security controls and other services designed to enhance the educational process. A broadband support service will be provided by the NCTE to assist schools with advice and information relating to the roll out and ongoing use of their broadband connectivity within the schools network.

The provision of always-on high speed Internet access for recognised schools represents a major development in the schools ICT initiative to integrate technology into teaching and learning in our schools and equip our young people for full participation in the information society.

School Management.

87. **Mr. Quinn** asked the Minister for Education and Science if her attention has been drawn to reported proposals from a number of religious orders to establish collaborative trusts to run schools under their control; if there have been any discussions with her Department on this proposal; if her attention has further been drawn to concerns that such a change might hasten the closure of schools around the country; and if she will make a statement on the matter. [13021/05]

Minister for Education and Science (Ms Hanafin): Members of religious orders have kept in close touch with my Department about the evolution of trust boards in their sector. At the core of this approach is an intent and desire to secure the future of the ethos of these schools at a time when the role of members of the orders in day to day management will be greatly diminished as a result of falling numbers of religious. I do not see the trust board concept as a threat to the continuation of a school of any particular ethos. While there is no doubt that issues of demographics and parental choice will have an impact on the future shape of educational delivery in Ireland, I do not see the advent of trust boards *per se* as resulting in school closures.

Third Level Education.

88. **Mr. S. Ryan** asked the Minister for Education and Science the steps she intends to take to address the continuing low levels of attendance at third level institutions by young persons from areas of socioeconomic disadvantage, identified in recent figures published by the CAO; and if she will make a statement on the matter. [13024/05]

Minister for Education and Science (Ms Hanafin): Ireland has witnessed significant growth in participation in higher education in recent decades. In 1980, only 20% of all school leavers went on to higher education, today that figure is 54%. In 1980, only 3% of children from the least well off families entered higher education. According to the most recent national survey data available — Clancy 2001 — that figure has risen to between 20% and 30% of school leavers from the most under-represented groups. While this represents a big improvement it is below the average participation rate.

Broadening access to further and higher education is one of the Government's major policy priorities. The Government made a €42 million package available in 2003 which involved substantial increases in grant levels while extending the income thresholds and linking the amount of the "top up" grant to the maximum personal rate of unemployment assistance. The impact of this scheme resulted in an increase in the number of grant holders from 51,000 in 2002-03 to more than 56,000 in 2003-04 and an increase in the number of "top up" grant holders to more than 11,500.

In addition to the initiatives within the mainstream grant schemes, the National Office for Equity of Access to Higher Education manages

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for my Department a number of funding programmes to widen access and support the participation of socioeconomically disadvantaged groups. These include the HEA strategic initiative funding, Improving Access, through which €7.3 million is ring-fenced annually for widening access programmes of third level institutions; the student assistance fund which provides financial support to disadvantaged students who require additional support to enable them to fully benefit from their third level studies — €5.6 million allocated under this fund in 2004-05; the fund for students with disabilities in respect of which expenditure was over €6 million in 2004, which has contributed to an increase in participation by students with a disability, with approximately 1,790 students in receipt of funding under the 2004-05 scheme, an increase of almost 1,300 since 2000 when 511 were in receipt of funding under the scheme; and the millennium partnership fund for disadvantage through which €1.85 million was allocated in 2004-05 to 68 partnerships and community groups.

A number of practical steps are being taken to address the under-representation of young people from areas of socioeconomic disadvantage. This includes the establishment in August 2003 of the national office within the HEA as a co-ordinating unit to lead work nationally on achieving equity of access to higher education, co-ordinate funding and resources, and monitor and report on progress. In December 2004, the national office published a three year action plan, 2005-2007, which sets out a range of practical steps which need to occur so that more opportunities are created for groups who have to date been under-represented in the sector, such as socioeconomically disadvantaged school leavers. This will include arrangements so that all disadvantaged regions, schools and communities, in particular those with low levels of representation, are linked to access activities and programmes in at least one higher education institution in their region.

An integrated and coherent strategy is required if we are to further increase the participation rates among persons from lower socioeconomic backgrounds. Incentivised funding at the level of the institutions and the individual as advocated in the action plan from the National Office for Equity of Access to Higher Education will be an important element of funding policies in the future. My Department is in consultation with the universities and the institutes of technology about their proposals for alternative entry and retention processes to improve access opportunities for students from socioeconomically disadvantaged backgrounds. I also attach considerable importance to the recommendations in the action plan relating to awareness issues and the need for user friendly and accessible processes and procedures for the allocation of funding.

A priority area for action is evaluation of access programmes which have been established in higher education institutions to ascertain what strategies and partnerships work best in achieving equity of access to higher education for all under-

represented groups. Building upon this work, the national office will develop and support the implementation of a national framework of access policies and initiatives for each target group, including young people from socioeconomically disadvantaged areas. The national office will monitor and report on progress in implementing the action plan and reaching national and institutional targets on equity of access to higher education.

Pupil-Teacher Ratio.

89. **Mr. Durkan** asked the Minister for Education and Science her plans to bring about an early examination of the pupil teacher ratio at primary and second level schools throughout the country; if the necessary corrective measures will be taken to bring the ratio here into line with other jurisdictions in which best practice is observed; her views on the urgent need to address this issue at an early date; and if she will make a statement on the matter. [12991/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil teacher ratio at both primary and post primary levels in recent years. At primary level, the ratio has fallen from 22.2:1 in the 1996-97 school year to 17.4:1 in the 2003-04 school year. At post-primary level the pupil teacher ratio has been reduced from 16:1 to 13.6:1 in the same period. In line with Government policy, my Department will continue to provide further reductions in the pupil teacher ratio, with priority being given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Public Private Partnerships.

90. **Mr. Kehoe** asked the Minister for Education and Science if her Department is planning further PPP schools; and if she will make a statement on the matter. [12938/05]

Minister for Education and Science (Ms Hanafin): My colleague, the Minister for Finance, provided a capital envelope of €555 million in respect of education PPPs for the period 2005 to 2009 and I am currently examining how this may be best utilised. This examination covers both schools and the third level sector.

A key rationale underpinning the decision to proceed with the initial bundle of five schools was to test the PPP approach in the case of schools, to learn from the experience and thereby to inform future usage of a PPP approach to procuring schools. Based on the experience to date, a number of issues are under active consideration by my Department and will inform my decision on the allocation of the funds available to me for PPP development. These include the type of PPP model to be used, the level of operation and service to be included in any new programme, how the projects should be bundled so as to provide the most cost effective procurement and the size and geographical spread of the bundles.

New building projects on greenfield sites that have been prioritised using the criteria agreed with the education partners and published by my Department fit the PPP model best, as distinct from projects that involve modernisation of existing buildings. I intend to announce my plans for a further PPP programme in the near future.

School Accommodation.

91. **Mr. Crowe** asked the Minister for Education and Science the extra supports her Department plans to introduce in view of the long waiting list for parents looking to send their children to an all-Irish primary school in the Tallaght west area. [13123/05]

Minister for Education and Science (Ms Hanafin): I approved the provision of temporary accommodation at the all-Irish primary school in Tallaght to meet its needs for September 2005. If a second all-Irish primary school is deemed necessary in the area, it is a matter for the patron body to make an application before the new schools advisory committee. Details outlining the application procedure for new schools intending to commence operation for the 2006 school year will be advertised later this year.

Special Educational Needs.

92. **Mr. McEntee** asked the Minister for Education and Science if the new system for the allocation of resources to children with special educational needs will be introduced as planned in September 2005; and if she will make a statement on the matter. [12967/05]

143. **Mr. McGinley** asked the Minister for Education and Science if she plans to introduce a system of weighted allocation for children with special educational needs from September 2005; and if she will make a statement on the matter. [12961/05]

152. **Ms O'Sullivan** asked the Minister for Education and Science when she expects the review of the proposed weighted system of allocation of resource teaching support to be completed; and if she will make a statement on the matter. [12996/05]

394. **Ms Enright** asked the Minister for Education and Science the changes she will be making to the weighted system for the allocation of resources for children with special educational needs, due to be introduced in September 2005; and if she will make a statement on the matter. [13327/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 92, 143, 152 and 394 together.

In light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This

model, which was announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. The model was constructed so that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

The advantages of using a general allocation model are as follows: it facilitates early intervention as the resource is in place in the school when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it gives more security to special education teaching posts and makes special education teaching a more attractive option; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services.

I have made it clear that while I am in favour of using a general allocation model for the reasons I have just given, I am conscious of the particular difficulties that the model announced last year could cause for small and rural schools if implemented as originally announced. For this reason I asked my Department to conduct a review of the model announced last year. This review is currently being finalised and I expect to make an announcement in this regard shortly.

Question No. 93 answered with Question No. 69.

Schools Refurbishment.

94. **Mr. Naughten** asked the Minister for Education and Science the action she is taking to upgrade schools in County Roscommon; and if she will make a statement on the matter. [12747/05]

Minister for Education and Science (Ms Hanafin): Applications for capital funding for schools are assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. I have now announced the first phases of the 2005 schools building and modernisation programme which provided details of: 122 major school building projects country wide, including 89 primary school projects, which will prepare tenders and move to construction during the next 12 to 15 months; an additional 171 in the number of primary schools that will be invited to deliver their building projects on the basis of devolved funding; 43 schools, of which 32 are primary schools, that will be authorised to commence architectural planning; 590 schools approved for funding under the 2005 summer works scheme, more than 360 of which are primary schools; 124 schools, of which 73 are primary schools, whose projects will further progress through the design process.

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In addition, approximately €18 million in respect of all primary schools will be issued under the devolved grant to enable schools to carry out minor works. Each primary school gets a standard rate of €3,809 together with a per pupil rate of €12.70. I plan to make a further announcement in the coming period regarding the 2005 schools building and modernisation programme that will include details of projects identified as suitable for construction under public private partnerships.

In addition to the three building projects currently under construction in County Roscommon, funding for a further nine projects is included in my recent announcements.

Question No. 95 answered with Question No. 77.

School Curriculum.

96. **Mr. Neville** asked the Minister for Education and Science the number of recommendations of the task force on the physical sciences which remain to be implemented; and if she will make a statement on the matter. [12969/05]

Minister for Education and Science (Ms Hanafin): My Department continues to progress the recommendations of the task force on the physical sciences as resources permit in collaboration and consultation with the Department of Enterprise, Trade and Employment, Forfás and industry. One of the recommendations in that report was the appointment of a chief scientist who would have responsibility for overseeing developments under the task force and other science focused initiatives, and providing advice on all aspects of science and technology policy.

A chief science adviser and a deputy chief science adviser have been appointed and maintain continuing contact with my Department on implementation issues. The office of the chief science adviser works in conjunction with the interdepartmental committee for science, technology and innovation and the Cabinet committee for science and technology. It is not intended, therefore, to establish an implementation committee for the task force report. Significant progress has been made in a range of areas pertaining to my Department. A new science curriculum has been introduced at primary level supported by a resource grant in December 2004 of €1000 per school plus €10 per pupil. Revised syllabi in junior certificate science and in leaving certificate physics, chemistry and biology have been introduced. Work on the revision of the two remaining leaving certificate subjects — agricultural science and physics and chemistry, combined — is well advanced. The introduction of the revised syllabi has been supported by comprehensive inservice programmes for teachers. Additional equipment grants have been provided to schools, and laboratories continue to be refurbished as part of the ongoing schools building programme. In that context, €16 million was issued to schools in 2004 to support the imple-

mentation of the revised junior certificate science syllabus.

A review of grading of subjects in the leaving certificate and initial reports on teacher training has been undertaken and a review of mathematics at post-primary level is being undertaken by the National Council for Curriculum and Assessment. Investment in the programme of research in third level institutes is continuing apace to enhance and promote world class standards in research, innovation and development. Between this programme and the various grants to the research councils and other sources, an estimated €101.5 million will be invested in third level institutions in 2005.

The discover science and engineering programme, operated under the aegis of Forfás with the collaboration of the education sector, was launched in October 2003 to bring together existing science awareness activities in a unified strategy. I have recently announced a provision of €750,000 towards the cost of the BA Festival of Science which is being hosted by Trinity College this year. This is one of the world's leading science events and will be attended by some 3,000 delegates, with an estimated 7,000 — 10,000 people enjoying some part of the programme.

Psychological Service.

97. **Mr. Allen** asked the Minister for Education and Science the number of national schools currently covered by the NEPS; and if she will make a statement on the matter. [12958/05]

Minister for Education and Science (Ms Hanafin): The current situation is that 1,772 national schools have psychologists from the National Educational Psychological Service, NEPS, directly assigned to them and, therefore, have access to the full NEPS service. All schools that do not currently have NEPS psychologists assigned to them may avail of the scheme for commissioning psychological assessments, SCPA, whereby the schools can commission assessments from a member of the panel of private psychologists approved by NEPS, and NEPS will pay the fees directly to the psychologists concerned. Details of this scheme, including the conditions that apply to it, appear upon the Department's website.

NEPS also provides assistance to all schools that suffer from critical incidents, regardless of whether they have a NEPS psychologist assigned to them.

Multi-Denominational Schools.

98. **Ms Shortall** asked the Minister for Education and Science if her attention has been drawn to the call from Educate Together for the State to take action to provide real support for the planned development of a national network of multi-denominational schools; if she intends to respond to the call; and if she will make a statement on the matter. [13028/05]

Minister for Education and Science (Ms Hanafin): I am aware of Educate Together's call

for more state support for multid denominational schools. Significant Government funding, €14.1 million, has been provided for capital projects in Educate Together schools in recent years, including six new schools in Dublin, Galway, Limerick and Kildare. Of all the new schools recognised in the past three years, 12 were Educate Together schools. A total of 12 multid denominational schools were granted recognition under ET patronage since the revised procedures came into operation for the 2003-04 school year, three opened in 2003, four opened in 2004 and five have been granted provisional recognition for opening in September 2005.

Question No. 99 answered with Question No. 77.

Alternative Energy Projects.

100. **Mr. Sargent** asked the Minister for Education and Science if any research is currently funded by her Department into biofuels; the plans in place for the next five years; and if she will make a statement on the matter. [13121/05]

Minister for Education and Science (Ms Hanafin): My Department, through its agencies, is currently funding a number of projects in this area. The agencies and projects are the following.

The Higher Education Authority, under the programme for research in third level institutions, is funding: Environment Research Institute, University College Cork, which aims to develop expertise in the areas of wind energy and other sustainable energy sources; Urban Institute, University College Dublin, which conducts research into components on energy and resource efficiency and energy conservation, transport policy; Environmental Change Institute, NUIG, which is overseeing research projects in areas such as the maximisation of biological renewable energy generation — methane — from organic wastes and wastewaters: role, impact and control of sulphate reducing bacteria or SRB.

The Irish Research Council for Science, Engineering and Technology is funding four individual researchers who are undertaking the following research projects in the area of biofuels: energy and chemicals from converted biomass technologies; development of an integrated heat pump energy simulation model for green buildings; proton transport in new materials for fuel cells; technical and economic analysis of renewable generation connected into the electricity distribution grid.

Finally, there are two projects in the institute of technology sector which are being funded under the technological sector research programme. These are in IT, Carlow — bioethanol from waste for use as a fuel — and Limerick IT — design as a wind VSCF converter.

The policy issues associated with renewable energy sources are matters for my colleague, the Minister for Communications, Marine and Natural Resources. A dedicated agency, Sustainable Energy Ireland, SEI, was established under the aegis of his Department in May 2002

for the purpose of addressing these issues. I understand that SEI may also commission research projects in this area.

School Transport.

101. **Mr. M. Higgins** asked the Minister for Education and Science when she expects to publish the review of the school transport scheme; if the review recommends that parents of primary pupils will have to pay charges of up to €150 per year; if she intends to accept this proposal; and if she will make a statement on the matter. [13007/05]

Minister for Education and Science (Ms Hanafin): The review of the school transport scheme within my Department is at an advanced stage. I have no plans to introduce new charges for pupils attending primary schools.

Register of Offenders.

102. **Mr. McCormack** asked the Minister for Education and Science when the legislation to establish a register of persons considered unsafe to work with children will be published; and if she will make a statement on the matter. [12966/05]

Minister for Education and Science (Ms Hanafin): A cross governmental working group was established to put forward proposals for reform of vetting by the central vetting unit run by the Garda Síochána. Among its recommendations was the proposal that the Departments of Education and Science and Health and Children explore the possibility of developing an employment history register, similar to the PECS system in Northern Ireland.

An implementation group has been established by the Minister for Justice, Equality and Law Reform and discussions between my Department and the Department of Health and Children are ongoing in that context. In addition, my Department will convene a meeting with the relevant interested parties to explore the issues involved. Although considerable preparatory work examining the issues relating to a PECS system has been undertaken by my Department, given that substantial further work needs to be undertaken it is not possible at this time to estimate when any legislative proposals arising from these discussions can be published.

The implementation group is also examining issues relating to the introduction of legislation to ensure the maintenance of a national criminal records system within the Garda Síochána, the disclosure of not just “hard” facts but also “softer” information, and access to information about — and proof of — criminal convictions for the purposes of litigation. The working group also recognised the need to expand the number of agencies which could access the central vetting unit operated by the Garda Síochána to include all people working with children and vulnerable adults. To that end, the Minister of State with responsibility for children, Deputy Brian Lenihan, has announced a major increase in the resources to be provided to the Garda vetting

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unit to improve the level of vetting available to employers who employ people to work with children and vulnerable adults. The initiative includes the more than doubling of staff resources for the unit to enable the Garda Síochána's vetting services to be extended to all persons working with children and vulnerable adults.

The Teaching Council has a role here too. Once it is formally established, the council will provide the teaching profession, both primary and post-primary, with the means to self regulate and its functions will include maintaining a register of teachers and, if necessary, removing the names of those shown to be unfit to teach, including those unfit to teach by reason of the fact that they pose a threat to children.

Third Level Education.

103. **Mr. Deenihan** asked the Minister for Education and Science if she intends to increase the number of places available for persons applying for a higher diploma in education course; and if she will make a statement on the matter.

[12748/05]

Minister for Education and Science (Ms Hanafin): My Department is responsible for teacher education and development, with particular regard to initial teacher education covering the colleges of education and the education departments in the universities and colleges. Applications for the higher diploma in education are made through the Higher Diploma in Education — National University of Ireland — Applications Centre, known as the HDEAC, which was established in 1998.

The higher diploma in education course is offered by the education departments of Trinity College Dublin and the four universities of the National University of Ireland at Cork, Dublin, Galway and Maynooth. The current quota for admissions for the 2005-06 programmes is 1,000 and I have no plans to increase this number at present. My Department and the HEA continue to review the supply and demand of second level teachers on an ongoing basis.

Ministerial Appointments.

104. **Mr. Hogan** asked the Minister for Education and Science the circumstances surrounding the recent appointment of the former Secretary General at the Department of Health and Children to the Higher Education Authority; and if she will make a statement on the matter.

[12956/05]

125. **Mr. Crawford** asked the Minister for Education and Science if she has received any communication from any current or former member of the HEA with regard to the recent appointment of the former Secretary General of the Department of Health and Children to the authority; and if she will make a statement on the matter. [12963/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 104 and 125 together.

On 9 March 2005, the Government made a decision to appoint the then Secretary General of the Department of Health and Children to the position of full-time chairman of the Higher Education Authority. This appointment took effect from 11 April 2005 for a two year period. This two year period has been identified as a key transitional phase in the implementation of change within higher education on foot of a recent OECD review of higher education in Ireland. I can confirm that on 21 March last I received correspondence from a then member of the HEA about this appointment.

School Curriculum.

105. **Mr. Penrose** asked the Minister for Education and Science if she has received the further report from the NCCA on changes to the structure and content of the leaving certificate examination; if she has given consideration to any of the proposals contained therein; if it is intended to publish the report; and if she will make a statement on the matter. [13018/05]

Minister for Education and Science (Ms Hanafin): The second advice from the NCCA on proposals to reform of senior cycle education was sent to me on 19 April 2005. Clearly, we are all concerned that our education system should be positioned so that it continues to maintain excellence, relevance, quality and inclusiveness in the changing climate which lies ahead.

The proposals are ambitious and far reaching and I have already expressed some concerns about the logistics, feasibility, cost and complexity of some aspects. I am having the NCCA's advice examined fully within my Department and will engage in further discussions with the council and with stakeholders on the proposals and priorities for the future, with a view to making a decision as soon as possible.

It is crucial that reforms will promote cohesion and equity in our society and enable students to develop their talents, prepare them for adult life, for lifelong learning and employment in the knowledge society. The system must continue to play its part in promoting Ireland's competitiveness and growth. We must also ensure that public confidence in the integrity, objectivity and quality of senior cycle education is maintained, that change is well managed and resourced and that change is managed at a pace the system can absorb.

These are major considerations of fundamental importance to our future and our children's future. It is vital that the implications of the proposals be examined thoroughly and that changes adopted are effective in supporting strategic change which promotes increased relevance, quality and equity in the system. I do not intend to publish the NCCA's advice. However, a copy is accessible on the NCCA's website at www.ncca.ie.

Schools Building Projects.

106. **Mr. Cuffe** asked the Minister for Education and Science the measures which exist to provide additional funding for schools that are not located in RAPID areas but which cater for a sizeable proportion of pupils who live in RAPID areas; if her attention has been drawn to the fact that 40% of pupils attending a school (details supplied) in Dublin 20 live in a RAPID area; if the school's extension and refurbishment requirements will be fast tracked in view of this information; and if she will make a statement on the matter. [13115/05]

Minister for Education and Science (Ms Hanafin): The school in question has an application with my Department for a major capital project, which has been assessed in accordance with the published prioritisation criteria for large scale building projects revised last year in consultation with the education partners. This project will be progressed in the context of the school buildings and modernisation programme from 2005 to 2009.

The school is participating in the urban dimension of my Department's Giving Children an Even Break programme and will receive non-pay support amounting to €4,250 in the current school year under the programme. The school is also participating in the Palmerstown cluster of my Department's school completion programme and, in this context, benefits from funding of €160,000 being provided for the cluster, which encompasses three schools in all, in the current school year.

Higher Education Grants.

107. **Ms Shortall** asked the Minister for Education and Science the reason her Department is still not able to supply figures for the academic year 2002-03 of the socioeconomic breakdown of new recipients of third level grants; when she expects to be able to make this information available; the action she intends to take to broaden access to third level grants; when the Student Support Bill will be published; and if she will make a statement on the matter. [13029/05]

Minister for Education and Science (Ms Hanafin): The most recent data on participation rates at third level is that published in the HEA review of higher education participation in 2003, which showed that participation in higher education among the school leaver age cohort has passed the 50% mark for the first time. The study puts the overall transfer rate to higher education at 54% in 2003, as against 44% in 1998, 36% in 1992, 25% in 1986 and 20% in 1980. These data are based on a full census of entrants.

The study also contains findings relating to the socioeconomic breakdown of entrants in that year which are based on a sample of new entrants in 2003. It should be noted that previous studies on participation by socioeconomic group, the Clancy reports, conducted on 1998, 1992, 1986 and 1982 were based on a census of new entrants in those years. A follow up to previous Clancy

studies based on a census of entrants in 2004 is under way and will provide a full picture of progress in higher education participation by socioeconomic group since 1998.

Final analysis and comparison with previous Clancy studies, together with any policy conclusions, should await the outcome of the full survey which will be available later this year. The current study nonetheless provides some interesting pointers. It suggests that participation rates of some of the lower socioeconomic groups, particularly skilled manual and semi-skilled and unskilled manual and other non-manual workers, have increased substantially.

With regard to the number of students from socioeconomically disadvantaged backgrounds in receipt of higher education grants, it is noteworthy that the number of students benefiting from the "top up" grant scheme has increased from approximately 2,300 in 2000-01 to more than 11,500 in 2003-04, of whom more than 9,000 were in higher education. In terms of spending on student financial assistance, the total allocation for the student support schemes in 2005 is in excess of €200 million. This reflects the outcome of the Government's decision in 2003 to provide a special €42 million package to improve the maintenance grant schemes, which involved an increase in payment levels and in qualifying thresholds. The maximum amount of grant support available this year is €4,855, including the top up grant, compared to just €2,032 in 1996/97.

In so far as data on the socioeconomic backgrounds of grant holders are concerned, limited data have been collected by my Department in the past with specific reference to the higher education grants scheme. For this reason, the level of data requested by the Deputy is not yet available in my Department for each of the schemes.

Looking to the future, the HEA has, at the request of my Department, been working to place the Clancy surveys on a more systematic basis. An electronic student record system is being developed in conjunction with the universities and the institutes of technology. It is intended that this new system will provide more timely and complete data, including the socioeconomic background of first time students. I have asked the HEA to examine how this system can provide more timely and reliable data on the socioeconomic background of grant holders.

With regard to the system for allocating higher education grants, in accordance with the commitment in the An Agreed Programme for Government, I propose to introduce a single unified scheme of maintenance grants for students in higher education for the academic year 2006-07. In this context, I intend to put in place, as early as possible, a more coherent administration system which will facilitate consistency of application and improved client accessibility. This is necessary if we are to ensure public confidence in the awards system and ensure the timely delivery of grants to those who need them most.

Whatever new arrangements are eventually decided upon will be provided for in new statutory arrangements through a new Student Sup-

[Ms Hanafin.]

port Bill. This Bill, which will provide statutory underpinning for the schemes, will have as a key objective the promotion of equality of access. I also envisage that the Bill will provide for an independent appeals system. The timescale for the publication of this Bill is contingent on a range of issues which are the subject of ongoing consultations.

Another significant development in the area of access to third level education was the launch last December of the national action plan prepared by the National Office for Equity of Access to Higher Education. This plan was prepared with the assistance of an advisory committee from the education and social partners. A key objective of the plan is the development of the most effective means towards increasing access and participation in higher education by learners from disadvantaged schools and communities. My Department is, in this context, in consultation with the universities and the institutes of technology about their proposals for alternative entry and retention processes to improve access opportunities for students from socioeconomically disadvantaged backgrounds.

Teacher Training.

108. **Ms Enright** asked the Minister for Education and Science the ratio of male to female primary school teachers at entry level to the teaching profession; the way in which she will tackle the growing gender gap in teaching at primary level; and if she will make a statement on the matter. [12950/05]

Minister for Education and Science (Ms Hanafin): According to my Department's records, in the current school year 144 male teachers have been appointed for the first time as permanent or temporary qualified teachers at primary level. The equivalent figure for female teachers is 1,213. The female to male ratio is, therefore, in the order of 9:1. The relatively low number of males in the teaching force is a feature common to all OECD countries.

It is important to attract more men into teaching for a number of reasons, not least of which is the positive role models that teachers provide in children's lives and the desirability of having both male and female role models in our schools. I genuinely believe that teaching should be seen as an attractive profession for the best candidates of both genders. Teaching is fulfilling work which makes a huge social contribution.

With the increases in teachers' salaries under partnership agreements and benchmarking in recent years, it is also now a well paid job. The average salary for a teacher is now €50,000, an increase of approximately 43% on the 1997 figure. This compares favourably with an average industrial wage of about €29,000 per annum. The pension and holiday entitlements of teachers also heighten the attractiveness of the profession. I also genuinely believe that teachers are held in high regard in this country and deservedly so.

The Government wants to attract and reward the best teachers. In addition to increasing teachers' salaries, we have undertaken other initiatives to enhance the status of the profession, not least of which is the establishment of the Teaching Council as a professional regulatory body. However, a particular focused effort must be made to encourage more men to become teachers, particularly at primary level. A report on attracting more men into primary teaching is currently being compiled by a committee comprising representatives of the colleges of education, the Institute of Guidance Counsellors, the INTO and officials of my Department.

The main objective of this committee is to make recommendations on strategies and initiatives to increase the number of males entering primary teaching. It is expected that the committee will make recommendations in respect of both short-term and long-term strategies. The work of the committee is almost complete and I understand I can expect to receive its report within a few weeks.

Early Childhood Education.

109. **Mr. Ring** asked the Minister for Education and Science if the Early Start programme will be extended; and if she will make a statement on the matter. [12952/05]

Minister for Education and Science (Ms Hanafin): The Early Start pre-school project was established in 40 primary schools in designated areas of urban disadvantage in Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk during 1994 and 1995. The aims of Early Start are to expose young children to an educational programme which would enhance their overall development, prevent school failure and offset the effects of social disadvantage.

Early Start is a one year, pre-school intervention aimed at children from selected designated areas of disadvantage. Children must be between the ages of three and four years on 1 September of the year they are enrolled. The Early Start project is designed to cater for the needs of children, including those with disabilities, who are most at risk of not reaching their potential in the education system and the school must give priority to the children who are most at risk.

With regard to any expansion in early childhood education provision, including for children from disadvantaged areas, I am concerned to ensure that any future actions by my Department in this area are based on a collaborative approach with other Departments involved in the overall early childhood care and education, ECCE, sector. Meeting the overall objective of providing the best possible service to the communities and children involved requires that any educational provision by my Department takes account of child care measures under the remit of other Departments.

Third Level Education.

110. **Mr. Coveney** asked the Minister for Edu-

cation and Science if she has given assurances to the third level sector that funds raised independently will not be taken into account when making Exchequer funding available to universities and ITs; and if she will make a statement on the matter. [12942/05]

Minister for Education and Science (Ms Hanafin): I have recently indicated that I accept as a matter of principle that income generated by higher education institutions from external sources should not be subject to off setting in the allocation of Exchequer funding. This is in a context where the recent OECD review of Irish higher education recommended that institutions should be incentivised to seek external sources of funding. However, in determining the income which it is appropriate for institutions to retain, account must be taken of Exchequer expenditure which has facilitated the generation of such income.

Suicide Prevention.

111. **Mr. Wall** asked the Minister for Education and Science if she has satisfied herself that there is a sufficient educational and awareness programme in schools on depression and suicide; and if she will make a statement on the matter. [13016/05]

Minister for Education and Science (Ms Hanafin): I am aware of the serious problem of youth suicide and of the vital role schools can play in prevention. Prevention needs to be addressed at whole school level through provision of relevant curricula for all children, through effective implementation of the social personal and health education, SPHE, programme and through the provision of care afforded by a good pastoral system, including the capacity to respond appropriately to early signs of difficulty. The development of self esteem, general coping skills and personal effectiveness is the most appropriate way to help the general population of young people to deal with life pressures and stress.

Within the curriculum, social, personal and health education, SPHE, provides for the development of personal and social skills, including self awareness, respect for others, self esteem and communication skills which can play an important role in encouraging a positive self image. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. At second level the key emphasis is on promoting self esteem, physical and mental/emotional well being and responsible decision making. Self management, communications, physical and emotional health, coping with loss, handling conflict, substance abuse, personal safety, relationships and sexuality are covered. Implementation of SPHE in schools is assisted by a full-time support service which operates on an integrated basis in collaboration between the Department of Education and Science and the health boards.

A curriculum in SPHE is being developed by the National Council for Curriculum and Assessment for senior cycle students. Mental health is one of five key areas which will be addressed in the new syllabus. An optional module in mental health matters is among the programmes included by many schools as part of their transition year programme. In addition, exploring masculinities, which may be taken as part of the SPHE programme in schools in transition year or senior cycle includes many topics designed to assist young males to become more open when experiencing personal problems and to seek professional help.

Pastoral care teams in schools provide important assistance in promoting students' wellbeing and in ensuring that potential difficulties can be identified early. Class year tutors, guidance counsellors, home school liaison co-ordinators and the services of the National Educational Psychological Service, NEPS, can play an important role in this respect. NEPS has developed an advice and information pack for schools on responding to critical incidents. The pack is designed to provide practical step by step guidance for teachers and principals on how to respond when a trauma or tragedy occurs. The pack was prepared drawing on a range of publications and from the work of a range of agencies, including those concerned with bereavement and suicide.

My Department is represented on a national steering group which is preparing a national strategy for action on suicide prevention.

Educational Disadvantage.

112. **Ms Burton** asked the Minister for Education and Science the main points of the proposals to combat educational disadvantage which she outlined to the INTO conference; when recruitment will commence for the new posts; when the new posts will be in place; and if she will make a statement on the matter. [12999/05]

Minister for Education and Science (Ms Hanafin): I will shortly publish a new framework for tackling disadvantage in education. The new action plan will build on the success of existing programmes, while addressing the issues that have diluted the overall effectiveness of some measures.

The new approach to tackling disadvantage will include better identification of levels of disadvantage in our schools and a single integrated programme of supports for schools with concentrated levels of disadvantage which will bring together, and build upon, some ten existing schemes and initiatives. Each school in the programme will benefit from a package of supports, with the highest level of assistance being targeted at children in the most disadvantaged schools. To make sure that it is effectively implemented, the new framework will be introduced on a phased basis, starting in the next school year.

Early School Leavers.

113. **Mr. Ring** asked the Minister for Education

[Mr. Ring.]
and Science the number of children who leave school before sitting the junior certificate examination for the most recent year for which statistics are available; and if she will make a statement on the matter. [12972/05]

Minister for Education and Science (Ms Hanafin): The most recent published analysis by my Department of school retention in Ireland was released in August 2004. The report indicates that of those who commenced the junior cycle programme in September 1994, approximately 3,600 or 5.7% left school before completing the junior certificate three years later.

My Department's approach to addressing the issue of retention in schools comprises legislative and curricular reforms as well as interventions to prevent early school leaving. The Education (Welfare) Act 2000 established the National Educational Welfare Board, NEWB, as the single national body with responsibility for school attendance.

With regard to curriculum reform, my Department's strategies have included widening the educational experience available to students through such programmes as the junior certificate schools programme, JCSP, the leaving certificate vocational programme, LCVP, and the leaving certificate applied, LCA.

The school completion programme directly targets those in danger of dropping out of the education system and is a key component of my Department's strategy to discriminate positively in favour of children and young people who are at risk of early school leaving. It is important to note that education and training provision is available outside the formal school system for young people who leave school earlier in programmes such as Youthreach, Youth Encounter and by FÁS.

Schools Building Projects.

114. **Mr. Timmins** asked the Minister for Education and Science the situation regarding funding at a school (details supplied) in County Wicklow; and if she will make a statement on the matter. [13128/05]

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 in question was assessed against the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners. Under this review all projects were assigned a band rating and the progress of individual projects is being considered in the context of the school building programme from 2005.

Children Act.

115. **Mr. Rabbitte** asked the Minister for Education and Science the sections of the Children Act 2001 for which her Department has responsibility and which have been brought into oper-

ation; the sections that have yet to be brought into operation; if a timetable has been set for the implementation of the remaining sections; and if she will make a statement on the matter. [13022/05]

Minister for Education and Science (Ms Hanafin): Part 10 of the Children Act 2001 relates to the governance and operation of children detention schools. Section 159(1) of the Act has been commenced for the purpose of allowing three representatives of children detention schools to be appointed to the special residential services board. However, Part 10 of the Act cannot be commenced more fully at this time as its effect will include replacing the existing industrial and reformatory schools with children detention schools. While boys aged between 17 and 21 years who are convicted of a criminal offence may be sent to a place of detention, there is no equivalent place at present for female offenders who may be imprisoned from the age of 17 years.

It is intended that the Department of Justice, Equality and Law Reform will provide a facility for young women similar to that provided for boys. The timing of the commencement of Part 10 of the Act is contingent upon such a facility becoming available. Pending commencement, industrial and reformatory schools continue to be governed by the Children Acts.

School Accommodation.

116. **Mr. Gilmore** asked the Minister for Education and Science if her attention has been drawn to the recent closure of a national school (details supplied) in Limerick which had to close as a result of rodent activity; her views on whether it is acceptable that schools should be forced to close for such reasons; the steps she is taking to bring all such schools up to an acceptable condition; and if she will make a statement on the matter. [13004/05]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work Act, individual school authorities are responsible, in the first instance, for ensuring the safety and welfare of children and others in their care. The management authority of the school referred to by the Deputy is given an annual allocation of €3,809, plus €12.70 per pupil, under the grant scheme for minor works which can be used entirely at its discretion to address such basic health and safety issues as they arise. The management authority of this school has an application with my Department for the provision of a new school building, which has been assessed in accordance with the revised prioritisation criteria and is being considered in the context of the school buildings and modernisation programme.

I have made a number of announcements about the 2005 school building programme since the beginning of the year, which included details of 43 school projects which are being authorised to proceed to architectural planning immediately. I will make further announcements on projects

which will progress, on a phased basis, into the architectural planning process. The proposed project at the school referred to by the Deputy will be considered in this regard.

Early School Leavers.

117. **Mr. Kenny** asked the Minister for Education and Science the number of children who fail to make the transition from primary to secondary school annually; and if she will make a statement on the matter. [12973/05]

Minister for Education and Science (Ms Hanafin): The specific information requested by the Deputy is not available at present. My Department operates a number of programmes at both primary and post-primary level to tackle the problem of early school leaving, such as the Giving Children an Even Break programme, the home/school/community liaison scheme and the school completion programme. Both the HSCL scheme and all 82 school completion programme projects operate transfer programmes which are very important in assisting pupils in making the transition from primary to post-primary level.

The Education Welfare Act 2000 and the establishment of the National Educational Welfare Board provide a comprehensive framework for promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The funding provided for the NEWB this year represents an increase of 20% on the 2004 allocation, a clear reflection of my strong commitment to improving school attendance and addressing early school leaving.

School Staffing.

118. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to two schools in the Tallaght area in which 54 nationalities are represented, which are not designated disadvantaged but are on the other periphery of a RAPID area, to which no extra funding or teaching staff are available and a large proportion of the parents of whose children are on welfare payments; and the way in which she proposes to support schools working under these conditions. [13125/05]

Minister for Education and Science (Ms Hanafin): One of the schools to which the Deputy refers is currently included in the Giving Children an Even Break, GCEB, programme and is in receipt of financial support under this scheme. Both schools are included in the school completion programme, which is my Department's main programme for tackling early school leaving.

The school completion programme is based on an integrated cross community approach to tackling educational disadvantage, involving primary and post primary schools, parents, communities and relevant statutory and voluntary agencies. Its objective is to provide a range of interventions in areas of disadvantage that support the retention of young people in education. The two schools referred to by the Deputy are part of a school

completion programme "cluster" of one post-primary school and three primary schools that received an allocation of €160,000 in the current school year.

Schools with an enrolment of 14 or more non-English speaking non-national pupils are entitled to an additional teacher for a minimum of a year and a maximum of two years. Where a full-time teacher is sanctioned to provide English language support, a start up grant of €634 is paid with a top up grant of €317 where the appointment is continued for a second year. The two schools to which the Deputy refers have five language support teachers appointed for this school year.

Question No. 119 answered with Question No. 75.

School Curriculum.

120. **Mr. J. O'Keeffe** asked the Minister for Education and Science the number of schools offering the full relationships and sexuality module at secondary level; and if she will make a statement on the matter. [12943/05]

Minister for Education and Science (Ms Hanafin): Social, personal and health education, SPHE, is a mandatory part of the curriculum in junior cycle in all post-primary schools with effect from September 2003. The curriculum is designed to promote personal development and the health and well-being of students, help them create supportive relationships and encourage the values and skills for responsible decision making. Issues regarding belonging and integrating, handling conflict constructively, dealing with peer pressure, influences on decision making, substance misuse, relationships and sexuality education, RSE, are dealt with specifically.

In addition, all schools are required to have an agreed school policy and a suitable relationships and sexuality education programme in place for senior cycle pupils. An integrated SPHE programme at senior cycle incorporating RSE is being developed. The curriculum is supported by guidelines for teachers and a full-time support service operating in collaboration with the health boards. An evaluation of the implementation of SPHE is currently under way.

Schools Refurbishment.

121. **Mr. Crowe** asked the Minister for Education and Science if her Department sees a school (details supplied) in Dublin 1 playing any education role in future; and if funding will be made available for the refurbishment that is needed. [12749/05]

Minister for Education and Science (Ms Hanafin): My Department is examining the overall provision of all-Irish post-primary education in the general north Dublin city area. The outcome of this examination will determine the long-term accommodation options for the school referred to by the Deputy.

Literacy Levels.

122. **Ms Burton** asked the Minister for Education and Science if it is intended to publish the report, Literacy and Numeracy in Disadvantaged Schools; if the report found that in some schools up to 50% of pupils have literacy problems; the steps she intends to take to address the serious problems identified in the report; and if she will make a statement on the matter. [12998/05]

Minister for Education and Science (Ms Hanafin): The report of the inspectorate of my Department of a thematic evaluation of literacy and numeracy in disadvantaged schools will be published shortly and details on its findings will be given at that point. I have expressed my commitment to prioritising support for children with literacy and numeracy difficulties on a number of occasions as I know that the attainment of proficiency in reading and mathematics has a major effect on children's attainment at school and on the employment and other opportunities available to them throughout their lives.

A number of initiatives have been introduced in recent years in the most disadvantaged schools to address literacy and numeracy problems, for example, last November, I announced an additional grant of €500,000 to improve the availability of books in disadvantaged schools, with a view to these books being given to children to read in the home. Research shows that the availability of books and the extent of a culture of reading in the home has a significant effect on children's literacy levels. Initiatives to promote family literacy and encourage parents to help with their children's reading through paired reading programmes have also been put in place.

A comprehensive professional development programme for teachers has been introduced in a number of disadvantaged schools in Dublin, Cork and Limerick. Early intervention initiatives such as the reading recovery and maths recovery programmes have also been put in place in several areas of socio-economic disadvantage. Reports of the effectiveness of these interventions are very positive and my Department is considering their extension to more schools in disadvantaged areas. Improving literacy and numeracy standards in disadvantaged areas is a key priority for me and one that I have prioritised for funding and support.

School Curriculum.

123. **Ms O. Mitchell** asked the Minister for Education and Science if she has considered the inaugural report by the Irish Language Commissioner; and if she will make a statement on the matter. [12962/05]

142. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the call made by the Irish Language Commissioner, Mr. Seán Ó Cuireán, for a review of Irish language education in primary and secondary schools; her views on this call; and if she will make a statement on the matter. [13027/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 123 and 142 together.

The recent report of the Irish Language Commissioner highlighted the fact that despite appreciable time devoted to Irish in the school system, many students emerge from primary and post-primary education without achieving a reasonable command of the language. Particular concerns were raised about students' command of the spoken language.

While I accept that the standard of oral Irish in particular of many of our young people is not as it should be, it is important to note that significant efforts have been made by my Department in recent years to improve standards in the teaching and learning of Irish in our schools. The revised Irish language programme at primary level places a strong emphasis on oral Irish. This programme, implemented in all schools since September 2003 and supported by extensive in-service training by the primary curriculum support programme, should bring significant improvement to the standard of spoken Irish over time. This development at primary level complemented similar curricular changes at second level where syllabus reform is ongoing.

Significant improvements are being made in regard to the provision of materials and resources for the teaching of Irish. An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta has been established to progress this area and to provide support services for schools. Funding has been provided to the comhairle to support this task and this is an area that will need further work.

Marino Institute of Education now provides Irish courses at different levels for teachers and an enhanced range of supports for those studying for the scrúdú le haghaidh cáilíochta sa Ghaeilge has been put in place. Evaluations by my Department's inspectorate of the teaching and learning of Irish in our schools provide useful analysis to underpin future policy making in this area.

The inspectorate, in its 2002 publication, 50 School Reports — What Inspectors Say, has reported that the teaching of Irish is good in the majority of primary schools with the strongest aspects being the teaching of reading, poetry and writing. However, oral language attainment is generally poor despite considerable time being devoted to this aspect of Irish. This resonates with a view expressed by the Coimisinéir Teanga that insufficient attention is given to the use of Irish as a medium of communication in lessons taught. The Coimisinéir Teanga has pointed to other issues which I will consider in the context of developing ongoing policy responses.

At post-primary level, subject inspection reports indicate that inspectors regularly observe a good standard in the teaching and learning of Irish and that students demonstrate a good knowledge of texts being studied. However, there is concern that Irish is not used as the language of instruction in many classes, that Irish is taught through English in a significant number of

classrooms and that the level of exemptions from Irish is too high.

My Department is engaged in a number of evaluation activities relating to the teaching and learning of Irish. These include a focused evaluation of Irish in 45 primary schools and an evaluation of the teaching and learning of Irish in the junior cycle in 75 post-primary schools. Both of these inspections will be completed in 2005 and reports will be published subsequently. A report on standards of Irish in sixth class in primary schools is being prepared by Dr. John Harris and will be finalised later in 2005. This report will look at changes in pupil achievement levels between the years 1985 and 2003. Also, at the request of my Department, the National Council for Curriculum and Assessment, NCCA, is carrying out a review of languages in the post-primary curriculum. This will include Irish.

I am confident that the above reports will both inform us of good practice within the system and point to areas requiring improvement. The inspectorate of my Department, on foot of a major review of Irish language policies carried out in the Department last year, has recently prepared an internal report for policy discussion regarding areas where further improvements could be made. The Coimisinéir Teanga, along with other interest groups, contributed to that process. I have also recently met with An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta to discuss further improvements that could be made to support schools in improving the teaching and learning of Irish and to promote high quality education through the medium of Irish.

It is important to note that the issue of promoting the Irish language is not one that can be advanced by schools alone. Societal attitudes to the Irish language certainly impact on students' desire to learn it. This Government has demonstrated a clear commitment to promoting our national language. It is hoped that the continuing initiatives in education along with the increased emphasis on the use of Irish in the Official Languages Act will in time create a positive climate whereby students will realise the value of learning our native language and, as a consequence, language competence will prosper.

Residential Institutions Redress Scheme.

124. **Mr. Howlin** asked the Minister for Education and Science her views on the findings of the report of the Committee of Public Accounts into the redress scheme for victims of institutional abuse; the action she intends to take arising from the report; if she intends to implement the recommendations contained in the report; and if she will make a statement on the matter. [13009/05]

Minister for Education and Science (Ms Hanafin): I welcome the publication of report of the Committee of Public Accounts and I have asked my Department to give due consideration to its findings and recommendations, particularly in terms of their relevance to and implications for

the management of major policy issues within the Department.

I was pleased to note that the report acknowledges that, in establishing the redress board and introducing the various other redress initiatives for survivors of child abuse, the Government was motivated by a combination of social, humanitarian and legal considerations. The report notes that the setting up of a statutory redress scheme should be viewed in the context of the significant contingent liability which existed in respect of survivors of child abuse and the wish of the Government to provide a fair and humane way for compensating survivors without requiring them to face the trauma of adversarial cross examination in court. The report also notes that the Government decided to establish a statutory redress scheme regardless of whether the religious congregations would contribute to the scheme and that in securing a meaningful contribution from the congregations the Government had achieved its baseline level of €128 million.

While the report deals specifically with the redress scheme, the recommendations are of general cross departmental concern and their relevance for the Civil Service will need to be considered. My Department is working with the Department of Finance on the preparation of a minute of the Minister for Finance responding to the committee on the recommendations of the report. A copy of this minute will be circulated to all Accounting Officers.

Question No. 125 answered with Question No. 104.

Psychological Service.

126. **Aengus Ó Snodaigh** asked the Minister for Education and Science if she has satisfied herself with the roll out of the NEPS particularly outside the greater Dublin area; the areas of difficulty and the steps her Department is taking to fill the gaps in the system in these areas. [13124/05]

Minister for Education and Science (Ms Hanafin): The complement of psychologists in NEPS has increased from 43 psychologists, 30 in permanent full-time posts and 13 on secondment, on the date of establishment in September 1999 to 128 in January 2005, plus two psychologists on career break. Recruitment of psychologists to NEPS has, until recently, been undertaken by the Civil Service and Local Government Commissioners. The last Civil Service Commission panel of 69 psychologists has been exhausted and the recently established Public Appointments Service is now making arrangements to set up a new panel.

It has proved difficult to recruit psychologists to certain regions, most notably the mid-western region. Accordingly, to achieve a better regional spread of NEPS psychologists, under the next recruitment competition for NEPS psychologists, regional panels rather than one national panel will be established. This will allow my Department to give greater priority in filling vacancies to areas with the greatest need.

[Ms Hanafin.]

It should be noted that all schools that do not have NEPS psychologists assigned to them may avail of the scheme for commissioning psychological assessments, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. Details of this process, and the conditions that apply to the scheme, appear on my Department's website. NEPS also provides assistance to all schools that suffer from critical incidents, regardless of whether they have a NEPS psychologist assigned to them.

State Examinations.

127. **Mr. Penrose** asked the Minister for Education and Science if her attention has been drawn to the call made by the National Parents Council for the abolition of the €90 fee to sit the junior certificate exam, which it described as grossly unfair; if she intends to respond to the call; and if she will make a statement on the matter. [13019/05]

Minister for Education and Science (Ms Hanafin): I am aware of the call for the abolition of the examination fee. However, examination entry fees are in existence to defray in part the costs of running the certificate examinations. Examination entry fees cover only part of the costs involved. Candidates who hold a current medical card or are dependent on a parent or guardian who is the holder of a current medical card are not liable for examination fees. Medical cards will be accepted only if valid on 1 February 2005, the due date for payment.

Schools Enrolment.

128. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the provisions she is putting in place to cater for the projected increase in the student population in the years ahead; if she will publish the report prepared by her officials on this subject; and if she will make a statement on the matter. [13014/05]

Minister for Education and Science (Ms Hanafin): My Department is considering the results of recent revisions to projections of future enrolment in the light of demographic and social changes as well as the publication by the CSO of new population projections in December 2004. Uncertainties arise in regard to future migration trends, participation at various levels of education and long-term trends in births. Nevertheless, it is important to move ahead and plan for the continuing increase in enrolments at primary level, which will eventually feed into second level, as well as the need to increase completion flows from further and higher education in the light of long-term economic and social needs. I plan to make the latest projection publicly available in due course.

Question No. 129 answered with Question No. 82.

Interculturalism in Schools.

130. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the steps she is taking to assist schools in catering for the increasingly diverse cultural and ethnic nature of the pupil base, particularly at primary level; if her attention has been drawn to concerns expressed by teachers at the lack of resources available to them to cope with the changing nature of the pupil base; and if she will make a statement on the matter. [13015/05]

Minister for Education and Science (Ms Hanafin): My Department has been active for a number of years in promoting interculturalism in schools. A range of actions are in place to support the participation of minority groups and Travellers in education. These include information for schools on the integration of asylum seekers and Travellers; additional resources for schools to support the needs of students for whom English is not the mother tongue; resource packs for schools prepared by organisations such as the National Consultative Committee on Anti-Racism and Interculturalism; a video for second level schools highlighting excerpts from the "Mono" television programme; materials and training for teachers through funding the work of Integrate Ireland Language Training and other bodies; development in progress by the NCCA of guidelines for primary and post-primary teachers on how the existing curriculum can be mediated and adapted to reflect the emergence of an expanding multicultural society — the primary guidelines will be published in May and the post-primary guidelines are expected to be ready by the end of the year; supports provided by the Reception and Integration Agency to assist in the integration of refugees and asylum seekers into schools; and expanding provision for language and literacy tuition for adults for whom English is not the mother tongue through the VEC literacy services.

In the current school year, 393 language support teacher posts have been sanctioned at primary level and 202.78 whole-time equivalent teaching posts have been allocated to post-primary schools to support the needs of pupils for whom English is not the mother tongue. The new curricula at primary and post-primary levels provide ample opportunity to extend students' awareness of the wider world and to learn about the lives and histories of people in other countries and of their contributions to art and science. In particular, the social personal and health education programmes at primary and post-primary levels are designed to prepare students for participatory citizenship and to develop the skills of critical appraisal and decision making based on human rights and social responsibilities. They also promote a respect for human dignity, tolerance for the values and beliefs of others and a celebration of diversity.

Garda Operations.

131. **Mr. Hayes** asked the Minister for Education and Science if she has discussed with the

Department of Justice, Equality and Law the reported entry of gardaí into classrooms to seize children for deportation; and if she will make a statement on the matter. [12935/05]

151. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the serious concern expressed by teachers at a number of incidents in which gardaí are reported to have entered school premises in search of pupils who were the subject of deportation orders; if she has had a response to representations she made to the Department of Justice, Equality and Law Reform on this matter; and if she will make a statement on the matter. [13026/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 131 and 151 together.

I have indicated my concern to the Minister, Deputy McDowell, that in applying the immigration laws the Garda authorities should have regard to the sensitivities of the school environment, particularly where children are involved. The Minister has already informed the House in a written reply to a parliamentary question on 12 April 2005 that he had received correspondence from school authorities about the removal of non-national children from school premises. He also indicated that because a complaint had been made to the Garda complaints board, he was precluded from commenting further on the issue at that time.

Institutes of Technology.

132. **Mr. Naughten** asked the Minister for Education and Science if she intends to transfer funding responsibility for the institutes of technology sector away from her Department to an independent funding authority; and if she will make a statement on the matter. [12970/05]

Minister for Education and Science (Ms Hanafin): The Government recently approved the early drafting of legislation to transfer responsibility for the daily management of the institutes of technology sector from the Department of Education and Science to a reconstituted Higher Education Authority. My Department is preparing amending legislation to give effect to the Government decision.

Question No. 133 answered with Question No. 69.

Teacher Training.

134. **Mr. Connaughton** asked the Minister for Education and Science if she intends to bring the Irish language entry requirements for primary teaching courses into line with those for English and mathematics; and if she will make a statement on the matter. [12965/05]

Minister for Education and Science (Ms Hanafin): My Department specifies the minimum academic requirements for entry to primary teacher training courses provided in the colleges

of education. As part of these requirements, all candidates, including school leavers, mature students and university graduates, must have a minimum of a grade C at higher level in Irish in the leaving certificate or an approved equivalent. This requirement embodies both the written and oral element of a student's proficiency in Irish. My Department considers it to be the minimum standard in Irish necessary for students entering a teacher training course which will equip them to teach Irish to pupils at all levels in primary schools. I have no plans to change the entry requirements to primary teacher training courses at present. I will, however, continue to keep the position under review.

Educational Welfare Service.

135. **Mr. Perry** asked the Minister for Education and Science the average number of cases allocated to each educational welfare officer; and if she will make a statement on the matter. [12934/05]

Minister for Education and Science (Ms Hanafin): The Education (Welfare) Act 2000 established the National Educational Welfare Board as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

To discharge its responsibilities, the board is developing a nationwide service that is accessible to schools, parents or guardians and others concerned with the welfare of young people. For this purpose, educational welfare officers, EWOs, are being appointed and deployed throughout the country to provide a welfare focused service to support regular school attendance and discharge the board's functions locally. The service is developing on a continuing basis and the board received sanction in late 2004 from my Department to recruit an additional ten educational welfare officers. This brings its total authorised staffing complement to 94, comprising 16 headquarters and support staff, five regional managers, 11 senior educational welfare officers and 62 educational welfare officers.

There are 48 educational welfare officers and 11 senior educational welfare officers serving with the board. I understand the board is in the process of making appointments which will bring the number of service delivery staff to its authorised complement. When in place, these staff will enable the board to further roll out its services at local level around the country.

Five regional teams have been established by the board with bases in Dublin, Cork, Limerick, Galway and Waterford and staff are deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. Thirteen towns with significant school going populations, 12 of which are designated under the Government's RAPID programme,

[Ms Hanafin.]

also now have an educational welfare officer allocated to them. In addition, the board follows up on urgent cases nationally where children are not receiving an education. The budget which has been allocated to the NEWB for 2005 is €7.8 million, an increase of €1.3 million or 20% on the 2004 allocation.

The National Educational Welfare Board has indicated to my Department that the average caseload of each educational welfare officer as at end February 2005 was 176.

Schools Building Projects.

136. **Mr. Deenihan** asked the Minister for Education and Science the position regarding the provision of a new building at a school (details supplied) in County Kerry; and if she will make a statement on the matter. [12818/05]

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 considered in the context of the school building and modernisation programme 2005-2009.

Question No. 137 answered with Question No. 75.

Health and Safety Inspections.

138. **Mr. Costello** asked the Minister for Education and Science the number of schools at primary level and secondary level inspected by the Health and Safety Authority in each of the past five years; the number of cases in which adverse findings were made by the inspectors; the steps she is taking to ensure that all schools are brought up to an acceptable level and that such inspections should no longer be required; and if she will make a statement on the matter. [13003/05]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and to put appropriate safeguards in place.

It is open to school management authorities or individuals to make direct contact with the Health and Safety Authority on matters of concern to them and the Department would not necessarily be aware of such communications. Where they are issued, notifications from the Health and Safety Authority are sent to the management authorities of schools in the first instance. In practical terms, individual school authorities are best placed to assess the detail of their own health and safety requirements.

Provision is built into the school building programme to enable schools address urgent health and safety problems. Primary schools are given

an annual allocation, currently amounting to €3,809 plus €12.70 per pupil, under the grant scheme for minor works which can be used entirely at the discretion of school management to address basic health and safety issues relating to school infrastructure. In addition, the summer works scheme was introduced during 2004 which provided capital grants for improvement works at primary and post-primary schools. A total of 457 schools were approved for funding under this scheme in 2004. More than 580 schools have been approved for funding under the 2005 summer works scheme.

My Department also sets aside a contingency sum each year to deal with emergency works in primary and post-primary schools, including health and safety works. Urgently required health and safety works relating to asbestos removal, radon mitigation or dust extraction may be grant aided under the remediation programmes operated by the school building section of my Department.

Academic Accreditation.

139. **Mr. O'Shea** asked the Minister for Education and Science the position with regard to academic accreditation for long-term volunteers in social and paramedical work being advanced; and if she will make a statement on the matter. [11397/05]

Minister for Education and Science (Ms Hanafin): I am aware of the recent Oireachtas joint committee report on volunteers and volunteering in Ireland which recommends that academic accreditation for long-term volunteers in social and paramedical work should be advanced.

In keeping with the terms of the Qualifications (Education and Training) Act 1999, the National Qualifications Authority of Ireland, NQAI, and the Further and Higher Education and Training Awards Councils were established in 2001 to develop a single national framework of qualifications and to provide a unified system for the validation of non-university education and training awards at further and higher levels across the education and training sectors. The NQAI has published a framework of qualifications covering all awards in the State from initial schooling and basic education to higher doctorate level. The authority has also published a range of policy documents setting out the principles and operational guidelines for awards under the framework, and providers are obliged under the Act to comply with these criteria to facilitate access, transfer and progression of learners. The new framework is being implemented on a phased basis over the period to 2006.

The policies provide for the development of a national approach to credit which will enable learners to accumulate credits towards awards and provide processes for the recognition of prior learning. In that context, the NQAI has published in November 2004 "Principles and operational guidelines for the implementation of a national approach to credit in Irish higher education and

training". These have been adopted and provide a framework for learners to accumulate credits towards awards, including for prior and experiential learning, building on European developments in this area.

The guidelines provide that responsibility for assigning credit values will rest with the education providers and/or awarding bodies in accordance with the framework and such bodies will be required to provide clear information for learners on the arrangements for recognition of prior learning and credit accumulation and transfer. The development by the authority of national principles and operational guidelines on recognition of prior learning is also under way. The issue of recognition of prior learning usually arises in the context of a learner seeking access to a programme, an exemption from studying particular aspects of a programme or recognition for a full award.

In addition, it should be noted that under the Act, the awards councils, FETAC and HETAC, may make awards to persons who apply for such and who, in the opinion of the councils, have achieved the relevant standards for an award. It is thus possible for a learner to achieve an award without having participated in a specific education or training programme. In addition, many universities and third level colleges have arrangements in place in collaboration with business and community or voluntary groups for flexible access and accreditation arrangements to meet the need of particular groups. I would encourage the relevant groups to make contact with a relevant college or awards council.

Pupil-Teacher Ratio.

140. **Mr. Broughan** asked the Minister for Education and Science if she will set out a timetable for meeting the commitment on class sizes given in An Agreed Programme for Government within the lifetime of this Administration and put in place the steps needed to ensure the recruitment of the additional teachers required and the provision of the extra classrooms required; and if she will make a statement on the matter. [13001/05]

Minister for Education and Science (Ms Hanafin): The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

Significant improvements have been made in this area in recent years. The average class size at primary level is now 23.9, down from 26.6 in 1996-97. The pupil-teacher ratio, which includes all the teachers in the school including resource teachers, has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in 2003-04. More than 4,000 additional teachers have been employed in our primary schools since 1997. These additional teaching posts have been used to reduce class sizes to tackle educational disadvantage and to

provide additional resources for children with special needs.

In line with Government policy, my Department will continue to provide further reductions in the pupil teacher ratio, with priority being given to pupils with special needs, those from disadvantaged areas and those in junior classes. Any requirement for additional accommodation arising from the creation of additional teaching posts will be considered in the context of the school building and modernisation programme.

Literacy Levels.

141. **Dr. Twomey** asked the Minister for Education and Science the percentage of children who leave primary school with literacy difficulties; and if she will make a statement on the matter. [12974/05]

Minister for Education and Science (Ms Hanafin): The Department does not collect data on the literacy levels achieved by children leaving the primary system. The nearest points of reference available are the results of a survey of primary school children at the end of fifth class and the results of the OECD programme for international student assessment, PISA. Data currently available for fifth class children relate to the 1998 survey and the PISA survey of 15 year olds, which was conducted in 2003.

In the 1998 survey of fifth class pupils, teachers' ratings indicated that 10.5% of pupils were regarded as having "weak" or "inadequate" levels of reading and 9.2% were regarded as having reading achievement levels at or below third class level. In the 2003 PISA survey, the percentage of Irish students whose performance in reading was at or below level 1, the lowest level of proficiency, was 11%. The corresponding OECD average was 19.1%. Closer examination of this category of low achievement reveals that 2.7% of Irish students performed below level 1 compared with the OECD average of 6.7%. The results of the first cycle of PISA which took place in 2000 displayed similar differences in favour of Ireland.

The consistency between the teachers' ratings of pupils in fifth class and the achievement data from the PISA survey would suggest that the best estimate of the percentage of pupils leaving primary school with literacy difficulties is in the region of 10%. International comparative data, also available from the PISA survey, indicate that this proportion is low by comparison with most OECD countries.

Question No. 142 answered with Question No. 123.

Question No. 143 answered with Question No. 92.

Pupil-Teacher Ratio.

144. **Mr. Broughan** asked the Minister for Education and Science if her attention has been drawn to the serious concern expressed at the recent INTO conference at existing class sizes; if she will take steps to reduce maximum class sizes

[Mr. Broughan.]
to 25:1 in mainstream classes, 20:1 in disadvantaged schools and 15:1 in schools in which there is chronic disadvantage; and if she will make a statement on the matter. [13000/05]

147. **Mr. Costello** asked the Minister for Education and Science if her attention has been drawn to the fact that average primary class size here is now the second largest in the EU; the steps she intends to take to deal with this situation; and if she will make a statement on the matter. [13002/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 144 and 147 together.

The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use the teaching resources to have smaller numbers in other classes.

Significant improvements have been made in this area in recent years. The average class size at primary level is now 23.9, down from 26.6 in 1996-97. The pupil teacher ratio, which includes all the teachers in the school including resource teachers, has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in 2003-04. More than 4,000 additional teachers have been employed in our primary schools since 1997. These additional teaching posts have been used to reduce class sizes, to tackle educational disadvantage and to provide additional resources for children with special needs.

Significantly smaller class sizes have been introduced in disadvantaged schools involved in the Giving Children an Even Break and Breaking the Cycle programmes, with approximately 47,700 pupils in 243 participating schools availing of reduced class sizes of either 15 or 20 pupils per class.

The new policy framework for tackling educational disadvantage that I will publish shortly will provide for a new standardised system for identifying levels of disadvantage and will put in place a new integrated programme of supports that will bring together and build upon existing policy interventions and initiatives for schools and school communities with a concentrated level of disadvantage.

Teaching Qualifications.

145. **Mr. McCormack** asked the Minister for Education and Science her views on whether the time allocated to physical education on teacher training courses should be increased; and if she will make a statement on the matter. [12948/05]

Minister for Education and Science (Ms Hanafin): Physical education is included in the programme of pre-service education for all students in each college of education. A number of students also take additional elective courses in various aspects of physical education, such as aquatics and games. All college of education

graduates are, therefore, fully qualified to teach the physical education curriculum in primary schools.

I am satisfied that the training programme for physical education in the colleges of education is sufficient and appropriate to meet the training needs of student teachers. The primary curriculum support programme, PCSP, is implementing the new curriculum in physical education. Fifty percent of the roll-out is being covered in the current year and the remaining 50% will be covered in the 2005-06 year. This process upskills teachers in the area of physical education and builds upon their pre-service training in this area.

The issue of the number of hours spent on physical education in pre-service education is, however, in the first instance a matter for the management authorities of the individual colleges of education. It is the management authorities of the individual colleges of education who are responsible for the delivery of physical education programmes to their students. I will continue to keep teacher training under review and this includes subject matter and individual course content and the importance of the individual components.

School Curriculum.

146. **Mr. G. Mitchell** asked the Minister for Education and Science her views on whether a complete and thorough examination of the teaching of Irish at primary and secondary school should take place; and if she will make a statement on the matter. [12964/05]

Minister for Education and Science (Ms Hanafin): The recent report of the Irish Language Commissioner highlighted the fact that despite appreciable time devoted to Irish in the school system, many students emerge from primary and post-primary education without achieving a reasonable command of the language. Particular concerns were raised about students' command of the spoken language. While I accept that the standard of oral Irish in particular of many of our young people is not as it should be, it is important to note that significant efforts have been made by my Department in recent years to improve standards in the teaching and learning of Irish in our schools.

The revised Irish language programme at primary level places a strong emphasis on oral Irish. This programme, implemented in all schools since September 2003 and supported by extensive inservice training by the primary curriculum support programme, should bring significant improvement to the standard of spoken Irish over time. This development at primary level complemented similar curricular changes at second level where syllabus reform is ongoing.

Significant improvements are being made in regard to the provision of materials and resources for the teaching of Irish. An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta has been established to progress this area and to provide support services for schools. Funding has been provided to the comhairle to support this

task and this is an area that will need further work.

Marino Institute of Education now provides Irish courses at different levels for teachers and an enhanced range of supports for those studying for the scrúdú le haghaidh cáilíochta sa Ghaeilge has been put in place. Evaluations by my Department's inspectorate of the teaching and learning of Irish in our schools provide useful analysis to underpin future policy making in this area.

The inspectorate, in its 2002 publication, 50 School Reports — What Inspectors Say, has reported that the teaching of Irish is good in the majority of primary schools with the strongest aspects being the teaching of reading, poetry and writing. However, oral language attainment is generally poor despite considerable time being devoted to this aspect of Irish. This resonates with a view expressed by the Coimisinéir Teanga that insufficient attention is given to the use of Irish as a medium of communication in lessons taught. The Coimisinéir Teanga has pointed to other issues which I will consider in the context of developing ongoing policy responses.

At post-primary level, subject inspection reports indicate that inspectors regularly observe a good standard in the teaching and learning of Irish and that students demonstrate a good knowledge of texts being studied. However, there is concern that Irish is not used as the language of instruction in many classes, that Irish is taught though English in a significant number of classrooms and that the level of exemptions from Irish is too high. My Department is engaged in a number of evaluation activities relating to the teaching and learning of Irish. These include a focused evaluation of Irish in 45 primary schools and an evaluation of the teaching and learning of Irish in the junior cycle in 75 post-primary schools. Both of these inspections will be completed in 2005 and reports will be published subsequently.

A report on standards of Irish in sixth class in primary schools is being prepared by Dr. John Harris and will be finalised later in 2005. This report will look at changes in pupil achievement levels between the years 1985 and 2003. Also, at the request of my Department, the National Council for Curriculum and Assessment, NCCA, is carrying out a review of languages in the post-primary curriculum. This will include Irish. I am confident that the above reports will both inform us of good practice within the system and point to areas requiring improvement.

The inspectorate of my Department, on foot of a major review of Irish language policies carried out in the Department last year, has recently prepared an internal report for policy discussion regarding areas where further improvements could be made. The Coimisinéir Teanga, along with other interest groups, contributed to that process. I have also recently met with An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta to discuss further improvements that could be made to support schools in improving the teaching and learning of Irish and to promote

high quality education through the medium of Irish.

It is important to note that the issue of promoting the Irish language is not one that can be advanced by schools alone. Societal attitudes to the Irish language certainly impact on students' desire to learn it. This Government has demonstrated a clear commitment to promoting our national language. It is hoped that the continuing initiatives in education along with the increased emphasis on the use of Irish in the Official Languages Act, will in time create a positive climate whereby students will realise the value of learning our native language and, as a consequence, language competence will prosper.

Question No. 147 answered with Question No. 144.

Bullying in Schools.

148. **Mr. McGinley** asked the Minister for Education and Science the initiatives that she is taking to tackle bullying at primary and secondary schools; and if she will make a statement on the matter. [12944/05]

Minister for Education and Science (Ms Hanafin): I am acutely aware of the issue of bullying in schools and my Department has in place a multifaceted strategy to tackle the issue. The education of students in both primary and post-primary schools on anti-bullying behaviour is a central part of the social, personal and health education, SPHE, curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. The SPHE curriculum provides for the development of personal and social skills, including self awareness, respect for others, self esteem and communication skills, all of which are important elements in addressing the issue of bullying.

In primary education, the issue of bullying is addressed in the SPHE curriculum in the strand "Myself and Others" from infant classes onwards. In second level education, the issue of bullying is addressed from first year onwards in the SPHE curriculum at junior cycle, in the module on "Belonging and Integrating".

My Department, in its Guidelines on Countering Bullying Behaviour in Schools, has provided a national framework within which individual school management authorities may meet their responsibilities for implementing effective school-based policies to counter bullying. These guidelines were drawn up following consultation with representatives of school management, teachers and parents and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of the school. Each school is required to have in place a policy which includes specific measures to deal with bullying behaviour within the framework of an overall school code of behaviour and discipline. Such a code, properly devised and implemented, can be the most influential measure in countering bullying behaviour in schools.

[Ms Hanafin.]

The school development planning initiative plays an important role in supporting schools to raise awareness of the need for anti-bullying measures. In addition, my Department funds a number of support services and pilot initiatives which provide direct assistance to schools in dealing with the issue of bullying.

Physical Education Facilities.

149. **Mr. Gilmore** asked the Minister for Education and Science her plans to ensure that children have access to play and physical education facilities in inclement weather conditions; if there is a timeframe in which her Department will ensure that all schools have such facilities, particularly in view of their importance in combating childhood obesity; and if she will make a statement on the matter. [13005/05]

Minister for Education and Science (Ms Hanafin): Many primary schools have a general purposes room for play and PE facilities during inclement weather. In addition, practically all schools have play areas which are utilised for teaching different aspects of the physical education programme. A similar situation with sports halls and outdoor facilities applies at second level. Many schools have the use of adjacent local facilities, including public parks, playing fields and swimming pools.

The provision of multi-purpose space for primary schools will continue to be considered within the design brief for new schools and-or renovation and extension of school buildings. This will also be the case for PE facilities at second level. This will be done in the context of available resources and the published criteria for prioritising school building projects.

Residential Institutions Redress Scheme.

150. **Mr. Howlin** asked the Minister for Education and Science when she intends to finalise the institutions to be added to the list under the Residential Institutions Redress Act 2002; and if she will make a statement on the matter. [13008/05]

Minister for Education and Science (Ms Hanafin): Section 4 of the Residential Institutions Redress Act 2002 enables additional institutions, in which children were placed and resident and in respect of which a public body had a regulatory or inspection function, to be added to the Schedule to the Act. Since the enactment of the legislation, my Department has received correspondence from both individuals and survivor groups identifying a number of additional institutions that may be eligible for inclusion in the Schedule. Accordingly, consultations have taken place between my Department and other Departments which may have provided a regulatory function in the operation of these facilities to ascertain the case for their inclusion under the Act.

While inquiries have not yet been completed in respect of all institutions, I signed an order on 9 November 2004 which provided for the inclusion

of 13 additional institutions in the Schedule. Further consultations are taking place about a number of institutions and I will consider the position of these institutions when this process has been completed.

Question No. 151 answered with Question No. 131.

Question No. 152 answered with Question No. 92.

Northern Ireland Issues.

153. **Mr. F. McGrath** asked the Taoiseach the position regarding the case of Mr. Pat Finucane; and if the maximum support will be given to their family. [12617/05]

The Taoiseach: At my recent meeting with Prime Minister Blair, I again raised the question of a public inquiry into the murder of Pat Finucane. We want to see the standard agreed at Weston Park and set by Judge Cory adhered to. While Prime Minister Blair has been very clear in his discussions and correspondence with me that this is also the British Government's intention, we continue to share the concern of the Finucane family that the new Inquiries Act, under which the British intend to have the Finucane case investigated, will not meet these standards. The Finucane case was also discussed with President Bush during my recent visit to Washington. The family has our full and continuing support in their tireless efforts over so many years to achieve the full truth in this deeply disturbing case and officials remain in close contact with the family.

Dublin-Monaghan Bombings.

154. **Mr. F. McGrath** asked the Taoiseach the position regarding the case of the Dublin and Monaghan bombings 1974; if persons (details supplied) will receive the maximum assistance and co-operation from all Departments; and if he will make a statement on the matter. [12618/05]

The Taoiseach: The Oireachtas joint committee which examined the Barron report into the 1974 bombings last year recommended the establishment of a commission of inquiry to examine matters relevant to this jurisdiction, including specific aspects of the Garda investigation at the time and missing documentation. The Government has decided to proceed with the establishment of a commission in accordance with that recommendation. The Government is also considering the other recommendations of the committee and will follow up, as appropriate, including in discussions with the British Government.

With regard to the representatives of victims and survivors of the Dublin and Monaghan bombings, we have always been concerned to provide as much assistance and co-operation as is possible and appropriate. My Department remains in close contact with victims and their representatives. The persons mentioned by the Deputy are taking legal action against the Taoiseach, Ireland and the Attorney General. A defence has been

entered and it would be inappropriate to comment further.

Departmental Staff.

155. **Mr. O'Connor** asked the Taoiseach the arrangements for maternity leave within the public bodies under the aegis of his Department and if he will make a statement on the matter. [12743/05]

The Taoiseach: The arrangements for maternity leave within the public bodies under the aegis of my Department are the arrangements specified in the Maternity Protection Act 1994 (Extension of Periods of Leave) Order 2001, the Adoptive Leave Act 1995 (Extension of Periods of Leave) Order 2001 and the Maternity Protection (Amendment) Act 2004 and in the Department of Finance circular on maternity leave 35/95 and circular 09/01 which extends this leave.

Public Capital Programme.

156. **Mr. Kenny** asked the Taoiseach the number of public servants in his Department who are employed full time on the assessment, procurement, project management and delivery of infrastructure projects covered by the public capital programme; and if he will make a statement on the matter. [12874/05]

157. **Mr. Kenny** asked the Taoiseach if he will provide a broad description of each capital project considered by his Department over the past five years; when each project was first considered;

when each project will be procured; when each will be completed; if each project will be part financed by user charges; the number of public servants employed in the delivery of each project; the names of the consultants and advisers used to date in respect of each project; the titles of the consultancy reports carried out or in progress; the expenditure to date on each project; and if he will make a statement on the matter. [12913/05]

The Taoiseach: I propose to take Questions Nos. 156 and 157 together.

There are no staff employed full-time on the assessment, procurement, project management and delivery of infrastructure projects at present, although a number of officials in my Department are involved in considering infrastructure expenditure programmes in the course of the work of interdepartmental groups, such as the cross-departmental team on housing, infrastructure and public private partnerships.

There are two officials from my Department seconded to Sports Campus Ireland Limited. The Minister for Arts, Sport and Tourism has responsibility for this project and will provide the detailed information sought in the question. In the case of the millennium fund projects, the supervision and implementation of the awards lay with the sponsoring entity who received the award, that is, council, local authority and so forth. My Department has no capital projects in its Vote this year. However, the capital projects handled within my Department over the past five years are listed below.

Capital Projects

Year — Outturn	Projects	Cost (€000)
2000	Multi Media Developments	28,750
	Sports Campus Ireland	570
	Millennium Celebrations	6,275
2001	Millennium Celebrations	9,077
2002	Millennium Celebrations	2,900

Hospitals Building Programme.

158. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when approval will be given to appoint the design team to a project (details supplied) in County Donegal; and if she will make a statement on the matter. [12753/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, established on 1 January 2005, to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. It would, therefore, be a matter for the HSE to consider any proposed development of the type specified, in the context of its overall priorities and funding resources.

Health Services.

159. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children if she will meet a deputation from a centre (details supplied) in County Clare to discuss its application for funding for a dementia unit; and if she will make a statement on the matter. [12754/05]

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 health services in County Clare. I understand that the HSE mid-western area has arranged a meeting to discuss dementia services this week and that the group referred to by the Deputy is to attend.

[Mr. S. Power.]

As Minister of State with responsibility for services for older people, I met this group during my visit to Clare at the end of February. Following the meeting with the HSE mid-western area, a further meeting can be arranged, if required, by contacting my office.

Civil Registration Service.

160. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if her Department intends to increase the amount per application that it is paying to officers who provide the extremely vital service of registration of births, deaths and marriages; if her attention has been drawn to the fact that regardless of the amount of time or correspondence involved the officers are being paid a minimal flat rate; if her Department intends to replace retired officers in rural parts of the country, especially in the north Mayo area; if her Department will commit to a continuance of this vital service, replace retired persons and review the payment system; and if she will make a statement on the matter. [12755/05]

Tánaiste and Minister for Health and Children (Ms Harney): The appointment of registrars within the civil registration service is primarily a matter for the Health Service Executive, HSE. With regard to fees, I have no plans to increase the level of fees per registration or the annual allowance payable to registrars.

Nursing Education.

161. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if she will change a new provision (details supplied) brought in under the Nurses Rules 2004. [12760/05]

162. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if she will change amendments to the Nurses Rules 2004 (details supplied). [12761/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 161 and 162 together.

The issues raised by the Deputy are a matter for An Bord Altranais. Regulation of the nursing and midwifery professions, including the setting of requirements and standards in education programmes for registration, is the statutory responsibility of An Bord Altranais. The board is a broadly representative body; the 29 members include 17 elected by nurses who are representative of all the divisions of the register.

In November 2004, An Bord Altranais approved the following amendment to Nurses Rules regarding admission requirements for nurses wishing to train in public health nursing:

Before admission to the programme for education and training leading to registration in the Public Health Nurses Division of the Register, the name of the candidate for the registration must already be entered in the Register

of Nurses and the candidate must have two years clinical experience in nursing. Unless the candidate's name is entered in the Midwives Division of the Register, the candidate must complete an An Bord Altranais approved module or unit of study on Maternal and Child Health as part of the programme.

I understand that, in framing this rule change, the board was mindful of recommendation 8.30 of the report of the commission on nursing which recommended dropping the mandatory requirement for a midwifery qualification for those wishing to train as public health nurses. My approval is required under section 26 of the Nurses Act 1985 and these rules were formally approved by me in December 2004 as soon as they were submitted by the board.

Hospital Services.

163. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason a new state of the art orthopaedic unit at Mayo General Hospital, which was opened on 1 September 2004, ceased elective orthopaedic operations on 26 January 2005; when elective operations will resume; and if she will make a statement on the matter. [12770/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at 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.

164. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason management at Mayo General Hospital is refusing to provide the extra X-ray staff, clerical staff and computer equipment necessary to enable all elective orthopaedic operations to be resumed at the hospital; and if she will make a statement on the matter. [12771/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at 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.

165. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason a person

(details supplied) had to spend his birthday on a trolley in the accident and emergency department of Mayo General Hospital with 14 other people; the reason a person lost all their possessions because their trolley position had been changed so much during the three days they spent in accident and emergency; if she will visit the hospital to see the scandalous situation first hand; and if she will make a statement on the matter. [12772/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at 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.

Nursing Home Subventions.

166. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if refunds under the new scheme due to patients in psychiatric care have already been made; if statements regarding the repayment have been issued to the persons concerned or to family members; if statements regarding the private property accounts of patients are given to the patients on a monthly or weekly basis; if these statements are explained to the patients or to family members; if a proper transparent system will be put in place throughout the country; and if she will make a statement on the matter. [12780/05]

Tánaiste and Minister for Health and Children (Ms Harney): A special Cabinet sub-committee, comprising the Taoiseach, Deputy Bertie Ahern, the Minister for Finance, Deputy Cowen, the Attorney General, Mr. Brady, and myself has been established to consider the issue of repayment in light of the judgment. Full details of a repayment scheme will be announced as soon as possible and it is the intention to make repayments as automatic as possible.

The Health Act 2004 provided for the Health Service Executive, HSE, which was established on 1 January 2005. Under this Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and social services. This includes responsibility for the issue raised by the Deputy and, accordingly, my Department has requested the HSE to investigate the matter and reply directly to the Deputy.

Hospital Services.

167. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an eye operation will be expedited at Waterford Regional Hospital for a person (details supplied) in County

Kilkenny; the reason for the delay in dealing with the matter. [12786/05]

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 investigate the matter and reply directly to the Deputy.

168. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children further to Question No. 243 of 2 November 2004, and the subsequent meeting arranged with the regional chief executive of the ERHA, the reason for the refusal of treatment on two separate occasions and the refusal to clarify information as requested regarding treatment undertaken in 2002; and if arrangements will be made to correct inaccuracies in the medical records of this case. [12802/05]

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 functions of the former Eastern Regional Health Authority. Accordingly, my Department has asked the chief officer for the Health Service Executive's eastern regional area to investigate the position with the matters raised by the Deputy and to reply directly to him.

Meetings have already taken place to attempt a resolution of this case. A further meeting is due to take place today between the individuals concerned and my special adviser.

Health Services.

169. **Ms Murphy** asked the Tánaiste and Minister for Health and Children the reason the number of staff for frontline therapy services in Kildare delivered through the Eastern Regional Health Authority has not been increased since 1996; and if they are subject to an embargo. [12803/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for staffing of frontline therapy services, including in Kildare. Accordingly, my Department has requested the chief officer of the HSE eastern regional area to investigate the matter raised and to reply directly to the Deputy.

National Treatment Purchase Fund.

170. **Mr. Cregan** asked the Tánaiste and Minister for Health and Children if the operation of the national treatment purchase fund is under the control of her Department or the HSE; if she will report on procedures done, the cost of same to date, the impact on waiting lists and give an analysis of each category of procedure; the number of procedures in each hospital; if there is competition between hospitals; the way in which work is divided between them; if public hospitals are allowed to tender for procedures; if so, the reason this is allowed when they cannot cope with existing patients; if this practice will cease before this scheme is destroyed; if the waiting list initiative fund still exists; if so, the amount budgeted for same in 2005; the way in which hospitals qualify for their payments; and if it is distributed without focus. [12834/05]

Tánaiste and Minister for Health and Children (Ms Harney): The national treatment purchase fund, NTPF, is a statutory body funded directly by my Department. The health strategy envisaged that the fund would be used to purchase treatment from private hospitals in Ireland and from international providers, and would also make use of any private capacity within public hospitals to arrange treatment for patients. Having regard to the demands on the public hospital system, I have asked the fund to keep its use of private capacity within public hospitals to the minimum.

Responsibility for the collation and publishing of waiting list and waiting time data rests with the NTPF. My Department has, therefore, asked the chief executive of the NTPF to reply to the Deputy directly with regard to the detailed information requested. The waiting list initiative has been wound up and the relevant funding was transferred to the NTPF.

Hospital Staff.

171. **Mr. McCormack** asked the Tánaiste and Minister for Health and Children if, with regard to University College Hospital, Galway, she will commission the approximately 50 whole-time equivalent staff necessary to allow wards and beds to be opened; and if she will make a statement on the matter. [12856/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at University College Hospital, 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.

Health Services.

172. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if early treatment for a person (details supplied) in Dublin 17 will be secured. [12857/05]

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 Dublin, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Mental Health Services.

173. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the cost for 2004 of placing persons with dual diagnosis of intellectual disability and a psychiatric condition in institutions outside the country for services; and if she will make a statement on the matter. [12906/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the matter referred to by the Deputy. Accordingly, my Department has requested the executive's national director for primary, community and continuing care to investigate the matter raised and to reply directly to the Deputy.

174. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the cost for 2004 of placing persons with dual diagnosis of intellectual disability and a psychiatric condition in unsuitable hospital settings; and if she will make a statement on the matter. [12908/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the matter referred to by the Deputy. Accordingly, my Department has requested the executive's national director for primary, community and continuing care to investigate the matter raised and to reply directly to the Deputy.

175. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of persons with dual diagnosis of intellectual disability and a psychiatric condition who have been

placed in institutions outside the country for services; and if she will make a statement on the matter. [12909/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the matter referred to by the Deputy. Accordingly, my Department has requested the executive's national director for primary, community and continuing care to investigate the matter raised and to reply directly to the Deputy.

176. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the number of persons with dual diagnosis of intellectual disability and a psychiatric condition who have been placed in unsuitable hospital settings in 2004; and if she will make a statement on the matter. [12910/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the matter referred to by the Deputy. Accordingly, my Department has requested the executive's national director for primary, community and continuing care to investigate the matter raised and to reply directly to the Deputy.

Accident and Emergency Services.

177. **Mr. Kirk** asked the Tánaiste and Minister for Health and Children if it is intended to upgrade and expand accident and emergency services at Our Lady of Lourdes Hospital, Drogheda; and if she will make a statement on the matter. [12929/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Our Lady of Lourdes Hospital, Drogheda. Accordingly, my Department has requested the chief officer for the executive's north eastern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

178. **Mr. Penrose** asked the Tánaiste and Minister for Health and Children the reason a person

(details supplied) in County Westmeath has had an important operative procedure cancelled on two occasions and will not be seen in the foreseeable future; the further reason this person was deemed unsuitable for the patient treatment scheme; and if she will make a statement on the matter. [13069/05]

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 Westmeath, my Department has requested the chief officer of the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Labour Court Recommendation.

179. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children further to Questions Nos. 85 and 101 of 22 March 2005, if the HSE has set up a meeting with the Irish Nurses Organisation to agree arrangements on the way in which the court's recommendations will be implemented; if she will provide the necessary moneys to honour Labour Court Recommendation No. 18030; and if she will make a statement on the matter. [13070/05]

185. **Mr. J. Breen** asked the Tánaiste and Minister for Health and Children if she will make funding available to pay and honour Labour Court Recommendation No. 18030; and if she will make a statement on the matter. [13077/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 179 and 185 together.

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 person social services. This includes responsibility in relation to the funding of industrial relations settlements involving health service staff.

I understand that negotiations with the Irish Nurses Organisation with regard to arrangements for the payment of students covered by Labour Court Recommendation No. 18030 are ongoing and it is hoped that the matter will be finalised in the near future.

Cancer Screening Programme.

180. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children when BreastCheck will be made available to the residents on the mid-western region; the reasons for the delay in rolling out the programme to the region; and if she will make a statement on the matter. [13071/05]

181. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children if the BreastCheck programme will be rolled out immediately in the mid-western region; and if she will make a statement on the matter. [13072/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 180 and 181 together.

The roll-out of the national breast screening programme to the remaining counties is a major priority in the development of cancer services. This will ensure that all women in the relevant age group in every county have access to breast screening and follow up treatment where appropriate.

Design briefs for the BreastCheck static units at the South Infirmity-Victoria Hospital, Cork, and University College Hospital, Galway, have 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 general practitioner who, where appropriate, will refer her to the symptomatic services in her area.

Health Services.

182. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children if the Health Service Executive in the mid-western region has contracted any beds from private nursing homes in County Tipperary. [13073/05]

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 nursing home care in the Health Service Executive mid-western area. Accordingly, my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Charges.

183. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children if patients in long-stay care in private nursing homes will be eligible for similar repayments to those in public long-stay care. [13074/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Supreme Court judgment of 16 February last related only to charges in public long-stay institutions and publicly contracted beds in private nursing homes. My Department has received counsel's advice on the Health (Nursing Homes) Act 1990 and regu-

lations made thereunder. This advice, which is privileged, is being examined in consultation with the Attorney General's office and it would be inappropriate at this stage to comment on the advice.

Hospital Accommodation.

184. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children if she will report on the level of overcrowding in a hospital (details supplied) in County Tipperary; and the measures she has taken to address the overcrowding of the accident and emergency department at the same hospital. [13076/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Nenagh General Hospital. Accordingly my Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Question No. 185 answered with Question No. 179.

Medical Cards.

186. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if he will address the concerns raised by a person (details supplied) regarding the medical card guidelines; and if she will make a statement on the matter. [13090/05]

Tánaiste and Minister for Health and Children (Ms Harney): Entitlement to health services in Ireland is primarily based on means. Under the Health Act 1970, determination of eligibility for medical cards is the responsibility of the chief executive officer of the appropriate health board. Other than for persons aged 70 years and over who are automatically entitled to a medical card, medical cards are issued to persons who, in the opinion of the chief executive officer, are unable to provide general practitioner medical and surgical services for themselves and their dependants without undue hardship.

Income guidelines are drawn up by the chief executive officers to assist in the determination of a person's eligibility and these are revised annually by reference to the consumer price index. However, the guidelines are not statutory binding and even though a person's income exceeds the guidelines, a medical card may still be awarded if the chief executive officer considers that his-her medical needs or other circumstances would justify this. It is open to all persons to apply to the chief executive officer of the appropriate health board for health services if they are unable to provide these services for themselves or their

dependants without hardship. The Deputy is no doubt aware that a range of income sources are excluded by the health boards when assessing medical card eligibility. Many allowances, such as the carer's allowance, child benefit, domiciliary care allowance, family income supplement and foster care allowance are all disregarded when determining a person's eligibility.

As part of budget 1996, the then Government announced that "persons who have been unemployed for at least one year, who take up paid insurable employment were deemed to meet the criteria for retaining their medical cards for three years". The provision also covers participants on approved schemes applicable to the long-term unemployed, including the back to work allowance, BTWA, community employment, Jobstart, job initiative, the partnership and community group initiative and development courses such as the workplace and vocational training opportunities scheme, VTOS. The purpose of this provision was to remove disincentives to labour force participation by long-term unemployed persons. The retention of medical card eligibility is approved for a period of three years when a person or spouse of a person who has been unemployed for a minimum of one year takes up employment. In this context, time spent on the live register, approved schemes or courses for the long-term unemployed is treated as an unemployed period.

The issue of eligibility was considered in the context of the national health strategy launched by the Government. The strategy outlines a number of measures designed to improve eligibility for health services which the Government has committed itself to introducing over a number of years. Among the measures proposed is an increase in access to medical cards. In addition to the extension of eligibility to all persons aged 70 years and over, the strategy includes a commitment that significant improvements will be made in the income guidelines to increase the number of persons on low incomes who are eligible for a medical card and to give priority to families with children and particularly children with a disability. The extension of the medical card to the over 70s is wholly consistent with Government policy aimed at improving the position of the elderly.

My Department has advised the health board chief executive officers in writing last year that medical card holders should not lose their cards because of increases in social welfare rates announced in the budget. In addition, the CEOs were asked that every effort be made to ensure that both medical card holders and applicants are made fully aware that increases in social welfare payments will not disadvantage them when applying to hold or retain a medical card.

There has been a 7.5% increase on 2004 income guidelines in respect of standard medical cards which came into effect on 1 January 2005 and this increase is expected to allow approxi-

mately 30,000 new people to become eligible for medical cards. In addition, the introduction of doctor-visit cards is intended to help to overcome barriers to accessing GP services for many individuals and families who are above the standard medical card income guidelines. The Health Service Executive initially intends to set the income threshold for doctor-visit cards at 25% higher than applies for the standard medical card. It is estimated that this policy initiative will result in approximately 200,000 people becoming eligible for free doctor visits.

Accident and Emergency Services.

187. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of patients who have presented at the accident and emergency department at Tallaght Hospital on each of the past 21 days; and the effect these patients have had on the normal admissions at this hospital. [13133/05]

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.

Health Services.

188. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if she will investigate the case of a person (details supplied); and if she will make a statement on the matter. [13135/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the matter raised by the Deputy. Accordingly, my Department has requested the chief officer of the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Hospitals Building Programme.

189. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children the position in relation to the extension and new building for the psychiatric section of the hospital in Letterkenny, County Donegal; and if she will make a statement on the matter. [13149/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes the provision of psychiatric facilities. Accordingly, my Department has requested the chief officer for the Health Service Executive's north western area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

190. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if urgent assistance and the maximum support and advice will be given to the family of a person (details supplied) in Dublin 11 with regard to their domiciliary care grant. [13150/05]

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 payment of and entitlement to domiciliary care allowance. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Charges.

191. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she will take steps to ensure the publication of the second value for money report by a company (details supplied) on the verification of compliance with the EU expenditure supports programme 2004-2009 in view of the public interest in relation to nursing home charges. [13163/05]

Tánaiste and Minister for Health and Children (Ms Harney): I assume that the Deputy is referring to the human resources operational programme 1994-1999 on the vocational training infrastructure, measure — improvement of the quality of training provision of the European Regional Development Fund. The company referred to by the Deputy performed a system-based audit from 1999 to close of programme under Article 3.1(a) of Regulation 2056/97 and 5% verification under Article 3.1(b) of Regulation 2064/97. Article 13 of Regulation 2067/97 states:

Information collected in the course of the controls shall be protected by professional secrecy, in accordance with the relevant provisions of national and community law. It may not be communicated to any persons other than those who, by reason of their duties in the Member

States or in the institutions of the Community, are required to have knowledge thereof for the purpose of performing their duties.

Consequently it is not proposed to publish the above report.

Health Services.

192. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children her Department's guidelines regarding the number of visits a new mother and baby can expect from a public health nurse in their home; and if she will make a statement on the matter. [13164/05]

Tánaiste and Minister for Health and Children (Ms Harney): The maternity and infant care scheme provides an agreed programme of care free of charge to an expectant mother arising out of her pregnancy and to her new born baby for six weeks after birth. All expectant mothers who are ordinarily resident in Ireland are eligible to avail of services under the scheme. Women who choose to avail of these services are under the care of both a general practitioner of their choice and a hospital obstetrician.

After the birth, usually within 48 hours of discharge from hospital, a public health nurse visits the mother and child at their home. The scheme also provides for two designated post-natal visits to the general practitioner. The purpose of these visits is to conduct developmental checks on the baby and a post-natal examination of the mother. The first visit is within two weeks of the birth and the second is at six weeks.

The Best Health for Children report provides for a new core surveillance programme for all children in the 0-12 age group. It was published in late 1999 and covers both pre-school developmental examinations as well as the school health service. The programme recommends an examination at birth and a visit by the public health nurse within 48 hours of discharge from hospital. It also recommends a developmental check at six to eight weeks, three months, seven to nine months and 18 to 24 months.

The former Health Boards Executive has since established a programme of action for children, PAC, to facilitate a co-ordinated and integrated approach to the delivery of a range of child health projects. The PAC has undertaken a review of the surveillance recommendations from Best Health for Children, in the light of emerging evidence. Among the aims of the review are to establish a standardised national core child health screening programme; to review evidence for best practice; and to develop guidelines for screening. Its recommendations for this programme are being considered by the Health Service Executive.

193. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the cover which has been made available to the patients of the public health nurse at a location (details supplied) in

County Wexford; and if she will make a statement on the matter. [13165/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of a public health nursing service. 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.

194. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the current waiting time for the 12-month development check on children at a location (details supplied) in County Wexford; the action being taken to reduce the waiting time; the nature of the reassurance she will offer parents of young children not receiving this important check; and if she will make a statement on the matter. [13166/05]

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 developmental screening of children. Accordingly, my Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and reply directly to the Deputy.

Nursing Home Charges.

195. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children the way in which the appropriate recipient of a refund under the national repayments scheme is to be determined in the case of a deceased nursing home resident who would have been eligible for a refund under the scheme; and the procedure to be followed in determining the recipient in the case of conflicting claims by family members to be awarded the refund. [13167/05]

Tánaiste and Minister for Health and Children (Ms Harney): A special Cabinet sub-committee comprising the Taoiseach, Deputy Bertie Ahern, the Minister for Finance, Deputy Cowen, the Attorney General, Mr. Brady, and myself has been established to consider the issue of repayment in light of the judgment. Full details of a repayment scheme will be announced as soon as possible and it is the intention to make repayments as automatic as possible.

Health Services.

196. **Ms Cooper-Flynn** asked the Tánaiste and Minister for Health and Children if capital funding is available to a community centre (details supplied) in County Mayo. [13168/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE, established on 1 January 2005, to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for providing support and funding for community-based health projects. It would therefore be a matter for the HSE to consider any proposed development at the community centre specified, in the context of its overall priorities and funding resources.

Hospital Services.

197. **Mr. Crowe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the ongoing crisis in public hospital accident and emergency departments as highlighted by the series of protests by the Irish Nurses Organisation, including the totally unacceptable situation in Tallaght Hospital (details supplied); and the measures that will be introduced in Tallaght Hospital to deal with this ongoing crisis. [13169/05]

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 issues raised and to reply to the Deputy directly.

Nursing Home Charges.

198. **Mr. Perry** asked the Tánaiste and Minister for Health and Children the measure she has in place to address the situations in which estates of deceased persons have been finalised with regard to the forthcoming legislation on charges for nursing care; and if she will make a statement on the matter. [13170/05]

Tánaiste and Minister for Health and Children (Ms Harney): I assume the Deputy is referring to the national repayment scheme in this instance. A special Cabinet sub-committee comprising the Taoiseach, Deputy Bertie Ahern, the Minister for Finance, Deputy Cowen, the Attorney General, Mr. Brady, and myself has been established to consider the issue of repayment in light of the judgment. Full details of a repayment scheme will be announced as soon as possible and it is the intention to make repayments as automatic as possible.

199. **Mr. Crawford** asked the Tánaiste and Minister for Health and Children if forms are available to patients or their relatives to claim

[Mr. Crawford.]

back their rights, as decided by the Supreme Court for payments for nursing home charges; if they are not available, when she expects they will be; and if she will make a statement on the matter. [13171/05]

Tánaiste and Minister for Health and Children (Ms Harney): A national repayment scheme inquiry details form is available on the Health Service Executive, HSE, website, *www.hse.ie*, which enables persons who believe they are due a repayment to register their interest which the HSE will follow up when the details of the scheme are in place.

A special Cabinet sub-committee comprising the Taoiseach, Deputy Bertie Ahern, the Minister for Finance, Deputy Cowen, the Attorney General, Mr. Brady, and myself has been established to consider the issue of repayment in light of the judgment. Full details of a repayment 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; or emailing *refund-scheme@mailq.hse.ie*; or by calling the helpline 1800 777737 during office hours.

Children in Care.

200. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if her attention has been brought to the case of a person (details supplied); if she will meet with the family of this person; and if she will make a statement on the matter. [13195/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for children taken into care. I understand that the Health Service Executive, northern area has contacted the person referred to by the Deputy with a view to arranging a meeting.

Medical Cards.

201. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if patients with a valid general medical card who were treated for psychiatric illnesses in the Mater public psychiatric hospital had the cost of their treatment deducted from their disability or other social welfare payments during the 1990s; and if she will make a statement on the matter. [13197/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, HSE, which was established on 1 January 2005. Under this Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and social services. This includes responsibility for the issue raised by the Deputy and accordingly my Department has requested the HSE to investigate the matter and reply directly to the Deputy.

Question No. 202 withdrawn.

203. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in Dublin 15 has had a valid general medical card since 1992. [13199/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer for the executive's eastern regional area and chief officer for the north eastern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Accommodation.

204. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the timescale for the commissioning of an additional 12 beds for Monaghan General Hospital; and if she will make a statement on the matter. [13200/05]

205. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the timescale for the upgrading of two wards at Monaghan General Hospital; and if she will make a statement on the matter. [13201/05]

207. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children if the undercapacity of beds in the surgical department of Monaghan General Hospital will be used to relieve the overcrowding at Cavan General Hospital; and if she will make a statement on the matter. [13203/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 204, 205 and 207 together.

The Health Act 2004 provided for the Health Service Executive, HSE, which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Monaghan General Hospital. Accordingly, my Department has requested the chief officer for the executive's

north eastern area to investigate the matters raised and to reply directly to the Deputy.

206. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the position in relation to the commissioning of an additional 23 beds (details supplied) for Cavan General Hospital; and if she will make a statement on the matter. [13202/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Cavan General Hospital. Accordingly, my Department has requested the chief officer for the executive's north eastern area to investigate the matters raised and to reply directly to the Deputy.

Question No. 207 answered with Question No. 204.

Medical Cards.

208. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical card will issue to persons (details supplied) in County Kilkenny; and if a decision will be expedited. [13204/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of applications for medical cards. Accordingly, my Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Waiting Lists.

209. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that all elective surgery has been cancelled at Tallaght Hospital since 10 April 2005; the number of procedures and patients so postponed or cancelled; if she has put in place a protocol to prevent a repeat of this crisis situation; and if she will make a statement on the matter. [13209/05]

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 issues raised and to reply to the Deputy directly.

210. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Westmeath will be admitted for surgery; and if she will make a statement on the matter. [13210/05]

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 Westmeath, my Department has requested the chief officer of the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Health Services.

211. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason the Health Service Executive failed to give an adequate response in the case of persons (details supplied) in Dublin 3; and if this matter will soon be resolved in order to prevent legal proceedings. [13243/05]

212. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will compensate persons (details supplied) for the amount of money spent on dealing with noise and disruption from the Health Service Executive; and if assistance will be given to these persons. [13262/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 211 and 212 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. As the persons in question reside in Dublin, my Department has requested the chief officer for the executive's eastern regional area to investigate the matters raised and to reply directly to the Deputy.

Disabled Drivers.

213. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an application for a primary medical certificate in the name of a person (details supplied) in County Kilkenny will be expedited. [13332/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act

[Mr. T. O'Malley.]

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. The medical assessment for the purpose of the disabled drivers and disabled passengers (tax concessions scheme) is carried out by the senior area medical officer in the relevant health service executive area. This function is to assist the Department of Finance which has statutory responsibility for the disabled drivers and disabled passengers (tax concessions) scheme. Accordingly, my Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Waiting Lists.

214. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason an operation at St. James's Hospital, Dublin for a person (details supplied) in County Kilkenny was cancelled on five occasions; the further reason operations of this kind are not co-ordinated with the management and availability of the high dependency unit at St James's Hospital; the number of these units available at the hospital; if the operation will be re-scheduled for this person; and if she will make a statement on the matter. [13333/05]

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 investigate the matter and reply directly to the Deputy.

Suicide Incidence.

215. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the plan of action or awareness campaign being undertaken by the HSE in the south east relative to the high level of suicides; the number of reported suicides in this region on a county basis each year for the past five years; and if she will make a statement on the matter. [13334/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes the provision of suicide prevention programmes. Accordingly, my Department has requested the chief officer for the Health Service Executive's south eastern area to reply directly to the Deputy in this matter.

As the Deputy may be aware, work is now well under way on the preparation of a national strategy for action on suicide prevention. This strategy, involving the project management unit of the Health Service Executive in partnership with the national suicide review group and supported by the Department of Health and Children will be action-based from the outset and will build on existing policy. All measures aimed at reducing the number of deaths by suicide will be considered in the context of the preparation of this strategy which will be published later this year.

The number of deaths by suicide in each county in the south east region for the years 1999 to 2003, as requested by the Deputy, are as follows:

County	1999	2000	2001	2002	2003*
Carlow	2	2	8	3	6
Kilkenny	14	17	15	11	11
Tipperary SR	12	11	13	11	12
Waterford	11	12	17	12	8
Wexford	16	23	19	17	23
Total	55	65	72	54	60

*Provisional figures based on year of registration.
Source: Central Statistics Office.

Hospitals Building Programme.

216. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when funding will be released for a company (details supplied) in County Wexford; the reason for the delay in the funding; the action she will take to speed up the building; and if she will make a statement on the matter. [13389/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to manage and deliver or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of funding. Accordingly, my Department has

requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

217. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when phase 2 will begin at a hospital (details supplied) in County Wexford; and if she will make a statement on the matter. [13390/05]

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 St. John's Hospital, County Wexford. 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.

218. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that there is a bed crisis in Wexford General Hospital, that the accident and emergency department is not able to cope with the number of patients that are going through it and that there is a crisis in the out-patients department; if her attention has further been drawn to the number of day procedures that are cancelled on a daily basis; the action she will take to improve the situation; and if she will make a statement on the matter. [13391/05]

219. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if she will visit Wexford General Hospital or meet a delegation comprising the Wexford Oireachtas members and a number of consultants and representatives from Wexford General Hospital; and if she will make a statement on the matter. [13392/05]

220. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that Wexford General Hospital has been promised a 19-bed unit since 2002; when this promise will be delivered upon; and if she will make a statement on the matter. [13393/05]

221. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if the new Health Service Executive has outlined the crisis in Wexford General Hospital since 1 January 2005; if so, when and the action she will take; and if she will make a statement on the matter. [13394/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 218 to 221, inclusive, together.

I am aware of the difficulties being experienced at Wexford General Hospital. The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under the Act, the executive has the responsibility to

manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the provision of services at Wexford General Hospital. Accordingly, my Department has requested the chief officer for the executive's south eastern area to reply directly to the Deputy.

The detailed capital funding programme for hospitals for 2005 is being finalised in the context of the capital investment framework 2005 to 2009. This process is expected to be concluded in the near future and the HSE will then be in a position to progress its capital programme, in line with overall funding resources available in 2005 and beyond. It is my intention to meet members of the Oireachtas from the area once the capital investment framework has been finalised. I will be in touch with the Deputy again on the matter as soon as possible.

General Medical Services Scheme.

222. **Mr. Howlin** asked the Tánaiste and Minister for Health and Children if non-EU and non-EEA doctors are allowed to participate in the general medical scheme here; the conditions that apply to such participation; the number of non-EU doctors recognised as general practitioners by the Medical Council; and if she will make a statement on the matter. [13395/05]

Tánaiste and Minister for Health and Children (Ms Harney): Vacancies for GMS posts are advertised in the national and medical newspapers and applications invited from suitably qualified persons. Applicants, whether from this or another jurisdiction, must satisfy the provisions of EU Directive 93/16/EEC. This directive facilitates the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications. It also stipulates the requirement in respect of vocational training for persons seeking to be considered for such posts.

Recent information from the Medical Council indicates that 833 doctors are fully registered under reciprocal agreements with New Zealand, South Africa, Australia — except Tasmania — and Canada — except Saskatchewan — and that there are 2,121 fully registered doctors from non-EU countries such as Pakistan, India, Egypt, Sudan, Nigeria, etc. However, whereas these doctors could technically set up as general practitioners in Ireland, they may not be eligible to hold contracts under the GMS scheme unless they fulfil the qualification criteria as mentioned above. Also, it should be noted that these numbers include doctors currently working in hospitals. Statistics on the ethnicity of the general practitioners are not recorded.

Hospital Services.

223. **Mr. Kirk** asked the Tánaiste and Minister for Health and Children if hospitals record alcohol related admissions; if her Department has statistics available; and if she will make a statement on the matter. [13418/05]

Tánaiste and Minister for Health and Children (Ms Harney): Statistics in regard to activity within the mental health services is contained in the Health Research Board publication *Activities of Irish Psychiatric Services*. It contains data on admissions to psychiatric hospitals by main diagnosis.

The hospital inpatient enquiry, HIPE, system is the principal source of national data on discharges from acute hospitals in Ireland. The HIPE system records the condition chiefly responsible for the patient's admission to hospital for care. Excessive consumption of alcohol can cause a wide variety of medical and psychiatric conditions which can be a reason for admission to hospital. Data to the effect that excessive alcohol consumption is a strong contributory factor in the case of such admissions is not routinely recorded on the HIPE system.

The Deputy may be aware of an alcohol and injuries pilot study which was commissioned by the health promotion unit of the Department of Health and Children and carried out in the Mater Hospital in 2001 by Dr. John Sheehan, consultant in liaison psychiatry. This study has been expanded to include six major hospitals in various locations throughout the country. The data collected during this study is being analysed at present and a report is expected to be published around mid-year.

Hospital Charges.

224. **Mr. N. O'Keefe** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Cork who paid maintenance charges at a geriatric type hospital while in continuing care for a period of six months is entitled to a refund of all or part of the charges as they are a medical card holder and an old age pensioner. [13419/05]

Tánaiste and Minister for Health and Children (Ms Harney): The details of a repayment scheme to address the situation following the Supreme Court decision are currently being finalised and it is only following this that it would be possible to calculate accurately the amount of repayment due to an individual.

The Health Act 2004 provided for the Health Service Executive which was established on 1 January 2005. Under this Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and social services. This includes responsibility for the

issue raised by the Deputy and, accordingly, my Department has requested the HSE to investigate the matter and apply directly to the Deputy.

Flood Relief.

225. **Mr. Durkan** asked the Minister for Finance if his attention has been drawn to the ongoing flooding problems upstream from Laraghbyran, Maynooth, County Kildare; and if he will make a statement on the matter. [12810/05]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works carried out works in 2002 on behalf of Kildare County Council on both the Lyreen and Meadowbrook rivers in the Maynooth area. Works on the Lyreen-Joan Slade river commenced at the point where it crosses the Royal Canal and continued downstream through Maynooth. Any queries relating to maintenance of these channels should be directed to the local authority, as the Office of Public Works has no responsibility for maintenance of the Lyreen and Meadowbrook rivers.

Drug Seizures.

226. **Aengus Ó Snodaigh** asked the Minister for Finance the weight of cannabis seized in the State by customs officials in each year between 1995 and 2004. [13212/05]

227. **Aengus Ó Snodaigh** asked the Minister for Finance the weight of cocaine seized in the State by customs officials in each year between 1995 and 2004. [13214/05]

228. **Aengus Ó Snodaigh** asked the Minister for Finance the quantity and weight of ecstasy tablets seized in the State by customs officials in each year between 1995 and 2004. [13218/05]

229. **Aengus Ó Snodaigh** asked the Minister for Finance the weight of crack cocaine seized in the State by customs officials in each year between 1995 and 2004. [13220/05]

230. **Aengus Ó Snodaigh** asked the Minister for Finance the weight of heroin seized in the State by customs officials in each year between 1995 and 2004. [13222/05]

Minister for Finance (Mr Cowen): I propose to take Questions Nos. 226 to 230, inclusive, together.

I am informed by the Revenue Commissioners that the relevant statistics are set out in the following table.

Year	Cannabis (kgs)	Cocaine (kgs)	Ecstasy (No. of tablets)	Ecstasy (kgs)	Crack Cocaine (kgs)	Heroin (kgs)
1995	3,214.34	0.01	12,129	3.64		3.95
1996	1,902.1 (+460 mls oil)	651.01	1,059	0.32		3.15
1997	615.49	2.99	126	0.01		0.39
1998	335.34	322.33	143	0.04		1.33
1999	2,045.72	27.20	61,119	18.34		1.13
2000	528.67	11.81	201,679	60.51		3.91

Year	Cannabis (kgs)	Cocaine (kgs)	Ecstasy (No. of tablets)	Ecstasy (kgs)	Crack Cocaine (kgs)	Heroin (kgs)
2001	13,335.00	0.01	189	0.06	0.001	3.23
2002	6,499.05	19.47	20,030	6.01	0.002	0.25
2003	933.00	38.00	128,117	38.44		15.00
2004	1,306.31	46.88	6,343	1.90		0.17

Cannabis figures includes cannabis resin and weight of ecstasy is an estimate.

Tax Yield.

231. **Ms Burton** asked the Minister for Finance the amount of revenue collected in PAYE in 2004; and if he will make a statement on the matter. [12765/05]

Minister for Finance (Mr. Cowen): The net receipt of income tax collected under the PAYE system in the calendar year 2004 was €8.111 billion. This was approximately €200 million or 2.5% higher than expected.

Crime Levels.

232. **Mr. McGuinness** asked the Minister for Finance the number of times in each of the past three years that Kilkenny Castle grounds have been broken into; the level of security at the castle and the grounds; if both are covered by closed-circuit television; and if he will make a statement on the matter. [12777/05]

Minister of State at the Department of Finance (Mr. Parlon): Kilkenny Castle Park is subject to regular security patrols at night. Only two incursions have been recorded in the period in question, one in 2003 and one in 2004. The castle is protected by a special 24-hour security system linked directly to the local Garda station and providing effective cover. A closed circuit television security system has been provided for the parade tower area.

Departmental Agencies.

233. **Ms O. Mitchell** asked the Minister for Finance the details and number of projects before the National Development Finance Agency; the estimated value of each project; when each of these projects was first submitted to the agency; the average period it takes for each project to be assessed; the number, details and estimated value of all projects assessed to date by the National Development Finance Agency; and if he will make a statement on the matter. [12799/05]

Minister for Finance (Mr. Cowen): The National Development Finance Agency, NDFA, was established on 1 January 2003. The role of the NDFA is to advise Departments on the optimum means of financing the cost of capital projects in order to achieve value for money, whether procured through a PPP approach or through traditional procurement. In the case of PPP projects, it also involves advising State authorities on all aspects of financing, refinancing and insurance of such projects. The NDFA does not have a project approval role.

Under my Department's guidelines for the appraisal and management of capital expenditure proposals in the public sector, and under PPP guidelines and circulars, the sponsoring agency is required to seek the advice of the NDFA on all projects above €20 million. The sponsoring agency is also required to seek the advice of the NDFA at the preliminary appraisal stage and in any event no later than before tender documents are finalised. The NDFA role at various stages of projects is carried out as the sponsoring agency continues with its appraisal, planning and procurement of the projects. The level of involvement of the NDFA and the timing and duration thereof vary across projects depending on whether they existed prior to the establishment of the NDFA or whether they are new projects and also on whether, following preliminary appraisal, the PPP option is being explored and developed. As a result, the NDFA's involvement in procurement can range from six months for arranging the loan finance element of a simple project to a number of years for large complex projects. In that context, it is not possible to speak of an average duration of assessment.

The nature and complexity of the project are determining factors in ascertaining the time required to complete it. In addition to project-specific issues, there are a number of external factors, such as archaeology or planning issues or legal challenges, which can influence progress.

I am advised that some 80 projects are currently referred to the NDFA for advice at varying stages of the appraisal and procurement process. Some of these have yet to be deemed "live" as they are pipeline projects or still undergoing assessment or have been delayed as a result of some external factors, and accordingly are not listed in the attached tables. These external factors include delays because of archaeology and legal challenges. I understand the NDFA is awaiting formal instruction from the relevant sponsoring Departments on a number of projects.

I am advised by the NDFA that table 1 represents the current projects, as at 20 April 2005, on which ongoing advice is being provided by the agency. I understand that many of the projects listed are legacy projects and were referred to the NDFA for review and advice at a later stage of the planning and procurement process. The table identifies the type of project and the date the project was referred to the NDFA. For convenience, the projects are grouped under their relevant Department categories.

Table 2 lists the 11 projects on which NDFA advice was provided, and on which the projects have reached financial-contract close. In this regard, one tourism project for Clare County

[Mr. Cowen.]
Council on which the NDFA has issued an opinion is expected to reach financial close shortly. Further details, including the value or

cost of the various projects, are a matter for the relevant State authorities responsible for procuring the projects.

Table 1: List of Active Projects Department of the Environment, Heritage and Local Government

	Type of Projects	Referred to NDFA
South Eastern Region Waste (Integrated Waste Management Infrastructure)	Waste	August 2004
Waterford County Council Grouped Towns and Villages Sewerage Scheme	Water	August 2003
Dublin City Council — Dublin Waste to Energy	Waste	May 2003
Wicklow County Council — Greystones Marina	Harbour	August 2003
Wicklow County Council — Bray Marina	Harbour	March 2004
Fingal County Council — Landfill	Waste	December 2003
Dublin City Council — O'Devaney Gardens	Social, Affordable and Private Housing	January 2004
Dublin City Council — Fatima Mansions	Social, Affordable and Private Housing	June 2003
Dublin City Council — Jamestown Road	Affordable Housing	September 2004
Dublin City Council — Infirmary Road	Affordable Housing	September 2004
Dublin City Council — St. Michael's Estate	Social, Affordable and Private Housing	April 2005
Dublin City Council	East-Link Bridge	February 2004
Sligo Borough Council — Ballinode	Social, Affordable and Private Housing	November 2004
Meath County Council	New HQ	January 2005
Clare County Council	New HQ	December 2004
Cork County Council	Loan Finance (Waste project)	April 2005
<i>Department of Transport</i>		
<i>(i) National Roads Authority</i>		
N25 Waterford Bypass	Road	April 2003
N3 Cavan to Dublin (Clonee — Kells)	Road	December 2003
N7 Limerick Southern Ring Road Phase 2	Road	Early 2004
<i>(ii) Railway Procurement Agency</i>		
Luas	Line extension	February 2005
Integrated ticketing	Integrated Ticketing	March 2004
<i>(iii) CIE</i>		
Financing	Rolling Stock	December 2003
<i>Department of Education and Science</i>		
Dublin Institute of Technology	Relocation to Grangegorman	June 2003
Cork School of Music	Music School	November 2003
UCD Relocation from Earlsfort Terrace	Possible deal on site	February 2005
<i>Department of Health and Children</i>		
Southern Health Board	Community Nursing Units	July 2003
Eastern Regional Health Board	Community Nursing Units	March 2003
Eastern Regional Health Board — Central Mental Hospital	Hospital relocation	July 2003
<i>Department of Communications, Marine and Natural Resources</i>		
Digital Hub	Development of site	November 2003
<i>Office of Public Works</i>		
Decentralisation	Office accommodation	January 2004

	Type of Projects	Referred to NDFA
<i>Department of Justice, Equality and Law Reform</i>		
Courts Service — Criminal Courts Complex	New buildings	March 2003
Courts Service — Programme new court houses	New buildings	February 2005
Prisons Service — Mountjoy Prison relocation	New prison	April 2003
<i>Department of Arts, Sport and Tourism</i>		
National Conference Centre	Provision of building	mid 2003
Lansdowne Road — State funding component	Reconstruction	July 2004

Table 2: List of Completed Projects from NDFA perspective

Project	State Authority	Referred to NDFA	Role of NDFA completed
<i>Transport — Roads</i>			
Dundalk Western Bypass	National Roads Authority	April 2003	2 February 2004
Kilcock-Kinnegad	National Roads Authority	January 2003	12 March 2003
Rathcormac — Fermoy	National Roads Authority	April 2003	4 June 2004
<i>Transport — Rail</i>			
Luas Credit Facility	Railway Procurement Agency	Early 2003	22 September 2003
<i>Housing</i>			
Fatima Mansions	Dublin City Council	September 2003	21 June 2004
<i>Local Authority Loans</i>			
Kildare County Council (Offices)	Kildare County Council	May 2003	22 June 2004
Cork City Council (Drainage and Offices)	Cork City Council	June 2003	13 April 2004 and 5 October 2004
Cork County Council (Offices)	Cork County Council	April 2003	5 October 2004
North Tipperary County Council (Offices)	North Tipperary County Council	June 2003	5 October 2004
Clare County Council (Tourism Building)	Clare County Council	December 2004	NDFA financial opinion issued 8 March 2005. Contract due to be signed end April 2005
<i>Broadband/Technology</i>			
Metropolitan Area Network	Dept. of Communications, Marine and Natural Resources	Mid-2003	June 2004

234. **Ms O. Mitchell** asked the Minister for Finance the number of National Development Finance Agency employees employed by the agency and involved in the assessment of capital projects submitted to the agency; their individual areas of specialist expertise; and if he will make a statement on the matter. [12800/05]

Minister for Finance (Mr. Cowen): The functions of the National Development Finance Agency, NDFA, which was established on 1 January 2003, are performed through the National Treasury Management Agency, NTMA, under section 11(1) of the National Development Finance Agency Act 2002. In common with the other functions performed through the NTMA, the NDFA is staffed by persons who are employees of the NTMA.

The NTMA currently allocates seven employees dedicated exclusively and full-time to

the work of the NDFA. These employees have experience and expertise in a number of disciplines including project finance, law, accountancy, economics, corporate finance and risk management. I am advised that, in addition to the full-time employees allocated to the NDFA, other NTMA staff and facilities are used, as is required, from other parts of the NTMA, including its IT, security, legal, financial control, as specialists in real estate, the equity markets and the NTMA's funding and debt management unit.

Departmental Staff.

235. **Mr. P. Breen** asked the Minister for Finance if a building in Kilrush, County Clare, has been identified for the transfer of 50 civil servants from the Revenue Commissioners; if the contract has been signed; and if he will make a statement on the matter. [12801/05]

Minister of State at the Department of Finance (Mr. Parlon): One of the proposed solutions for Kilrush is a building at planning stage. Negotiations are at an advanced stage with the developer.

The signing of a contract in respect of the selected solution will, of course, depend on a number of factors, including acceptable terms, compliance with OPW technical requirements and a suitable timescale.

Garda Stations.

236. **Ms C. Murphy** asked the Minister for Finance if plans for the Leixlip Garda station have been finalised by the Garda Síochána and the OPW; if planning permission has been sought; and when the development on the site is expected to commence. [12804/05]

Minister of State at the Department of Finance (Mr. Parlon): Officials from the Office of Public Works met officials of Kildare County Council on 16 March 2005 to discuss the acquisition of an additional plot of land for this development. It is understood that Kildare County Council has agreed in principle to dispose of the plot of land in question to the OPW and has commenced the process to effect this disposal. When Kildare County Council has completed the process of disposal, a revised sketch scheme reflecting the expanded development site can be issued to the Department of Justice, Equality and Law Reform for approval.

Tax Yield.

237. **Mr. Andrews** asked the Minister for Finance the revenues accruing to the Exchequer from value added tax on renewable energies; the likely impact on Exchequer revenues of halving the VAT rate on renewable energies; and if he will make a statement on the matter. [12919/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the VAT yield from renewable energy for 2005 is tentatively estimated at €10.1 million. The ESB estimates that 7.5% of electricity production is from renewable energy sources.

The VAT rating of goods and services is subject to the requirements of EU VAT law, with which Irish VAT law must comply. The supply of electricity is subject to the reduced VAT rate of 13.5% under Article 28 (2)(e) of the sixth VAT directive. This allows that member states which, at 1 January 1991, applied a reduced rate to supplies of goods and services other than those specified in Annex H of the sixth VAT directive to apply a reduced rate to such supplies, provided that the rate is not lower than 12%. It would, therefore, not be possible under EU rules to halve the VAT rate on renewable energies.

Departmental Correspondence.

238. **Mr. Penrose** asked the Minister for Finance if he has received correspondence from a person (details supplied) in County Westmeath;

if he will deal with same; and if he will make a statement on the matter. [13104/05]

Minister for Finance (Mr. Cowen): I can confirm to the Deputy that the correspondence in question was received in my Department on 20 April 2005. I have asked the Revenue Commissioners to examine the matter and report back to me as soon as possible.

Physical Education Facilities.

239. **Mr. Aylward** asked the Minister for Finance the progress to date on the application by a community school (details supplied) in County Kilkenny for transfer of a site owned by the OPW to allow the school expand its sporting facilities; and if he will make a statement on the matter. [13109/05]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works are currently dealing with legal aspects concerning this property. When these are completed, the intention is to dispose of the property on the open market. The OPW has had no approach in the matter. The appropriate authority through whom such application should be made is the Minister for Education and Science.

Tax Code.

240. **Mr. Allen** asked the Minister for Finance the tax liabilities which an oil rig worker incurs while working outside the country for more than six months in a year. [13250/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the tax liabilities which an oil rig worker incurs while working outside the country for more than six months in a year depend on the individual's personal circumstances. In particular, the following factors will be relevant: the individual's residence position; the source of the individual's income, be it Irish or foreign; the individual's other sources of income, if any; the relieving provisions of any relevant double taxation agreement; and the individual's entitlement to tax credits.

On a general basis, an individual who is regarded as non-resident in the State will be taxable in the State in respect of Irish sourced income and in respect of the profits or gains from any employment exercised, or from any trade or profession carried on in the State, subject to the relieving provisions of any relevant double taxation agreement. On the other hand, an individual who is regarded as resident in the State will be taxable on his or her worldwide income subject to the relieving provisions of any relevant double taxation agreement. An individual will be regarded as resident in the State where he or she is present in the State for 183 days or more in the relevant year or is present in the State for more than 280 days in the relevant year and the previous year.

I am also informed by the Revenue Commissioners that there is specific legislation — section 13 of the Taxes Consolidation Act 1997 — which deals with the charge to income tax in respect of

employments relating to exploitation and exploration activities on the Continental Shelf which might also have a bearing on an individual's liability. Section 13 imposes a charge to Irish income tax on any employment income or any profits or gains derived from employments or activities carried out in the State's area of the continental shelf by treating such activities as being carried on in the State.

I draw the Deputy's attention to some relevant information published by the Revenue Commissioners which may be useful: information leaflets Res 1 and Res 2 — Working Abroad and Coming to Live in Ireland and the Guide to Moving to Ireland. These are available on the website at www.revenue.ie and I will arrange to have copies forwarded to the Deputy for his information.

Decentralisation Programme.

241. **Mr. Callanan** asked the Minister for Finance the number of the civil servants who have applied for decentralisation and who have selected Ballinasloe as a lower preference than first with regard to the decentralisation process; the number of persons who had Ballinasloe as either their second, third, fourth, fifth or sixth choice. [13320/05]

Minister for Finance (Mr. Cowen): The central applications facility was set up to receive applications from civil and public servants to participate in the decentralisation programme. From the outset, the terms on which the facility operates have been the subject of detailed discussions with the Civil Service unions. Based on these discussions, all applicants were allowed to nominate a total of ten locations to which they would like to transfer, in order of preference. All of the material published and provided to Departments to date refers solely to the first preference choice of applicants. Following a recent agreement with the Civil Service unions on a protocol to govern interdepartmental transfers, Departments have commenced transferring staff on the basis of their first preference choice only.

The agreed protocol provides that when all first preference applications have been processed by way of interdepartmental transfer and shortfalls still exist, those applicants who nominated a location with a shortfall as their second and subsequent preferences will be offered positions. In the interim, details on the number of applicants who have applied for each location as their second to tenth preferences are not available.

Economic and Monetary Union.

242. **Mr. Boyle** asked the Minister for Finance his assessment of the planned new system of integrated guidelines and annual reports that would replace the broad economic policy guidelines, as proposed by the European Commission; and if he will make a statement on the matter. [13383/05]

Minister for Finance (Mr. Cowen): I have no problems with the integrated approach. It clearly makes sense. It is essential that the proposed national programmes to give effect to the guidelines be underpinned by sound macroeconomic

policies and be sufficiently flexible to take account of national circumstances and national policy priorities. I welcome the fact that this concern is clearly reflected in the Commission's approach.

Tax Code.

243. **Mr. Boyle** asked the Minister for Finance his views on the recent assertion that the best way to ensure development aid increases is to encourage private donations through tax relief; if this approach is compatible with his failure to introduce reforms in the taxation of charities as proposed by the ICTRG; and if he will make a statement on the matter. [13384/05]

Minister for Finance (Mr. Cowen): It is undoubtedly true that the tax relief scheme for donations, introduced by my predecessor in the Finance Act 2001, is an effective means of incentivising private individuals to assist charities in the Third World.

With regard to the proposals of the ICTRG, I refer the Deputy to my reply to Question No. 50 by Deputy Cuffe on the same subject on 3 March last. As I indicated on that occasion, the tax relief available is already very generous and I am not prepared to make any further concessions regarding the scheme at this time. Contrary to what the Deputy appears to maintain, this Government increased, enhanced and extended the relief available on charitable donations far beyond the limited existing schemes and far beyond the expectations of the charities sector generally.

Oil Prices.

244. **Mr. Boyle** asked the Minister for Finance if, in view of a report (details supplied) which predicts a super-spike in oil prices to \$105 a barrel, his Department has simulated the economic and fiscal effects of oil prices rising to \$70, \$90, and \$105 a barrel, respectively; and if he will publish any such research; and if he will make a statement on the matter. [13385/05]

Minister for Finance (Mr. Cowen): Economic models can be used to simulate the possible impact of changes in oil prices. Model results suggest that, holding other factors constant, each sustained \$10 per barrel rise in the price of oil reduces growth in the Irish economy by approximately 0.5 percentage points in a full year, relative to baseline. As outlined in the stability programme update of December 2004, this lower growth would have a negative impact on the public finances, reducing the fiscal balance by around 0.25% of GDP.

However, it should be recognised that model-based studies are subject to a number of limitations. First, simulations rely on extrapolation from past trends in oil prices and growth. As oil has not in the past risen to a level as high as \$70 per barrel, it is difficult to accurately simulate such a scenario because there are no past data on which to base an estimate. Second, substantial structural change in the economy has taken place over recent years. This has involved a greater relative importance of services which are less

[Mr. Cowen.] energy intensive and a decline in the relative importance of traditional manufacturing sectors which are more energy intensive. This has reduced our dependence on oil. For example, oil imports in the late 1970s amounted to around 6.5% of GDP. The equivalent figure in 2004 was approximately 1.25% of GDP. As a result of these factors, estimates of the impact of oil prices rising to in excess of \$70 would contain a high degree of uncertainty.

Decentralisation Programme.

245. **Mr. Boyle** asked the Minister for Finance if he has requested officials to monitor closely the movement of those affected by the decentralisation process; the number of officials who transfer within or leave the public service during decentralisation; the reason for these transfers and departures; if he will quantify the effect of various parts of the public service in terms of efficiency of these transfers and departures; if he will document all issues arising from decentralisation for each affected agency; if he will quantify the effect of these issues on efficiency; and if he will make a statement on the matter. [13386/05]

Minister for Finance (Mr. Cowen): When the new decentralisation programme was announced by my predecessor, he appointed a decentralisation implementation group to implement it and drive the process forward. The group's terms of reference include the examination of how decentralisation might enhance the efficiency and effectiveness of the public service.

In its report of March 2004, the implementation group recommended that each participating organisation submit an implementation plan addressing all of the business issues which would impact on the organisation during the relocation programme. Subsequently, in its July 2004 report, the group reported that the overall standard of the implementation plans submitted was good and requested that updated versions be produced including appropriate risk mitigation strategies.

The latest versions of the participating organisations' implementation plans are being received at various dates during 2005. In preparing these plans, all organisations have the benefit of detailed information from the central applications facility which was set up to receive applications from civil and public servants to participate in the relocation programme. All organisations now have details of the staff members in each organisation who wish to relocate with the organisation, the names and grades of staff who wish to leave the organisation to relocate with another employer and the names or grades of civil and public servants who wish to transfer into each organisation to participate in the relocation programme.

As assignments and transfers of staff proceed, regular updates on staff assignments are provided to both my Department and the decentralisation implementation group. This information on overall staff movements will provide an ongoing input into the work of the implementation group.

246. **Mr. Boyle** asked the Minister for Finance if he continues to maintain that there is absolutely no link between choosing to work in a decentralised location and the probability of being promoted in the civil or public service; and if he will make a statement on the matter. [13387/05]

Minister for Finance (Mr. Cowen): As I outlined to the House in my answers to similar questions on 3 March 2005, promotion and recruitment are key elements of the Government's decentralisation programme. I refer the Deputy to my earlier reply which set out the general position on this matter.

In accordance with the recommendations of the decentralisation implementation group, recruitment and promotion practices and procedures must be revised to allow Departments and offices to secure sufficient staff to allow them discharge their functions in their new locations. Clearly, where a promotion vacancy arises for a post which is being decentralised as part of the Government's programme, it is entirely reasonable for the employing Department to ask staff accepting that promotion to agree to move with that post.

As I said last month, discussions are continuing between the management and the Civil Service unions with a view to agreeing new promotion and recruitment mechanisms to support implementation of the programme. It would not be appropriate for me to comment in detail on these discussions. However, I will say that the Government wants to reach a reasonable agreement on these issues with the staff unions, that is, an agreement which supports the early and efficient implementation of the decentralisation programme and, at the same time, takes account of the very legitimate desire of staff remaining in Dublin to maintain opportunities for promotion.

Financial Services Regulation.

247. **Mr. Boyle** asked the Minister for Finance if he intends to request IFSRA to investigate the continuing rise in personal credit along the lines of the investigation proposed by the Irish League of Credit Unions; if he intends to take action to prevent the debt-income ratio from continuing to rise; if he intends to bring in further regulations to prevent financial institutions from granting excessive personal credit; and if he will make a statement on the matter. [13388/05]

Minister for Finance (Mr. Cowen): I am aware of the concerns expressed by a number of commentators on the continued increase in credit growth, particularly to the household sector, and the possible effects of increasing indebtedness upon borrowers.

The growth of credit and the associated increase in indebtedness are a matter for the Central Bank and Financial Services Authority of Ireland, taking into account its role as a part of the European system of central banks and its functions, as the Irish Financial Services Regulatory Authority, regarding the prudential super-

vision of financial institutions and the protection of the consumers of those firms.

As regards the views of the Irish League of Credit Unions, the financial regulator has already drawn attention to the need for consumers to choose the right type of loan for their needs and in particular to consider carefully the long-term effects of consolidating personal debt into existing mortgages. Separately, mortgage lenders were requested to review their practices and to stress test every would-be borrower's ability to meet his credit obligations in the event of more challenging times.

The provision of consumer credit in Ireland is regulated by the Consumer Credit Act 1995, which is administered by the financial regulator. This Act obliges credit providers to include specific information in all credit agreements in order to ensure that a consumer, when making credit decisions, has access to the fullest possible information regarding the agreement being entered into and the impact that servicing a loan will have on the consumer's household budget.

In addition, the Central Bank and the financial regulator have sought to raise the level of awareness of both borrowers and lenders of the importance of prudent borrowing and responsible lending. For example, the financial regulator, with its statutory consumer mandate, has developed a number of specific initiatives to help consumers make informed choices in terms of the financial products they choose, the amount of risk they take on and the cost of financial products. These initiatives have been developed through the framework of the financial regulator's "It's Your Money" campaign and have involved publishing consumer guides on credit products, fact sheets, cost surveys on personal loans, all of which are intended to assist borrowers in making the most appropriate credit decisions given their circumstances.

Tax Code.

248. **Mr. Kehoe** asked the Minister for Finance if a person is liable for full capital gains tax when they compete in the EU early farm retirement scheme having leased their farm to a non-relative family member, lost all entitlements and being prevented from farming in any form, should they decide to sell a building site. [13408/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that, under section 598 of the Taxes Consolidation Act 1997, an individual who is 55 years or over may obtain relief from capital gains tax on the sale of his or her qualifying assets.

In a case where the site being sold is part of a farm that was leased under the 1992 or the 2000 EU early retirement from farming scheme, qualifying assets include land which has been leased under the scheme where the land was, for a period of ten years or more prior to such a lease, owned by the individual and used by him or her for the purposes of farming throughout that period. To qualify, the individual must be at least 55 years of age at the time of the disposal. Full relief is available where the proceeds from the

disposal do not exceed €500,000. In such a case, no tax is charged on the gains arising. If the proceeds exceed €500,000, marginal relief may apply. It should be noted that this limit is an aggregate limit, that is, the relief is limited to an aggregate consideration of €500,000 for all disposals of qualifying assets made after the individual has reached 55 years of age.

If the site being sold is not part of a farm that was leased under the early retirement from farming scheme, or if the vendor does not otherwise qualify for the relief, capital gains tax is payable on the chargeable gain. The taxpayer in question should contact the Revenue Commissioners if further details are required.

Postal Services.

249. **Mr. Crawford** asked the Minister for Communications, Marine and Natural Resources if post offices will be supported to expand their banking operations and other public services; and if he will make a statement on the matter. [12820/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government and the board of An Post are committed to the objective of securing a viable and sustainable nationwide post office network as set out in the programme for Government.

The post office network has been the subject of a number of studies and reviews in recent years. Many of the recommendations arising from these reviews have been implemented, with particular regard to winning new business, including extra banking and new utility business.

There is widespread recognition that the best strategy to sustain the post office network is for An Post to continue adapting to customer needs, with a view to retaining existing customers, while at the same time developing services to attract new customers. This strategy is already being followed with some success.

Harbours and Piers.

250. **Mr. J. Breen** asked the Minister for Communications, Marine and Natural Resources if he will make funding available for the completion of the Doonbeg pier in Clare in order to allow the fishing and sea angling to develop to its full potential; and if he will make a statement on the matter. [12768/05]

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, in the first instance, with the local authority.

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.

Alternative Energy Projects.

251. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the obstacles to the development of community ownership of wind farms as outlined in the Catch the Wind report presented by community groups and the Western Development Commission; and if he plans to establish preferential conditions for community-owned wind farms in any new support mechanisms for wind power. [12811/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department is familiar with the study referred to by the Deputy and has engaged with the Western Development Commission on its content. Each programme operated by my Department to support the construction of new wind powered electricity generating stations to date has divided that support between large scale and small-scale projects. In addition, the most recent competition also included a separate provision for biomass anaerobic digestion to encourage small scale projects within that category.

The small-scale categories operated primarily to support the construction of locally owned or community-based projects. However, the programme exists primarily to encourage environmental protection and the rules cannot be so restrictive as to constitute unfair discrimination in delivering the task within any particular category.

On 7 April last, I announced the outline of a future programme to support the construction of additional renewable energy powered electricity generating plant. The major change signalled was a move away from competitive bidding on price to a fixed price system. A quantitative limit will continue to apply to the amount of plant, which can be supported and, therefore, a competitive element remains.

I have noted the concerns of small-scale producers generally. I appreciate that there may be a problem with how “small-scale” is currently defined and I am conscious that this may require further consideration. However, the future support programme I have outlined will retain a competitive element and I cannot make specific commitments to any particular group of competitors until the detailed rules are published and accessible simultaneously to all prospective applicants.

Sports Funding.

252. **Mr. McCormack** asked the Minister for Communications, Marine and Natural Resources if grant aid is available from his Department to purchasers of schooner sailing boats between 18 m and 20 m for the provision of pleasure sailing craft. [12858/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The Department has no funds available to grant aid the purchasers of schooner

sailing boats, regardless of length, for the provision of pleasure sailing craft. An Bord Iascaigh Mhara, BIM, provides grant aid towards the introduction of new purpose built and suitable modern second hand vessels where these vessels are exclusively engaged in sea angling and marine tourism-related activities. A mandatory criterion of the BIM scheme is that the vessels must be less than 15 m in length overall. Full details of the fisheries inshore diversification and safety programme are available at www.bim.ie.

Fisheries Protection.

253. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the number of submissions which were received on the public consultation phase of the 2005 wild salmon and sea trout commercial tagging system; and when he will decide on and publish the regulations for 2005. [12927/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): In the course of the statutory consultation process on the wild salmon and sea trout tagging scheme, which concluded on the 13 April, I received nine submissions. In addition, some 2,600 objections to the proposed quota were received on pre-printed cards, standard form letters and standard form e-mails.

The Wild Salmon and Sea Trout Tagging Scheme Regulations 2005, S.I. 204 of 2005, were signed into law on 21 April and laid before the Houses of the Oireachtas on the following day. The regulations were published on the Department of Communications, Marine and Natural Resources website on 22 April. Printed copies of the regulations are also available from the Government publications office.

I have considered and weighed all the serious objections received during the consultation period and decided to proceed with the quota proposed in the draft regulation. This figure is in line with the recommendations made to me by the National Salmon Commission.

254. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the communication he has received from the UK Government regarding Ireland’s current management of the commercial netting of wild salmon; if the Government intends responding to the criticisms raised by the UK environmental agency that Irish drift nets now represent the main form of exploitation of salmon on many English and Welsh rivers; and if the Government has received advice on whether Ireland’s commercial netting practices may be in breach of obligations given in the North Atlantic Salmon Conservation Organisation protocols, European Union directives and the UN Law of the Sea Convention regarding the protection of migratory wildlife species. [12928/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Since my appointment as Minister of State with responsibility for marine matters, I have not received any communication from the UK Government regarding the management of the Irish wild salmon fishery. I am aware, however, of the concerns being expressed abroad that drift netting in the Irish fishery is having an adverse impact on wild Atlantic salmon stocks.

The recent statement issued by the UK Environment Agency has been brought to my attention. The report relies on the findings of a joint Irish-UK scientific working group of scientists from our Marine Institute and the UK Centre for Environment, Fisheries and Aquaculture Science, with contributions from the Environment Agency, which has been assessing the recent patterns and levels of exploitation on English and Welsh salmon stocks in the Irish coastal fishery.

The statement contends “the Irish drift net fishery is currently thought to take about 10% of salmon returning to these (English and Welsh) rivers”. The report also states “it appears, therefore, that exploitation on salmon from north east England in the Irish fishery is negligible, that exploitation on stocks from north west England and north Wales is currently low, but that levels increase for rivers further south in Wales and in south west and southern England”. The report indicates that on the river test all rod caught fish are released and there is no net fishery, so it is in that context that it states that “the Irish fishery is probably the biggest exploiter of this stock.”

I am advised that the results of the scientists’ work have demonstrated that salmon from parts of England and Wales are exploited in the Irish coastal fishery. However, the report states “the levels of exploitation have varied between stocks from different regions and from year to year, and have also declined following the introduction of new management measures in the Irish fishery since 1997”.

The same report recommended that improvement in the riverine environment to address issues of diffuse pollution, siltation, degraded habitat and obstructions to migration is seen as a key component in reversing the downward trend in egg deposition estimates on many UK rivers.

I understand the joint Irish-UK scientific working group’s report is finally nearing completion and is expected to be released in 2005. In the absence of this report, it should be noted that the Government has not received any advice nor does it accept the validity of the argument that its salmon management regime does not comply with international legislation or best practice. Furthermore, the Government does not accept that there is any sound or agreed scientific basis for the allegations made that the Irish salmon drift net fishery has an unacceptable impact on salmon stocks either in Ireland or in other European countries.

The Government considers that its management of the Irish home water commercial salmon fishery, which limits the commercial salmon fishing season, confines it to within the six-mile limit and restricts the number of fish being caught, demonstrates a commitment to the conservation of the wild salmon stock, which is in keeping with the spirit and principles of our obligations both as a member of the North Atlantic Salmon Conservation Organisation, NASCO, and under relevant EU legislation and international conventions.

Quantified Risk Assessments.

255. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources the number of pages in the original QRA and the number of appendices supplied to his Department in November 2001 in the matter of the proposed Corrib project. [13055/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The quantified risk assessment, QRA, is an organic document. The QRA, version D, comprised 52 pages plus 12 pages of appendices. The QRA, version E, incorporating Mr. Johnston’s recommendations and those of the Department of Communications, Marine and Natural Resources, comprised 54 pages plus 12 appendices.

Natural Gas Grid.

256. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if his Department’s attention has been drawn to the consequences arising from the pipeline failure of the proposed pipeline at Rossport; and if he will make a statement regarding the safety of residents within a 500 m separation distance of this proposed pipeline, quoting the sources which underpin this statement. [13056/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Department’s attention has been drawn to a number of possible and hypothetical scenarios arising from the proposed pipeline at Rossport, all of which will be taken fully into consideration.

Post Office Network.

257. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources if the 400 non-computerised post offices will be brought under the ambit of a public service obligation; if An Post will be instructed to computerise these remaining post offices in the post office networks as a matter of urgency; and if he will make a statement on the matter. [13084/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government and An Post share the objective of maintaining a viable nationwide post office network through a strategy of maximising the volume of both public and private sector business

[Mr. N. Dempsey.]

handled by the network. Notwithstanding the commercial remit of An Post, the Government recognises the social benefits of maintaining the nationwide post office network. Accordingly, An Post development strategies for the network continue to take full account of these social benefits.

With regard to computerisation of non-automated offices, the automated network accounts for over 95% of An Post's counter business. This means that the 1,000 automated offices transact 95% of counter business while 475 non-automated offices undertake 5% of business. This figure 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 grounds the extension of automation to all offices, regardless of their location or business volumes.

Automation of the post office network was completed in 1997. Offices are automated today only in very exceptional circumstances, such as when an existing automated office closing and its equipment being transferred to a suitable neighbouring location which transacts significant volumes of welfare business. Nevertheless, I have asked An Post to undertake a pilot project to automate a selected number of non-automated offices to gauge the effect on new business.

258. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources if he will impress upon the Department of Social and Family Affairs the importance of the rural post office network and urge him to maintain the social welfare contact with An Post; and if he will make a statement on the matter. [13085/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): An Post is a commercial State company. The payment of social welfare benefits at post offices is a contractual matter between the company and the Department of Social and Family Affairs. The Minister for Social and Family Affairs and I agree that social welfare beneficiaries should continue to have the choice of having their benefits paid through the post office network.

259. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources the number of post offices closed since 1997 in each county; the location of each post office closed since 1997; the number of offices facing closure at present; and if he will make a statement on the matter. [13086/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There were 1,839 post office outlets in 1997 and today there are 1,455 post offices, 157 postal agencies and 3,000 postpoint outlets giving a total of 4,612 postal outlets in the State.

Telecommunications Services.

260. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources when broadband facilities will be installed in Clifffoney, County Sligo; the negotiations that have taken place; the commencement date of same; and if he will make a statement on the matter. [13099/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter, in the first instance, for the private sector companies operating in a fully liberalised market, regulated by the Commission for Communications Regulation, the independent regulator.

The sector has failed to invest at the level necessary to keep pace with the demand for broadband, so my Department's regional broadband programme is addressing the infrastructure deficit by building high-speed fibre based broadband networks, in association with the local and regional authorities, in the major towns and cities. These metropolitan area networks, MANs, are open access fibre-based trunk networks that will allow the private sector to offer world-class broadband services at competitive costs.

Nineteen MANs are now completed, and a further six are under construction, including the Sligo town MAN. Funding for the next phase of the programme will allow the building of MANs in a further 90 towns of 1,500 and above that do not have a satisfactory broadband offering from the sector.

For rural communities and small towns, such as Clifffoney, my Department offers funding under the county and group broadband scheme to enable these communities to become self-sufficient in broadband, in association with the service providers. Full details of the scheme, including application procedures, are on the website www.gbs.gov.ie, and the call for proposals is open until the end of April.

My Department's website, www.broadband.gov.ie, lists nine service providers offering satellite broadband services in Clifffoney, and gives contact details for each company, together with prices for the various service levels on offer.

Community Development Projects.

261. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources when approval will be sanctioned for the community development project at Raughley Pier, County Sligo; the negotiations that have taken place; and if he will make a statement on the matter. [13100/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Raughley Pier is owned by Sligo 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 Raughley Pier will be considered under this programme taking into account the amount of Exchequer funding available and overall national priorities.

Post Office Network.

262. **Mr. Neville** asked the Minister for Communications, Marine and Natural Resources his views on whether the local post office is a vital part of the social fabric of the community and whether it is in the national interest to preserve and allow its role to grow; and if he will respond to the Irish Postmasters Union's concerns about the future of the post office network. [13185/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government and the board of An Post are committed to securing a viable and sustainable nationwide post office network as set out in the programme for Government. I believe that the Irish Postmasters Union also shares this commitment and the input of its members into the development of our post office network, in partnership with An Post management, is an essential element of securing the future of the network.

Postal Services.

263. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if postal delivery staff are required to post unaddressed direct marketing material through letter boxes even if householders have displayed a "no junk mail please" sign or similar on the letter box; if there is any way in which a householder can avoid receiving such mail from An Post; and if he will make a statement on the matter. [13240/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): An Post is statutorily obliged, under section 12 of the Postal and Telecommunications Services Act 1983, to satisfy all reasonable demands for postal services throughout the State. The public receives a wide variety of mail from a number of sources, much of which could be regarded as unsolicited mail, including unaddressed mail material, which may be delivered by operators besides An Post. Individual post persons have no discretion in regard to the delivery or otherwise of individual items of mail.

Energy Resources.

264. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the proportions of electricity generated from oil, natural gas, peat, hydro-energy, wind, solar energy and other sources; and if he will make a statement on the matter. [13428/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the

Deputy to the answer I gave to Question No. 127 of Tuesday 8 February 2005.

International Agreements.

265. **Ms Burton** asked the Minister for Foreign Affairs his views on the UK paper on the economic partnership agreements being negotiated by the European Commission with 77 African, Caribbean and Pacific countries; if, in accordance with the concern expressed by the Oireachtas Joint Committee on Foreign Affairs, the Government will join with the UK and other like-minded Governments with a view to changing the EU position on economic partnership agreements; and if he will make a statement on the matter. [13463/05]

272. **Mr. Carey** asked the Minister for Foreign Affairs the possible economic effects of the new economic partnership agreements with the African, Caribbean and Pacific countries with particular regard to the negotiation process on the least developed economies; the Governments views on such agreements and their effectiveness in terms of furthering the EU's commitment to the eradication of poverty; and if he will make a statement on the matter. [13078/05]

273. **Mr. Carey** asked the Minister for Foreign Affairs if he will elaborate on the role of the European Union in supporting the growth and development of economies in African, Caribbean and Pacific countries; and if he will make a statement on the matter. [13079/05]

274. **Mr. Carey** asked the Minister for Foreign Affairs if he will make a statement on the possible effects of Ireland's aid policies under the EU's new economic partnership agreements with African, Caribbean and Pacific countries. [13080/05]

275. **Mr. Carey** asked the Minister for Foreign Affairs his views on the possible positive changes which the terms of the new economic partnership agreements with African, Caribbean and Pacific countries particularly regarding free trade of intellectual property rights, may have on Irish and EU aid packages involving medications and vaccinations; and if he will make a statement on the matter. [13081/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 265 and 272 to 275, inclusive, together.

Under EU regulations, the European Commission conducts the negotiations on economic partnership agreements between the European Union and six regional groupings of African, Caribbean and Pacific states on behalf of the member states. The Commission provides the Council with regular updates on the progress of the negotiations. Ireland is following the developments in the economic partnership agreements negotiations process. While Ireland, like the other member states, does not participate in the ongoing economic partnership agreements nego-

[Mr. C. Lenihan.]

tations, we are satisfied the Commission is discharging its mandate in accordance with the provisions of the Cotonou Agreement and in a manner which is sensitive to the particular concerns of the African, Caribbean and Pacific states.

The economic partnership agreements, which are to enter into force by 1 January 2008, are an integral element of the legally-binding Cotonou Agreement between the African, Caribbean and Pacific states and the European Union.

Economic partnership agreements are primarily instruments for development that will foster the smooth and gradual integration of African, Caribbean and Pacific states into the world economy, with due regard for their own political choices and their own development priorities, thereby promoting their sustainable development and contributing to poverty eradication in the African, Caribbean and Pacific countries. They combine trade and wider development issues in a unified framework, while taking account of the specific economic, social and environmental circumstances of each regional group and its component states. I am satisfied that this approach addresses the particular concern of Ireland and other member states that development and poverty reduction should be the principal objectives of the economic partnership agreements.

I have read with interest the recent UK position paper setting out views on how the commitment to put development at the heart of the economic partnership agreements negotiations can best be delivered. The paper was designed to promote an open discussion on economic partnership agreements issues particularly as the substantive negotiations get under way.

Article 46 of the Cotonou Agreement states that the parties recognise the need to ensure an adequate and effective level of protection of intellectual, industrial and commercial property rights. Under economic partnership agreements the arrangements for intellectual property rights will conform with the provisions of the World Trade Organisation's agreement on trade-related aspects of intellectual property rights.

US Visas.

266. **Mr. Deenihan** asked the Minister for Foreign Affairs what recent contacts he has had with the United States Government regarding the introduction of legislation to enable 50,000 or so undocumented Irish people in the US to work legally in that country; and if he will make a statement on the matter. [12815/05]

Minister for Foreign Affairs (Mr. D. Ahern): The number of Irish people who may be resident in the United States without the appropriate authorisation is difficult to estimate. I do not know how the Deputy arrived at the figure he cites. While the US authorities estimate that the number may have declined to 3,000 in 2000, many of the organisations working with our emigrants

would regard this as a low estimate. No one, however, is in a position to be precise.

The circumstances of undocumented Irish people in the United States 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 reaffirmed his commitment to work with Congress on immigration reform. The Taoiseach and I 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 commend the role and work of the immigration centres in the United States in particular the support, information and advice they make available to our communities there. Funding by my Department to these organisations increased by 83% last year. The substantial increase in funding which I have secured for emigrant services in 2005 will enable further support to be given to them this year.

The issues of our undocumented citizens and immigration reform have the highest priority for the Government. Through the ongoing efforts of our embassy and the contacts of the Taoiseach, Cabinet colleagues and me with political leaders in the United States, we will continue to encourage and support all measures that benefit Irish citizens.

Departmental Travel.

267. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the cost to the State involved in his trip to the South Down constituency on 15 April 2005.

268. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if the Garda Síochána was involved in his protection during his trip to the South Down constituency on 15 April 2005.

269. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if members of the Garda Síochána drove him to and from South Down constituency on 15 April 2005.

270. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if the PSNI was involved in his protection during his trip to South Down constituency on 15 April 2005.

271. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if members of the PSNI drove him to and from South Down on 15 April 2005.

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 267 to 271, inclusive, together.

In response to a long-standing invitation, I visited South Down, my neighbouring constituency, on 11 April. I fulfilled several engagements with the sitting MP, including a visit to a regeneration

project in Castlewella and a meeting with members of the Northern Ireland Youth Forum in Warrenpoint town hall.

As regards other aspects of the visit raised by the Deputy, it is not the practice to disclose the security arrangements for such visits. The only additional cost to the State was €203.34.

Questions Nos. 272 to 275, inclusive, answered with Question No. 265.

UN Missions.

276. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the continued non-publication of the results of investigations by the UN interim mission in Kosovo, the NATO-led Kosovo Force and the French and German Governments into their respective failures to protect minority communities during the March 2004 riots in Kosovo; if he will call for the immediate publication of same; and if he will make a statement on the matter. [13226/05]

Minister for Foreign Affairs (Mr. D. Ahern): The outbreak of ethnically-motivated violence in March 2004 was a serious setback to the work of building a multi-ethnic society in Kosovo. In a series of attacks across Kosovo on 17 March, 19 people were killed and widespread damage was caused to homes and other property, most of which were owned by members of the Kosovo Serb community.

I am aware of criticism by Amnesty International on the first anniversary of the violence that the UN Interim Administration in Kosovo, UNMIK, and KFOR, the UN-mandated peace-keeping force in Kosovo, have not admitted responsibility for their failings or made public the results of their investigations. In the aftermath of the violence, the UN Secretary General asked the Norwegian ambassador, Kai Eide, to undertake a comprehensive review of the policies and practices of all actors in Kosovo and to prepare recommendations on the way forward, in accordance with Security Council Resolution 1244 of 1999. The UN Secretary General, Kofi Annan submitted Mr. Eide's review to the UN Security Council on 6 August 2004. The Secretary General conveyed his recommendations to the Security Council on 17 November 2004. All of these documents are available on the website of UNMIK.

The Eide review concluded that the international community was taken by surprise by the violence in March and, with UNMIK in the lead, gave an impression of being in disarray and without direction or internal cohesion. The review further concluded that a restructuring of UNMIK was unavoidable, in order to re-energise the mission and bring its various components together in a more organised way. The Secretary General recommended immediate streamlining and realignment, with a comprehensive restructuring of the international presence as a whole to be undertaken in 2005.

KFOR has also carried out internal reviews of the conduct of its operations in Kosovo. For reasons of security — of the members of KFOR and of the local population — it is normal practice that such reviews are not made public. It would be inappropriate for me to comment on the role of other national contingents. However, I pay tribute to the particularly courageous role played by the Irish contingent in KFOR during last year's violence. Some 18 members of the Defence Forces received citations from the commander of KFOR for their actions to protect civilians. There are over 200 members of the Permanent Defence Force serving with the Irish contingent in KFOR. The latter has also carried out internal reviews of the conduct of its operations in Kosovo.

The Government and its partners in the European Union fully support the work of UNMIK and of the special representative of the UN Secretary General in Kosovo, Mr. Soren Jessen-Petersen. The European Union will play its part in the months ahead in the political process aimed at reaching an agreed settlement in Kosovo, based on the creation of a multi-ethnic society in which the rights of all communities are fully protected.

Sports Funding.

277. **Mr. Crowe** asked the Minister for Arts, Sport and Tourism how much State funding has been made available for the building of a proposed stadium in Tallaght; and the position regarding the proposed future and finishing of this project. [13188/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the sports capital programme, which is administered by my Department, capital grants totalling €2.57 million were allocated over the three years 2000 to 2002 in respect of the Shamrock Rovers stadium in Tallaght. Of this, €2.44 million has been paid out in respect of works certified by invoices to the value of €3.3 million.

Following its refusal in December 2004 to extend the period of planning permission on the site, South Dublin County Council has initiated a series of discussions with interested parties with a view to the repossession of the property. In the event of a satisfactory outcome, South Dublin County Council will consult with my Department on how best to ensure the completion of a sporting facility on the property. I intend to support South Dublin County Council in putting together a financial package that would ensure the completion of the stadium. Discussions on the parameters of any such financial assistance will take place when the council regains ownership of the site.

Work Permits.

278. **Mr. Cregan** asked the Minister for Enterprise, Trade and Employment the situation

[Mr. Cregan.]

regarding work permit holders who are non-EEA nationals and in regard to a person (details supplied) in Dublin 15; the length of time the normal restrictions on the issuance of work permits do not apply after a non-EEA national is made redundant; if the ineligible job categories apply only to persons outside the State applying for their first permit; if there is an exemption from the normal restrictions for persons taking cases to the Employment Appeals Tribunal; and if a work permit will be granted to this person. [12836/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permit section of my Department issued a work permit in respect of the above named individual for the period 16 April 2003 to 15 April 2004. No further applications for a work permit have been received.

In circumstances where the employment relationship has recently broken down or where the employee has recently been made redundant, the work permit section will look favourably on an application from another employer. In such instances, the ineligible categories do not apply and the application is processed on its own merits with regard to existing employment and immigration legislation.

Job Losses.

279. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the serious impact on the local economy of the announcement by a company (details supplied) of the decision to close its call centre with the loss of 100 jobs; if he plans to have discussions with the company on the possibility of saving the jobs; if this is not possible, the steps he intends to take to secure alternative employment for the area; and if he will make a statement on the matter. [12978/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am aware of the announcement made by the company in question to close its call centre in Castlebar. The parent company has decided to consolidate its business into one Irish location. It is no longer practical for the company to operate out of two centres in Ireland. All business will be consolidated into the company's operation in Shannon and staff are being offered the option, including a relocation package, of employment in Shannon.

The industrial development agencies are committed to the development of County Mayo. IDA Ireland client companies have made seven site visits to the county since January 2004. Last year, four IDA Ireland supported companies also committed to research and development projects in the county, with a potential spend of approximately €5.5 million. In Castlebar, a new 16-acre modern business and technology park has been fully developed and is being actively promoted by IDA Ireland for new projects. Enterprise Ireland has approved funding support of over €5.8 million

and paid over €4.8 million to companies in Mayo in recent years. A further €563,000 has been approved in support for the indigenous sector this year.

The State agencies, including the local county enterprise board, will continue to make every effort to secure alternative employment for the staff affected by the job losses at the particular company. In this regard, I am encouraged by the most recent live register analysis figures released by the Central Statistics Office. The year on year figures for March 2005, as against March 2004, for Castlebar show a decrease of 99 people, down from 964 to 865. For the county as a whole, the figure was 5,297 in March of this year, down from 5,863 in March 2004, a decrease of almost 10%.

Shannon Development.

280. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment if he will meet a small delegation as a matter of urgency to discuss the future of Shannon Development and the distribution of its assets; and if he will make a statement on the matter. [13083/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Several recent developments will impact on the future role of Shannon Development, the most significant of which are: the proposed relocation of the headquarters of Enterprise Ireland to Shannon as part of the decentralisation programme; the enterprise strategy group recommendation that Shannon Development should disengage from industrial development functions; and the establishment of an independent Shannon Airport Authority.

The new airport authority was incorporated in October 2004. Shannon Development fully supports the decision to establish an independent airport authority which is vital to the economic development of the region. The company has also further agreed on the need to re-focus its activities on the airport with a view to generating business for the airport and that the company's assets should be used to support the airport authority particularly in its early, vulnerable years.

In the light of these developments, the Shannon Development board was asked to devise a new strategy for the company. The board recently submitted a detailed strategy document outlining its vision of the future role of the company and my Department is engaged in a detailed examination of these proposals. The results of this examination will be submitted to me as soon as possible, following which I will engage in any necessary consultations with Shannon Development, my Government colleagues affected by the proposals, together with other interested parties in the region.

Employment Rights Legislation.

281. **Mr. Perry** asked the Minister for Enterprise, Trade and Employment if he will address the concerns raised by a person (details

supplied) regarding the employment legislation; and if he will make a statement on the matter. [13091/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The labour inspectorate of my Department is responsible for monitoring certain employment conditions for all categories of workers in Ireland, including immigrant workers. The inspectorate operates without any differentiation with regard to worker nationality as statutory employment rights and protections apply to immigrant workers in exactly the same manner as they do to native Irish workers. Inspectors pursue allegations of worker mistreatment and when evidence of non-compliance with the relevant employment rights legislation is found, the inspectorate seeks redress for the individual or individuals concerned and, if appropriate, a prosecution is initiated.

The numbers of workplace inspections or visits undertaken by the labour inspectorate in 2004 was 5,160. In addition, the labour inspectorate secured €486,000 arrears of pay on behalf of employees. There are approximately 600 cases under investigation by the labour inspectorate which relate to various alleged breaches of employment rights legislation, including payment of wages, holiday pay and overtime.

Inspections are undertaken in several ways: the labour inspectorate's primary role regards complaint-based inspections, that is, following receipt of a complaint from an employee, employee's representative or other source. In addition, routine inspections are undertaken on an ongoing basis to ensure compliance with employment rights legislation. Enforcement campaigns, targeted at specific sectors also form part of the labour inspectorate's role in enforcing employment rights legislation.

Following my announcement on 12 April there are 31 labour inspector posts. Immediate steps have been taken to source the new inspectors initially from within the existing staff complement of the Department of Enterprise, Trade and Employment. Accordingly, I expect early appointments. The additional inspectors will strengthen the labour inspectorate's capacity to ensure that workers in these sectors receive their entitlements under employment rights legislation.

Where employers seek work permits in order to employ non-EEA nationals, the Department requires a statement of the main functions of the job, salary or wages, deductions — other than statutory, other benefits and hours to be worked per week. The proposed employer and the proposed employee must sign this statement. Work permits are not granted unless there is evidence of intention to comply with minimum wages legislation. Applications for work permit renewals require confirmation that the stated wages have been paid. Form P60 and other sources are used for this.

Arising from the mid-term review of Sustaining Progress, agreed by all parties in June 2004, the inspectorate was asked to draw up a discussion document for the social partnership process. It did this by identifying 39 key proposals but the document is not prescriptive. It presents the arguments for and against an extensive range of issues impacting on the mandate and associated resourcing of the labour inspectorate and its linked business units. A spectrum of possible models for compliance checking and enforcement have been identified and were presented for discussion. In the absence of appropriate analysis, no particular model can be endorsed. However, the purpose of their inclusion is primarily to stimulate debate and signal that fundamental changes in approach should be considered. Some views have been received from the social partners while others are awaited.

County Enterprise Boards.

282. **Mr. McGuinness** asked the Minister for Enterprise, Trade and Employment why Kilkenny County Enterprise Board is informing clients whose projects have been approved in principle that formal letters cannot issue due to lack of funding from his Department; if this is the case throughout the country; the reason this is so at this time of year; his plans in regard to the issue; and if he will make a statement on the matter. [13184/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Over €30 million has been made available to fund the county and city enterprise boards in 2005 of which €17.714 million will be available for capital expenditure on direct grant aid and soft support measures to micro-enterprises across all 35 boards.

All boards were invited to submit their 2005 budget demands to my Department and following receipt and examination of those submissions 2005 budget allocations have been determined for the 35 boards. All boards have been informed of their individual allocations. Pending the determination of 2005 allocations each board received an interim payment to meet immediate costs.

In determining the 2005 allocations my Department has adopted a systematic approach to ensure the maximum degree of objectivity and equity of treatment. This approach involved the provision of a basic allocation to each board as well as an additional allocation determined by other factors such as unemployment, capacity to spend, existing commitments and regional spread.

The programme budget approved for Kilkenny County Enterprise Board is over 9% higher than the allocation provided in 2004. This increase will enable Kilkenny County Enterprise Board to maximise entrepreneurial development in the micro-enterprise sector throughout the county in 2005.

Industrial Development.

283. **Mr. Kehoe** asked the Minister for Enterprise, Trade and Employment the number of site visits which have taken place at a company (details supplied) in County Wexford; the number of visits which went through IDA and Enterprise Ireland; the date the visits took place; the results from each visit; and if he will make a statement on the matter. [13414/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland has arranged two site visits from potential overseas investors, one in February 2003 and the other in May 2005. Neither of these site visits resulted in a tenant for the building. A profile of the facility has been circulated to IDA Ireland's overseas offices informing them of its competitive rental rate in comparison to locations like Dublin.

Enterprise Ireland has reported that the demand for factory space in the south east has been very slow over the past three years. The agency has brought three groups to view the facility over in the period late 2003 to early 2004. Groups that EI took to view the space included a call centre operation, which project did not proceed; an engineering firm from Northern Ireland, which project, as far as EI is aware, did not proceed in the Republic of Ireland; and a timber frame company for whose requirements the premises was not suitable.

I have been assured by the development agencies, IDA Ireland which is the agency with statutory responsibility for the attraction of foreign direct investment and Enterprise Ireland which is concentrating on indigenous industry, that they are actively marketing the factory to potential investors.

Work Permits.

284. **Mr. N. O'Keeffe** asked the Minister for Enterprise, Trade and Employment if he will reconsider an appeal in relation to an application for two non-EU work permits; and if his attention has been drawn to the fact that the employer has been unable to use some of his machinery which is now idle as he is unable to secure drivers. [13417/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Having heard an appeal in this case, the work permits section of my Department issued two work permits to the above named employer.

Social Welfare Benefits.

285. **Mr. Hogan** asked the Minister for Social and Family Affairs when a decision will be made in respect of an application for the rent allowance for a person (details supplied) in County Carlow; and if he will make a statement on the matter. [12925/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided

through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive. The Dublin and mid Leinster area of the executive has advised that a rent supplement has been awarded in this case backdated to the date of application, 22 March 2005. The first payment of the supplement will issue to the person concerned this week.

Departmental Staff.

286. **Mr. Gregory** asked the Minister for Social and Family Affairs further to Question No. 322 of 19 April 2005, if there is an appeal procedure available for a civil servant who is refused the right to compete for establishment. [13524/05]

304. **Mr. Gregory** asked the Minister for Social and Family Affairs further to Question No. 322 of 19 April 2005, the circumstances whereby a service grade employee in a permanent position may be excluded from competing in a competition for establishment. [13382/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 286 and 304 together.

All service grades, that is, cleaners, service attendants and service officers in my Department are appointed in an unestablished capacity. Competitions are held by the Public Appointments Service from time to time to allow them compete for establishment.

An interdepartmental competition for established appointment to certain positions within the Civil Service was recently advertised. The criteria which a person had to satisfy to be permitted to compete in this competition are set out below.

Candidates must: (1) be serving in an unestablished capacity in one of the grades specified in the governing circular which, in relation to service grades, are head services officer, formerly head messenger, services officer, formerly messenger, services attendant, superintendent of cleaners, supervisor of cleaners, cleaner; (2) have not less than one year's continuous service in the aggregate in one or more of these grades; (3) persons who would have been eligible under (1) and (2) above but for the fact that they were promoted or assigned to other duties were eligible to compete.

In addition, the personnel officer had to be satisfied that the candidates: (a) fulfil the conditions of eligibility specified above; (b) have worked well and been satisfactory in their present duties; (c) have been satisfactory in general conduct; and (d) are suitable from the point of view of health with particular regard to sick leave. In relation to sick leave, the procedures set out in Department of Finance circular 34/76, as amended by circulars 32/91, 33/99 and 17/03, must be followed. If a person does not fulfil all of the above criteria, they are excluded from competing in a competition for establishment.

Appointment to established positions in the Civil Service is carried out under the provisions

of the Public Service Management (Recruitment and Appointments) Act 2004. The Act provides that appointments will be made under codes of practice set down by the Commissioners for Public Service Appointments, CPSA. Where a competition is run by the Public Appointments Service or other licence holder, there is provision for appeal under the Act and as set out in the codes of practice.

The appeal procedures provide for the review of a decision, within specified time limits, on any of the issues covered in the code of practice by a person other than the individual who made the decision in question and for further review, if required, by a decision arbitrator.

The relevant Codes of Practice are available at www.cpsa-online.ie.

Social Welfare Benefits.

287. **Mr. Ring** asked the Minister for Social and Family Affairs the schemes which a person (details supplied) in County Mayo will qualify for; and if they will qualify for the free schemes, the living alone scheme, the fuel scheme and any other schemes. [12763/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned has been awarded the household benefits package with effect from 9 September 2004. Eircom and the ESB will be notified as soon as possible to apply the allowances to his accounts.

He has also been awarded a free lifetime television licence with effect from the expiry date of his current TV licence. If the person concerned has purchased a television licence since 9 September 2004, he can obtain a refund by sending proof of purchase, a receipt or a copy of the licence, to the Free Schemes Section, Pension Services Office, College Road, Sligo.

The fuel allowance scheme is intended to help households who are dependent on long-term social welfare payments and who are unable to provide for their own heating needs. One of the conditions for receipt of this payment is that the claimant must be in receipt of a pension from my department or an equivalent payment from a country covered by EU regulations or a country with which Ireland has a bilateral social security agreement.

To qualify for a living alone allowance, a person must satisfy a number of conditions. One of these conditions requires that the applicant be in receipt of a pension from my Department. As the person concerned is not in receipt of a qualifying payment, I regret that he is not eligible to claim the fuel allowance or the living alone allowance.

Community Law Centre.

288. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if urgent assistance will be given to the northside community law centre in its funding crisis (details supplied) in order that

it remain open for the community in Coolock, in the form of the maximum grant. [12767/05]

Minister for Social and Family Affairs (Mr. Brennan): The northside community law centre is one of a number of organisations which are funded under my Department's scheme of grants for the development and promotion of information and welfare rights. Since its establishment in 1975, the centre has been funded exclusively by State agencies with my Department taking over direct funding in 1995. Annual funding has increased progressively over the years and my Department provided €215,000 to the centre in 2004. In 2005, advance payments totalling €140,000 have been paid and it is costing €35,000 per month to keep the centre open.

I am fully cognisant of the valuable role which a community-based legal advice service such as the northside community law centre can play in the delivery of a comprehensive and cost effective legal advice service for citizens. However, I am satisfied that my Department is not in the long term the most appropriate source of funding for this service having regard to the fact that the Department of Justice, Equality and Law Reform has primary responsibility for funding legal aid services.

Social welfare queries dealt with by the centre in 2004 represented less than 5% of its annual business. I have, therefore, written to my colleague, the Minister for Justice, Equality and Law Reform, regarding future funding of the centre as an integral part of its legal aid services.

In the meantime, my Department will continue to fund the centre for a period. The centre is seeking a substantial increase in funding for 2005 which my Department will not be in a position to meet from its budget. Discussions are continuing with the centre's management on these issues.

Social Welfare Benefits.

289. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be assessed for farm assist. [12787/05]

Minister for Social and Family Affairs (Mr. Brennan): There is no record in the Department of an application for farm assist from the person concerned. An application form has been issued to him. On receipt of the completed application form, his entitlement will be considered and the person concerned will be notified of the outcome.

290. **Mr. Crawford** asked the Minister for Social and Family Affairs the criteria which will be used for the respite grant as was raised in the budget for 2005; and if he will make a statement on the matter. [12788/05]

291. **Mr. Crawford** asked the Minister for Social and Family Affairs the criteria which will be used for the respite grant, as announced in the budget for 2005, in the Social Welfare Bill; if a person who is giving full-time care but has been

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 refused the carer's allowance owing to the means test will be eligible for the respite grant; if the application forms are available; the way in which persons may apply; and if he will make a statement on the matter. [12790/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 290 and 291 together.

In the budget for 2005, I announced the extension of the respite care grant scheme to all carers providing full-time care to an older person or a person with a disability, regardless of means and subject to certain qualifying conditions. The respite care grant will continue to be payable to recipients of carer's allowance, carer's benefit, prescribed relative allowance, constant attendance allowance and domiciliary care allowance. Carers who do not qualify for a grant under one of these schemes may now obtain a grant if they and the person for whom they are caring satisfy certain conditions. The grant will be payable to those carers who previously did not qualify for carer's allowance on means grounds provided they satisfy the conditions of the scheme.

Carers must be aged 16 or over; ordinarily resident in the State; caring for the person on a full-time basis for at least six months, which period of care must include the first Thursday in June; living with the person or have a direct system of communication to the person's home. In addition, a carer must not be employed or self-employed for more than ten hours outside the home; getting or entitled to unemployment benefit or unemployment assistance or signing for unemployment credits; living in a hospital, convalescent home or other similar institution. The care recipient must need full-time care and attention, not reside in a hospital convalescent home or other similar institution and not already get full-time care and attention within their own home from another person.

The grant, which is being increased to €1,000, will be payable from 2 June 2005. Application forms and information leaflets will be available from early May. The forms and leaflets will be available throughout my Department's network of local offices and will also be available from citizens' information centres. They may also be requested by phone from my Department or by downloading them from my Department's website.

An extensive publicity campaign is commencing this week and includes advertisements in both provincial and national newspapers as well as posters in various centres and offices. Officials of my Department have already briefed representatives of carers' organisations about the scheme. These organisations will in turn be providing information to their members.

My Department has set up a special section to deal with this scheme. Arrangements are being put in place to ensure applications are processed efficiently and in a timely manner. As part of

these arrangements, a dedicated freefone helpline will be operated to coincide with the publicity campaign.

292. **Mr. P. Breen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Clare has been refused the supplementary welfare allowance; and if he will make a statement on the matter. [12805/05]

Minister for Social and Family Affairs (Mr. Brennan): Under the supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive, a heating supplement may be paid to recipients of social welfare or Health Service Executive payments who have exceptional heating costs due to ill health or infirmity and who are unable to provide for these costs from within their own resources.

The southern area of the executive has advised that an application for a heating supplement from the person concerned was refused on the grounds that the level of his household income was considered to be sufficient to cater for his heating requirements.

293. **Mr. Crawford** asked the Minister for Social and Family Affairs the number of savings he will make for his Department by forcing all social welfare recipients to accept their payments through a bank rather than the post office network; the damage that will be done, especially to rural communities, if post offices are forced to close; and if he will make a statement on the matter. [12820/05]

295. **Mr. Cregan** asked the Minister for Social and Family Affairs if he will report on the current agreement with An Post for social welfare payments; if the contract is nearing its end; if so, if it will be given to An Post again; if an open competition will be held, with tenders from different financial institutions; and if the concerns of old age pensioners will be uppermost in his mind when making a decision on the award of contracts for these payments in the future. [12825/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 293 and 295 together.

My Department's policy is to ensure that a range of payment options is available to customers and that service is continually improved by providing access to the wide range of payment options and new services and facilities now available. Customers opting for a particular payment method do so on an entirely voluntary basis having regard to their own circumstances and particular needs.

Current payment methods include payment at post offices by means of a pension order book, electronic or manual postdraft 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 build-

ing society accounts by electronic fund transfer. Some 58% of customers receive payment through their local post office, 11% are paid by cheque through the postal system and 31% receive direct electronic payment to their bank or building society account.

In regard to costs, my Department incurs a 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 transaction levels. There is no cost to my Department in respect of direct payments lodged to a customer's bank or building society account.

Following the decision in 1999 to extend my Department's existing contractual arrangements with An Post, a complaint was lodged with the European Commission in 2000. That complaint was subsequently referred by the European Commission to the European Court of Justice. In the meantime, An Post, with the agreement of the Commission, has continued since 1 January 2000 to provide services to my Department on an interim basis. There are no plans to change that arrangement. While not wishing to pre-empt the outcome of the case before the European Court of Justice, I am confident that An Post will continue to have an important role in the delivery of services for my Department into the future.

Post Office Closures.

294. **Ms Burton** asked the Minister for Social and Family Affairs if his Department's attention has been drawn to the serious inconvenience caused to social welfare recipients, particularly old age pensioners, using the services of the post office in Castleknock, which closed without warning in April 2005; when and the location at which alternative services will be provided. [12824/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department is notified in advance by An Post of the closure of any post office. On receipt of the notification, my Department's customers who are affected are redirected to the nearest post office or, alternatively, to a post office designated by the customer. Where these arrangements do not suit a customer, my Department provides alternative payment arrangements either by cheque or by direct payment into a customer's account with a financial institution.

The post office referred to by the Deputy was closed temporarily on 7 April 2005 owing to flooding and social welfare customers were redirected to one of four alternative post offices within a two mile radius of the closed office. It is understood that these arrangements are working satisfactorily. A customer may contact my Department to seek alternative payment arrangements at any time.

Question No. 295 answered with Question No. 293.

Social Welfare Appeals.

296. **Mr. Allen** asked the Minister for Social and Family Affairs the reason for the long delay in hearing the appeal of a person (details supplied) in County Cork. [12854/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned has been in receipt of disablement benefit from injuries he received in a motor accident which he sustained in the course of his work in May 2001. His claim was reviewed in April 2004 and, following an examination by a medical assessor of my Department, his loss of faculty was provisionally assessed at 20% for a further six months period. The person appealed this decision in June 2004 and, following an oral hearing in March 2005, his appeal was disallowed and loss of faculty was affirmed at 20%. The person concerned was informed of the appeals officer's decision on 15 March 2005.

This appeal was processed by way of oral hearing and the earliest that it could be heard was early March 2005. In this regard, precedence is given to cases where the appeal concerns payments that constitute a person's primary source of income. The claim in this instance concerns a payment that is normally additional to a basic social welfare payment or, as in this case, additional to the person's ordinary income, as he had returned to work.

Under social welfare legislation, decisions in regard to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in making decisions.

Social Welfare Benefits.

297. **Mr. Durkan** asked the Minister for Social and Family Affairs if rent supplement will continue to issue to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [13049/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive. The Dublin and mid Leinster area of the executive has advised that it was unaware of a bereavement in the family in question at the end of March. Payment of the rent supplement to the late spouse of the person concerned had been suspended pending the return of outstanding documentation relating to an unrelated routine review carried out in January. The executive will contact the person concerned immediately to assess her circumstances and determine her entitlement to rent supplement.

Departmental Staff.

298. **Mr. Perry** asked the Minister for Social and Family Affairs if his attention has been

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drawn to the fact that a person (details supplied) has been on the transfer list for over six years; when a decision will be made; and if he will make a statement on the matter. [13095/05]

Minister for Social and Family Affairs (Mr. Brennan): In accordance with formal procedures agreed between the Civil and Public Service Union, which represents clerical officers, and the Department of Finance, the names of officers applying for transfer to a location are entered in the Department's central transfer lists in the order in which they are received. Vacancies which arise in locations are then filled by reference to these lists.

The person in question accepted an offer of appointment to a permanent position in the Dublin offices of the Department of Public Enterprise and took up her appointment on 19 October 1998. She transferred to the Sligo offices of my Department on 5 November 2001. She subsequently applied for transfer to Ballina office of the Department on 19 November 2001 and she is placed 80th on that list. In accordance with the agreed arrangements as outlined above, earlier applicants on the transfer list would have to be considered for transfer first in the event of a vacancy, fillable by transfer, arising in the Ballina office of the Department.

While the operation of the transfer list to the Department of Transport in Ballina is a matter for that Department, I understand from inquiries made that the person concerned applied for transfer to that Department in October 1998 and is placed 47th on the transfer list.

Social Welfare Benefits.

299. **Mr. Crowe** asked the Minister for Social and Family Affairs the number of persons claiming family income supplement and who submitted a claim for backdating but were refused due to the lack of knowledge clause, in each of the past five years. [13172/05]

Minister for Social and Family Affairs (Mr. Brennan): There is a general obligation on people to claim their social welfare entitlements on time and there are legislative provisions designed to cater for situations where they fail to do so. Regulations provide for payment to be made on foot of late claims in the case of a range of schemes, including family income supplement, for a period of six months prior to the date of the claim provided there is satisfactory cause for the late claims. Lack of knowledge is not in itself regarded as a basis for backdating of claims.

There are 15,040 persons in receipt of family income supplement. Information on the number of claims for the backdating of family income supplement, as a result of lack of knowledge is not held by my Department for the period in question. My Department is aware of one claim this year for the backdating of an award on the basis

of lack of knowledge. That case was considered in the context of the relevant legislative provisions.

I am satisfied that the current provisions in regard to late claims strike a reasonable balance between, on the one hand, the need to exercise control of claims and the requirements of sound financial management and control of public expenditure and, on the other, the need for appropriate recognition to be given to cases of genuine hardship or difficulty.

Social Welfare Code.

300. **Mr. Crowe** asked the Minister for Social and Family Affairs the criteria laid down by his Department for social welfare officers when assessing clients who are receiving social welfare payments while actively seeking work; and the evidence such clients need to produce. [13223/05]

Minister for Social and Family Affairs (Mr. Brennan): Social welfare legislation provides that, among other conditions, a person must satisfy the condition of being genuinely seeking work to be entitled to unemployment benefit, UB, or unemployment assistance, UA. A deciding officer will take a number of factors into account in deciding whether a customer is genuinely seeking work. The legislation requires a person to be genuinely seeking employment suitable for him or her, having regard to his or her age, education, physique, location and family circumstances. To satisfy this condition, it is necessary for the person to demonstrate that he or she has taken some positive action and is making genuine efforts to secure employment. The person must show that he or she has taken reasonable steps to secure employment during the relevant period and provide examples of such steps. The steps which a person is required to take should be reasonable in his or her case and offer him or her the best prospects of securing employment.

Steps which would indicate that a person is genuinely seeking work may include making oral or written applications for work to employers or persons who have advertised job offers on behalf of an employer; looking for information on the availability of employment from employers, advertisements, employment agencies and people who have placed advertisements indicating that employment is available; availing of reasonable training opportunities suitable in his or her case; acting on the advice given by a job facilitator, a FÁS adviser or other placement agency such as the local employment service, LES; a deciding officer is advised to question a person not only on whether he or she has approached such agencies or persons seeking advice but also on the nature of the advice received and the action he or she has taken on the basis of that advice; and taking positive, well advised steps towards establishing himself or herself in self-employment which would take the form of researching possible areas of self-employment, preparing business plans for a self-employment project, attending

relevant “start your own business” courses, or seeking information, advice or guidance in relation to any of these steps.

Regard may be had to any other steps which a person has taken, provided they offer the best chance of getting employment. The steps which are expected to be taken to seek work will vary from person to person and from one period to the next. In determining what are reasonable steps, the deciding officer is advised to consider the nature and conditions of the employment sought and the individual circumstances of the persons concerned in examining the steps taken to seek employment, inclusive of their level of skills and/or qualifications and having regard to existing labour market opportunities.

Any person who fails to satisfy the deciding officer that he or she is genuinely seeking work is not entitled to an unemployment payment. Where a person is dissatisfied with a decision made by a deciding officer, he or she may appeal this decision to the social welfare appeals office.

Social Welfare Benefits.

301. **Mr. Crowe** asked the Minister for Social and Family Affairs if he will consider submitting a supplementary budget to extend the fuel allowance for elderly and other persons in view of the winter conditions being experienced by clients. [13224/05]

Minister for Social and Family Affairs (Mr. Brennan): The aim of the national fuel scheme is to assist householders who are in receipt of long-term social welfare or health board payments and who are unable to provide for their extra heating needs during the winter season. A fuel allowance of €9 per week — €12.90 in designated urban smokeless fuel zones — is payable to eligible households for a 29 week period from the end of September to mid-April each year.

Significant increases in recent years in primary social welfare payment rates, such as the old age pension, have improved the income position for people dependent on the social welfare system. These rates are payable throughout the year and are intended to cover basic living costs, including cooking and heating, supplemented where applicable by the fuel allowance during the winter heating season. Many households also qualify for electricity or gas allowances throughout the year under the social welfare household benefits scheme. In addition, a heating supplement may be payable through the supplementary welfare allowance scheme in cases of individual special need.

The 2004-5 winter heating season for fuel allowance purposes, which started on 27 September 2004, ended on 15 April. Any extension of the period over which the scheme applies in subsequent winter seasons would have significant cost implications and would have to be considered in a budget context in the light of other priorities.

302. **Mr. Bruton** asked the Minister for Social and Family Affairs the number of claims for family income supplement which are in payment; and his estimate of the number of families which fail to apply for their entitlement under this scheme. [13237/05]

Minister for Social and Family Affairs (Mr. Brennan): Family income supplement, FIS, was introduced in 1984 to provide income support for employees on low earnings with families and thereby preserve the incentive to remain in employment in circumstances where they might otherwise only be marginally better off than if they were fully reliant on social welfare payments. Weekly payments of FIS are made to families, including one-parent families, with children under 18 or between 18 and 22 if in full-time education, where at least one parent is in full-time remunerative employment of not less than 19 hours per week, or 38 hours per fortnight, where the employment is likely to last at least three months and where the income of the family is less than a prescribed weekly amount.

The number of FIS claims in payment at week ending 8 April 2005 is 15,040. This represents an increase of nearly 25% in just over two years, on the 12,043 recipients at the end of December 2002. Weekly FIS income limits have risen by €84 since 2002, a net increase of €50.40. The guaranteed minimum rate of payment for anyone who qualifies for FIS increased to €20 from January 2004.

It is difficult to estimate the number of families who fail to apply for their entitlements under the family income supplement scheme. However, research undertaken by the Economic and Social Research Institute in 1997, which was based on the results of the living in Ireland survey 1994, suggested that at that time, fewer than one in three of potentially eligible claimants were actually in receipt of the payment. Since those with a higher entitlement are more likely to avail of the scheme, the take-up in expenditure terms was then estimated to be somewhat higher at between 35% and 38% of potential expenditure.

International research on schemes similar to FIS and the ESRI analysis has pointed to misconceptions of the scheme and lack of proper information as factors in low take-up levels. For example, people may not realise that FIS is not taxable and does not affect entitlement to a medical card. My Department undertakes a number of proactive measures to ensure that people are aware of possible entitlement to family income supplement. In this regard, ongoing publicity is provided in a number of ways, which include advising all newly awarded one-parent family payment recipients, advising all employers annually in PRSI mailshots and examining entitlement for all recipients of the back to work scheme. FIS has also been extensively advertised on local and national press and radio, in poster campaigns and targeted mailshots. Information on all social welfare schemes is also available on the Depart-

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ment's website and from any of the Department's local offices.

Social Welfare Code.

303. **Mr. Allen** asked the Minister for Social and Family Affairs the arrangements which exist in order that EU citizens who have worked in France and Germany are able to claim social welfare and old age pension entitlements here; and if social welfare contributions made during a term of employment in France and Germany are reckonable for social welfare and pension purposes here. [13246/05]

Minister for Social and Family Affairs (Mr. Brennan): Under the Treaty of the European Community and the European Economic Area, EEA, agreement, citizens of member states are entitled to travel to other member states to seek employment. As such, EEA nationals are treated in the same way as Irish citizens in respect of applications for social welfare payments and national legislation does not distinguish between nationals and non-nationals.

In addition to national legislation, the entitlement of EU nationals to social welfare payments are governed by EU social security regulations 1408/71 and 574/72. The regulations are based on four principles: a person is generally only subject at any given time to the legislation of a single state, usually the state of employment; equality of treatment with own nationals — member states must not discriminate against the nationals of other member states; entitlements accumulated in one member state should be recognised when calculating benefit entitlements in another; the regulations allow for relevant periods of insurance, employment or residence in any member state to be taken into account, that is, aggregated to help people obtain certain benefits in another member state; and the regulations provide that pensions acquired under the legislation of a member state must be paid to the person concerned even if she or he resides in another member state and cannot be subject to reduction or modification. Subject to certain conditions, sickness benefits and unemployment benefit are exportable, the latter for a maximum of three months.

Thus workers who do not satisfy the contribution conditions under national legislation can rely on aggregation to qualify in Ireland for such payments as disability benefit and unemployment benefit. If such persons have been insured in Ireland for at least one year, they can qualify for *pro-rata* pensions, such as survivor's and old age contributory pension. For example, a person with 15 years' reckonable Irish PRSI contributions and 25 years insurance' in France could get 15/40ths of the Irish old age contributory pension that would be payable if all the 40 years' contributions were Irish. On the same basis, the person could be entitled to 25/40ths of a pension from France as if all the 40 years' contributions were paid in France.

Question No. 304 answered with Question No. 286.

Bank Charges.

305. **Mr. Kirk** asked the Minister for Social and Family Affairs if pensioners are facing bank charges as a result of opting for pension payments by electronic transfer; and if he will make a statement on the matter. [13420/05]

Minister for Social and Family Affairs (Mr. Brennan): The overall aim of my Department's payment delivery policy is to ensure that the most modern and widest range of payment methods are available to my Department's customers. Current payment methods include payment at post offices by means of a pension order book, electronic or manual post draft issued to the customer's designated post office each week, payment by cheque to the home address of customers, and direct payment to customers' bank or building society accounts by electronic fund transfer.

Customers opting for a particular payment method do so on an entirely voluntary basis having regard to their own circumstances and particular needs. Some 59% of customers receive payment through their local post office, 10% are paid by cheque through the postal system, mainly short-term schemes, and 31% receive direct electronic payment through their bank or building society account. An Post provides a direct payment option to Post Office Savings Bank accounts which, however, require a seven-day advance notice of withdrawal.

Bank charges which may arise for customers availing of the direct payment option are a matter for each customer having regard to their personal banking arrangements. It is understood, however, that some financial institutions offer special facilities to elderly persons involving free banking or reduced banking charges.

Driving Tests.

306. **Mr. Connolly** asked the Minister for Transport if a person (details supplied) in County Cavan will be excused from the written theory phase of the driving test; and if he will make a statement on the matter. [13208/05]

Minister for Transport (Mr. Cullen): Since 11 June 2001 all applications for a first provisional licence must be accompanied by a driver theory test certificate. The specification which the contractor operating the driver theory test is obliged to meet provides for the delivery of a user-friendly computerised theory testing system and requires that provision is made for candidates with special needs. This includes the provision of reading assistance and voiceover audio with an extended time slot for the test.

The test is based on a question bank, which has been developed, *inter alia*, in consultation with the Association for Children and Adults with Learning Difficulties and the National Adult Lit-

eracy Agency. The question bank is available in book format or as a CD which includes voiceover audio. The test standard applies to all candidates and special allowances cannot be made in any particular case regardless of the circumstances.

Rail Services.

307. **Ms Enright** asked the Minister for Transport the position in regard to negotiations between Iarnród Éireann and beet farmers in the Laois, Offaly and Kildare areas for the provision of a secondary depot at Portlaoise to facilitate the transfer of beet to Mallow by rail; and if he will make a statement on the matter. [13607/05]

308. **Ms Enright** asked the Minister for Transport if he will take action to try to bring about a positive outcome to discussions held between Iarnród Éireann and farmers in the Laois, Offaly and Kildare areas to facilitate the transport of beet by rail from Portlaoise to Mallow; and if he will make a statement on the matter. [13608/05]

318. **Ms O. Mitchell** asked the Minister for Transport if Iarnród Éireann provides, as promised, a direct Portlaoise-Mallow train service to midland beet growers; and if the service will be provided off peak or at night. [13239/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 307, 308 and 318 together.

The carriage of beet by rail is a commercial matter between Iarnród Éireann and Greencore. Iarnród Éireann has advised me that an agreement has been successfully concluded with Greencore for the carriage of beet by rail to Mallow, in the upcoming season, from Wellington Bridge and Milford. I have been advised that Iarnród Éireann was not requested by Greencore to provide a service from Portlaoise. Iarnród Éireann states that the trains from Milford will operate at night.

Driving Tests.

309. **Mr. McGuinness** asked the Minister for Transport the locations for the off-road driver training and testing centres for HGVs; if Kilkenny is being considered as a location; the list of sites already agreed and those being considered; his policy in this area and the related costs; and if he will make a statement on the matter. [12779/05]

Minister for Transport (Mr. Cullen): My Department is in consultation with the Office of Public Works with a view to providing off-road testing facilities for the testing of drivers of heavy goods vehicles. Such facilities have been provided in Sligo, Limerick and Dundalk. It is the intention, subject to the availability of suitable sites and the efficient and economic delivery of the service, to provide similar facilities at the test centres that currently test drivers of articulated heavy goods vehicles. The table below sets out details of the centres where driving tests for articulated heavy goods vehicles are normally

undertaken. These centres are not driver training centres. The cost of securing the sites will vary depending on location and other commercial considerations.

Test Centres where Drivers of articulated Heavy Goods Vehicles are tested:

Athlone
Castlebar
Cork
Dundalk
Finglas
Galway
Kilkenny
Killarney
Letterkenny
Limerick
Mullingar
Rathgar/Churchtown
Sligo
Tralee
Tullamore
Waterford

Road Network.

310. **Mr. Durkan** asked the Minister for Transport the nature of the advice offered to him by way of the Atkins report with particular reference to the need to increase the height of the Port tunnel; if he proposes to follow the advice given in the report in this regard; if not, the reason therefor; if he has studied any alternative proposals to meet the extra height requirement; and if he will make a statement on the matter. [12807/05]

Minister for Transport (Mr. Cullen): Atkins Consultants were commissioned to review the feasibility, safety implications and cost of raising the height of the Dublin Port tunnel. The options for increasing the height of the tunnel were also considered by the National Roads Authority and by Dublin City Council. In addition, the contractor — NMI Consortium- priced the work that would be involved in increasing the height of the tunnel. It was clear from this work that raising the height of the tunnel would not be justified having regard to safety considerations and additional cost and delay factors and I announced my decision not to increase the height of the tunnel in October 2004. The Atkins report is available on my Department's web site at www.transport.ie.

Public Transport.

311. **Ms C. Murphy** asked the Minister for Transport if the Naas Road hard shoulder is intended to be one of the pilot cases proposed new bus lanes. [12814/05]

Minister for Transport (Mr. Cullen): It is proposed to provide a quality bus corridor on sections of the hard shoulder of the Naas Road. This is one of the pilot projects for bus lanes on hard shoulders. The tenders for phases two and three were advertised on Monday, 18 April 2005. Phase two is the section between the N7 Kingswood interchange and the Red Cow and phase

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three is the section between Robinhood Road and Long Mile Road.

Works are expected to commence on site in July-August 2005 with a completion date of March 2006.

Great Southern Hotels Group.

312. **Mr. M. Higgins** asked the Minister for Transport his plans on foot of discussions at the Oireachtas Joint Committee on Transport on 13 April 2005 for the Great Southern Hotels Group; the position regarding the many members of staff employed in this group; and the plans he has to secure and safeguard a secure future for this hotel group and its staff. [13082/05]

Minister for Transport (Mr. Cullen): Under the State Airports Act 2004, the Dublin Airport Authority has a statutory mandate to do everything necessary to give effect to the restructuring of the State airports. All three authorities for the State airports are preparing comprehensive business plans and in furtherance of Dublin Airport Authority's new role, the position of its principal subsidiaries, including the Great Southern Hotels Group, must be considered by the authority in the first instance.

The business plan under preparation by the Dublin Airport Authority will indicate the board's proposals for the future of the hotel group and that business plan will in due course be considered by myself and the Minister for Finance. It would not be appropriate for me to pre-empt the board's consideration of this matter.

Departmental Staff.

313. **Mr. Perry** asked the Minister for Transport if his attention has been drawn to the fact that a person (details supplied) has been on the transfer list for over six years; when a decision will be made; and if he will make a statement on the matter. [13094/05]

Minister for Transport (Mr. Cullen): The officer has been on the clerical officer transfer list for Ballina since 18 October 1998. While there is a vacancy to be filled in Ballina, she is not in the first 20 staff on the transfer list and it is extremely unlikely that she will be considered for this position.

Road Network.

314. **Ms O. Mitchell** asked the Minister for Transport the percentage of the total road network, as of the end of 2004, which comprises national roads; and if he will make a statement on the matter. [13183/05]

Minister for Transport (Mr. Cullen): The length of the national road network, as of end 2004, is 5,421.67 kms which is approximately 5.6% of the total road network.

Public Transport.

315. **Ms C. Murphy** asked the Minister for Transport if his attention has been drawn to the delays being experienced by Dublin Bus commuters in the Pearse Street area; and if he has considered a contra-flow bus way for Dublin's north and south quays as a means of reducing delays in Pearse Street and elsewhere. [13229/05]

Minister for Transport (Mr. Cullen): The quality bus network project office has prepared a scheme for Pearse Street. Works are planned for this year on this scheme with completion expected in 2006. I am aware also that Dublin City Council has examined proposals for contra-flow bus lanes on the quays. The proposal was considered unfeasible for several reasons, including the contra-flow would introduce complication and inefficiency into signal operation; the quays are two lanes wide in several locations and a contra-flow bus lane would reduce the capacity for general traffic to one lane; taxis may not use a contra-flow bus lane and would be severely affected.

316. **Ms C. Murphy** asked the Minister for Transport if he has satisfied himself that the queueing arrangements in place in Pearse Street for Dublin Bus are sufficiently safe from a road safety perspective. [13230/05]

Minister for Transport (Mr. Cullen): The power to determine the location of bus stops is vested in the Garda Commissioner under section 85 of the Road Traffic Act 1961. I understand the Garda consults both the local authority and bus service provider before issuing a direction under section 85. I have no function in this matter.

State Airports.

317. **Mr. Noonan** asked the Minister for Transport his policy position on the dual gateway status of Shannon Airport; if his attention has been drawn to the widespread concern in the mid-west region at the prospect of change; if, in negotiating any change in the position, a lengthy transition period will be allowed to Shannon Airport before services on the north Atlantic are completely liberalised; the present state of the negotiations; and if he will make a statement on the matter. [13231/05]

Minister for Transport (Mr. Cullen): Negotiations between the European Commission and the US authorities on an EU-US open aviation area are paused following the failure to reach agreement in June 2004. European transport Commissioner Barrot reported to the April meeting of EU Transport Ministers on his recent meetings in Washington with US Secretary for Transport Mineta and on the continuing efforts of US and EU officials to identify a basis on which formal negotiations can recommence. Commissioner Barrot will give a further report

on progress to the June European Transport Council.

I have had meetings with all of the Irish stakeholders to ensure that I am familiar with their views. Increased access to US destinations under an open skies agreement would provide significant benefits to Irish tourism, trade economic growth and aviation.

Expanding scheduled services across the Atlantic is of great importance to the growth of Irish tourism and Irish airlines. Under the existing arrangements Irish airlines are restricted to serving five cities in the US. It is my understanding that Aer Lingus has been approached by airports in a number of other US cities in an attempt to encourage the airline to operate services to these airports. US carriers are also likely to offer a wider range of services to Ireland if the present restrictions are removed.

Whatever new arrangements might be agreed, I am clear that Shannon remains an attractive destination for transatlantic services, particularly from the east coast of the US. Any change in Ireland-US arrangements will open up new destinations in the US for Irish airlines, and this presents new opportunities for Shannon. Clarity on the open skies issue would be very helpful to the new board of Shannon Airport in its business planning process. I am convinced that Shannon, with the right cost base for the airport and with the proper competitive environment, can maintain and grow its transatlantic business.

Question No. 318 answered with Question No. 307.

Road Network.

319. **Mr. Eamon Ryan** asked the Minister for Transport the total amounts spent by his Department on roads and public transport respectively for each year between 1995 and 2004. [13336/05]

Minister for Transport (Mr. Cullen): Expenditure by my Department on public transport capital projects in the period 1995 to 2004 is outlined in the table below.

Year	Public Transport Capital Expenditure — million
1995	Nil
1996	4.618
1997	17.426
1998	21.35
1999	197.712
2000	281.75
2001	378.316
2002	425.782
2003	479.122
2004	437.912
Total	2,243.988

The allocation of funding in respect of national roads improvement projects to local authorities is

a matter for the National Roads Authority, NRA, under section 19(f) of the Roads Act 1993.

In the period 1995 to 2004 capital expenditure on national road infrastructure is outlined in the table below.

Year	Improvements — million
1995	242.600
1996	256.580
1997	294.427
1998	334.393
1999	500.162
2000	622.171
2001	908.238
2002	1,083.499
2003	1,169.424
2004	1,178.959
Total	6,590.453

Benchmarking Awards.

320. **Mr. Rabbitte** asked the Minister for Community, Rural and Gaeltacht Affairs the reason general operatives employed by one of the North-South implementation bodies (details supplied) are awaiting benchmarking payments since 2001; the reason for this delay; and if he will make a statement on the matter. [13261/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Southern-based craft and industrial staff in the North-South implementation body referred to by the Deputy are linked for pay purposes to State industrial employees. As part of the terms of Sustaining Progress and its associated pay agreements, the staff in question were granted an award, which is to be paid in instalments, subject to the agreement and implementation of an appropriate modernisation plan.

I understand that, owing to the negotiations involved, no industrial State employee received the first phase of the award earlier than 2004. Agreement on the modernisation plan of the North-South implementation body in question was finalised in December 2004 when the first phase of the award was paid and backdated to December 2001. Subsequent phases of the award are being paid in line with the provisions contained in Sustaining Progress.

Dormant Accounts Fund.

321. **Cecilia Keaveney** asked the Minister for Community, Rural and Gaeltacht Affairs the reason a centre (details supplied) in County Donegal which applied for dormant accounts funding has only now, ten months after its application, been informed that it is an ineligible project; and if he will make a statement on the way in which this project was ineligible and the way in which this long delay will be addressed; and if

[Cecilia Keaveney.]
he will make a statement on the matter.
[13102/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Decisions on the disbursement of funds from dormant accounts moneys are a matter for the Dormant Accounts Fund Disbursements Board, an independent body established under the Dormant Accounts Acts. The board has engaged Area Development Management Limited, ADM, to administer the initial round of funding on its behalf, which involves the disbursement of up to €60 million from the fund.

An application from the group concerned was received by ADM and evaluated against the criteria set out in the published guidelines. I understand that the board decided not to approve the application and the group concerned was advised of the board's decision on 8 April 2005. The group can obtain further information regarding the reasons the application was not approved and can avail of the opportunity to seek a review of the decision by contacting ADM.

I have no direct role in relation to the board's decisions except where the board decides to approve grants in excess of €300,000. In such cases my consent is required before any disbursement can be made.

322. **Cecilia Keaveney** asked the Minister for Community, Rural and Gaeltacht Affairs the reason a centre (details supplied) in County Donegal which applied for dormant accounts funding has only now, ten months after its application, been informed that it is an ineligible project; and if he will make a statement on the way in which this project was ineligible and the way in which this long delay will be addressed.
[13103/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Decisions on the disbursement of funds from dormant accounts moneys are currently a matter for the Dormant Accounts Fund Disbursements Board, an independent body established under the Dormant Accounts Acts. The board has engaged Area Development Management Limited, ADM, to administer the initial round of funding on its behalf, which involves the disbursement of up to €60 million from the fund.

An application from the group concerned was received by ADM and evaluated against the criteria set out in the published guidelines. I understand that the board decided not to approve the application and the group concerned was advised of the board's decision on 15 April 2005. The group can obtain further information regarding the reasons the application was not approved and can avail of the opportunity to seek a review of the decision by contacting ADM.

I have no direct role in relation to the board's decisions except where the board decides to approve grants in excess of €300,000. In such

cases my consent is required before any disbursement can be made.

Community Development.

323. **Ms Cooper-Flynn** asked the Minister for Community, Rural and Gaeltacht Affairs if funding is available from his Department for a community centre (details supplied) in County Mayo. [13179/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Dormant Accounts Fund Disbursements Board approved a grant of €121,907 in February 2005 for this centre for the purpose of setting up an after school and homework club. This centre has also received funding in the past under the area-based rural development initiative and it is open to the community council to make an application to South West Mayo Development Company Limited for the purpose outlined in the Deputy's question. It is also open to the group to apply for funding under the programme of grants for locally based community and voluntary organisations operated by my Department. The 2005 programme will be open for applications in the coming months.

324. **Mr. Carey** asked the Minister for Community, Rural and Gaeltacht Affairs if any discussions here taken place with the Department of Enterprise Trade and Employment to develop and extend a model of community support along the lines of the community employment schemes; his proposals for developing a scheme using the €5 million allocated to his Department in the budget for 2005; and if he will make a statement on the matter. [13462/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I have had discussions with the Minister for Enterprise, Trade and Employment regarding the possibility of the transfer of responsibility for the social economy programme to me. Discussions between our two Departments are ongoing with regard to the practicalities of such a move. It is in this context and in the context of our experience with programmes such as the rural social scheme that the best use of the funding referred to by the Deputy is being considered.

Decentralisation Programme.

325. **Mr. D. Moynihan** asked the Minister for Agriculture and Food the position regarding progress made in relation to the decentralisation programme for Macroom, County Cork; if the Office of Public Works has identified a property to accommodate the public service staff who have already volunteered to transfer under the Central Applications Facility; and if she will make a statement on the matter. [13089/05]

Minister for Agriculture and Food (Mary Coughlan): The decentralisation implementation group published a report in November 2004 deal-

ing with the organisations-locations selected for inclusion in the first phase of moves as part of the Government's decentralisation programme. These organisations-locations were to be given priority. Although Macroom was not included in this list, an accommodation brief of requirements is being prepared for the Office of Public Works.

Live Exports.

326. **Mr. Rabbitte** asked the Minister for Agriculture and Food the procedures adopted in the selection of a shipping business in 1997 to receive financial assistance from her Department for the provision of a substitute ferry service to carry live cattle to the European continent; the amount of such assistance provided and the conditions attaching to the grant; the date on which the decision was made and the manner in which it was notified; if her Department made adequate checks on the financial suitability and track record of applicants for this aid and of the successful bidder in particular; if and the manner in which the assistance was awarded to the successful bidder; if her Department has satisfied itself that any State payments appear in the financial books and accounts of the company to which it was awarded; and if she will make a statement on the matter. [12758/05]

Minister for Agriculture and Food (Mary Coughlan): The carriage of most categories of livestock from Ireland to continental Europe was discontinued by the main commercial ferry operator from August 1997. Given the vital importance to the Irish agricultural sector of an export outlet for live cattle in particular, tenders were invited for the provision of a replacement ferry service. Six responses were received from parties interested in providing such a service. Following evaluation by my Department, which included an evaluation by an independent assessor, a total of £1 million in State funding was made available to a company called Gaelic Ferries Limited to provide a service subject to the following conditions: (a) State grant to assist with the start-up of the service would be limited to a maximum of £1 million, payable over the period to the end of April 1998 on a decreasing basis to be finalised by negotiations; (b) owner's equity would be initially £100,000 and would be increased to at least £200,000 by the end of the initial three months of operation; (c) every voyage would be accessible to livestock exporters for the carriage of livestock and livestock would be given preference over other freight in the event that on any voyage demand were to exceed capacity.

The decision to provide assistance was made in principle in September 1997 and the decision to provide assistance to Gaelic Ferries Limited was notified to the company by letter dated 9 October 1997. In its submission, Gaelic Ferries Limited had provided a business plan including financial arrangements and projections. This business plan was evaluated by my Department and by the independent assessor. The company was a joint

venture involving the Port of Cork, Dundalk Shipowners Limited and the Irish Road Hauliers Association. Payments were made to the company as follows: £450,000 in October 1997, £250,000 in December 1997, £200,000 in February 1998 and £100,000 in March 1998. The service was operated from October 1997 to May 1998 when it was discontinued on the grounds that it was not commercially viable. By that time, alternative commercial ferry operators were offering facilities for transporting live animals to the Continent.

As examination of financial books and accounts of private companies is a matter for the Office of the Revenue Commissioners, the Companies Registration Office and other regulatory bodies. My Department did not undertake an audit of this company's accounts.

Grant Payments.

327. **Mr. Deenihan** asked the Minister for Agriculture and Food when a REP scheme payment will be made to persons (details supplied) in County Kerry; and if she will make a statement on the matter. [12816/05]

Minister for Agriculture and Food (Mary Coughlan): Payment dated 21 April 2005 has issued in this case.

328. **Mr. Deenihan** asked the Minister for Agriculture and Food if an application, as a *force majeure* case, was approved for persons (details supplied) in County Kerry. [12817/05]

Minister for Agriculture and Food (Mary Coughlan): The persons named, having been notified that the circumstances outlined by them did not satisfy the criteria for *forcemajeure*-exceptional circumstances under Article 40 of Council Regulation EC No. 1782/2003, submitted an appeal to the independent single payment appeals committee. Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the persons named on 22 April 2005. The findings of the appeals committee were that the original decision taken by my Department should be upheld.

Veterinary Inspection Service.

329. **Mr. Crawford** asked the Minister for Agriculture and Food if her attention has been drawn to the delay in her Department passing out the annual round of testing dates for tuberculosis for veterinary surgeons; if the test will be advised at an earlier date in order that it can be carried out on a more even basis; and if she will make a statement on the matter. [12914/05]

Minister for Agriculture and Food (Mary Coughlan): In view of the level of TB and brucellosis in Ireland, all herds are required by EU Directive 64/432/EEC to have one annual test for TB and brucellosis to maintain official free status

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and dependent trading opportunities. My Department circulated instructions for the 2005 annual round test to the district veterinary offices on 1 March 2005 and the DVOs issued instructions to the private veterinary practitioners who carry out the tests shortly thereafter. This year my Department decided to reduce the number of phases from six to three with the result that the first phase of tests are scheduled to be completed by 12 June compared with 2 May last year. In view of this and the fact that the θ roundp circular issued three weeks earlier than last year, private veterinary practitioners are being given a significantly longer period to carry out the tests this year than in other years.

Grant Payments.

330. **Mr. Sargent** asked the Minister for Agriculture and Food the file number, date and area of each forestry pre-planting application submitted by a person (details supplied) and their spouse or other party acting on their behalf; the date of pre-planting approval, the date of plant-

ing and the date and amount of grant awarded to this person. [13058/05]

331. **Mr. Sargent** asked the Minister for Agriculture and Food the file number, date and area of each forestry pre-planting application submitted by a person (details supplied) and their spouse or any other party which has not been planted by this person. [13059/05]

332. **Mr. Sargent** asked the Minister for Agriculture and Food the file number, date and area of each and every forestry pre-planting application submitted by a person (details supplied) and their spouse or any party acting on their behalf which was subsequently planted by another person; the file number, the date of pre-planting approval, date of planting, date and amount of grant awarded in respect of each and every other such new applicant and the forestry contractor who carried out the work. [13060/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 330 to 332, inclusive, together.

There are two applications recorded on the Departments files for the person in question. There are no recorded details of an application from the person's spouse. The details are:

File Number	Date of Application	Area
CN12492	February 1997	40.61 Ha
CN23077	May 20	14.26 Ha

The actual planting was done by new owners of the land following change of ownership after

planting approval had been given. The details are:

File Number	Date of Approval	Date of Planting	Grant Paid	Date Grant Paid
CN12492	3 March 1998	29 May 1998	€ 65,379.07	November 1998
CN23077	28 July 2000	22 December 2000	33,091.91	March 2001

There may be other instances where applications originally approved in the name of the person concerned or their spouse subsequently led to planting by other parties but such detail is not routinely captured in the data system. It is not possible to trace applications which may have been submitted by parties acting on behalf of the person in question.

The name of the forestry contractor employed by any applicant is private and confidential information.

333. **Mr. P. Breen** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Clare has been receiving correspondence; and if she will make a statement on the matter. [13087/05]

Minister for Agriculture and Food (Mary Coughlan): Farmers who benefited under the special beef premium, suckler cow premium,

slaughter premium or area aid during the years 2000, 2001 and 2002 established entitlements under the single payment scheme which came into effect from 1 January 2005.

It is noted that while the holding in question is transferred by the first person named to a relative, she claimed under the premium schemes in 2000, 2001 and 2002 and therefore established entitlements. Accordingly, the first person named has submitted a request that the entitlements be merged with those of the relative to whom they have been transferred. Officials in my Department are at present processing this case.

334. **Mr. P. Breen** asked the Minister for Agriculture and Food the number of farmers who have applied for over 25 animals in herds in County Clare for the special beef premium; and if she will make a statement on the matter. [13232/05]

Minister for Agriculture and Food (Mary Coughlan): Under the 2004 EU special beef premium scheme 1,154 herd owners in County Clare applied for more than 25 animals. Of these herd owners, 990 have now been paid interim balancing payments based on an estimated quota overshoot. The definitive position regarding the extent by which the national ceiling has been exceeded can only be established when all applications have been fully processed. Given the impact of the introduction of full decoupling on the 2004 special beef premium scheme, I am pursuing all aspects of the quota overshoot with the European Commission.

335. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a single payment entitlement due to a person (details supplied) in County Galway has not been calculated; and if she will make a statement on the matter. [13321/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has submitted an application for consideration in respect of the inheritance measure of the single payment scheme. Following processing of the application and documentation submitted, the person named has been notified that her application has been successful. A statement of provisional entitlements outlining the amended position will issue shortly.

Bovine Diseases.

336. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Galway is not allowed to avail of a 30-day tuberculosis test; and if she will make a statement on the matter. [13322/05]

Minister for Agriculture and Food (Mary Coughlan): In view of the level of TB and brucellosis in Ireland, all herds with eligible animals are required by EU Directive 64/432/EEC to have one annual test for TB and brucellosis to maintain official free status and dependent trading opportunities. To facilitate the completion of the annual programme of tests and follow-up where disease is detected, such testing is conducted on a district electoral division, DED, basis and is organised into phases such that there is, as far as practicable, an even distribution of workload throughout the year taking into consideration daylight, prevailing weather conditions and availability of private veterinary practitioners.

Traditionally, the annual round test for the herd in question has been scheduled for completion in the course of the first phase. However, in the past the herd test has not been completed within the timeframe allocated. The current annual round test for this herd has been listed to the nominated veterinary surgeon and is due for completion in the course of the first phase, that is, before 12 June 2005.

Eligible animals being moved out of a herd must have passed a TB test within the previous 12 months and a brucellosis test within the previous 30 days. The majority of farmers would like to have their herd tests scheduled at peak sales periods to minimise private tests for animals they wish to sell, such as by having the herd tested shortly before special sales in the autumn. However, it would be impossible to manage the national testing programme if all herd tests were to be scheduled for this period or if individual testing of “out-of-test” animals for sale were permitted when a herd test is scheduled. It is therefore the policy not to reschedule the routine “round” tests out of their planned current phase unless there is a compelling disease reason to do so.

Grant Payments.

337. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason single payment entitlements have not been calculated on behalf of a person (details supplied) in County Galway; and if she will make a statement on the matter. [13323/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration in respect of the new entrant and inheritance measures of the single payment scheme. Following processing of her application, she was originally informed that the new entrant measure would be more beneficial. Following a further review of her circumstances, however, it came to light that the inheritance measure is the more beneficial position and the person named has been notified accordingly. A statement of provisional entitlements reflecting the amended position will issue to the person named shortly.

338. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food if she will consider an appeal lodged by a person (details supplied) in County Cork in regard to his application under the single payment scheme. [13415/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003. Following this decision, the person named submitted an appeal to the independent single payment appeals committee. A full review of the circumstances of the case will be carried out by the committee and the person named will be notified shortly of the outcome.

Garda Stations.

339. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the plans he has for a Garda station (details supplied) in County

[Mr. Kehoe.]
Wexford; if there are plans to sell the property. [13406/05]

387. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the plans he has for a Garda station (details supplied) in County Wexford; if there are plans to sell the property; and if he will make a statement on the matter. [13405/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 339 and 387 together.

I am informed by the Garda authorities that the accommodation requirements for the Garda station referred to by the Deputy are under consideration. As I explained to the Deputy in Question No. 275 of Wednesday, 20 April 2005, the station is not for sale and there are no plans to sell it.

Drug Supply.

340. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if ecstasy tablets are being sold in Dublin city for as little as €1 per tablet in batches of 50; if this evidence of oversupply indicates the drug is being mass-produced locally and not imported; if the sources of this supply are chemists from eastern Europe based here; the action the Garda is taking; and if he will make a statement on the matter. [12729/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities there is no evidence available to them which suggests ecstasy is available for supply in Dublin city for the price stated by the Deputy. I am further informed that the current intelligence information available to the Garda Síochána continues to suggest ecstasy seized within this jurisdiction is produced outside the State.

As the Deputy is aware, the Garda monitors the availability of illegal drugs within the State on an ongoing basis. A key component of this is information received from the public. In this context, any persons with specific information in regard to the matters raised by the Deputy should report to the appropriate authorities.

Registration of Title.

341. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing (details supplied) in the Land Registry Office will be completed. [12756/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer of all of folios MY14353F and MY26332F. Dealing number D2001SM009492Q refers. I am further informed that queries issued to the lodging solicitor on 21 April 2005 and that the application cannot proceed until these queries have been satisfactorily resolved. However, I assure the

Deputy that on receipt of a satisfactory reply, the application will receive further attention in the Land Registry Office.

342. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing will be completed for a person (details supplied) in County Mayo in the Land Registry Office. [12762/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer of part which was lodged on 28 August 2000. Dealing number D2000SM006807N refers. I am further informed that queries issued to the lodging solicitors on 15 February 2005 and 19 April 2005 and that the application cannot proceed until these queries have been satisfactorily resolved. However, I assure the Deputy that on receipt of a satisfactory reply to these queries, the application will receive further attention in the Land Registry Office.

Foreign Adoptions.

343. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he will clarify his reply to Question No. 195 of 1 December 2004; and if he will make a statement on the matter. [12783/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have nothing further to add to my answer to the question to which the Deputy refers. As I indicated on that occasion, all the information available on file has been released to the person referred to in that question. The last entry on file is dated 2 January 1963.

Prison Education Service.

344. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of participants in each prison here who are enrolled on the CONNECT project, in particular the number of prisoners who have completed the options programme on the CONNECT project since 2000; and if he will make a statement on the matter. [12784/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The CONNECT project, which was launched in 2000 in the Mountjoy prison complex as part of the Irish Prison Service training and development programme, is comprised of a number of elements, including the options strand referred to in the Deputy's question. I am informed by the director general of the Irish Prison Service that records of prisoner participation in this training programme are not maintained in such a way as to readily provide exact figures for the number of prisoners undertaking specific strands of the project.

However, I am also informed that the Irish Prison Service has developed and is piloting a service-wide computerised pre-vocational and

vocational training programme database to record, on a prisoner-by-prisoner basis, participation in vocational training activity and achievement of recognised qualifications. This database will allow for ongoing monitoring of prisoners' progress and efficient production of management information. The database, once operational, will allow for the production of information of the nature sought by the Deputy.

The CONNECT project is being rolled out at Limerick Prison with support from the National Training and Development Institute. The projects at Mountjoy Prison, the Dóchas Centre and the training unit remain suspended due to the current industrial relations and financial restrictions.

Youth Services.

345. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if funding will be offered to Kildare Youth Services (details supplied) in County Kildare which has made an application for the Garda youth diversion project in Celbridge, County Kildare; and if he will make a statement on the matter. [12808/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Garda youth diversion projects are a community-based, multi-agency crime prevention initiative which seek to divert young persons from becoming involved — or further involved — in anti-social and-or criminal behaviour by providing suitable activities to facilitate personal development, promote civic responsibility and improve long-term employability prospects. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda-community relations. The number of projects has grown from 12 in 1997 to 64 at present, a process made possible, in part, by funding under the National Development Plan 2000-2006. The locations of new projects are decided upon by the Garda authorities in conjunction with my Department.

I am committed to the continuing development and, as resources permit, the expansion of Garda youth diversion projects. Proposals made by the Garda Síochána to my Department on establishing further projects are examined within the context of available resources. All applications relating to the establishment of further projects should follow the establishment process as set out in the Garda youth diversion project guidelines which I launched in 2003. The 11 establishment guidelines give a clear structure to the application process from the initial expression of interest to the final submission of the proposal and cover issues such as the pre-establishment phase, consultation, memorandum of understanding, legal structure, co-ordinator's job description and catchment area.

A budget of €5.471 million has been provided for the Garda youth diversion projects and local drugs task force projects in 2005. It is expected that this amount will be required to meet the funding needs of the projects in operation. It is

not envisaged that additional youth diversion projects will be established in the short term. I am informed by the Garda authorities that an application for a Garda youth diversion project in Celbridge was received in November 2003. Consideration will be given to this application among others should further funding become available.

Visa Applications.

346. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if and when a visa extension will be offered in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [12809/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question has recently replied to queries raised by my Department in regard to this matter. As a consequence, he has been granted permission to remain in the State. He should now make arrangements to attend his local immigration officer to have the appropriate permission endorsed on his passport and to have a certificate of registration issued in respect of him.

Child Care Services.

347. **Mr. Deenihan** asked the Minister for Justice, Equality and Law Reform the position regarding the provision of State funding for the staffing of a number of community-based not-for-profit child care centres in County Kerry; if State funding for staffing will be available to these centres from August 2005; and if he will make a statement on the matter. [12839/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The overall position in regard to County Kerry is that, to date, I have approved 63 staffing grants totalling over €7.2 million, under the equal opportunities child care programme, EOCP, for 2000 to 2006. The EOCP provides grant assistance towards the staffing costs of community-based and not-for-profit child care services which have a clear focus on disadvantage and which can demonstrate they are supporting disadvantaged parents to access employment, education or training. It is not intended that the EOCP funding would meet the full costs of running a service and the additional staffing and other running costs must be met from fees and other sources.

Staffing grants are normally made available for three years in the first instance. As the Deputy may be aware, I have approved the continuation of the existing levels of staffing grant assistance until 31 August 2005 for all groups whose first three-year funding has elapsed and who have shown that they are continuing to deliver child care services in accordance with their 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

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assistance 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. My Department is reviewing the arrangements for the ongoing support of such services where necessary. Final discussions on the review are taking place at present and I expect the outcome of the review will be forwarded to the groups in question shortly.

Crime Prevention.

348. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform his views on the citizenship and safety education initiative being undertaken by the PSNI to address the needs of vulnerable young persons through a programme, available in Irish and English, taught by officers in schools; if he will make a statement on the initiative and his plans for similar action in this jurisdiction. [12849/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): While I have no specific comment to make in respect of the PSNI programme to which the Deputy refers, I would broadly welcome any initiative which aims at addressing the needs of vulnerable young people. For a number of years, the community relations section of the Garda Síochána has operated a schools programme dealing with a range of issues, including safety of young people.

Visa Applications.

349. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform if he will address the concerns regarding the visa for a person (details supplied) in County Sligo; and if he will make a statement on the matter. [12920/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application in question was received in my Department on 17 November 2004. The visa sought to allow a non-EEA national to visit with family in the State.

In assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant will fully honour the conditions of the visa. For example, it is necessary to assess the likelihood that the applicant will overstay the length of time for which he or she applied. The visa officer will also have regard to information provided on such factors as the applicant's ties and general circumstances in their country of origin.

The application in question was refused because the visa officer could not reasonably be satisfied, on the basis of the documentation supplied to my Department, that the applicant would observe the conditions of the visa. In particular, it was felt the applicant had not displayed evidence of obligations to return home following the proposed visit.

The visa refusal was appealed and the visa appeals officer who re-examined the application decided the original decision to refuse the visa should be upheld. It is open to the applicant to make a fresh application with up-to-date supporting documentation and the matter will be considered anew.

350. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform if he will address the concerns regarding the visa for a person (details supplied) in County Sligo; and if he will make a statement on the matter. [12921/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application was received in my Department on 30 November 2004. The visa was sought to allow a non-EEA national visit relatives in the State.

In assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude the applicant will fully honour the conditions of the visa. For instance, consideration must be given to the likelihood the applicant will overstay the length of time for which he or she has applied. The visa officer will also have regard to information provided on such factors as the applicant's ties and general circumstances in their country of origin.

The application in question was refused because the visa officer could not reasonably be satisfied, on the basis of documentation supplied to my Department, that the applicant would observe the conditions of the visa. In particular, it was felt the applicant had not displayed evidence of obligations to return home following the proposed visit. The visa refusal was appealed and the visa appeals officer who reviewed the application decided the original decision to refuse the visa should be upheld. It is open to the applicant to make a fresh application with up-to-date supporting documentation and the matter will be considered anew.

Asylum Applications.

351. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) in Dublin 24 will be granted leave to remain on humanitarian grounds; and if he will make a statement on the matter. [12976/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Nigerian national, arrived in the State on 2 November 2001 and claimed asylum. Her application was refused by the Office of the Refugee Applications Commissioner and she was notified of this recommendation by letter on 23 May 2002. Her subsequent appeal was refused by the Office of the Refugee Appeals Tribunal and she was notified of this recommendation by letter on 30 December 2002.

She was notified of the decision to refuse her refugee status by letter on 25 February 2003, in which she was informed of the three options open to her at that point. She could choose to leave the State before her case was considered for deportation, to consent to the making of a deportation order in respect of her, or to make written representations, within 15 working days, to the Minister for Justice, Equality and Law Reform setting out the reasons why she should not be deported, that is, 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, which deals with prohibition of *refoulement*, including consideration of representations received on her behalf from the refugee legal service for temporary leave to remain in the State. On 11 February 2005, a deportation order was made in respect of her. Notice of the order was served by registered post requiring her to present herself to the Garda national immigration bureau on Thursday, 24 March 2005. She presented as requested and is due to present again on 5 May 2005 when it is expected that travel arrangements will have been put in place. The enforcement of the deportation order is a matter for the Garda national immigration bureau.

Ministerial Travel.

352. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the cost involved for the State regarding his trip to Belfast on 18 April 2005. [12980/05]

353. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if the Garda Síochána was involved in his protection during his trip to Belfast on 18 April 2005. [12981/05]

354. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if members of the Garda Síochána drove him to and from Belfast on 18 April 2005. [12982/05]

355. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if the PSNI was involved in his protection during his trip to Belfast on 18 April 2005. [12983/05]

356. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if members of the PSNI drove him to and from Belfast on 18 April 2005. [12984/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 352 to 356, inclusive, together.

While precise details in regard to any additional cost involved for the State, which would have been insignificant, are not readily available, it is not the practice and would be contrary to the public interest to detail the personal security measures pertaining to Ministers.

Garda Investigations.

357. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform, further to Question No. 64 of 12 April 2005, the reason for the forensic cold case review being conducted by the Garda on exhibits and samples taken from the murder scene eight years after the crime; the length of time this review is likely to take; if a further report will then issue to the DPP; and if he will make a statement on the matter. [13053/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that a forensic review of this case is being conducted because there have been many advancements in DNA investigation technology since the original crime took place, which may provide additional evidence. I am further informed that the preliminary findings of the cold case review are expected to be available at the end of the July. I understand that should any forensic evidence come to light as a result of the review, it will be forwarded to the Director of Public Prosecutions for his consideration.

Visa Applications.

358. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if extension of residency will be offered to a person (details supplied); and if he will make a statement on the matter. [13061/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question was admitted to the State under the fast-track working visa scheme as a nurse. Persons working under this scheme are allowed to change their employers within the same skills category. In other words, the permission to work in that skills sector is vested in the employee rather than the employer.

The scheme requires that a non-EEA national nurse must be registered with An Bord Altranais, the Nursing Board. In this context, nurses with qualifications from countries other than Australia, Canada, New Zealand and the United States must undertake a period of supervised clinical practice in an Irish hospital, temporary registration, before they are eligible for full registration. This registration process is not a matter which comes within my area of responsibility. However, such registration is, together with a job offer, the benchmark by which visa-required nurses are admitted to the State.

The person's permission to remain expired in November 2004. At that stage she was no longer employed as a nurse. Furthermore, she was no longer employable as a nurse in the State because she had been removed by An Bord Altranais from its register, a matter which now appears to be the subject of High Court proceedings. Therefore, even if I were to grant her permission to remain, she would not be entitled to work as a nurse. It seems she was not in lawful employment

[Mr. McDowell.]

for a considerable period prior to the expiry of her permission to remain and she is claiming unemployment benefit. Notwithstanding the foregoing, her permission to remain was extended for a further three months. This further permission has now expired.

Her solicitors have written to me indicating she requires a further extension in regard to her High Court proceedings on the basis that it is important she remains in the jurisdiction pending the outcome of those proceedings. They are not proceedings between a non-national employee and an employer but between a person wishing to practice the profession of nursing and the regulatory body charged with responsibility for professional misconduct and alleged unfitness to engage in nursing practice. No information is given about the court proceedings, including the stage they have now reached and the expected date of conclusion. Instead, I am asked to extend permission once again to a person who is in dis-

pute with the regulatory body for her profession, who is entirely reliant on State funds and for a period which is not specified. I am not prepared to grant a further extension on that basis alone. It is open to the person in question to apply for a visa to enter the State should she be required to give evidence in the context of those proceedings.

Domestic Violence.

359. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the number of domestic violence incidents reported to the Garda over the past three years; and the numbers of prosecutions that resulted from same. [13062/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have made inquiries with the Garda authorities in regard to the number of domestic violence incidents reported to them over the past three years and the information requested by the Deputy is laid out in the following table.

Number of reported domestic violence incidents 2002 to 2004.

Year	Incidents	Persons charged	Persons convicted
2002	10,248	1,370	651
2003	8,452	1,203	650
2004*	6,229	1,104	538

*Figures for 2004 are provisional and liable to change.

Closed Circuit Television Systems.

360. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the progress made in the matter of the installation of closed circuit television in Waterford city; and if he will make a statement on the matter. [13063/05]

361. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the progress made in the matter of the installation of closed circuit television in Dungarvan, County Waterford; and if he will make a statement on the matter. [13064/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 360 and 361 together.

As the Deputy is aware, 17 locations throughout the country, including Waterford city, are set to receive town centre CCTV systems. This expansion is being implemented on a phased basis. Phase one includes Bray, Dundalk, Dún Laoghaire, Finglas, Galway and Limerick, phase two includes Athlone, Clondalkin, Tallaght and Waterford, and phase three includes Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo.

The installation of the phase one systems in Bray, Dundalk, Dún Laoghaire and Limerick has been completed and these systems are now fully operational. Of the 18 cameras in Galway, 13 are now fully operational. It is proposed to install the final five cameras in tandem with the major

redevelopment works being undertaken by Galway City Council in the Eyre Square area. The issue regarding the provision of suitable space to accommodate the monitoring of CCTV cameras in Finglas Garda station is being considered, in conjunction with the Office of Public Works, with regard to the overall accommodation needs of Finglas Garda station. It is hoped work can proceed to completion in Finglas in 2005.

Installation of CCTV systems is of necessity a detailed, complex and lengthy process. The Garda authorities are giving careful consideration to a restructuring of the manner in which Garda CCTV systems go to tender. I am anxious to accelerate the implementation of the remaining CCTV programme and reduce as far as possible the workload of the Garda Síochána in this regard. The proposed redesign of the tender document provides an opportunity to outsource the installation of Garda CCTV systems to the greatest possible extent, making use not only of the technical but also the project management expertise in the private sector. In this regard, I have asked the Garda Commissioner to submit proposals for a revised tender document for the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations by the end of 2006.

As I have already informed the Deputy, an application for a Garda CCTV system in Dungarvan has been received by the CCTV advisory committee. This committee was established by the Garda Commissioner to advise on all matters

relating to CCTV systems. The application is under consideration by the committee along with applications from other cities and towns throughout the country. The inclusion of other town centre locations, including Dungarvan, beyond the 17 already listed in the programme of Garda CCTV systems will be considered in the context of the Commissioner's proposals.

Decentralisation Programme.

362. **Mr. Lowry** asked the Minister for Justice, Equality and Law Reform the number of persons who have requested transfers to Thurles under the decentralisation programme; and if he will make a statement on the matter. [13065/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Under the decentralisation programme, 151 civil servants together with five public servants submitted applications for Thurles to the central applications facility. In addition, I understand that 19 sergeants and 104 gardaí submitted expressions of interest to transfer to Thurles.

Garda Training.

363. **Mr. Lowry** asked the Minister for Justice, Equality and Law Reform the steps he has taken to increase the number of instructors at the Garda College, Templemore; the actions he will take to increase the number of instructors; and if he will make a statement on the matter. [13066/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that an analysis of the staffing levels at the Garda College, Templemore is being conducted to determine the exact number of additional instructors that will be required on an incremental basis at the Garda College. The incremental increase of instructors will be determined as the number of trainees undergoing training throughout 2005, 2006 and 2007 increases.

Grant Payments.

364. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform if funding for community play groups (details supplied) in County Kilkenny will continue; and if he will make a statement on the matter. [13132/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The equal opportunities child care programme, EOCP, 2000 to 2006 provides grant assistance towards the staffing costs of community based and-or not for profit child care services which have a clear focus on disadvantage and which can demonstrate that they are supporting disadvantaged parents to access employment, education or training. It is not intended that the EOCP funding would meet the full costs of running a service and the additional staffing and

other running costs must be met from fees and other sources.

Staffing grants are normally made available for three years in the first instance. As the Deputy may be aware, I have approved the continuation of the existing levels of staffing grant assistance until 31 August 2005 for all groups whose first three year funding has elapsed and which have shown that they are continuing to deliver child care services in accordance with their 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 assistance 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.

My Department is reviewing the arrangements for the ongoing support of such services where necessary. Final discussions on the review are taking place and I expect that the outcome of the review will be forwarded to the groups in question very shortly.

Garda Investigations.

365. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if he will investigate the case of a person (details supplied); and if he will make a statement on the matter. [13134/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that a comprehensive investigation was conducted into the case mentioned in the Deputy's question. I am further informed that a file was sent to the Director of Public Prosecutions, DPP, in August 2002. However, the DPP directed that no prosecution would ensue in this case.

As the Deputy will appreciate, I have no role in the investigation or prosecution of cases. This is a long-standing principle of our system of justice. The role of the Garda is to investigate alleged offences, to gather whatever evidence may be available and to submit a report to the Director of Public Prosecutions. The question of whether a particular person should be prosecuted and for what criminal offence is the responsibility of the DPP. The director, who is independent in the performance of his functions, makes his decision on the basis of the Garda findings viewed against the background of common and-or statute law. In the circumstances it would, therefore, be inappropriate for me to comment further on the case.

Legal Aid Service.

366. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that the Legal Aid Board will not deal with unmarried cohabitants in relation to the realisation of an interest in the family home in which they reside;

[Ms B. Moynihan-Cronin.]
his views on whether this is unfair to unmarried couples; the steps he will take to rectify the matter; and if he will make a statement on the matter. [13182/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Legal Aid Board that, while it is unclear as to the precise nature of the circumstances referred to by the Deputy, if she wishes to obtain factual information in relation to a particular case, the board will endeavour to assist her in this regard.

In so far as the Civil Legal Aid Act 1995 is concerned, section 28(9)(c)(ii)(I) and (II) deals with the provision of legal aid in proceedings arising from a dispute as to the title to or possession of any property. The Legal Aid Board advises me that this legislation is clear in terms of ensuring that married couples and unmarried couples are treated equally for the purposes of legal aid. I am further advised that the board provides a limited conveyancing service in which married and unmarried couples are also treated equally.

Drug Seizures.

367. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the weight of cannabis seized in the State by the Garda in each year between 1995 and 2004. [13211/05]

368. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the weight of cocaine seized in the State by the Garda in each year between 1995 and 2004. [13213/05]

371. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the current realisable street market price for heroin, cannabis, crack, cocaine and ecstasy tablets used to calculate drug seizures in 2004 and in each of the previous ten years. [13217/05]

372. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the weight of crack seized in the State by the Garda in each year between 1995 and 2004. [13219/05]

373. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the weight of heroin seized in the State by the Garda in each year between 1995 and 2004. [13221/05]

374. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the quantity and weight of ecstasy tablets seized in the State by the Garda in each year between 1995 and 2004. [13236/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 367, 368 and 371 to 374, inclusive, together.

I have been informed by the Garda authorities that aggregate data for 2004 drug seizures is not available as yet. This data is being prepared for inclusion in the Garda Síochána annual report for 2004.

The following are the details of the drugs seizures in the years 1995 to 2003 as requested by the Deputy.

Cannabis Resin

Year	Quantity
1995	15,529 kg
1996	1,933 kg
1997	1,248 kg
1998	2,158 kg
1999	2,512 kg
2000	380 kg
2001	568 kg
2002	3,333 kg
2003	5,350 kg

Cannabis

Year	Quantity
1995	77.5 kg
1996	2.4 kg
1997	34.8 kg
1998	44.51 kg
1999	66.1 kg
2000	208.1 kg
2001	9,590.4 kg
2002	5,600 kg
2003	201.7 kg

Cocaine

Year	Quantity
1995	21.8 kg
1996	642 kg
1997	11.1 kg
1998	3,331.2 kg
1999	85.6 kg
2000	18 kg
2001	5.3 kg
2002	31.7 kg
2003	107.4 kg

Heroin

Year	Quantity
1995	6.4 kg
1996	10.8 kg
1997	8.2 kg
1998	38.3 kg
1999	17 kg
2000	23.94 kg
2001	29.5 kg
2002	16.7 kg
2003	27.05 kg

Ecstasy

Year	Quantity
1995	123,699 tablets
1996	19,244 tablets
1997	17,516 tablets
1998	604,882 tablets, 424 capsules, 735g
1999	229,092 tablets, 46 capsules, 236g
2000	551,713 tablets, 5,644 capsules
2001	469,862 tablets
2002	117,033 tablets, 13 capsules, 153g
2003	1,291,809 tablets, 3 capsules, 616.3g

In relation to the Deputy's question concerning the weight of crack cocaine seized in the State by the Garda in each year between 1995 and 2004, I have been informed by the Garda authorities that the forensic science laboratory advises that there has been no significant increase in the amount of freebase cocaine analysed by it in the period 1995 to 2004, inclusive.

I am further informed that the forensic science laboratory advises that it is difficult to provide exact figures for the amount of freebase cocaine analysed without conducting exhaustive searches of its databases for the years concerned. However, the laboratory is conducting a review of cocaine seizures presented to it for analysis in the years 2003 and 2004 with a view to identifying the extent of which these seizures contained any freebase cocaine rather than hydrochloric cocaine which is the type most commonly seized. To date, this review of cases indicates that freebase cocaine has only been detected in a very small minority of cases and that there are no indications from cases presented of any significant increase

in the seizures of freebase cocaine in this jurisdiction. I have been informed by the Garda authorities that they calculate the current realisable street market price of the different illegal drug seizures based on internal guidelines which are provided for officers on an ongoing basis in the operation of their duties in conjunction with the provisions of section 4(3) of the Criminal Justice Act 1999 which state:

If the court is satisfied that a member of the Garda Síochána or an officer of customs and excise has knowledge of the unlawful sale of supply of controlled drugs, that member or officer, as the case may be, shall be entitled in any proceedings for an offence under this section to be heard and to give evidence as to—

(a) the market value of the controlled drug concerned, or

(b) the aggregate of the market values of the controlled drugs concerned.

369. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the location of each of the finds of heroin, cannabis, crack, cocaine and ecstasy with a value of over €10,000 in the past five years. [13215/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the requirement to produce details of seizures in excess of €10,000 for the period in question would involve a detailed manual search of records necessitating the expenditure of considerable resources which would not be justified.

I am further informed that there were no significant seizures of freebase cocaine during the period in question.

The table hereunder provides the details of locations of significant seizures, namely, seizures valued at €300,000 or greater, broken down per region and drug type, for the years 2000 to 2004 as follows:

Locations of significant seizures, namely, seizures valued at €300,000 or greater

Year	Drug Type	Region	No. of Seizures
2000	Heroin	DMR	5
		Southern	2
	Cannabis	South East	1
		DMR	1
	Cocaine	Southern	1
		Ecstasy	DMR
	Southern		2
	Eastern		1
2001	Heroin	DMR	5
		DMR	3
	Cannabis	Southern	2
		Eastern	1
		South Eastern	2

Year	Drug Type	Region	No. of Seizures
2002	Cocaine	South Eastern	1
	Ecstasy	DMR	2
		Western	1
	Heroin	DMR	1
		Eastern	1
	Cannabis	DMR	4
		Eastern	2
South Eastern		2	
2003	Cocaine	DMR	1
		South East	1
	Ecstasy	DMR	3
		Heroin	DMR
	Cannabis	DMR	9
		Eastern	5
		Southern	4
	Cocaine	DMR	10
		Eastern	2
	Ecstasy	DMR	5
		South Eastern	3
		Eastern	1
		Northern	1
Heroin		DMR	8
2004	Cannabis	Eastern	1
		DMR	6
		Southern	3
		Eastern	1
		Western	1
	Cocaine	South Eastern	1
		DMR	7
		Eastern	2
		Southern	1
	Ecstasy	South Eastern	1
Southern		3	
DMR		2	
		Eastern	1

370. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the position regarding prosecutions in relation to each of the finds of heroin, cannabis, crack, cocaine and ecstasy with a value exceeding €10,000 in the past five years; if persons have been charged; if so, if they are currently before the courts, have been acquitted, convicted, sentenced or are serving a sentence. [13216/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It has not been possible within the timeframe involved to collate the information required by the Deputy. I will contact the Deputy directly when the information is to hand.

Questions Nos. 371 to 374, inclusive, answered with Question No. 367.

Garda Stations.

375. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform the number of years

left in the lease of the Garda station in Glanmire, County Cork. [13251/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Office of Public Works that the current five year lease on the Garda station in Glanmire expires on 31 December 2008.

Garda Vetting System.

376. **Mr. Cregan** asked the Minister for Justice, Equality and Law Reform if agency nursing staff are subject to the same Garda vetting procedures as staff employed directly by the Health Service Executive. [13252/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda central vetting unit, GCVU, carries out criminal record vetting in respect of prospective full-time employees of the Health Service Executive and in certain designated agencies funded by the executive.

Although agency nursing staff are not currently subject to the same Garda vetting regime, it is

envisaged that a phased extension of the vetting arrangements to relevant groups will take place. To this end, a working group was established to examine the issue. The working group submitted its final report in March 2004 and this report has since been published in electronic form on my Department's website. On the basis of this report, my colleague, the Minister of State with special responsibility for children, Deputy Brian Lenihan, has announced the provision of additional staff resources for the GCVU to enable the Garda Síochána's vetting services to be extended.

The Minister of State's announcement implements one of the key recommendations of the working group. The other practical recommendations are being brought forward by an implementation group chaired by the Garda Síochána and comprising representatives of my Department, the Departments of Health and Children, Education and Science, and Finance, the Office of the Attorney General and Mr. Paul Gilligan, CEO of the ISPCG.

I am pleased to state that the extension of the services of the GCVU will commence in the course of this year, as soon as the necessary practical arrangements are in place. Public announcements will occur in this regard in due course.

Citizenship Applications.

377. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the reason an application for naturalisation by a person (details supplied) in County Galway has not been acknowledged; if his attention has been drawn to the fact that some of the documents, in particular their passport, is of immense value to them; and if he will make a statement on the matter.

[13326/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons concerned made separate applications for permission to remain in the State on the basis of their parentage of an Irish citizen child under the revised arrangements

announced on 15 January 2005. Both applicants were issued with separate acknowledgements on 23 February 2005 by ordinary post to the same address.

Passports from the persons concerned were submitted with their applications and will be returned to them by registered post shortly. Applications are being dealt with as expeditiously as possible and, in so far as is possible, in order of receipt. Given the number of applications being processed, it is expected that the processing of the applications from the persons concerned will be completed within the next few weeks.

Public Order Offences.

378. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of public offences committed per annum for each year since 1997 in Drogheda, Dundalk, Ardee, Carlow, Clonmel, Ennis, Kilkenny and Sligo. [13335/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will contact the Deputy again when the information is to hand.

Garda Strength.

379. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the number of uniformed gardaí, Garda sergeants, plain clothes gardaí and detective gardaí in the Gorey area in the years 1990 to date; the breakdown of each rank and year; and if he will make a statement on the matter. [13396/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the number of uniformed gardaí, Garda sergeants and detective gardaí of Gorey Garda district as at year end 1997 to 2004 and as at 22 April 2005, was as set out in the table hereunder:

Year	Gardaí	Sergeants	Det/Gardaí
31/12/97	49	10	2
31/12/98	53	11	2
31/12/99	51	13	2
31/12/00	52	13	2
31/12/01	59	13	2
31/12/02	62	11	4
31/12/03	61	11	4
31/12/04	60	12	3
22/04/05	61	12	4

The information requested in relation to the years 1990 to 1996 is not readily available and can only be obtained by the expenditure of a disproportionate amount of Garda time and resources

relative to the information sought. The most up-to-date statistics available relate to 1997.

In relation to Garda resources generally, I am, of course, very pleased that the Government has

[Mr. McDowell.] approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of Gorey Garda district will be fully considered within the context of the needs of Garda districts throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities also, such as the need to very significantly increase the number of gardaí allocated to traffic duties as

part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-line, operational, high visibility policing. They will have a real impact.

380. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the number of uniformed gardaí, Garda sergeants, plain clothes gardaí and detective gardaí in the Enniscorthy area in the years 1990 to date; the breakdown of each rank and year; and if he will make a statement on the matter. [13397/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the number of uniformed gardaí, Garda sergeants and detective gardaí of Enniscorthy Garda district as at year end 1997 to 2004 and as at 22 April 2005, was as set out in the table hereunder:

Year	Gardaí	Sergeants	Det/Gardaí
31/12/97	31	9	1
31/12/98	33	8	1
31/12/99	29	7	3
31/12/00	29	8	3
31/12/01	31	8	4
31/12/02	32	8	3
31/12/03	33	8	2
31/12/04	32	9	3
22/04/05	31	10	3

The information requested in relation to the years 1990 to 1996 is not readily available and can only be obtained by the expenditure of a disproportionate amount of Garda time and resources relative to the information sought. The most up to date statistics available relate to 1997.

In relation to Garda resources generally, I am, of course, very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of Enniscorthy Garda district will be fully considered within the context of the needs of Garda districts throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs

problem and a large number of public order offences, but it will be possible to address other priorities also, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front line, operational, high visibility policing. They will have a real impact.

381. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the number of uniformed gardaí, Garda sergeant, plain clothes gardaí and detective gardaí in the Wexford area in the years 1990 to date; the breakdown of each rank and year; and if he will make a statement on the matter. [13398/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the number of uniformed gardaí, Garda sergeants and detective gardaí of Wexford Garda district as at year end 1997 to 2004 and as at 22 April 2005, was as set out in the following table:

Year	Gardaí	Sergeants	Det/Gardaí
31/12/97	56	12	5
31/12/98	67	12	5
31/12/99	67	13	5
31/12/00	61	12	4
31/12/01	69	12	5
31/12/02	66	13	5
31/12/03	69	13	4
31/12/04	65	13	5
22/04/05	67	12	6

The information requested in relation to the years 1990 to 1996 is not readily available and can only be obtained by the expenditure of a disproportionate amount of Garda time and resources relative to the information sought. The most up-to-date statistics available relate to 1997.

In relation to Garda resources generally, I am, of course, very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of Wexford Garda district will be fully considered within the context of the needs of Garda districts throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and

a large number of public order offences, but it will be possible to address other priorities also, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-line, operational, high visibility policing. They will have a real impact.

382. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the number of uniformed gardaí, Garda sergeants, plain clothes gardaí and detective gardaí in the New Ross area in the years 1990 to date; the breakdown of each rank and year; and if he will make a statement on the matter. [13399/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the number of uniformed gardaí, Garda sergeants and detective gardaí of New Ross Garda district as at year end 1997 to 2004 and as at 22 April 2005, was as set out in the table hereunder:

Year	Gardaí	Sergeants	Det/Gardaí
31/12/97	28	6	2
31/12/98	31	6	2
31/12/99	29	5	2
31/12/00	33	6	2
31/12/01	32	6	2
31/12/02	33	6	2
31/12/03	31	7	2
31/12/04	32	7	1
22/04/05	31	7	2

The information requested in relation to the years 1990 to 1996 is not readily available and can only be obtained by the expenditure of a disproportionate amount of Garda time and resources relative to the information sought. The most up-to-date statistics available relate to 1997.

In relation to Garda resources generally, I am, of course, very pleased that the Government has

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

[Mr. McDowell.]

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of New Ross Garda district will be fully considered within the context of the needs of Garda districts throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities also, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-line, operational, high visibility policing. They will have a real impact.

Crime Levels.

383. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Bray area, County Wicklow for the years between 2000 and 2004; if he will allocate more gardaí to the area; and if he will make a statement on the matter. [13400/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the current personnel strength of Bray Garda station as of 25 April 2005 is 85, all ranks. This compares to a figure of 76 on 31

December 1997 and represents an increase of 9, or 12%, in the personnel strength since that date.

In relation to Garda resources generally, I am, of course, very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. In this context, the needs of Bray Garda station will be fully considered within the context of the needs of Garda stations throughout the country. Clearly, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies, in particular, areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities also, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-line, operational, high visibility policing. They will have a real impact.

Statistics for headline crime offences in Bray district for the period 2000 to 2004 are outlined in the following table.

Statistics for Headline Crime Offences in Bray District 2000 to 2004

	2000		2001		2002		2003		*2004	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Homicide	0	0	1	1	0	0	1	1	2	1
Assault	15	10	54	37	92	71	66	48	70	29
Sexual Offences	14	11	17	10	32	22	31	20	34	13
Arson	23	14	49	10	23	4	35	4	25	1
Drugs	21	21	45	45	55	55	41	41	27	27
Theft	727	158	751	168	858	181	892	192	952	184
Burglary	625	167	612	122	644	81	879	95	690	69
Robbery	46	17	47	19	54	20	59	18	50	11
Fraud	36	34	32	26	90	76	39	29	35	16
Other	0	0	17	13	30	21	11	7	15	5
Total Headline Offences	1,507	432	1,625	451	1,878	531	2,054	455	1,900	356

*Figures for 2004 are provisional and liable to change.

Citizenship Applications.

384. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform the waiting time for the processing of applications for naturalisation; the number of applications in hand; the expected

date on which applications at present in his Department will be determined; and if he will make a statement on the matter. [13402/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The average processing time for a certificate of naturalisation is 24 months. This

is due primarily to the increase in the volume of applications being received in the past few years. The table below sets out the numbers of appli-

cations received and the number of certificates issued in the period 2000 to 2004.

	Applications received	Certificates issued
2000	1,004	125
2001	1,431	1,048
2002	3,574	1,332
2003	3,580	1,664
2004	4,074	1,335

There are 1,808 applications in the course of being processed and 6,198 applications awaiting processing.

A redeployment of staff within the asylum and immigration area of my Department is underway. The citizenship area is one of the areas which is benefitting from this process. Between September 2004 and the present time, an additional 17 full-time and part-time staff have been assigned to citizenship work and it is anticipated that these additional personnel, coupled with initiatives to which I referred in my answer to Parliamentary Question No. 153 of 24 March 2005, will impact of the processing time for applications for naturalisation.

Departmental Staff.

385. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 419 of 19 April 2005, the number of permanent unestablished persons employed by his Department. [13403/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Further to my reply to Parliamentary Question No. 419 of 19 April 2005, I wish to advise the Deputy that there are currently some 226 permanent staff in my Department who are unestablished. This includes services officers and attendants, cleaners, clerical, executive and administrative officers and other contracted staff.

Visa Applications.

386. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform the reason his Department cannot give a detailed reply to a query (details supplied) raised by this Deputy in March 2005 regarding an application for a visitors visa; and if a detailed response will now be provided. [13404/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is my understanding that there was some difficulty in identifying the applications referred to by the Deputy in her letter dated 8 March 2005 as no reference numbers were supplied. Given the number of applications processed by my Department, identifying records

based on the applicant's name alone is, I understand, often difficult. However, I am informed that the records have recently been identified and that the situation is as follows.

The applications in question were for the stated purposes of allowing the spouse and dependent children of a non-EEA national working in the State under the employment permit scheme visit him on a short-term basis. The central tenet of the visa process in this State has been and continues to be that the onus is at all times on the applicant to satisfy my Department that it would be appropriate to issue them with a visa. In the case of the applications in question, the applicants failed to do so.

In assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa, for example, whether it is unlikely that the applicant would overstay the length of time applied for, or would seek to work illegally in the State, etc. The visa officer will also have regard to information provided and to such factors as the applicant's ties and general circumstances in their country of origin. The application in question was refused because the visa officer could not reasonably be satisfied, on the basis of the documentation supplied to my Department, that the applicant would observe the conditions of the visa applied for. Additionally, in the case of one of the children's applications, 1547219, the failure to supply a birth certificate for the child was noted and contributed to the refusal decision.

Notification of the reasons for refusal was sent, by email, from my Department on 27 January 2005. The applicants were informed of their right of appeal. However, no such appeal has been received by my Department. As the latest date for receipt of an appeal in respect of these applications has passed, no further action is possible.

If the applicants still wish to travel, they must submit fresh applications, accompanied by extra documentation designed to address the reasons for refusal outlined above.

Question No. 387 answered with Question No. 339.

Prison Building Programme.

388. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the amount of capital expenditure by his Department at Fort Mitchel Place of Detention, Spike Island since 1997. [13421/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An amount of €6,333,390.56 has been spent on capital projects at Fort Mitchel Place of Detention since 1997. The majority of this expenditure related to the construction of a new kitchen and office administration facilities.

Deportation Orders.

389. **Mr. M. Higgins** asked the Minister for Justice, Equality and Law Reform the present position regarding the recent deportation from Ireland of two persons (details supplied) in view of their successful integration into their homes here; his thoughts on a reappraisal of the decision to deport these persons; if his attention has been drawn to the fact that these families have been torn apart because of the decision; and if he has proposals for the potential reunification of these families. [13457/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the reply I gave to Questions Nos. 397 and 403 on Tuesday, 19 April 2005. My position regarding the return of these persons to the State remains the same.

Garda Operations.

390. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times section 24 of the Housing (Miscellaneous Provisions) Act 2002 has been used to date by the Garda Síochána; the number of times the object referred to in the legislation has been a caravan or other temporary dwelling; if it has been used principally to address unauthorised camping by members of the Traveller community, as was suggested it would be when the legislation was introduced; the number of times the use of the legislation has resulted in court proceedings; the number of times a caravan or caravans has or have been confiscated and impounded by the Garda under the powers conferred by the legislation; and the breakdown of these figures by Garda divisional areas. [13458/05]

391. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times the powers granted to the Garda Síochána under section 24 of the Housing (Miscellaneous Provisions) Act 2002 have been invoked by members of the Garda Síochána; the number of times any such invocation has resulted in arrest or charge; the breakdown of this figure by Garda division; the number of times such arrest or

charge resulted in subsequent court prosecution or conviction; the breakdown of this figure by Garda division; the number of times a caravan or caravans has or have been confiscated and impounded under the legislation; the breakdown of this figure by Garda division; the categories of classification which are used in the statistics and records maintained regarding the identity of persons against whom section 24 powers have been invoked; if categories of classification referred to in the statistics and records maintained identify a class of persons affected as Travellers, the number of such Travellers who have been identified in the statistics as affected by the section; if categories of classification referred to in the statistics and records maintained identify classes of persons as non-Traveller, the number of such non-Travellers who have been identified in the statistics as affected by the section; if no such categories of classification are apparent from the statistics, if he proposes to direct that such categories now be compiled to ascertain the impact of the legislation on the Traveller community; and the provisions which have been made administratively for guidance and oversight for members of the Garda Síochána in the invocation of this provision. [13459/05]

392. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the directions consideration or administrative guidelines which have been put in place by him or the Garda Commissioner regarding the disposal and storage of property seized under section 24 of the Housing (Miscellaneous Provisions) Act 2002. [13460/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 390 to 392, inclusive, together.

The most recent figures for the numbers of incidents recorded by the Garda Síochána under the Housing (Miscellaneous Provisions) Act 2002 for the years 2002 to 2004 are set out by Garda division in the following tables. Section 24 of the Housing (Miscellaneous Provisions) Act 2002 became law on 27 June 2002. The Garda authorities inform me that no temporary dwellings were removed during 2002 and 2003. The provisional figures for 2004 show one removal in the Clare division and two removals in the Cork city division, all relating to caravans.

I am further informed by the Garda authorities that the information requested on the identification of classes of people as Travellers or non-Travellers affected by the introduction of the legislation and the information requested on the principal use of the powers being used against the Traveller community is not readily available and could only be provided by a disproportionate expenditure of Garda time and resources.

Following the enactment of the Housing (Miscellaneous Provisions) Act 2002 copies of the legislation were disseminated to members of the

Garda Síochána. The power provided for in section 24 is a discretionary power and each case must be considered by local Garda management on its own merits and acted upon accordingly.

Table 1

2002

Division	Reported	Detected	Proceedings	Convicted
Carlow/Kildare	0	0	0	0
Laois/Offaly	0	0	0	0
Longford/Westmeath	0	0	0	0
Louth/Meath	1	1	1	0
D.M.R. East	1	1	0	0
D.M.R. N/Central	1	1	1	0
D.M.R. North	1	1	0	0
D.M.R. S/Central	0	0	0	0
D.M.R. South	0	0	0	0
D.M.R. West	0	0	0	0
Cavan/Monaghan	0	0	0	0
Donegal	0	0	0	0
Sligo/Leitrim	0	0	0	0
Tipperary	3	3	3	3
Waterford/Kilkenny	0	0	0	0
Wexford/Wicklow	0	0	0	0
Cork City	0	0	0	0
Cork North	0	0	0	0
Cork West	0	0	0	0
Kerry	0	0	0	0
Limerick	3	2	1	1
Clare	0	0	0	0
Galway West	0	0	0	0
Mayo	1	1	1	0
Roscommon/Galway East	0	0	0	0
Totals	11	10	7	4

Table 2

2003

Division	Reported	Detected	Proceedings	Convicted
Carlow/Kildare	4	2	2	0
Laois/Offaly	2	2	2	2
Longford/Westmeath	2	2	2	0
Louth/Meath	10	10	5	1
D.M.R. East	5	5	3	0
D.M.R. N/Central	12	12	4	2
D.M.R. North	15	12	8	3
D.M.R. S/Central	11	11	5	2
D.M.R. South	8	4	1	0
D.M.R. West	6	6	3	0
Cavan/Monaghan	2	1	0	0
Donegal	3	3	0	0
Sligo/Leitrim	7	1	1	0
Tipperary	1	1	1	1
Waterford/Kilkenny	4	4	2	0
Wexford/Wicklow	6	6	3	1
Cork City	22	21	19	4

Division	Reported	Detected	Proceedings	Convicted
Cork North	2	2	0	0
Cork West	1	1	0	0
Kerry	2	2	2	1
Limerick	1	1	1	0
Clare	6	6	4	0
Galway West	2	0	0	0
Mayo	2	2	1	0
Roscommon/Galway East	1	1	1	0
Totals	137	118	70	17

Table 3

2004

Division	Reported	Detected	Proceedings	Convicted
Carlow/Kildare	14	12	2	1
Laois/Offaly	1	0	0	0
Longford/Westmeath	6	1	1	0
Louth/Meath	7	4	2	1
D.M.R. East	8	5	4	0
D.M.R. N/Central	16	15	10	1
D.M.R. North	10	7	4	0
D.M.R. S/Central	13	12	8	2
D.M.R. South	11	7	5	0
D.M.R. West	10	9	4	0
Cavan/Monaghan	1	0	0	0
Donegal	6	5	4	0
Sligo/Leitrim	1	1	0	0
Tipperary	4	2	1	0
Waterford/Kilkenny	6	6	5	0
Wexford/Wicklow	10	10	9	8
Cork City	3	3	3	1
Cork North	1	0	0	0
Cork West	7	7	2	1
Kerry	1	0	0	0
Limerick	7	6	2	0
Clare	8	5	4	0
Galway West	3	3	2	0
Mayo	1	1	1	0
Roscommon/Galway East	1	1	0	1
Totals	156	122	73	16

Statistics for 2004 are provisional or operational and liable to change.

Registration of Title.

393. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing (details supplied) in the Land Registry will be completed. [13461/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer of part, which was lodged on 13 July 2001. Dealing No. D2001SM005438N refers. I am further

informed that a query issued to the lodging solicitor on 20 May 2004 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.

Question No. 394 answered with Question No. 92.

Question No. 395 answered with Question No. 53.

Schools Building Projects.

396. **Mr. S. Ryan** asked the Minister for Edu-

cation and Science if her attention has been drawn to the fact that St. Michael's House and Fingal County Council have been informed by her Department that a site is not required in Skerries, County Dublin to provide for a much needed replacement national school for St. Michael's House special national school, Skerries; if her attention has further been drawn to the school's 21 year history in Skerries and its involvement in the local community, the residential location of the pupils and the preference of the parents and friends of this school to have the new school located in Skerries; and if, in view of this, she will reconsider this case with a view to reversing her Department's decision. [12750/05]

Minister for Education and Science (Ms Hanafin): Officials in the school planning section of my Department are aware of the need to provide a long-term solution to the accommodation needs of St. Michael's House special school, Skerries. It is the understanding of officials in my Department that the children attending the school come from a wide catchment area. The locating of the school in the Skerries area is one of a number of possible accommodation options for the school. However, no final decision has been taken on this matter.

Higher Education Grants.

397. **Dr. Upton** asked the Minister for Education and Science further to her reply to Parliamentary Question No. 149 of 14 April 2005, the terms of reference for the review mentioned in same. [12751/05]

Minister for Education and Science (Ms Hanafin): As I indicated in my reply of 14 April 2005 to Question No. 149, I have asked my Department to review the status of this course for maintenance grant purposes.

Issues have been raised with my Department, including by the Office of the Ombudsman, regarding the conditions under which the course in question is recognised for grant purposes. These relate to the question of the course being recognised as progression for purposes of the scheme or as a professional practice qualification for a person who already holds a postgraduate qualification.

School Accommodation.

398. **Mr. Gogarty** asked the Minister for Education and Science if she will report on the background to her decision to sanction a new school and provide for the expansion of another school (details supplied) from an eight class school to a 16 class school, following representations from this Deputy and others; and if she will make a statement on the matter. [12752/05]

Minister for Education and Science (Ms Hanafin): The decision to expand the existing school referred to by the Deputy from an eight classroom to a 16 classroom school was taken by

officials in the planning and building unit of my Department in the light of the demand for such school places in the Lucan area. This decision followed a technical examination of the school and site and discussions with South Dublin County Council.

On the recommendation of the new schools advisory committee, I have also recently sanctioned the granting of provisional recognition to a second gaelscoil to serve the needs of the general Lucan area. This school will commence operating in September 2005. Newly established schools are generally required to undergo a period of provisional recognition, during which the operation of the school and the growth of pupil numbers are monitored. During that period, it is the responsibility of the school patron to provide suitable accommodation. This accommodation should be capable of fully meeting the needs of the developing school until permanent recognition has been secured and my Department is in a position to provide permanent accommodation.

School Access.

399. **Ms O'Sullivan** asked the Minister for Education and Science if a school can refuse a parent the right to enter the school grounds in the absence of a court order; and if she will make a statement on the matter. [12789/05]

Minister for Education and Science (Ms Hanafin): The question raised by the Deputy primarily relates to the legal rights of occupiers of land and is one on which legal advice should be sought. However, schools are, for the most part, privately owned and autonomous bodies. It is a matter for the board of management of each school to decide on how best to manage visitors on its premises having regard to its rights and responsibilities.

Schools Building Projects.

400. **Ms Enright** asked the Minister for Education and Science the position regarding the building of a new school for a school (details supplied) County Wicklow; and if she will make a statement on the matter. [12791/05]

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 gaelscoil in Wicklow town was assessed against the published prioritisation criteria for large-scale building projects which were revised last year following consultation with the education partners. Under this review, all projects were assigned a band rating and the progress of individual projects is being considered in the context of the school building programme from 2005 onwards.

Pupil-Teacher Ratio.

401. **Ms C. Murphy** asked the Minister for Education and Science if she will reduce the pupil-

[Ms C. Murphy.]
teacher ratio in Kildare schools in line with the national average. [12792/05]

Minister for Education and Science (Ms Hanafin): The system for allocating teachers to primary schools is based on ensuring an overall maximum class size 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. 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. Significant improvements have been made in the pupil-teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs and those from disadvantaged areas.

School Placement.

402. **Ms C. Murphy** asked the Minister for Education and Science the number of pupils seeking school places in Kildare North who have failed to gain places in the school of choice; and the way in which she intends to deal with the second level needs of such pupils. [12793/05]

Minister for Education and Science (Ms Hanafin): My Department does not have details of the number of pupils who have failed to gain places in the school of choice except where the parents or guardians of a child appealed a school's decision to the Secretary General of my Department.

Responsibility for ensuring that a child progresses from primary to post-primary education rests in the main with the child's parents. Under section 17 of the Education (Welfare) Act 2000, parents are responsible for ensuring that their children attend a recognised school or otherwise receive an appropriate minimum education. The Education Welfare Board is required to assist parents who are experiencing difficulty in ensuring that their children attend school regularly and will also assist schools in fulfilling their role under the Act. Through its educational welfare officers, the board provides a welfare focused service that is accessible to parents, school and others concerned with the welfare of young people.

The selection and enrolment of pupils in second level schools is the responsibility of the management authorities. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking second level places in an area. This may result, however, in some pupils not obtaining a place in the school of their first choice. As schools may

not have a place for every applicant, a selection process may be necessary. My Department has agreed the application of fair and objective entrance criteria for entry to second level schools with the three post-primary managerial associations.

Section 29 of the Education Act 1998 provides parents with an appeal process where a board of management of a school or a person acting on behalf of the board refuses enrolment of a student. Where an appeal under section 29 is upheld, the Secretary General of my Department may direct a school to enrol a pupil. There have been two appeals to date to the Secretary General of my Department against the decision of schools in County Kildare to refuse enrolment to applicants for the 2005-06 school year. One of the appeals was upheld and the Secretary General of my Department has directed the school to enrol the pupil. In the other instance the school offered a place to the pupil while the appeal was at the facilitation stage of the section 29 appeal process.

All applications for capital funding from schools in the area to which the Deputy refers are being considered as part of a review of all projects, which did not proceed to construction as part of the 2004 school building programme. Under this review, all projects are being assessed against the published prioritisation criteria, which were revised last year following consultation with the education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the school building programme from 2005 onwards.

In addition, in 2004 a new school planning model involving published draft area development plans was piloted in five areas. Included in the pilot scheme is the area around the N4-M4 from Leixlip to Kilbeggan. Included in this are the areas referred to by the Deputy. The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties in the locality will have the opportunity to have their voices heard in the process.

The commission on school accommodation recently completed the public consultation process on the draft area development plan for the N4-M4 area and it will complete its report as soon as possible. Applications for capital funding from schools in this area will continue to be processed under the review mentioned above. When the commission's report becomes available, the appropriate adjustments will be made where necessary.

Special Educational Needs.

403. **Ms C. Murphy** asked the Minister for Education and Science the arrangements in place at post-primary level for September 2005, specifically for primary pupils with special learning

needs who have been educated in special classes in national schools in Kildare. [12794/05]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education, NCSE, has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order 2003. With effect from 1 January 2005, the NCSE through local special educational needs organisers, SENOs, will process resource applications for children with special educational needs. Where a pupil with special educational needs enrolls in a post-primary school, it is open to the school to apply to the local SENO for additional teaching support and/or special needs assistant support for the pupil.

The precise model of provision made available will depend on the assessed needs of the pupils involved. Some students are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil-teacher ratios. For example, a special class catering for children with a mild general learning disability would have a support rate equating with a maximum pupil-teacher ratio of 11:1. A class catering for children on the autistic spectrum would be supported at a pupil teacher ratio of 6:1. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

Departmental Properties.

404. **Dr. Cowley** asked the Minister for Education and Science further to her statement to this Deputy in Dáil Éireann that a school (details supplied) in County Mayo would be provided with a site when available, the reason for the delay by the OPW in finalising the site arrangements, given that a site is now available; if she will fulfil her promise that when a school is needed it will be built; when the school will be built in this case; and if she will make a statement on the matter. [12822/05]

Minister for Education and Science (Ms Hanafin): The property management section of the office of public works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing to explore the possibility of acquiring a site for the school referred to by the Deputy. The technical suitability of seven sites is under consideration with regard to suitability as a location for the school in question. The question of the development of a new school building will be considered further in the context of the multi-annual budget when the site has been acquired.

Schools Building Projects.

405. **Mr. McGinley** asked the Minister for Education and Science the amount set aside in 2004 for the development of an all-Irish education centre in Ballyvourney, County Cork. [12826/05]

Minister for Education and Science (Ms Hanafin): It is the policy of my Department not to release details of funding provision for individual projects in advance of contracts being signed, as this information is commercially sensitive.

Special Educational Needs.

406. **Mr. Cregan** asked the Minister for Education and Science the position regarding the establishment of a second level class specifically for students with Asperger's syndrome; when it is likely to be established; and if she will make a statement on the matter. [12837/05]

Minister for Education and Science (Ms Hanafin): My Department has been actively engaged in pursuing the development of a second level unit for children with Asperger's syndrome at the school referred to by the Deputy. The management authority of the school in question has accepted a proposal to host such a unit and this is now being established in the school.

School Curriculum.

407. **Mr. Deenihan** asked the Minister for Education and Science when physical education will be made a leaving certificate examination subject; and if she will make a statement on the matter. [12819/05]

Minister for Education and Science (Ms Hanafin): Physical education is part of the prescribed curriculum for primary schools. Second level schools should offer a physical education programme based on an approved syllabus with teaching hours registered on the school timetable. At second level, the phasing in of a revised syllabus at junior cycle level for physical education — non-examination — commenced in September 2003. The syllabuses in physical education have been developed on the basis of a time allocation of two hours per week. No timescale for implementation has been decided upon for introduction of physical education as an examination subject.

Educational Disadvantage.

408. **Mr. Aylward** asked the Minister for Education and Science if she will approve funding to a vocational college (details supplied) in County Wexford under the stay in school retention initiative for the 2005-06 year; and if she will make a statement on the matter. [12850/05]

409. **Mr. Kehoe** asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in County Wexford no longer has funding under the stay in school retention initiative once the

[Mr. Kehoe.]
scheme ends; if her attention has further been drawn to the fact that it is not being considered for the new initiative; if it will be considered for this programme; and if she will make a statement on the matter. [12851/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 408 and 409 together.

The new policy framework that I will publish shortly will put in place a new integrated programme of supports that will bring together, and build upon, existing policy interventions and initiatives for schools and school communities with concentrated levels of disadvantage. It will be introduced on a phased basis, starting in the next school year. Apart from the additional investment under the new policy framework, resources and supports will continue on the existing basis for the next school year for schools involved in current schemes and programmes for addressing educational disadvantage, including the 53 schools involved in the stay in school retention strand of the school completion programme.

Schools Building Projects.

410. **Mr. Hogan** asked the Minister for Education and Science if she will renew the allocation to a school (details supplied) in County Carlow; and if she will make a statement on the matter. [12862/05]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers is included in a devolved initiative under the 2005 capital programme for the provision of a new three classroom school on a greenfield site. The school authority has accepted the funding offered for this purpose. In the circumstances, my Department does not intend reviewing the allocation.

Schools Refurbishment.

411. **Mr. Aylward** asked the Minister for Education and Science if further progress has been made on the application for an extension and refurbishment to a school (details supplied) in County Wexford; and if she will make a statement on the matter. [12922/05]

Minister for Education and Science (Ms Hanafin): The application for major 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. The application has been assigned a band rating and its progress is being considered in the context of the school building programme from 2005 onwards. On receipt of confirmation as to the allocation of an additional teaching post, the school authority

will be notified of the decision regarding its application for temporary accommodation.

School Staffing.

412. **Ms Enright** asked the Minister for Education and Science the situation regarding an additional teacher for a school (details supplied) in County Donegal from September 2005; and if she will make a statement on the matter. [12979/05]

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 191 pupils at 30 September 2003. In addition, the school has the services of a learning support teacher and a resource teacher. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment in the school on 30 September 2004 was 184 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure and in accordance with the relevant staffing schedule.

Special Educational Needs.

413. **Ms Enright** asked the Minister for Education and Science the reason an application for home tuition for a person (details supplied) in County Laois has not yet been sanctioned; if her attention has been drawn to the fact that this person is autistic, has a learning disability and is also an elective mute; if an application was received over six months ago in her Department; when she anticipates that the application will proceed; and if she will make a statement on the matter. [12992/05]

Minister for Education and Science (Ms Hanafin): The home tuition scheme is primarily intended to provide compensatory instruction for pupils who have a medical ailment that is likely to cause major disruption of their attendance at school. My Department continues to provide home tuition grants to pupils who cannot attend school at all, or are absent for a significant proportion of the school year.

An application for home tuition for the pupil concerned was received in my Department in

May 2004. At the time of application, the pupil was enrolled in a mainstream primary school and was not in receipt of any supplementary teaching support. However, I understand from my officials that the pupil has since been sanctioned five hours of resource teacher support and has also been sanctioned a full time special needs assistant.

My officials are currently undertaking a review of the home tuition scheme. Guidelines for the operation of a home tuition scheme will be drawn up following this process. A communication issued to the parents advising them of this review on 6 April 2005. A decision on the application for home tuition will be conveyed to the parents following the review process.

Schools Refurbishment.

414. **Ms Enright** asked the Minister for Education and Science the position regarding progress at a school (details supplied) in Dublin 9 following her reply to a previous parliamentary question. [12993/05]

Minister for Education and Science (Ms Hanafin): The school referred to has recently received approval for funding for improvement works to windows under the 2005 Summer Works Scheme.

School Accommodation.

415. **Mr. Ring** asked the Minister for Education and Science when she will sanction funding for a school (details supplied) in County Mayo now that a site has been identified by the OPW for same; the number of students now attending this school; and the number of teachers teaching at this school. [12994/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department with regard to site acquisitions generally, is continuing to explore the possibility of acquiring a site for the school referred to by the Deputy. The technical suitability of a number of site proposals is being assessed at present.

I assure the Deputy that the permanent accommodation needs of this school are being addressed as expeditiously as possible and that the provision of a permanent building for the school will be progressed when a site has been acquired.

The number of pupils enrolled at the school on 30 September 2004 was 183. The current staffing level is a principal and seven mainstream class teachers. In addition the school has the services of one full-time resource post and a shared learning support post.

School Enrolments.

416. **Mr. Ring** asked the Minister for Education and Science the minimum number of pupils

required on 30 September in any given year for a school to remain open. [12995/05]

Minister for Education and Science (Ms Hanafin): Under the rules for national schools, grant aid is not continued to a primary school at which the average daily enrolment falls below eight units for two consecutive school years. Under the rules and programme for secondary schools, recognition can be withdrawn from a post-primary school which fails to comply with any one of the conditions relating to its recognition or in which, during two successive years, the number of recognised pupils is less than 12, or the instruction given in the school is inefficient.

School Accommodation.

417. **Mr. Durkan** asked the Minister for Education and Science when she expects to be in a position to meet in full the accommodation and other requirements at a school (details supplied) in County Kildare; if she expects to finalise matters in this regard in the current year with particular reference to the current and anticipated needs of the school; and if she will make a statement on the matter. [13032/05]

Minister for Education and Science (Ms Hanafin): The application for capital funding from the school in question is being considered as part of a review of all projects which did not proceed to construction as part of the 2004 school building programme. Under this review, all projects are being assessed against the published prioritisation criteria which were revised last year following consultation with the education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the school building programme from 2005 onwards.

In addition, in 2004 a new school planning model involving published draft area development plans was piloted in five areas. The pilot scheme includes the area around the N4 and M4 from Leixlip to Kilbeggan. The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties in the locality will have the opportunity to have their voices heard in the process.

The Commission on School Accommodation recently completed the public consultation process on the draft area development plan for the N4 and M4 area and it will bring forward its report as soon as possible. Applications for capital funding from schools in this area will continue to be processed under the review mentioned above. When the commission's report becomes available, the appropriate adjustments will be made where necessary.

School Staffing.

418. **Mr. Lowry** asked the Minister for Education and Science if correspondence (details supplied) has been brought to her attention. [13033/05]

Minister for Education and Science (Ms Hanafin): It would appear that the original copy of the correspondence referred to by the Deputy was not received in my office. 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 in his correspondence for the school year 2004 to 2005 is a principal and five mainstream class teachers based on an enrolment of 147 pupils at 30 September 2003. In addition, the school has the services of a learning support teacher and a resource teacher.

My Department will finalise the staffing schedule for the 2005 to 2006 school year shortly and thereafter notify school boards of management. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 142 pupils. The staffing for the 2005 to 2006 school year will be determined on the basis of this figure and in accordance with the agreed staffing schedule.

As outlined in primary circular 19/02, an independent appeals board was established to adjudicate on appeals from boards of management on mainstream staffing allocations in primary schools. The appeals board operates independently of the Minister and Department and its decision is final. Appeals must be submitted to the primary payments section of the Department of Education and Science in Athlone on the standard application form, clearly stating the criterion under which the appeal is being made, after the schedule for the 2005 to 2006 school year has issued.

419. **Mr. Lowry** asked the Minister for Education and Science if she will consider reducing the pupil numbers needed for teacher retention in all primary and post-primary schools; and if she will make a statement on the matter. [13034/05]

Minister for Education and Science (Ms Hanafin): The enrolment figures required for the appointment and retention of teachers at both primary and post-primary levels have been reduced in recent years. Significant improvements have been made in the pupil-teacher ratio at both levels. At primary level, the ratio has fallen from 22.2:1 in the 1996 to 1997 school year to 17.44:1 in the 2003 to 2004 school year. At post-primary level the pupil-teacher ratio has been reduced from 16:1 to 13.6:1 in the same period.

In line with Government policy, my Department will continue to provide further reductions

in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes.

Schools Building Projects.

420. **Mr. Lowry** asked the Minister for Education and Science if she will consider including post-primary schools (details supplied) in any remaining building project allocations for 2005; and if she will make a statement on the matter. [13035/05]

Minister for Education and Science (Ms Hanafin): The project at the schools to which the Deputy refers have been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. The proposed project at the schools referred to will proceed in the context of the school building and modernisation programme 2005-09.

Institutes of Technology.

421. **Mr. Lowry** asked the Minister for Education and Science her plans to develop the Thurles Campus of Tipperary Institute; the steps she intends to take to ensure that the Thurles campus will develop and expand into the future; and if she will make a statement on the matter. [13036/05]

Minister for Education and Science (Ms Hanafin): In November 2004 I announced the end of the freeze on third level capital funding when I gave immediate approval for key projects in the third level sector. The projects selected have been identified as being of a high national priority and include a number of new facilities to support the provision of additional health skills places and the expansion of teacher training places. I also announced the reintroduction of a devolved grant scheme for minor capital works in the institutes of technology sector. The institute referred to received funding under the scheme.

These announcements are the first steps in the process of addressing the infrastructural deficit in the third level sector. There are many further higher education projects recommended for funding in the Kelly report and I am considering how best to advance a number of these projects in the context of the capital envelope of funding available to me.

The submission by Tipperary Rural and Business Development Institute, TRBDI, to the Kelly review group included several capital proposals concerning campus developments in both Thurles and Clonmel. The review group recommended that the policy framework for the institute should be looked at again before investment proposals could be considered. This is interpreted as being a reference to the TRBDI basis structure. The institute is currently considering its capital

development proposals in the context of this recommendation.

School Enrolments.

422. **Mr. Stagg** asked the Minister for Education and Science if the new national school for Naas, County Kildare, will open in September 2005; if parents of pupils in existing primary schools in Naas will be advised in good time of the option to transfer to the new school; and if she will make a statement on the matter. [13037/05]

Minister for Education and Science (Ms Hanafin): Construction work is well advanced on the new 16 classroom primary school in Naas. The school building also includes provision for two special classrooms for children with autism. Approximately half of the classrooms in the new school are expected to be ready for September 2005. This is expected to be more than sufficient to cater for the school's immediate accommodation needs. The balance of the school building is scheduled for completion in November 2005. The enrolment policy for the new school is a matter for its board of management to be decided in consultation with the other primary schools in Naas.

School Funding.

423. **Mr. Penrose** asked the Minister for Education and Science further to Parliamentary Question No. 871 of 12 April 2005, if the increase in funding for the school (details supplied) in County Westmeath will be provided; and if she will make a statement on the matter. [13038/05]

Minister for Education and Science (Ms Hanafin): Additional information has been received from the school in question for an increase in funding. This information is being given further consideration by officials in my Department. The board of management of the school in question will be kept informed of any developments.

School Staffing.

424. **Mr. P. Breen** asked the Minister for Education and Science the reason a person (details supplied) in County Clare was not granted a career break; and if she will make a statement on the matter. [13039/05]

Minister for Education and Science (Ms Hanafin): Details of the career break scheme for primary teachers are set out in Department circular 10/03 which issued to all schools in March 2003. In order to be eligible for a career break, a primary teacher must be permanent and have satisfactorily completed probation. As the requirement with regard to probation has not been met in this case, the person referred to by the Deputy is not eligible for a career break.

Schools Building Projects.

425. **Mr. Rabbitte** asked the Minister for Education and Science the source of funding for the management and maintenance of joint school community sports halls as provided for under the schools building programme; the funding designated for the joint school and community usage of the sports hall under construction at a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [13040/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is one of a number of dual use halls being funded as part of a joint programme to develop community sports facilities in drugs task force areas. Preliminary discussions have taken place with the relevant local authorities regarding the management of the community aspect of these facilities. Each school authority will be kept advised of developments.

426. **Mr. Lowry** asked the Minister for Education and Science if correspondence (details supplied) has been brought to her attention; and if she will make a statement on the matter. [13041/05]

Minister for Education and Science (Ms Hanafin): I have included the building project for the school in question in my recently announced list of school projects to proceed through architectural planning in 2005. I have also approved the school for works to be carried out under the summer works scheme.

My Department will be in contact with the school management shortly to progress the design process. I have now announced the first phases of the 2005 schools building and modernisation programme which provided details of: a total of 122 major school building projects country wide, including 89 primary school projects, which will prepare tenders and move to construction during the next 12 to 15 months; an additional 171 primary schools that will be invited to deliver their building projects on the basis of devolved funding; a total of 43 schools, of which 32 are primary schools, that will be authorised to commence architectural planning; a total of 124 schools, of which 73 are primary schools, whose projects will further progress through the design process and 590 schools approved for funding under the 2005 summer works scheme. A grant of €190,278 has been approved for the school in question to carry out an electrical upgrade as part of the summer works scheme 2005.

I plan to make a further announcement in the coming period in relation to the 2005 schools building and modernisation programme that will include details of projects identified as suitable for construction under public private partnerships.

School Completion Programme.

427. **Mr. Perry** asked the Minister for Education and Science if her attention has been drawn to the fact that Ballinode college is a second level vocation school with 121 students enrolled at PLC and is part of the school completion programme; if she will rescind the decision to cap the number of students reckonable for teacher allocation purposes; if her attention has further been drawn to the fact that this will mean, due to a shortage of staff, that it will have to refuse students wishing to enrol for PLCs in the 2005 to 2006 school year, thus closing off the only avenue to third level open to these students in a RAPID area and a gateway city; and if she will make a statement on the matter.

[13098/05]

Minister for Education and Science (Ms Hanafin): In the 2004 to 2005 academic year, some 28,500 PLC places were approved in schools and colleges throughout the country. The approval process for PLC places for the academic year 2005 to 2006 will take account of enrolment trends, applications from VECs, schools and colleges for course approval and the totality of demands for courses and teaching resources across the system.

School Transport.

428. **Mr. Deasy** asked the Minister for Education and Science the number of children from the west Waterford area being transported to schools (details supplied); the cost involved in transportation; if there are plans to provide these facilities in Dungarvan, County Waterford; and if she will make a statement on the matter.

[13105/05]

Minister for Education and Science (Ms Hanafin): My Department has been informed by Bus Éireann that 28 children from the west Waterford area are being transported to the schools referred to in the details supplied. My Department is not in a position to release the cost of transport for these children as the information is regarded as commercially sensitive.

As the Deputy may be aware, the first school mentioned in the details supplied is a school for pupils with a mild general learning disability and the second school is for pupils with a moderate learning disability. There is a special school in Dungarvan catering for pupils with a mild general learning disability. My Department has no record of any proposals for a school for the moderately disabled in Dungarvan. Any proposals that are submitted to my Department will be considered

429. **Mr. Deasy** asked the Minister for Education and Science the proposals to increase the charge to parents of transporting primary and post-primary children to school; the increased proposed; when it will come into effect; the proportion of the increase which will be passed on to

the private contractors who operate the routes; and if she will make a statement on the matter. [13106/05]

Minister for Education and Science (Ms Hanafin): I have no plans to introduce new charges for pupils attending primary schools or to increase charges for pupils attending post-primary schools.

Investigation of Incident.

430. **Mr. P. McGrath** asked the Minister for Education and Science if her attention has been drawn to the situation of a person (details supplied); if she will initiate an immediate investigation into this case; and if she will make a statement on the matter. [13136/05]

Minister for Education and Science (Ms Hanafin): The information provided by the Deputy indicates that an investigation of the incident was undertaken by the relevant health authorities and the matter is known to the Director of Public Prosecutions. In such circumstances, it would be inappropriate for me to comment. However, I am making inquiries and will be in further contact with the Deputy regarding the matter.

School Staffing.

431. **Mr. Gogarty** asked the Minister for Education and Science if a school (details supplied) in County Louth will be allocated an extra class teacher from September 2005; and if she will make a statement on the matter. [13137/05]

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 to 2005 is a principal and eight mainstream class teachers based on an enrolment of 233 pupils at 30 September 2003. My Department will finalise the staffing schedule for the 2005 to 2006 school year shortly and thereafter notify school boards of management.

According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 in the school was 241 pupils. The staffing for the 2005 to 2006 school year will be determined on the basis of this figure

and in accordance with the agreed staffing schedule.

Questions Nos. 432 to 437 answered with Question No. 83.

Special Educational Needs.

438. **Mr. F. McGrath** asked the Minister for Education and Science if assistance will be given to a person (details supplied) in Dublin 11 to obtain a place soon in the CABAS school, Kilbarrack, Dublin 17. [13144/05]

Minister for Education and Science (Ms Hanafin): I am most anxious that all children, including children with autistic spectrum disorders receive education appropriate to their needs.

CABAS Kilbarrack is one of eight stand-alone applied behavioural analysis, ABA, specific facilities that are currently being funded by my Department, catering for a total of 151 children on the autistic spectrum. The approach of ABA in the education of children on the autistic spectrum provides for the input of one to one and sometimes two to one pupil-teacher ratio tuition. To this end, my Department funds these facilities by providing an allocation to enable each child in the facility to access the services of a tutor.

I understand from my officials that the child in question is currently attending a Montessori school. I can confirm that the pupil is on a waiting list for CABAS, Kilbarrack. Applications for enrolment in the CABAS unit are a matter for the management authorities of this facility.

Private Schools.

439. **Mr. Crowe** asked the Minister for Education and Science the funding she will be making available to fee paying schools in this year's budget. [13153/05]

440. **Mr. Crowe** asked the Minister for Education and Science the funding from the school building fund she will be allocating to private fee paying schools in the next 12 months. [13154/05]

442. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the concern among many educationalists and others regarding her Department's continued funding of private paying schools; and if she will make a statement on the matter. [13156/05]

443. **Mr. Crowe** asked the Minister for Education and Science the funding she proposes to make available to private fee paying schools in her constituency; and if her Department has made a decision in regard to the building fund of private schools as outlined in recent media reports. [13157/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 439, 440, 442 and 443 together.

My Department has invested over €935 million in capital funding for post-primary schools as part of the schools' building and modernisation programme since 1999. Of this, only €14.486 million, less than 1.5%, was provided to fee-charging second level schools for building and refurbishment works. A total of €505,000 was spent on building projects in these schools in 2003 and less than €1 million in 2004.

The €223 million post-primary school building programme for 2005 includes: 33 projects going to tender and construction during the next 12 to 15 months; 11 projects, which will commence architectural design and 51 projects, announced last week, which will progress through architectural design. A further 228 projects will be funded under the 2005 summer works scheme. Only ten of these 323 projects relate to fee charging schools.

School building projects, whether for fee charging schools or schools in the free education scheme, are selected for inclusion in the schools' building and modernisation programme on the basis of priority of need using published criteria.

441. **Mr. Crowe** asked the Minister for Education and Science the funding from her overall budget which goes to wages of staff of private fee paying schools. [13155/05]

Minister for Education and Science (Ms Hanafin): The payment of teacher salaries is part of a complex scheme of funding for fee charging schools, which has traditionally sought to balance considerations of equity, pragmatism and State support for minority religions. Teachers in fee charging schools, irrespective of the denominational ethos of such schools, are paid by the State. This may well reflect a long standing pragmatism that the State would be required to provide teachers for the pupils in question were they located within the free education scheme. The current annual cost of teacher salaries in these schools is approximately €83 million.

In addition to teacher salaries, the cost of special needs assistants and clerical officers approved by my Department for fee charging schools is also funded at a current annual cost of €407,000 and €232,000, respectively.

Questions Nos. 442 and 443 answered with Question No. 439.

Psychological Service.

444. **Mr. McGinley** asked the Minister for Education and Science if her attention has been drawn to the serious shortage of child-school psychologists in County Donegal; the plans for increasing the number of child psychologists in the county; and if she will make a statement on the matter. [13158/05]

Minister for Education and Science (Ms Hanafin): The development plan drawn up by the

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national educational psychological service, NEPS, envisages that there should ultimately be up to seven educational psychologists serving County Donegal. I am aware that at present County Donegal does not have its full complement of NEPS psychologists in place. At present, NEPS is in a position to assign approximately 2.7 psychologists — whole time equivalents — to the county. This allows for the provision of an educational psychological service to approximately 51% of all school pupils in the county.

It has proved difficult to recruit suitably qualified personnel to serve in the north-western region. The north-western region has been identified as one of the priority regions for assignment of NEPS psychologists to be recruited in the future. Arrangements for the recently established Public Appointments Service to set up new recruitment panels for NEPS are at a preliminary stage. Regional panels are proposed and this will enable my Department to give priority to filling vacancies in areas of greatest need. Any increase in the number of psychologists in NEPS will depend on the availability of resources and must also take account of Government policy on public sector numbers.

Pending the expansion of NEPS to cover all schools, those that are not yet served by NEPS may avail of the scheme for the commissioning of psychological assessments, SCPA. The SCPA is an interim measure and was specifically introduced to minimise delays for those children who need an educational psychological assessment on an urgent basis.

Pupil-Teacher Ratio.

445. **Mr. Durkan** asked the Minister for Education and Science if she has carried out an evaluation of the pupil-teacher ratio at primary and second level schools throughout the country; if any trends have been observed in schools with the highest pupil-teacher ratios; if she intends to take action to address this issue in the near future; and if she will make a statement on the matter. [13159/05]

485. **Mr. Durkan** asked the Minister for Education and Science if she intends to address the issue of high pupil-teacher ratios in the short term; and if she will make a statement on the matter. [13454/05]

486. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to the views expressed by INTO in respect of high pupil-teacher ratios; her proposals to identify the school or schools most affected in this way; if she has planned any action in response; and if she will make a statement on the matter. [13455/05]

487. **Mr. Durkan** asked the Minister for Education and Science the research that has been

undertaken with a view to ascertaining the impact of high pupil ratios; her proposed action on foot of this; and if she will make a statement on the matter. [13456/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 445 and 485 to 487, inclusive, together.

I accept in principle that reduction in class size will benefit younger pupils particularly for minority-disadvantaged groups. However, there is a need to concentrate on the quality and manner of teaching as well as class size in order to achieve the benefits.

Significant improvements have been made in the pupil teacher ratio at both primary and post-primary levels in recent years. At primary level, the ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. At post-primary level the pupil teacher ratio was reduced from 16:1 to 13.6:1 in the same period.

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.

Task Force on the Physical Sciences.

446. **Mr. McGuinness** asked the Minister for Education and Science the action she has taken or intends to take arising from the report and recommendations made by the task force on the physical sciences; the number of the recommendations acted on to date; the cost of each; the amount of funds allocated in her Department's budget in 2005 to help implement the recommendations; the number of technicians employed or to be employed at primary and second level; the amount of funding allocated for 2005 to improve school buildings at primary level to facilitate the teaching of the subject; and if she will make a statement on the matter. [13160/05]

Minister for Education and Science (Ms Hanafin): There are some 39 recommendations in the report, with costed proposals totalling €244 million extra, of which €66.3 million would be a recurring annual cost. Funds are not available at present to progress the strategy on the scale recommended in the report. Of the 39 recommendations, four are not for the education sector. Of the remainder, progress has been made on 25 of the recommendations. In that context, the following developments have taken place.

A new science curriculum has been introduced at primary level supported by a resource grant in December 2004 of €1,000 per school plus €10 per pupil. The total cost of the grant was €7.739 million.

Revised syllabi in junior certificate science and in leaving certificate physics, chemistry and

biology have been introduced. Work on the revision of the two remaining leaving certificate subjects — agricultural science and physics and chemistry combined — is well advanced. The introduction of the revised syllabi has been supported by comprehensive inservice programmes for teachers. For example, some 62,000 training days for teachers at an estimated cost of €5.6 million was provided in 2002 and 2003 to support these programmes. An estimated €920,000 in 2004 and €980,000 in 2005 is being spent on inservice training for second level science teachers.

Additional equipment grants have been provided to schools and laboratories continue to be refurbished as part of the ongoing schools building programme. In that context, €16 million was issued to schools in 2004 to support the implementation of the revised junior certificate science syllabus.

A review of grading of subjects in the leaving certificate and initial reports on teacher training have been undertaken.

A review of mathematics at post-primary level is being undertaken by the National Council for Curriculum and Assessment.

Investment in the programme of research in third level institutes is continuing apace to enhance and promote world class standards in research, innovation and development. Between this programme and the various grants to the research councils, and other sources, an estimated €101.5 million will be invested in third level institutions in this area in 2005. This builds on investment over the period 2002-04 of €213.7 million in this area. The discover science and engineering programme, operated under the aegis of Forfás with the collaboration of the education sector, was launched in October 2003 to bring together existing science awareness activities in a unified strategy.

I have recently announced a provision of €750,000 towards the cost of the BA festival of science which is being hosted by Trinity College this year. This is one of the world's leading science events and will be attended by some 3,000 delegates, with an estimated 7,000-10,000 people enjoying some part of the programme.

Separate itemised costings are not readily available for the other measures listed, which are being or have been implemented over a number of years. I have no plans to make provision for technicians at primary and post primary level. The estimated cost of technicians at post primary level in the task force report was €18.8 million per annum at 2002 prices, and provision in this area would lead to demands for similar assistance across other areas of the curriculum with a strong practical component. Many European countries do not employ laboratory assistants.

A separate figure has not been provided for in 2005 in the school building programme to facilitate the teaching of science at primary level. Overall, however, an unprecedented €270 million

is being invested in building, equipment and refurbishment of primary schools this year.

School Accommodation.

447. **Mr. Noonan** asked the Minister for Education and Science if her attention has been drawn to the fact that a school (details supplied) in County Limerick is in unsuitable temporary accommodation; the steps she intends taking to assist it in finding a greenfield site or a building it may convert to establish a permanent school; and if she will make a statement on the matter. [13227/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy was granted provisional recognition effective from September 2004. The school authorities were advised at that time the question of permanent recognition would be considered when the Department was satisfied that long-term viability had been demonstrated and that the school was operating in accordance with the rules for national schools.

Until such time as permanent recognition is granted to the school, my Department will not be progressing the provision of a site or permanent accommodation for the school. If and when permanent recognition is granted, budgetary factors will then determine the rate of progress on the acquisition of a site and on the delivery of permanent accommodation for the school.

448. **Dr. Upton** asked the Minister for Education and Science the position regarding an application by a school (details supplied) in Dublin 10 for security fencing on the summer works scheme; and if she will make a statement on the matter. [13228/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the funding is being provided under the summer works scheme 2005 for the provision of security fencing and a CCTV system for the school in question.

Questions Nos. 449 to 451, inclusive, answered with Question No. 83.

School Accommodation.

452. **Mr. F. McGrath** asked the Minister for Education and Science if she will meet a delegation of teachers and parents from a school (details supplied) in Dublin 9 to discuss their urgent need for a new premises. [13244/05]

453. **Mr. F. McGrath** asked the Minister for Education and Science if there is a timeframe on the review dealing with the situation at a school (details supplied) in Dublin 9; and if she will make a statement on the matter. [13245/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 452 and 453 together.

Officials in the school planning section of my Department are considering two options as possible solutions to the long term accommodation needs of the school in question. The first option is the provision of a new school on a greenfield site. The property management section of the Office for Public Works, which acts on behalf of my Department regarding site acquisitions generally, has identified a site, which could provide for the long term accommodation requirements of the school in question. Negotiations on this site are ongoing between the OPW and Dublin City Council.

My Department is also looking at another option which could offer a better value for money solution for the school's long-term accommodation needs. This option includes an overall review of primary educational infrastructure in the area in question, the likely demand for primary school places in the medium to long term and how existing provision can be maximised to cater for this demand.

This review, which will inform any decisions on the allocation of capital funding for the school in question, will be completed as quickly as possible. I have no plans to meet with a delegation from the school pending the outcome of the review.

School Staffing.

454. **Mr. Crawford** asked the Minister for Education and Science when a school (details supplied) in County Cavan will receive the services of a part-time teacher for the remainder of the year 2004-05 as indicated verbally by the inspector; and if she will make a statement on the matter. [13254/05]

Minister for Education and Science (Ms Hanafin): I understand that the Deputy is referring to the level of learning support teaching available to the school in question. My Department's records show that the school currently has the services of a shared learning support teacher post supporting a total enrolment of 63 pupils.

I trust the Deputy is aware of the proposed new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs of mild and borderline mild general learning disability and dyslexia. The revised procedure for providing a general allocation of resource hours to schools will be announced in the coming weeks, in time to be implemented for the next school year. My officials will communicate with the school in question as soon as the outcome of the review is known.

School Accommodation.

455. **Mr. O'Dowd** asked the Minister for Edu-

cation and Science the progress regarding the application for an extension to a school (details supplied) in County Louth; and if she will make a statement on the matter. [13255/05]

Minister for Education and Science (Ms Hanafin): The application for an extension at the school to which the Deputy refers has been examined in the school planning section of my Department and agreement has been reached with the school authority with regard to the schools long-term accommodation needs. Progress on the application is being considered in the context of the school building programme from 2005 onwards.

Special Educational Needs.

456. **Mr. O'Shea** asked the Minister for Education and Science further to Parliamentary Question No. 437 of 19 April 2005, the outcome of the talks which took place between her officials and the South Eastern Health Board regarding the much needed school for the moderately intellectually disabled in Dungarvan, County Waterford to provide for west Waterford; and if she will make a statement on the matter. [13325/05]

Minister for Education and Science (Ms Hanafin): A member of my Department's inspectorate recently made contact with a representative of the Health Service Executive, HSE — south-eastern area — regarding the matter raised by the Deputy. The representative confirmed that no formal proposals had been submitted by the HSE to my Department. Any proposals that the HSE may wish to submit to my Department will be considered.

School Services Staff.

457. **Mr. Gregory** asked the Minister for Education and Science the funding made available to a school (details supplied) in Dublin 3 to cover the costs of providing a caretaker. [13330/05]

Minister for Education and Science (Ms Hanafin): Funding arrangements for voluntary secondary schools is structured mainly on the basis of capitation grants with additional grants for support services such as caretaking. This provides schools with considerable flexibility as to the manner in which such services are provided to cater for the needs of their pupils.

There have been significant improvements in the level of funding for voluntary secondary schools including the school referred to by the Deputy. With effect from January last, the standard per capita grant was increased by €12 per pupil and now amounts to €286 per pupil. Voluntary secondary schools have also benefited, under the school services support fund initiative, from further significant increases in the support services grant. Under the terms of recent equalisation measures, the support grant has been sig-

nificantly enhanced and now stands at €145 per pupil from 1 January 2005.

These grant increases are in addition to the equalisation funding grants of up to €44.44 per pupil, subject to a cap of €15,554 per secondary school, introduced in 2001, and also additional to the per capita grants of some €70 per pupil, subject to a cap of €24,442 per school, introduced in 1992, that have been approved for voluntary secondary schools including the school referred to by the Deputy. The provision of secretarial and caretaking support services, is a particular focus of these support grants.

School Accommodation.

458. **Mr. Ó Fearghail** asked the Minister for Education and Science the reason temporary accommodation has not been provided for a school (details supplied) in County Kildare; if her Department will review the situation; and if she will make a statement on the matter. [13331/05]

Minister for Education and Science (Ms Hanafin): An application for temporary accommodation was received from the authorities of the school referred to by the Deputy. All applications for temporary accommodation were considered by the school planning section of my Department in the context of the available funding for 2005, and the number of applications for that funding. Unfortunately, it was not possible to approve all applications received, and only those with an absolute and demonstrated need for additional accommodation were approved.

459. **Mr. Timmins** asked the Minister for Education and Science if she has received an application from a school (details supplied) in County Dublin for accommodation improvement; if so, the status of this application; and if she will make a statement on the matter. [13401/05]

Minister for Education and Science (Ms Hanafin): My Department has received an application for additional accommodation from the school authorities of St. Brendan's college, Woodbrook, Bray. The project is currently being assessed in accordance with the published prioritisation criteria for large scale building projects which were revised last year following consultation with the education partners. Under this review, all projects are assigned a band rating and the progress of individual projects is being considered in the context of the school building programme from 2005 onwards.

School Services Staff.

460. **Mr. Healy-Rae** asked the Minister for Education and Science if the post of full-time caretaker for a school (details supplied) in County Tipperary will be approved; and if she will make a statement on the matter. [13410/05]

Minister for Education and Science (Ms Hanafin): My Department provides funding towards the cost of secretarial and caretaking services in primary schools under two separate schemes. One scheme is the 1978-79 scheme for the employment of full-time secretaries and caretakers in primary schools, under which my Department meets the full cost of salary. This scheme is being phased out as posts become vacant and no new posts are being created. This scheme has been superseded by a more extensive grant scheme now referred to as the ancillary services grant.

The ancillary services grant provides additional funding for primary schools towards the cost of secretarial and caretaking services. The scheme is flexible in nature, giving boards of management discretion as to the manner in which secretarial and caretaking services are provided. The school referred to by the Deputy receives secretarial and caretaking grant assistance under this scheme. The standard rate of grant per pupil under the scheme, which applies in the case of the school in question, was increased from €102 to €127 per pupil in 2004 and is being further increased to €133 per pupil this year.

Schools Refurbishment.

461. **Mr. Kehoe** asked the Minister for Education and Science the action she will take following receipt of a letter from a group (details supplied) in County Wexford; when she will announce the go-ahead for the school extension and refurbishment programme; and if she will make a statement on the matter. [13411/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school to which he refers is included among the 124 schools which I recently approved to progress through the architectural planning process under the 2005 school building programme.

Telecommunications Services.

462. **Mr. Kehoe** asked the Minister for Education and Science the contractual arrangements which have been put in place to deliver broadband to national schools; and if she will make a statement on the matter. [13412/05]

Minister for Education and Science (Ms Hanafin): In conjunction with my colleague, the Minister for Communications, Marine and Natural Resources, I announced the results of the competitive tender process which had been initiated in August 2004 for the provision of broadband services and routers to all recognised primary and post-primary schools. This initiative is being jointly undertaken with the telecommunications industry on foot of the establishment of a three year €18 million joint Government-IBEC Telecommunications and Internet federation fund. Six companies were selected for the

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provision of access connectivity with another company selected for the provision of routers. Contracts have been finalised and signed with three companies while my Department is finalising the contract negotiations with the remaining companies. The roll-out of broadband connectivity will commence in May and is expected to be completed by the end of the year.

Schools Building Projects.

463. **Mr. McGuinness** asked the Minister for Education and Science if she will fund the provision of a water filter for the main water supply to a school (details supplied) in County Kilkenny; and if she will make a statement on the matter. [13413/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy refers does not have an application with my Department's planning section for funding for the provision of a water filter for the main water supply to the school. In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and to put appropriate safeguards in place.

Provision is built into the school building programme to enable schools address urgent health and safety problems. Primary schools are given an annual allocation, currently amounting to €3,809 plus €12.70 per pupil, under the grant scheme for minor works which can be used entirely at the discretion of school management to address basic health and safety issues relating to school infrastructure.

In addition, the summer works scheme was introduced during 2004 which provided capital grants for improvement works at primary and post-primary schools. A total of 457 schools were approved for funding under this scheme in 2004. Over 580 schools have been approved for funding under the 2005 summer works scheme. My Department also sets aside a contingency sum each year to deal with emergency works in primary and post-primary schools, including health and safety works.

Telecommunications Services.

464. **Mr. Durkan** asked the Minister for Education and Science the extent to which broadband is available to primary and second level schools throughout the country; if a recent sat lynx dispute in this regard has been resolved; and if she will make a statement on the matter. [13429/05]

Minister for Education and Science (Ms Hanafin): The NCTE is undertaking a new ICT school census next month as the only statistical information is three years old. In any event, the

position regarding broadband is that my Department, together with the Department of Communications, Marine and Natural Resources is engaged in a joint initiative with IBEC Telecommunications and Internet Federation to provide broadband connectivity to all recognised primary and post-primary schools. This initiative is being jointly undertaken with the telecommunications industry on foot of the establishment of a three year €18 million joint Government — IBEC TIF fund. The results of the competitive tender process were announced earlier this year, with six companies being selected for the provision of access connectivity and another company selected for the provision of routers to schools. Contracts have been signed with three companies while my Department is finalising the contract negotiations with the remaining companies.

I am aware that difficulties have arisen between one of the successful companies involved in the schools broadband project and Satlynx, which have attracted some media attention. My Department has discussed the matter with the company involved and has been assured that the difficulties, which it is understood have since been resolved, do not impinge on the schools broadband project.

Grant Payments.

465. **Mr. Durkan** asked the Minister for Education and Science if she has plans to speed up the payment of higher education of VEC grants; and if she will make a statement on the matter. [13430/05]

Minister for Education and Science (Ms Hanafin): My Department funds four maintenance grant schemes for third level and further education students. These are the higher education grants scheme, the vocational education committees' scholarships scheme, the third level maintenance grants scheme for trainees and the maintenance grants scheme for students attending post-leaving certificate courses. The higher education grants scheme is administered by the local authorities while the other three are administered by the vocational education committees.

My Department, in recognition of the importance of the timely provision of payment to eligible students, is engaged in ongoing consultations with the Irish Vocational Education Association and the County and City Managers' Association with a view to improving the existing arrangements to ensure the earlier processing of applications and the making of payments to eligible students. In this regard, a working group with representatives from both associations has been established. The broad terms of reference of this group are to examine ongoing operational issues within the current system of administration of the schemes. Issues concerning the timely pay-

ments of grants to eligible students are a priority for this group.

Bullying in Schools.

466. **Mr. Durkan** asked the Minister for Education and Science the number of incidents of school bullying reported at primary or second level in each of the past five years; the steps being taken to address the issue; and if she will make a statement on the matter. [13431/05]

Minister for Education and Science (Ms Hanafin): Individual school management authorities are not required to report to my Department on incidences of bullying and the information requested by the Deputy is not available in my Department. However, I am acutely aware of the issue of bullying in schools and my Department has in place a multi-faceted strategy to tackle the issue. The education of students in both primary and post-primary schools about anti-bullying behaviour is a central part of the social, personal and health education, SPHE, curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. The SPHE curriculum provides for the development of personal and social skills, including self-awareness, respect for others, self-esteem and communication skills, all of which are important elements in addressing the issue of bullying. In primary education, the issue of bullying is addressed in the SPHE curriculum in the strand, *Myself and Others*, from infant classes onwards. In second level education, the issue of bullying is addressed from first year onwards in the SPHE curriculum at junior cycle, in the module on *Belonging and Integrating*.

My Department, in its *Guidelines on Countering Bullying Behaviour in Schools*, has provided a national framework within which individual school management authorities may meet their responsibilities for implementing effective school-based policies to counter bullying. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of the school.

Each school is required to have in place a policy which includes specific measures to deal with bullying behaviour within the framework of an overall school code of behaviour and discipline. Such a code, properly devised and implemented, can be the most influential measure in countering bullying behaviour in schools. The school development planning initiative plays an important role in supporting schools to raise awareness of the need for anti-bullying measures. In addition, my Department funds a number of support services and pilot initiatives which provide direct assistance for schools in dealing with the issue of bullying.

Schools Building Projects.

467. **Mr. Durkan** asked the Minister for Education and Science the extent to which the objectives set in the school building programme in respect of primary and second level schools in County Kildare are likely to be met in the current year; and if she will make a statement on the matter. [13432/05]

Minister for Education and Science (Ms Hanafin): I have now announced the first phases of the 2005 schools building and modernisation programme. The details are 122 major school building projects countrywide, including 89 primary school projects, which will prepare tenders and move to construction during the next 12 to 15 months, an additional 171 in the number of primary schools that will be invited to deliver their building projects on the basis of devolved funding, 43 schools, of which 32 are primary schools, that will be authorised to commence architectural planning, 590 schools approved for funding under the 2005 summer works scheme, of which over 360 are primary schools, and 124 schools, of which 73 are primary schools, whose projects will further progress through the design process.

In addition to the above, approximately €18 million in respect of all primary schools will be issued under the devolved grant to enable schools to carry out minor works. Each primary school gets a standard rate of €3,809 together with a per pupil rate of €12.70. I plan to make a further announcement in the coming period on the 2005 schools building and modernisation programme that will include details of projects identified as suitable for construction under public private partnerships.

Officials from my Department will be working with all the schools on the above lists, including those in County Kildare, to ensure that the objectives in the 2005 programme are met.

Pupil-Teacher Ratio.

468. **Mr. Durkan** asked the Minister for Education and Science the second level school in County Kildare which holds the highest pupil-teacher ratio; her plans to address this issue; and if she will make a statement on the matter. [13433/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil-teacher ratio at post-primary level in recent years. At post-primary level, the pupil-teacher ratio has been reduced from 16:1 in the 1996-97 school year to 13.6:1 in the 2003-04 school year.

In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given

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to pupils with special needs and those from disadvantaged areas. The information requested by the Deputy about the second level school in County Kildare which holds the highest pupil-teacher ratio is not readily available in my Department.

Health and Safety Regulations.

469. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to the potential breach of health and safety regulations due to overcrowding at various schools throughout County Kildare at either primary or secondary level; her plans to address these issues; and if she will make a statement on the matter. [13438/05]

481. **Mr. Durkan** asked the Minister for Education and Science if all primary and second level schools throughout the country are in keeping with health and safety requirements in view of the extent of overcrowding due to failure to provide extra classroom accommodation when needed; and if she will make a statement on the matter. [13450/05]

482. **Mr. Durkan** asked the Minister for Education and Science the number of schools throughout the country deemed to be overcrowded by way of lack of needed extra space; her plans to address this issue in the near future; and if she will make a statement on the matter. [13451/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 469, 481 and 482 together.

In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and put appropriate safeguards in place. Individual school authorities are responsible, in the first instance, for ensuring the safety and welfare of children and others in their care.

The demand for additional accommodation in schools has risen significantly in recent years mainly due to the rapid expansion in teacher numbers, particularly in the area of special needs, the growth in the school-going population in rapidly developing areas and the demands to cater for diversity through the recognition of new *gaelscoileanna* and Educate Together schools.

Between 1998 and 2004, almost €2 billion has been invested on primary and post-primary educational infrastructure on 7,500 individual building projects, site purchases, dust-asbestos and radon remediation programmes, science initiatives, contingency, furniture and equipment. The current focus within my Department is to empower schools to resolve their accommodation

needs, wherever possible, in a permanent manner rather than relying on temporary accommodation. In order to reduce the amount of temporary accommodation at primary level a new initiative was launched in 2003. The purpose of this initiative is to allow primary schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money. The feedback from the 20 schools in this pilot of the initiative was very positive and the initiative was expanded to include 44 additional primary schools in 2004. Over 70 schools have been invited to participate in this initiative in 2005.

My Department has also used other innovative solutions to deliver urgently required permanent accommodation for schools in rapidly developing areas. An example of this is the new 16 classroom primary school for the Griffeen Valley Educate Together national school, Lucan, which was delivered through the use of a design and build contract within 13 months.

The Government remains committed to continuing the work that it started and to consolidating the substantial progress that has already been made in order to ensure that the needs of schools throughout the country are met over time. Proof of this commitment is that this year's school building programme is the largest in the history of the State. Out of an overall capital budget of €493 million for schools, €270 million is available for primary school investment.

Pupil-Teacher Ratio.

470. **Mr. Durkan** asked the Minister for Education and Science the primary school in County Kildare which holds the highest pupil-teacher ratio; her plans to address this issue; and if she will make a statement on the matter. [13439/05]

479. **Mr. Durkan** asked the Minister for Education and Science the school or schools at primary and second level which hold the dubious record of the highest pupil-teacher ratio; and if she will make a statement on the matter. [13448/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 470 and 479 together.

The information requested by the Deputy is not readily available in my Department. If the Deputy would like information on a particular school, I would be happy to provide it.

Schools Building Projects.

471. **Mr. Durkan** asked the Minister for Education and Science her plans to build new second level schools in keeping with the requirements as set out by the school authorities throughout County Kildare; when she expects to move this programme forward; the schools most likely to be

affected; and if she will make a statement on the matter. [13440/05]

Minister for Education and Science (Ms Hanafin): Applications for capital funding from schools in County Kildare are being considered as part of a review of all projects that did not proceed to construction as part of the 2004 school building programme. Under this review, all projects are being assessed against the published prioritisation criteria that were revised last year following consultation with the education partners. Each project will be assigned a band rating and the progress of all projects will be considered in the context of the school building programme from 2005 onwards.

I wish to inform the Deputy that the extensions projects at Maynooth post-primary school, St. Farnan's vocational school and Ardscoil Rath Iomghain are expected to go to tender and construction this year. In addition, the extension projects at Meánscoil Iognáid Ris and Scoil Eoin, Athy are progressing through architectural planning. A new school planning model involving published draft area development plans was piloted in five areas in 2004. Included in the pilot scheme is the area around the N4-M4 from Leixlip to Kilbeggan. Included in this are areas referred to by the Deputy.

The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties in the locality will have the opportunity to have their voices heard in the process. The commission on school accommodation recently completed the public consultation process on the draft area development plan for the N4-M4 area and it will bring forward its report as soon as possible. Applications for capital funding from schools in this area will continue to be processed under the review mentioned above. When the commission's report becomes available, the appropriate adjustments will be made where necessary.

472. **Mr. Durkan** asked the Minister for Education and Science her plans to build new primary schools in keeping with the requirements as set out by the school authorities throughout County Kildare; when she expects to move this programme forward; the schools most likely to be affected; and if she will make a statement on the matter. [13441/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that a number of large-scale building projects for schools in County Kildare have been approved to progress under the school building programme for 2005. Specifically, a new school building for Scoil Uí Riada, Kilcock and extension projects to Scoil Bhríde, Athgarvan and St. Patrick's national

school, Morristown, Newbridge have been approved to go to tender and construction over the next 15 months. In addition, extension projects at Presentation Convent, Maynooth, Scoil Bhríde, Nurney, Caragh national school, Naas and St. Raphaels special school, Celbridge have been approved to progress through architectural planning.

A total of 13 primary schools in Kildare have been approved for funding under the summer works scheme for small-scale projects and a further 13 schools have been allocated funding under the devolved initiative scheme to improve their accommodation. Progress on further applications for capital funding from schools in Kildare is being considered in the context of the school building programme from 2005 onwards. In addition, in 2004 a new school planning model involving published draft area development plans was piloted in five areas. Included in the pilot scheme is the area around the N4-M4 from Leixlip to Kilbeggan.

The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process. In this regard, parents, trustees, sponsors of prospective new schools and all interested parties in the locality will have the opportunity to have their voice heard in the process. The final development for an area will be the mark against which all capital funding decisions will be made for that area for the next decade. The commission on school accommodation recently completed the public consultation process on the draft area development plan for the N4-M4 area and it will bring forward its report to me as soon as possible.

Special Educational Needs.

473. **Mr. Durkan** asked the Minister for Education and Science when she expects to be in a position to meet in full the special needs or other teaching requirements as set out by the various second level school authorities throughout County Kildare; and if she will make a statement on the matter. [13442/05]

475. **Mr. Durkan** asked the Minister for Education and Science when she expects to be in a position to meet the outstanding requirements in respect of special needs or support teaching requirements at second level schools throughout County Kildare; the number of such posts likely to be filled in the current year; and if she will make a statement on the matter. [13444/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 473 and 475 together.

Teacher allocations to second levels schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. Each school management auth-

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ority is required to organise its timetable and subject options having regard to pupils needs within the limit of its approved teacher allocation. Apart from meeting requirements for the provision of the so-called “core subjects”, the curriculum offered in individual second level schools is a matter for the authorities of the schools concerned having regard to its approved teacher allocation.

The rules for allocating teaching resources provide that, where a school management authority is unable to meet its curricular commitments from within its approved allocation, my Department will consider applications for additional short-term support, such as curricular concessions. My Department has recently issued decisions on all applications for additional short term support for the 2005-06 school year.

If a school is not satisfied with the outcome of its application for additional short-term support, it may appeal to an independent appeals committee. This appeals committee operates independently of the Department and its decisions are final. The National Council for Special Education, NCSE, has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order 2003. With effect from 1 January 2005, the NCSE, through local special educational needs organisers, SENOs, will process resource applications for children with special educational needs.

Where a pupil with special educational needs enrolls in a post-primary school, it is open to the school to apply to the local SENO for additional teaching support and/or special needs assistant support for the pupil. A total of 30.68 whole-time equivalent, WTE, teaching posts and a total of 12.52 WTE special needs assistants posts were allocated to schools in County Kildare for the 2004-05 school year.

474. **Mr. Durkan** asked the Minister for Education and Science when she expects to be in a position to meet in full the special needs or other teaching requirements as set out by the various primary school authorities throughout County Kildare; and if she will make a statement on the matter. [13443/05]

476. **Mr. Durkan** asked the Minister for Education and Science when she expects to be in a position to meet the outstanding requirements in respect of special needs or support teaching requirements at primary level schools throughout County Kildare; the number of such posts likely to be filled in the current year. [13445/05]

484. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to the need for extra special needs or support teachers in various schools throughout the country; if she expects to be in a position to

address this issue in the short to medium term; and if she will make a statement on the matter. [13453/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 474, 476 and 484 together.

The mainstream staffing of a primary school, including primary schools in County Kildare, is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule agreed between my Department and the education partners. My Department will finalise the staffing schedule for the 2005-06 school year shortly and thereafter notify school boards of management.

Every effort is made to ensure that children with special educational needs receive an education appropriate to their needs and significant additional resources have been made available to schools in recent years to enable them to provide for children with such needs. In this regard, there are dedicated resources deployed to support children with special educational needs in the primary system, including more than 2,600 resource teachers, more than 1,500 learning support teachers, more than 1,000 teachers in special schools, more than 600 teachers in special classes, nearly 6,000 special needs assistants, more than €30 million on school transport for special needs pupils and more than €3 million towards specialised equipment and materials.

In the light of the reality that pupils in the high incidence disability categories of mild and borderline mild general learning disability and dyslexia are distributed throughout the education system, my Department, in consultation with educational interests, developed a general model of resource teacher allocation to schools to support students in these disability categories. This model, announced by my predecessor in 2004 to come into effect from September 2005, was designed to put in place a permanent resource in primary schools to cater for pupils in these categories. The model was constructed in order that allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

In the light of the possible impact on small and rural schools, I have asked my Department to conduct a review of the general allocation model. The review will be completed in the coming weeks and its outcome will be announced in time to be implemented for the next school year. With regard to the second level system, the level of resources being made available to support students with special educational needs has also grown significantly in recent years. In the current school year, my Department has allocated approximately 1,388 whole-time equivalent teachers and 630 special needs assistants to

second level schools and VECs to cater for pupils with special educational needs.

My Department established the Special Education Support Service, SESS, in September 2003 to manage, co-ordinate and develop a range of supports in response to identified training needs. The SESS, which is hosted in the Laois Education Centre, provides a nationwide service for teachers and special needs assistants. As part of its response to the growing demand from teachers for support and training, the SESS is developing teams of trainers to deliver training in four specific areas, autism, challenging behaviour, dyslexia and inclusion. This training will be delivered locally through the education centre network.

In addition to the measures I have outlined, the National Council for Special Education, NCSE, has been established as an independent statutory body with responsibilities set out in the National Council for Special Education (Establishment) Order 2003. The establishment of the NCSE is a further major step in ensuring that the requirements of children with special educational needs are identified and the necessary resources put in place in a timely and effective manner.

The issue of providing adequate resources to meet the special educational needs of relevant children will continue to be a priority for me. In this regard, my Department is continuing to take steps to develop the network of special educational provisions for children with special needs and I believe the steps taken in recent years and those in hand represent significant progress in the development of those services.

Question No. 475 answered with Question No. 473.

Question No. 476 answered with Question No. 474.

Schools Refurbishment.

477. **Mr. Durkan** asked the Minister for Education and Science the number and location of primary schools in County Kildare which are awaiting approval in respect of refurbishment, extension or replacement; when she expects to be in a position to meet the requirements as set out; and if she will make a statement on the matter. [13446/05]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is not readily available in the format requested. However, if the Deputy has a query about any specific school, I would be happy to provide the information for him.

478. **Mr. Durkan** asked the Minister for Education and Science the number and location of second level schools in County Kildare which are awaiting approval in respect of refurbishment, extension or replacement; when she expects to be in a position to meet the requirements as set out;

and if she will make a statement on the matter. [13447/05]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is not readily available in the format requested. However, if the Deputy has a query about any specific school, I would be happy to provide the information for him.

Question No. 479 answered with Question No. 470.

Pupil-Teacher Ratio.

480. **Mr. Durkan** asked the Minister for Education and Science the number of extra primary and second level teachers required to bring the pupil-teacher ratio into line with the commitments given in the programme for Government; and if she will make a statement on the matter. [13449/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil-teacher ratio at both primary and post-primary levels in recent years. At primary level, the ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. At post-primary level the pupil-teacher ratio has been reduced from 16:1 to 13.6:1 in the same period.

In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs, those from disadvantaged areas and those in junior classes. The number of teachers required to implement any future improvements in the pupil-teacher ratio will depend on the level of improvement introduced and on pupil numbers.

Questions Nos. 481 and 482 answered with Question No. 469.

Special Educational Needs.

483. **Mr. Durkan** asked the Minister for Education and Science if special needs teaching and support in this country compares with best practice in other European jurisdictions; and if she will make a statement on the matter. [13452/05]

Minister for Education and Science (Ms Hanafin): The position is that the teaching and supports provided for schools for pupils with special educational needs in this country compare favourably with the practices in other jurisdictions, including European jurisdictions. In responding to the needs of pupils with special educational needs, my Department implements a range of supports in schools which continue to be reviewed in consultation with the colleges of

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education, universities, research centres, parents groups, teacher unions and other partners in the education process.

This approach will be complemented by the newly established National Council for Special Education, the functions of which are to carry out research and provide expert advice for the Minister for Education and Science on the educational needs of children with disabilities and the provision of related services, to provide a range of services at local and national level in order that the educational needs of children with disabilities are identified and provided for and to co-ordinate with health authorities, schools and other relevant bodies in the provision of education and related support services for children with disabilities.

The Education for Persons with Special Educational Needs Act 2004 establishes a new framework for the assessment of and provision for children with special educational needs and sets out a range of services which must be provided, including assessments, education plans and support services. The issue of meeting the needs of children with special educational needs will continue to be a priority for me.

Question No. 484 answered with Question No. 474.

Questions Nos. 485 to 487, inclusive, answered with Question No. 445.

Military Uniforms.

488. **Mr. McGuinness** asked the Minister for Defence the person who has registered the copyright of the camouflage pattern used by the Defence Forces on their uniforms, backpacks and so on; and if he will make a statement on the matter. [12827/05]

Minister for Defence (Mr. O’Dea): The camouflage pattern on uniforms to which the Deputy refers is also known throughout the Defence Forces as DPM, disruptive pattern material. The disruptive pattern used in the uniforms and other Defence Forces items was designed by the Defence Forces in the late 1990s following trials carried out with various patterns that were already available. The selected pattern is unique to the Defence Forces. No outside agency was involved in the design of the disruptive pattern. I am advised that the copyright of the pattern was not registered. Suppliers who are awarded contracts for the supply of goods are given use of the pattern by the Defence Forces.

489. **Mr. McGuinness** asked the Minister for Defence if all uniforms and like items are sourced here; and if he will make a statement on the matter. [12828/05]

Minister for Defence (Mr. O’Dea): Military uniforms and like items are not sourced directly in Ireland. Procurement by my Department, including the Defence Forces, must be carried out in accordance with Government contracts procedures and the European Union directives, under which the award of contracts is primarily based on the quality of the product and cost. The Government Supplies Agency plays an integral role in tender competitions for the supply of uniforms and like items to the Defence Forces. Irish made products would be considered in the normal way if tendered in a procurement competition.

Naval Service.

490. **Mr. McGuinness** asked the Minister for Defence the age of each ship in the Naval Service; if there is a replacement programme; and if he will make a statement on the matter. [12829/05]

Minister for Defence (Mr. O’Dea): Details of the eight ships in the Naval Service fleet are as follows:

Type	Name	Commissioned
P21	LE <i>Emer</i>	1978
P22	LE <i>Aoife</i>	1979
P23	LE <i>Aisling</i>	1980
P31	LE <i>Eithne</i>	1984
P41	LE <i>Orla</i>	1985
P42	LE <i>Ciara</i>	1984
P51	LE <i>Roisin</i>	1999
P52	LE <i>Niamh</i>	2001

In the White Paper on Defence, the Government decided that the Naval Service will be developed around the provision of an flotilla of eight ships. In recent years two new ships have been delivered to the Naval Service and the service is operating with the recommended eight

ships. The total cost of the two ships was €50 million. Both ships have proved to be tremendous assets to the Naval Service in carrying out its various day-to-day roles. The Government is committed to continuous investment in the equipment needs of the Naval Service that will maintain the eight ship flotilla.

Defence Forces Equipment.

491. **Mr. McGuinness** asked the Minister for Defence if the light tactical armoured vehicles are to be replaced; if the tender process has commenced; the number being purchased; the likely cost of same; the timeframe for delivery; and if he will make a statement on the matter. [12830/05]

492. **Mr. McGuinness** asked the Minister for Defence the plans to update or replace the armoured vehicles in the armoured and cavalry squadrons; and if he will make a statement on the matter. [12831/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 491 and 492 together.

The acquisition of light tactical armoured vehicles, LTAVs, for the Defence Forces has been identified as a key priority by the military authorities for 2005. The LTAVs will complement the work of the 65 Mowag armoured personnel carriers delivered in the last few years at a cost of some €84 million. The tender competition for the acquisition of the LTAVs is now in progress. The precise number of vehicles to be acquired will be confirmed at a later date. The cost of the LTAV programme will only be evident after the tender competition is held.

The Defence Forces cavalry armoured fleet consists of 19 Panhard AML 90s fitted with a 90 millimetre gun, 18 Panhard AML 20s fitted with a 20 millimetre cannon and 14 Scorpion tanks fitted with a 76 millimetre gun. There has been considerable expenditure over the years in modernising the Panhard AML fleet with the replacement of engines and weapons systems on vehicles. It is intended that the communications system on the Panhard fleet will be replaced with a modern communications system, the upgrade programme to begin this year. There are no plans to update the Scorpion tanks.

Decentralisation Programme.

493. **Mr. Lowry** asked the Minister for Defence the number of persons who have requested transfers to Roscrea under the decentralisation programme; and if he will make a statement on the matter. [13067/05]

Minister for Defence (Mr. O’Dea): The Government decision on decentralisation announced by the Minister for Finance in his Budget Statement on 3 December 2003 provides for the transfer of my Department’s Dublin based Civil Service staff to Newbridge, County Kildare, and also provides for the transfer of Defence Forces headquarters staff to the Curragh, County Kildare.

As the Deputy will be aware, it was in the context of the White Paper on Defence, that the Government decided, on 29 February 2000, to decentralise the Civil Defence branch of my Department to Roscrea, County Tipperary. To

date, there have been approximately 100 applicants for transfer to Roscrea.

Waste Management.

494. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the arrangements which are in place to facilitate householders who do not have private transport with the disposal of or composting of garden waste; and if he will make a statement on the matter. [12759/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Arrangements of this kind would be an operational issue for individual local authorities. However, most householders will have the option of home composting. Composting units can be constructed by the householder or purchased from a garden centre or hardware store. Many local authorities now provide compost bins at subsidised prices. Further information is available in the fact sheet on biological treatment of waste produced for race against waste, which is available from local authorities and from www.raceagainstwaste.com.

Local Authority Funding.

495. **Ms Murphy** asked the Minister for the Environment, Heritage and Local Government if the current review of local authority funding will include population increase as a criterion for increased funding to local authorities; and if the new model is intended to replace the needs and resources model. [12797/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The independent consultants, who are carrying out the review of local government financing, will finalise their report shortly. The consultants are assessing, *inter alia*, the totality of local authorities’ funding requirements to 2010 and the extent to which improved or alternative funding options may be required. The needs and resources model is used in determining the distribution of annual general purpose grants from the local government fund which provide about one fifth of authorities’ current funding requirements. In calculating general purpose allocations, the model takes into account a large number of relevant factors, including each local authority’s recorded population.

Recycling Policy.

496. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government his views on the closure of the green waste recycling facility centre at Esker, Lucan to commercial green waste; and if he will make a statement on the matter. [12798/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The obligation

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on local authorities to provide for recycling and recovery facilities is in relation to household waste rather than waste arising in the course of commercial activities. Recycling, recovery or disposal of commercially arising waste is specifically the responsibility of the producer and the local authorities are not obliged to provide facilities for, or to accept material from, the producer. The onus is on commercial producers of green waste to identify appropriate ways to recycle the waste they generate.

I am informed that South Dublin County Council plans to keep the recycling centre at Esker open to commercial concerns for the time being, but that householders will take priority. The council is bound by licence constraints and its decision will reflect conditions of its licensing, matters on which I am precluded from commenting.

Water and Sewerage Schemes.

497. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government the position regarding the Glenvar group water scheme, phase 2, in County Donegal; and if he will make a statement on the matter. [12835/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Phase 2 of the Fanad water supply scheme, which includes a connection to Glenvar to service group water schemes, has been approved for construction under my Department's water services investment programme 2004-06. Donegal County Council's revised preliminary report for the scheme is under examination in my Department and will be dealt with as quickly as possible.

Waste Management.

498. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding as requested by Waterford County Council for the management of waste services in the county; and if he will make a statement on the matter. [12838/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I expect to announce a further tranche of grants under the waste management capital grants scheme in the coming weeks. Over €50 million has been allocated to some 90 projects so far, of which over €5 million has been allocated to projects in County Waterford. In providing further grant assistance I will consider how far advanced the proposed projects are, our NDP commitments and the need for regional balance. In addition to the capital grants scheme, my Department subsidises the operating costs of civic amenity and bring centres and will continue to make such funding available.

Housing Grants.

499. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government his proposals to reintroduce the first-time buyer's housing grant; if the matter is under consideration; and if he will make a statement on the matter. [12852/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The termination of the new house grants scheme, which was announced on 14 November 2003, arose from the necessity, in the context of the 2003 Estimates, for the Government to ensure a sustainable match between expenditure and resources, and to concentrate housing programmes on areas of greatest impact and social need. It is not proposed to reintroduce the grant.

However, through overall increases in supply, and increasing output under various affordable housing initiatives, the Government is seeking to improve access to home ownership for first-time buyers. These targeted measures, in particular, assist low income purchasers and this, in the Government's view, is a better means of improving the affordability of house purchase and using available resources effectively, than a general first-time buyer's grant which would over time become absorbed into the house price. Other general measures are in place through the tax system to assist first-time buyers, such as stamp duty concessions and improvements made in 2004 to mortgage interest relief.

Waste Management.

500. **Mr. Andrews** asked the Minister for the Environment, Heritage and Local Government the cost incurred by his Department by waste awareness campaigns in 2004. [12915/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The total expenditure incurred by my Department on waste awareness campaigns for the year ended 31 December 2004 was €2,407,157. This comprises:

Race Against Waste	€2,112,160
Contribution to the North/South waste awareness project funded under the EU INTERREG Programme	€294,997
Total	€2,407,157

My Department contributed 10% of the overall budget of the North-South project. A further 15% was contributed by the Northern Ireland authorities and the remaining 75% was provided by the INTERREG programme.

501. **Mr. Andrews** asked the Minister for the Environment, Heritage and Local Government the extent of the funding provided for the collec-

tion, reuse and recycling of waste materials in 2005. [12916/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Provision for recycling and recovery facilities is primarily a matter for local authorities. My Department operates a capital grants scheme under which local authorities may apply for grants for recycling and recovery facilities. Over €50 million has been allocated so far and I expect to announce a further tranche of grants in the coming weeks. In addition, my Department subsidises the costs to local authorities of operating recycling and recovery facilities, and will be making €5 million available for this purpose this year.

Recycling Policy.

502. **Mr. Andrews** asked the Minister for the Environment, Heritage and Local Government his plans for the development of a comprehensive recycling infrastructure here, including transfer stations and dedicated recycling centres. [12917/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Provision for recycling and recovery facilities is primarily a matter for local authorities under the applicable regional waste management plan. My Department operates a capital grants scheme, under which grant assistance may be made to certain facilities, but the responsibility for identifying the need for facilities within the waste management plan and for initiating and progressing those projects remains that of the local authorities. I intend to continue providing support for the local authorities, which are the bodies charged with implementation of national waste management policy.

Waste Management.

503. **Mr. Andrews** asked the Minister for the Environment, Heritage and Local Government the funding being allocated to composting facilities and the promotion thereof in 2005; and if he will make a statement on the matter. [12918/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The capital grants scheme operated by my Department is in respect of recycling and recovery facilities in general and this encompasses a large range of projects. Initial applications for the current round of funding range from major biological treatment plants to small bring centres, including composting facilities, and are being reviewed at present. I expect to announce a further tranche of funding in the coming weeks.

Likewise, promotion of recycling-recovery facilities is not divided into individual streams and subvention of operating costs for bring centres and civic amenity sites relates to the level

of cost and of cost recovery and not to the types of waste accepted.

Town Boundaries.

504. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government if he plans to establish an independent commission to review the town boundaries for Carlow; and if he will make a statement on the matter. [12931/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the provisions of Part V of the Local Government Act 1991 and the associated regulations, it is open to a local authority to initiate a proposal for the alteration of its boundaries. This involves preparation of a formal boundary alteration proposal by the authority concerned, including financial, organisational and other implications; invitation of public submissions and consultation with the other local authorities affected by the proposal, prior to submitting a formal application to the Minister. While a number of town boundary alterations have been made in recent years, no boundary application from Carlow Town Council is before my Department.

Part 8 of the Local Government Act 2001 provides that a local authority proposing to alter its boundary would follow similar procedures but make the application directly to an independent Local Government Commission which would then report to the Minister on the matter. The establishment of the Local Government Commission to enable the commencement of Part 8 is under consideration.

Grant Payments.

505. **Mr. Lowry** asked the Minister for the Environment, Heritage and Local Government if he will consider allocating funds to a group (details supplied) ordinarily spent on landfill charges; the estimated annual cost of such a proposed allocation; and if he will make a statement on the matter. [13088/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The work of voluntary groups in collecting unwanted furniture and electrical goods for charitable purposes is commendable. It cannot be determined, however, that the material concerned would otherwise have been landfilled given that its potential for reuse and recycling is evidenced by its continuing usage value. My Department does not have funds available for allocation to support this work.

Departmental Correspondence.

506. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government when a decision will be made on the correspon-

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 dence furnished to him in relation to a castle (details supplied) in County Sligo. [13097/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A response to the correspondence has issued.

Recycling Policy.

507. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the cost to his Department of transporting recyclable waste out of the country in the past three years; the proposals he has to provide a recyclable processing facility here; and if he will make a statement on the matter. [13107/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department does not transport recyclable waste out of the country, nor does it fund such transport whether by local authorities or otherwise. Local authorities are responsible for providing recovery and recycling facilities consistent with the relevant waste management plan. Some of these facilities may be eligible to receive funding from my Department's capital grants scheme.

Water and Sewerage Schemes.

508. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government when approval will be sanctioned on the Ballymote sewerage scheme, County Sligo; the reason for the delays; the negotiations that have taken place; the funding that will be approved; and if he will make a statement on the matter. [13108/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Ballymote sewerage scheme is an element of the Owenmore catchment scheme and was included in the Sligo County Council's programme of works for 2007-12 submitted by the county council in response to my Department's request to all local authorities in June 2003 to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The priority lists were taken into account in the framing of the water services investment programme 2004-06 published in May 2004.

Local Authority Housing.

509. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government when he will approve the new scheme of lettings for Dublin City Council submitted in 2004. [13205/05]

510. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the date he received the proposed

new scheme of lettings from Dublin City Council; the action which has been taken on this matter; the reason for the delay; the frequency with which he has been in contact with Dublin City Council regarding these proposals; the number of meetings there have been between officials; and if he will provide the minutes of those meetings. [13206/05]

511. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that part of the proposed new scheme of lettings which he received in early 2004 is a measure to address a flaw in the previous scheme of lettings which was found by the Equality Tribunal to be in breach of equality legislation; and if he will make a statement on the matter. [13207/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 509 to 511, inclusive, together.

Dublin City Council submitted a revised scheme of letting priorities for approval to my Department in February 2004. Following a number of informal discussions between my Department and the city council, a full meeting was held in February 2005 to consider the revised scheme. This was then approved in April 2005 subject to the city council retaining the existing provision requiring award of points to an applicant and his-her partner for a further year and reviewing the position at the end of that period. It is understood that while discussions on this matter also took place between the city council and the Office of the Director of Equality Investigations, ODEI, no adverse finding was made by the ODEI against the city council on this issue. I am arranging to forward the Deputy with a copy of the record of the meeting of 8 February 2005.

Water and Sewerage Schemes.

512. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the position regarding the progress report for the Kilkee sewerage scheme in County Clare; and if he will make a statement on the matter. [13256/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kilkee and Kilrush sewerage schemes, which are being advanced as a grouped project, are included in my Department's water services investment programme 2004-06 as schemes to commence construction this year. My Department is awaiting the submission by Clare County Council of a preliminary report for the schemes.

Rural Housing Guidelines.

513. **Ms O. Mitchell** asked the Minister for the

Environment, Heritage and Local Government if he will amend the new rural housing guidelines in order to give special protection to special areas of conservation, candidate special areas of conservation, high amenity areas and unique and threatened landscapes such as the Dublin mountains. [13258/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The network of statutorily protected areas which has been established in Ireland, includes nature conservation sites of European importance, special areas of conservation and special protection areas, known collectively as European or Natura 2000 sites and sites of national importance, natural heritage areas. The statutory provisions relating to the designation and protection of these areas are supported by the Planning and Development Act 2000 and relevant planning regulations. Section 10(2)(c) of the Planning and Development Act 2000 provides that a development plan shall include objectives for the conservation and protection of the environment, including, in particular, the archaeological and natural heritage and the conservation and protection of European sites and any other sites that may be prescribed for the purposes of this paragraph. Part XIII of the Act deals with amenities and makes provision, *inter alia*, for areas of special amenity and landscape conservation areas, while Part IV of the First Schedule to the Act also includes provision for landscape protection.

The guidelines which I have issued under section 28 of the 2000 Act, in relation to sustainable rural housing, do not affect the foregoing provisions. The guidelines point out that planning authorities must ensure that all planning applications for rural housing that involve sites in or that might affect an SAC, SPA, NHA, nature reserve, national park, refuge for fauna or flora or other areas of wildlife importance are referred to the national parks and wildlife service of my Department for comment.

The guidelines also point out that careful siting and location are central to sensitive development in the landscape, and call for planning authorities in assessing proposals to have regard to the extent to which they complement the landscape, avoid visual intrusion and help to maintain local landscape character. The guidelines call on planning authorities to have full regard to any biodiversity considerations in assessing proposals, including impacts on sites of biodiversity importance and potential cumulative impacts on biodiversity of large numbers of developments in the wider countryside.

The guidelines state that statutory designation of certain rural areas is not intended in any way to operate as an inflexible obstacle as such to housing development. The guidelines add that, in considering development proposals, including the

attachment of planning conditions, in such areas, planning authorities should only consider approving proposals they are satisfied will not adversely affect the integrity of the designated area. Any such proposal must be subjected to an appropriate assessment of its implications for the area, if it is clear, on the basis of a preliminary examination, that the proposed development could have a significant effect on the area. All aspects of the proposal which could, in themselves, or in combination with other proposals, affect the area's conservation objectives should be identified.

I am satisfied that the statutory provisions in place to give special protection to areas such as those referred to in the question are adequate for their intended purpose. My Department has no proposals to amend the new rural housing guidelines.

Archaeological Sites.

514. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will provide a copy of any correspondence received to date in 2005 from the Director of the National Museum regarding the Minister's pending decision regarding archaeological works along the route of the proposed M3 motorway in the vicinity of the Hill of Tara. [13259/05]

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.

Road Network.

515. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will meet a delegation from Roscommon, Sligo and Mayo County Councils regarding their proposals for the R294 which was submitted to his Department; if he will approve funding for the project; and if he will make a statement on the matter. [13260/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 9 March 2005, Sligo County Council submitted to my Department a copy of a report, Improvement Study of Regional Road R294, prepared jointly by counties Roscommon, Sligo and Mayo. The report proposed a number of both short and long-term improvement works. Sligo County Council has been advised that, within the coming months, the Department will be inviting local authorities to submit restoration improvement programmes for the period 2006 onwards and that the short-term proposals identified in the report can, at the discretion of the authorities, be included in those programmes.

[Mr. Roche.]

The council was also advised that it is open to the authorities concerned to include the long-term improvement schemes among their applications for specific grant funding which will be sought by the Department later this year in respect of 2006. Further advancement of the proposals in the report is a matter for the authorities concerned.

Waste Management.

516. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will introduce a simplified licensing system for

the movement of builders rubble in cases in which it is being distributed to a number of landowners as filling for yards, entrances and so on; and if he will make a statement on the matter. [13409/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has developed draft revised and updated waste permitting regulations. These draft regulations address a number of issues, including the permitting of inert soil and construction type wastes which are being used for the purposes of land reclamation and other similar activities. I intend to publish these draft regulations shortly for public consultation.