



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 22 November 2005.

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DÁIL ÉIREANN

*Dé Máirt, 22 Samhain 2005.
Tuesday, 22 November 2005.*

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

*Paidir.
Prayer.*

Ceisteanna — Questions.

Departmental Staff.

1. **Caoimhghín Ó Caoláin** asked the Taoiseach the facilities or supports available to staff within his Department to meet their child care needs; and if he will make a statement on the matter. [26485/05]

2. **Mr. Sargent** asked the Taoiseach the facilities or provisions available within his Department for the child care needs of his Department's staff; and if he will make a statement on the matter. [30212/05]

3. **Mr. J. Higgins** asked the Taoiseach the facilities made available within his Department to cater for the child care needs of departmental staff. [32460/05]

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

Members of staff within my Department are supported as far as it is practicable to meet their child care needs. Staff members are offered a wide variety of family friendly arrangements taking in to account the organisational needs of the Department.

Caoimhghín Ó Caoláin: I do not know if one should express surprise or thank the Taoiseach for the brevity of his reply. Does he agree the child care supports offered to some civil servants are fair compared with those offered to other workers, especially those in the private sector and lower paid workers generally? Is the Taoiseach aware that one of the real difficulties is that entitlements, to which he alluded briefly, exist not as statutory rights but as the result of long, hard negotiations and agreement? For many people the option of parental leave is not a real option because it is not provided for in law. Surveys have indicated that a mere 20% of workers who could exercise the right to take parental leave—

An Ceann Comhairle: The Deputy is outside the scope of the question which relates specifically to the Taoiseach's Department.

Caoimhghín Ó Caoláin: I know that but in the context of his Department, is the Taoiseach aware that 20% of workers—

An Ceann Comhairle: It does not arise on this question. The Chair has ruled on this matter and the Deputy must confine himself to the question before the House.

Caoimhghín Ó Caoláin: If the Ceann Comhairle will allow me to finish the sentence, it will become apparent—

An Ceann Comhairle: The Deputy has been granted a fair amount of latitude.

Caoimhghín Ó Caoláin: I never get latitude. I never seek it and if I were ever granted any, I would be gobsmacked. Only one in five workers can avail—

An Ceann Comhairle: It does not arise on this question.

Caoimhghín Ó Caoláin: If I am allowed, I ask the Taoiseach if the same figures apply in his Department. If there are reflective statistics for his Department of the figures I have outlined for the State experience, does he agree a right in law to parental leave is required?

An Ceann Comhairle: That does not arise out of this question. If the Deputy read his question, he would see that. I ask him to confine himself to the question before the House.

Mr. Rabbitte: This is a good Second Stage speech.

Caoimhghín Ó Caoláin: I view child care as other than crèche facilities that have been mooted for this institution for a long time. Child care is a much more comprehensive issue than the mere provision of a room and guardianship.

An Ceann Comhairle: The Deputy is correct and that is why he should submit a question to the appropriate Minister.

Caoimhghín Ó Caoláin: I am trying to establish, if the Chair would allow a Member of this House to do so, whether the Taoiseach agrees, from his experience in his Department, that we need statutory provisions and not just the options exercised out of long negotiations and agreement.

An Ceann Comhairle: The Chair will implement the Standing Orders and there will be no special treatment for Deputy Ó Caoláin. I ask him to resume his seat and allow the Taoiseach to respond to the question.

Caoimhghín Ó Caoláin: Will the Taoiseach reply to my valid questions, which are exactly to what Question No. 1 refers?

An Ceann Comhairle: The Taoiseach will reply with regard to his own Department. I ask Deputy Ó Caoláin to resume his seat.

The Taoiseach: Legislation governs maternity leave and it is continually under review. Over the past six social partnership programmes there have been improvements and changes. In my Department a number of initiatives are in place to support the needs of a diverse workforce, including work sharing options, flexitime, career breaks, paternity leave, term leave, special leave for domestic circumstances, adoptive leave and maternity leave. The last exists as a right and by regulation but leave is often taken for other purposes.

Caoimhghín Ó Caoláin: Does the Taoiseach agree that leave to which workers are legally entitled would be the answer?

An Ceann Comhairle: I ask Deputy Ó Caoláin to allow the Taoiseach to reply.

The Taoiseach: Some of the issues raised by the Deputy already exist in legislation. The child care measures in my Department include term leave, for example, which quite a substantial number of people take. It allows them to take either eight, ten or 13 weeks' unpaid leave from June until the end of August to match their working arrangements with their children's summer holidays. A range of options are available across Departments and they assist and greatly help parents.

In the overall child care area, the Deputy knows that facilities are in place for people both within and outside the public service. I do not want to answer for the private sector because that is not my Department but a range of initiatives are available for people to use.

Mr. Sargent: With regard to child care and the Taoiseach's Department, have his staff indicated any interest in or must they apply for the use of crèche facilities that are coming on stream in Kildare House? Is that a facility that will be available to the Taoiseach's Department and what is the expected completion date?

Are details available of staff in flexitime, part-time or work sharing arrangements in the interests of child care? Will the Taoiseach provide the House with those figures now or obtain that information? It would be interesting to compare his Department with other areas of the Civil Service.

The Taoiseach mentioned, in reply to Deputy Ó Caoláin, that leave of eight, ten or 13 weeks is allowed to tie in with school holidays. Is there any other leave facility staff can take which might appear to be a career break but is in effect parental leave? For example, is taking a year off for

child rearing among the child care facilities available within his Department?

An Ceann Comhairle: I remind the Deputy that his question should only apply to the Taoiseach's Department.

Mr. Sargent: Absolutely. I am strictly confining my question to the Taoiseach's Department.

An Ceann Comhairle: Deputy Sargent should note that the first part of his question relates to facilities in the House and is a matter for the Houses of the Oireachtas which has responsibility for the crèche.

Mr. Sargent: I asked about the crèche as it might apply to the Taoiseach's Department.

Mr. J. Higgins: A crèche for the backbenchers.

The Taoiseach: The facility will only be available to staff in the Houses. There are some crèches in the public service, in Revenue and some other Departments, that are open to staff and there is a number of private crèches that people can use.

A total of 35 staff across all grades in my Department, up to and including principal officer, avail of work sharing. That is quite a high number out of a total of not much more than 200 people. That obviously helps staff with young children. The type of work sharing options available to staff include four-day weeks, three-and-a-half-day weeks, three-day weeks, two-and-a-half-day weeks, two-day weeks, split weeks, mornings-only, evenings-only, week-on and week-off, and so forth. The system is extremely helpful and flexible for staff. The split week is by far the most popular option with staff. The other options are only availed of by one or two individuals, but the split week is very popular. The next most popular option is the four-day week. Those two options cover the majority of the work sharing arrangements.

As Deputy Sargent has said, the term time option is very helpful for people with small, schoolgoing children in the four to seven or five to eight age groups. It allows people to take leave for at least a sizeable part of the summer break, which works fairly well, without totally disrupting the Department. It works for people who are in an EU section or a section that is not as busy in July and August as it is during the rest of the year. It is helpful and useful to people.

Mr. J. Higgins: I note the range of options that members of staff in the Taoiseach's Department may exercise, but what is the policy? Is there a structured policy for all workers in his Department? Do they know what it is and is it the same for every employee irrespective of rank? What does it consist of in concrete terms? The reply did not give any details?

The Taoiseach: Is the Deputy asking about a policy for child care?

Mr. J. Higgins: Yes. If a parent is taken on by the Department what is he or she told by the head of personnel is available in terms of child care facilities? I do not refer to work sharing.

The Taoiseach: There is no crèche in my Department and there are no arrangements for people to bring children. I have given details of how we try to accommodate staff but there is no facility for staff to arrive at work with their children and ask the secretary to look after them.

Mr. J. Higgins: The Taoiseach might second the Minister for Defence as he enjoys playing with toys.

Mr. F. McGrath: Or the Minister of State at the Department of Transport, Deputy Callely.

Northern Ireland Issues.

4. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on his meeting with the British Prime Minister, Mr. Tony Blair in London on 11 October 2005; and if he will make a statement on the matter. [28596/05]

5. **Mr. Kenny** asked the Taoiseach if he will report on his meeting in London on 11 October 2005 with the British Prime Minister, Mr. Tony Blair; and if he will make a statement on the matter. [28674/05]

6. **Mr. Kenny** asked the Taoiseach if he will report on his recent contacts and meetings with the Northern Ireland political parties; and if he will make a statement on the matter. [28675/05]

7. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his meeting with representatives of the SDLP on 6 October 2005. [28733/05]

8. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his meeting with representatives of the Alliance Party on 13 October 2005. [28734/05]

9. **Mr. Rabbitte** asked the Taoiseach the matters discussed and conclusions reached at his meeting with the British Prime Minister, Mr. Tony Blair on 11 October 2005; and if he will make a statement on the matter. [28735/05]

10. **Mr. J. Higgins** asked the Taoiseach the matters and conclusions reached at his recent meeting with the British Prime Minister, Mr. Tony Blair. [29000/05]

11. **Caoimhghín Ó Caoláin** asked the Taoiseach if he has received the latest report of the Inde-

pendent Monitoring Commission; and if he will make a statement on the matter. [30008/05]

12. **Mr. Kenny** asked the Taoiseach if he will report on his recent meeting in Dublin with the leadership of the Alliance Party; and if he will make a statement on the matter. [30012/05]

13. **Mr. Sargent** asked the Taoiseach if he will report on his 11 October 2005 meeting with the British Prime Minister, Mr. Tony Blair; and if he will make a statement on the matter. [30213/05]

14. **Mr. Sargent** asked the Taoiseach if he will report on recent contacts or meetings with the Northern Ireland political parties; and if he will make a statement on the matter. [30214/05]

15. **Mr. Sargent** asked the Taoiseach his views on the International Monitoring Commission's latest report. [30215/05]

16. **Mr. F. McGrath** asked the Taoiseach if he will give an update on the peace process. [30218/05]

17. **Mr. Kenny** asked the Taoiseach if the arrangements for his forthcoming visit to Belfast have been finalised; and if he will make a statement on the matter. [31339/05]

18. **Mr. F. McGrath** asked the Taoiseach the position regarding the peace talks in Northern Ireland; and if he will make a statement on the matter. [31340/05]

19. **Mr. Rabbitte** asked the Taoiseach his views on the recent report of the International Monitoring Commission; and if he will make a statement on the matter. [31493/05]

20. **Caoimhghín Ó Caoláin** asked the Taoiseach his initiative to invite MPs from Northern Ireland to address a committee of the whole Dáil, at least every six months and commencing in early 2006; and if he will make a statement on the matter. [32452/05]

21. **Mr. F. McGrath** asked the Taoiseach the position regarding recent talks with Unionist representatives. [32453/05]

22. **Mr. F. McGrath** asked the Taoiseach the reason there is no real movement on talks in Northern Ireland. [32454/05]

23. **Mr. F. McGrath** asked the Taoiseach if he will reconsider bringing back an independent arbitrator to resolve the deadlock in Northern Ireland. [32455/05]

24. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent meeting with the Progressive Unionist Party. [32465/05]

25. **Mr. Rabbitte** asked the Taoiseach the response he has received from party leaders in Dáil Éireann to his letter of 26 October 2005 in regard to the Seventh Report of the All-Party Committee on the Constitution and a possible role for MPs from Northern Ireland in the work of the Oireachtas; and if he will make a statement on the matter. [32737/05]

26. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on his visit to Northern Ireland on 3 November 2005. [33157/05]

27. **Mr. Sargent** asked the Taoiseach if he will report on his recent official visit to Belfast; and if he will make a statement on the matter. [34047/05]

28. **Mr. Sargent** asked the Taoiseach his views on developments, including his letter of 26 October 2005 to party leaders in Dáil Éireann, regarding the possible role for MPs from Northern Ireland in the work of the Houses of the Oireachtas. [34048/05]

29. **Mr. Sargent** asked the Taoiseach if he will report on his recent meeting with the Progressive Unionist Party. [34049/05]

30. **Mr. Rabbitte** asked the Taoiseach the matters discussed and conclusions reached at his meeting with representatives of the Democratic Unionist Party on 18 November 2005; and if he will make a statement on the matter. [35421/05]

The Taoiseach: I propose to take Questions Nos. 4 to 30, inclusive, together.

I met Prime Minister Blair in London on 11 October. The meeting offered an early opportunity to review political developments particularly in the aftermath of the decommissioning of their weapons by the IRA at the end of September. Both Governments remain determined to maintain positive momentum in the process and to bring about the restoration of the devolved institutions at the earliest possible date.

The Governments received the latest report of the Independent Monitoring Commission on 14 October and it was published on 19 October. The report focused primarily on the period March to August 2005. Five months of that six month period were prior to the IRA statement but I welcome the IMC's conclusion that the initial signs following the IRA statement are encouraging.

The IMC's initial findings, taken together with the IRA statement of 28 July and the subsequent act of final decommissioning on 26 September, clearly offer the potential for a huge transformation in the situation in Northern Ireland and a return to partnership politics and devolved government. The IMC's next report is due in January 2006. We hope this will continue to show that all IRA activities have ceased.

I continue to maintain contact with all the political parties in Northern Ireland. I met Mark Durkan and other SDLP representatives on 6 October, David Forde and other Alliance Party representatives on 13 October, David Ervine and other PUP representatives on 26 October and Sir Reg Empey and other UUP representatives on 9 November. The meetings focused on recent political developments, including the prospects for restoration of devolved government.

I met Dr. Ian Paisley and a delegation from the DUP on 18 November. We had a comprehensive exchange of views on current issues in the peace process and on how we could make progress in the coming months. We also discussed areas of common ground and ways we could work together in the future. I attach considerable importance to ensuring an open and frank relationship with the DUP. I believe the relationship between the DUP and the Government has developed positively over the past two years.

Contacts of this nature between the Governments and the political parties, including recently those involving the Minister for Foreign Affairs and the Northern Ireland Secretary of State, a second round of which will take place this week, are the best means to make progress in the process.

The question of further outside mediation does not arise. The issues are clear and it is a matter for everyone to now play their part in bringing all of them to an early, lasting and stable conclusion.

On the issue of Oireachtas participation for Northern Ireland MPs, Deputies will be aware that the Oireachtas All-Party Committee on the Constitution felt that it could be particularly valuable from time to time to have the expertise and experience of Northern Ireland MPs in Dáil deliberations with regard to Northern Ireland and the Good Friday Agreement. I have always been clear in my support for this proposal and my wish to see it carried forward. I wrote to all Dáil party leaders on this matter on 26 October and I will reflect on their replies and how best this issue can be advanced. Ultimately the question is a matter for this House and that is why I have written to party leaders seeking their views.

I have advised the House on several occasions that the Government would, in the appropriate circumstances, address the so-called on-the-runs issue. The Governments' intentions regarding OTRs were referred to as far back as Weston Park in July 2001. For a number of reasons, it was not possible to advance this issue in the intervening period but both Governments have now published their proposals on the matter and the approach envisaged in our respective jurisdictions. The number of persons likely to avail of the scheme in our jurisdiction is small. The scheme will not apply to persons in relation to offences connected with the killing of Detective Garda Jerry McCabe and the wounding of Garda Ben O'Sullivan.

I visited Belfast on Thursday, 3 November, where my engagements included a visit to the Somme Heritage Centre in Newtownards, a visit to the Christian Brothers Club on the Antrim Road, a meeting with New Lodge community representatives, a visit to the 174 Trust in north Belfast and a visit to a Cross Community Peace Project at Poleglass in west Belfast. I also addressed at lunch a meeting of the members of the Institute of Directors in Northern Ireland. My address focused on two main themes. I spoke about the real potential for the island economy and for North-South co-operation in a wide range of areas, to the mutual benefit of both parts of this island. I also made clear that the constitutional issue was settled by people when they voted for the Good Friday Agreement and that the onus is now on all concerned to work towards the implementation of the Agreement in all its dimensions. That is our objective, one that is fully reflected in the recent motion which this House adopted.

Caoimhghín Ó Caoláin: Is the Taoiseach aware that over the past fortnight 50 nationalists were visited by the PSNI and advised that their names and personal details are on files now in the hands of unionist paramilitaries? Is he aware that this follows the removal of a dossier 16 months ago from a section of the PSNI complex in Castlereagh which contained the names and personal details of 400 nationalists? Is he aware that the Sinn Féin President, Mr. Gerry Adams, was one of those visited and advised that his life is in danger? Is he aware that, despite the denials by the PSNI at the time and since, 28 members of the Royal Irish Regiment were removed from their duties in Castlereagh and redeployed to other duties as a result of the documents being taken?

Did the Taoiseach raise any of these matters with the British Prime Minister at the meeting of 11 October? If not, and if it was the case that the full information was not available at the time, will he advise the House that he will address this matter with the British Prime Minister when the opportunity next presents itself? Given that the information released referred to 400 citizens, does he believe each of them should be advised immediately of the situation now applying to their personal security? Will he establish if all of these people are domiciled north of the Border or are any of them living in this jurisdiction?

What further action does he propose to take in regard to such outstanding examples of collusion between loyalist paramilitaries and elements within the broad police service within the North of Ireland that still maintains from its days as the RUC? This matter needs to be taken on board. Will the Taoiseach reflect that there was a period of more than 15 months of denial that this information had fallen into the hands of unionist paramilitaries yet, over that same period, the UDA issued statement after statement confirming that

it had the information in its possession? There are real questions to be answered here. What chance has the Taoiseach had to discuss the issue with the British Prime Minister and what further action does he propose to take on the matter?

A Cheann Chomhairle, I would appreciate if you would accord me the opportunity to ask a further question later.

The Taoiseach: I am aware of the reports and the information, although I have not seen the full aspects of it yet. The Minister for Foreign Affairs, Deputy Dermot Ahern, previous Ministers and I continually raise with the British through the Secretariat and the Secretary of State matters of collusion and names being passed to individuals, and we will continue to do that.

The practice of informing people about these issues is correct. When the PSNI believes there is a threat based on security information on personal security issues, people should be made aware of it. It is a fact that much of the information is coming from people in the Unionist and loyalist community who also believe information on them was held as a result of police collusion. The issue no longer comes from just one side, people from the loyalist and Unionist community have raised it in a number of high profile cases and have sought meetings with our officials and the Minister for Foreign Affairs. This demonstrates that it did happen and people now know that it happened. We will continue to highlight and raise the issue with the Secretary of State and the British Prime Minister.

From all that is happening, the PSNI is far more open, helpful, constructive and engaged in these issues and has made a real attempt to eliminate co-operation of this untoward nature that happened in the past. It is to the credit of the PSNI that it did that. We will raise these issues as we did in the past.

Mr. Kenny: The Taoiseach wrote to party leaders on notepaper with the Taoiseach's heading on it about the proposal to allow speaking rights to members of Sinn Féin not elected to this House in a Dáil committee. He did not make it clear that he was writing as the leader of Fianna Fáil as distinct from the Leader of the Government in his capacity as Taoiseach. In view of the response he received from Fine Gael and other parties, including his Government partners, the Progressive Democrats, can I assume that the Taoiseach's proposal has been withdrawn?

I wish to raise the issue of Community Restorative Justice, an organisation funded by the entrepreneur Chuck Feeney. The money allocated to it is running out and claims have been made to the British Government. In the *Mourne Observer* of 28 January 2004, a Sinn Féin public representative stated that this organisation was working well in Downpatrick and that Sinn Féin intended to set up similar initiatives throughout south Down to offer a viable alternative to the

[Mr. Kenny.]

PSNI, which had proved ineffective and unacceptable to many communities. Community Restorative Justice's links to Sinn Féin are clear.

I took careful note of the remarks of Ms Eileen Calder of the Rape Crisis and Sexual Abuse Centre concerning a serious case in Northern Ireland where a woman was raped, then intimidated to the point that it was perfectly clear that she should not attempt to report this and that if she did report it, other things might happen. Other instances of intimidation including threats from the IRA against individuals were brought by representatives of Community Restorative Justice. This is appalling. In another case, Eileen Calder described how a woman who was raped was brought face to face with the rapist in a room, which the victim described as worse than the rape itself.

An Ceann Comhairle: Has the Deputy a question?

Mr. Kenny: Has the Taoiseach discussed this with the British Prime Minister? What is the Government's view on funding for Community Restorative Justice? Does the Taoiseach share the forthright views of Eileen Calder of the Rape Crisis and Sexual Abuse Centre? She stood side by side with Sinn Féin representatives in campaigning on women's, equality and rights issues in Northern Ireland because she felt she had to speak out strongly about this. What are the Taoiseach's and the Government's views on Community Restorative Justice? Is he concerned that a group with clear links to the IRA and the provisional movement is funded as an alternative to the PSNI, which he has described as making real progress?

The Taoiseach: On the first question, I have always made clear, in the context of restored confidence and trust in the peace process, that I would make proposals for Oireachtas participation by all Northern MPs and I made it clear that would include all sides. They complement other proposals, including that for a North-South parliamentary forum. For too long, we have not paid enough attention to Northern Ireland issues, and the need to understand each other and work together is highly commendable. My proposals are in line with the recommendations of an all-party committee report endorsed by the House at the time and again in May 2003, and they are also consistent with the Good Friday Agreement.

I have written to party leaders and I am aware several parties have reservations and queries about the proposals. When an opportunity arises to consider their responses in detail, which I appreciate, we should agree a way to discuss these issues with a view to developing an all-party consensus. In my recent contacts with Northern Ireland parties, I set out the rationale for this pro-

posal and I assured them that I do not intend it to become a divisive issue. I do not want to move to a situation where Oireachtas Members and committees can talk to parliamentarians from everywhere in the world with the exception of Northern Ireland. That would be regrettable and, therefore, we must find an adequate way to address this, which I believe we can.

The second question is about the best way to resolve all the issues relating to restorative justice, community policing, the difficulties of people getting involved in this scheme who might have links to former paramilitaries and undermining what is normally a good idea. Restorative justice and community policing is basically a good system, but it is difficult to operate a system like this without proper policing. The solution to getting on top of this is to get the PSNI accepted and agreed by all parties and functioning as it wants to do. The PSNI is making good progress. A total of 114 of the 175 recommendations in the Patten report have been implemented. The report by Mr. Al Hutchinson, the Policing Oversight Commissioner, in September shows how well the force is doing. However, the best way forward is to properly resolve the policing issue. Whatever grows out of that, as in any other area, can be useful. The use of restorative justice and community policing without normality in or shared policing is open to danger.

We have discussed this issue with the British Government, which is supportive of the concept of such policing on the basis that it helps people and communities to work together. The British Government, like us, has heard about how this system can be wrongly used, but the best way to address it is to deal with the policing issue because until that is resolved, it will be difficult to have a system with which people will be happy.

Mr. Rabbitte: Will the Taoiseach comment on the proposals which are tantamount to an amnesty for the so-called on-the-runs? Does the Taoiseach know how many such individuals are likely to be affected in this jurisdiction and how many will be affected in Northern Ireland or in the UK as a result of the legislation brought in by the British Government?

Will the Taoiseach explain the difference in approach in this jurisdiction compared to that in Britain, where legislation has been published? As I understand it, the Taoiseach is saying there will not be any such legislation in this jurisdiction. Is he satisfied that no legislation will be necessary? Does he agree the reason legislation will not be advanced is that it would be very difficult constitutionally to bring forward legislation which would exclude additional persons wanted in connection with the killing of Detective Garda Jerry McCabe, and that as a result the Taoiseach and Government are going for the option of a presidential pardon? Does the Taoiseach believe that is constitutionally firm? I presume he acknowl-

edges that as a result of the British Government decision, the people involved will be let free on licence only, whereas a presidential pardon in this country would essentially be a once-off, with no going back on it.

Where does the Taoiseach stand on the recommendations of the SDLP? They make clear for example that the so-called on-the-run applicants for an amnesty would have to present at a trial and that there would have to be a decision in terms of their innocence or guilt. Even where no prison sentence would be imposed, they would have to present at a trial. The SDLP recommends that this process should not last longer than six months to a year. They say the process ought to be accompanied by victim impact statements, that the trials ought to be conducted in open court, that releases should be granted only on the basis of licence, and that the entire process would be for offences committed prior to the Good Friday Agreement.

Does the Taoiseach see merit in the SDLP proposals, or is it still his opinion and that of the Government that they can proceed to have people guilty of terrorist offences released on presidential pardon without any legislative basis for such releases?

The Taoiseach: In dealing with matters related to Northern Ireland I have repeatedly told the House that in particular circumstances the issue of the so-called on-the-runs would have to be addressed. It is now four and a half years since we completed the deliberations on that issue in Weston Park, where we first decided it should be resolved. That issue had been an over-hang all the way from May 1998, so three years later in Weston Park we set out what would happen. We published the resulting documents in the joint declaration of 2003, two and a half years ago. There is nothing new in all of this.

The cases we are dealing with involve people wanted in connection with offences committed prior to the Good Friday Agreement in April 1998 who, if they had been serving sentences at the time of the Agreement, would have been released early under the terms of the Agreement, and the principle is the same. Last week the UK published its legislation. In this regard the Minister for Justice, Equality and Law Reform, Deputy McDowell, set out the approach we would take in this jurisdiction. The UK legislation will deal with the establishment of a tribunal to deal with these cases. In our case we will establish an eligibility body and advise the President to use her powers under Article 13.6 of the Constitution. There are different approaches that reflect our different legal and constitutional frameworks. Essentially, the net effect will be same. While the approaches reflect our different legal and constitutional frameworks the same category of people will not face imprisonment. We are satisfied that the pre-trial pardon can be granted in such cases. In fact, there would be great difficulties under our

Constitution were we to adopt any other approach to dealing with this issue. The power of pardon cannot be delegated under the Constitution. It is vested solely in the President to be exercised on the advice of the Government.

I am advised that even if that were not the position the provisions of the Constitution dealing with the trial of offences would stand in the way of setting up the type of tribunal for which the UK has opted. I accept that some people, as a matter of principle, are opposed to addressing the issue of on-the-runs but if it is accepted it has to be dealt with. In that case what we have proposed is the most practical way of dealing with what the security forces here understand is a very small number of cases that are likely to arise. I do not know the number in the UK and I am not sure if the UK knows the number.

Mr. Rabbitte: Would there be half a dozen cases here?

The Taoiseach: Yes, I think that is the number we are talking about. It if arises, we are talking about very low numbers. Some of these may have left about 30 years ago and have resettled in various parts of the world. How many of these will reappear? The scheme does not cover the killers of Detective Garda Jerry McCabe. There are a few of those but they are not covered by the scheme, they are excluded, the same as the prison release.

Last week the Minister for Justice, Equality and Law Reform, Deputy McDowell, gave details of how he proposes to operate the scheme in this jurisdiction. It may be worth repeating that here. An eligibility body will be established to deal with these cases. Qualifying persons will generally cover persons who, before 10 April 1998, committed offences in connection with the situation in Northern Ireland, once these persons are not affiliated to or support organisations which do not maintain a complete unequivocal ceasefire. Obviously people who had been involved with the splinter groups would not be eligible. The eligibility body will determine whether a person is a qualifying person and shall notify the Minister who in turn will submit cases to Government with a view to recommending that the President use her powers under Article 16.

It is intended that the scheme in this jurisdiction will operate in tandem with the operation of the provisions in the UK which has to await the enactment of legislation. That will take some months. I understand Prime Minister Blair made some announcement about this today. It will take some time before the scheme comes into operation. It will be a matter for the eligibility body to determine whether a person is eligible under the scheme. The criteria for eligibility mirrors the criteria that applied in determining whether persons were to be released early under the terms of the Good Friday Agreement, that the offence was committed in connection with the situation in

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Northern Ireland and that the person in question is not affiliated to and does not support organisations which do not maintain a complete and unequivocal ceasefire.

Whatever about people being eligible in theory to apply under the scheme, in practice there is no reason to believe that people who were involved in some of the outrages are likely to come forward to avail of the scheme. On the other hand, it would obviously be invidious even if the issue was never likely to arise. The scheme applies only to members of the Provisional IRA. I emphasise that the operation of the scheme will not affect the search to find the truth in regard to some of the outrages that happened over the years, such as the Dublin-Monaghan bombing, the Omagh bombing and others. I think that answers the Deputy's question.

An Ceann Comhairle: I must call time now. I will not be able to call three Deputies who submitted questions. We have run out of time for questions to the Taoiseach.

Mr. J. Higgins: The Ceann Comhairle will allow one brief question at least.

An Ceann Comhairle: It is 3.15 p.m. and I am obliged to move on to priority questions to the Tánaiste and Minister for Health and Children. When the Chair groups a large number of questions, I suggest that Deputies should confine themselves to questions before the House. We lost time—

Mr. Sargent: Is the Ceann Comhairle including the Taoiseach in his remarks?

An Ceann Comhairle: The Chair is moving on to questions to the Tánaiste and Minister for Health and Children.

Mr. J. Higgins: We were five minutes late in starting. This is very unfair. I have more important things to do.

Priority Questions.

Proposed Legislation.

78. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if legislation will be introduced to protect whistle-blowers in the health services; and if she will make a statement on the matter. [35723/05]

Tánaiste and Minister for Health and Children (Ms Harney): Statutory provisions exist in respect of governance in the health services which deal, *inter alia*, with the issue of confidential information. Section 35 of the Health Act 2004 obliges the Health Service Executive to draw up a code

of governance which will include guiding principles applicable to the executive as a public body. Earlier this year my Department issued a framework document for corporate and financial governance for the HSE and requested the executive to draw up a code of governance in line with the framework. Under the section dealing with codes of conduct and quality customer services, the framework document specifically highlights that the Government approved in 2001 a code for the governance of State bodies under which such bodies need to set out objectives for maintaining proper standards of integrity and disclosure of confidential information. Under the 2004 Act, the HSE is obliged in its annual report to indicate its arrangements for implementing and maintaining adherence to the code. The executive is working on drafting its code and I understand that it intends to submit it to me for approval in the near future.

In addition, professionals within the health services are governed by their own codes of conduct. The Medical Council has a guide to ethical conduct and behaviour which deals with matters of confidentiality and consent including circumstances where there are exceptions to the rules on confidentiality and where doctors should report on the behaviour or competence of other doctors. An Bord Altranais has a code of professional conduct for nurses and midwives which provides that any circumstances which could place patients or clients in jeopardy or militate against safe standards of practice should be made known to the appropriate persons or authorities. Under the Health and Social Care Professionals Bill provision is being made for the registration boards for each of the professions to give guidance concerning ethical conduct and support to those registered with the boards concerning the practice of their profession. These codes of conduct and ethics will be enforceable by the health and social care professionals council.

In addition section 25 of the Health Act 2004 provides that members of the board of the Health Service Executive, members of any committees of the board, employees of the executive or any person engaged by the executive as an adviser shall maintain proper standards of integrity, conduct and concern for the public interest. To ensure the implementation of such standards, the executive is obliged to draw up a code of conduct for employees not covered by standards applied by the Ethics in Public Office Act 2001 and advisers and their employees. The code must indicate the standards of integrity and conduct to be maintained by them in performing their functions. Such a code should more than adequately cover the rights and obligations of employees, advisers, consultants etc.

Given the range of provisions which I have just outlined governing the issue of confidential information, it is not my intention to introduce such legislation such as that referred to by the Deputy. However, I will review this position when I have

seen the formal code of governance and code of conduct which will be adopted by the HSE shortly.

Dr. Twomey: Would the Tánaiste not admit that codes of conduct and the guidelines she has outlined have failed patients? Let us consider two major ongoing events. The consultant medical oncologist in Cork University Hospital, Dr. Seamus O'Reilly, wrote to the Tánaiste outlining his serious concerns about the treatment of cancer patients at that hospital. Does she agree that if he had published that letter in the local newspaper, he would have been brought before the hospital's management and reprimanded for discussing such issues in a public forum? Under the codes of practice mentioned by the Tánaiste, he would not have been protected from highlighting concerns about the care of patients for which he is responsible.

In two weeks the report into the activities of Dr. Neary will be published. We will need legislation to protect patients from what was carried out by Dr. Neary in Our Lady of Lourdes Hospital in Drogheda. The same codes of conduct mentioned by the Tánaiste and the same guidelines issued by the Medical Council were in place when many of these events occurred. The people who want to protect patients in the system need the protection of the Oireachtas through legislation. Does the Tánaiste agree people trying to protect patients should have that protection? Codes of conduct have failed and anything else proposed by the Tánaiste will not give the type of people about whom we are talking, whistle-blowers, the protection whistleblower legislation or any legislation properly passed through the Oireachtas would give them.

Ms Harney: I have been in the House many years, but I have never known of a case where medical staff, whether doctors or other professionals, were shy about voicing their concerns in any forum. Mr. O'Reilly, the man to whom Deputy Twomey referred, worked in Waterford and then moved to Cork. His post was advertised, but I did not get anybody suitable for it and a locum was appointed in the meantime. I do not believe legislation has prevented him or anybody else from voicing their concerns, including in a public forum.

We must distinguish between those that may, from time to time, express concerns on behalf of patients and those that may have their own perspective on matters. I have not yet received the Neary report, but from what I know of the situation issues will arise with regard to clinical governance. The reality is that nobody at clinical governance level has statutory backing to take action. That is a very different issue. Neither the professional ethics of the Medical Council nor others give protection in this situation. Neither does the board of the hospital give protection. Every hospital has a chairman of its medical

board or council, but that person does not have adequate protection in law. I think legislative issues will arise in that regard. Also, contract issues will arise with regard to time that can be assigned on a full-time basis to these important issues.

It is only somebody at the Deputy's peer level who could intervene in the interests of patients. It is not reasonable to expect people who are not medical personnel to be able to take action when they feel something is inappropriate in a hospital. The Neary report will, I hope, provide a basis for legislation in this area.

Illegal Drug Dealing in Hospitals.

79. **Ms McManus** asked the Tánaiste and Minister for Health and Children the extent of the problem of drug dealing in hospitals; the name of the hospitals affected; the measures being taken to deal with same; the co-operation being sought from the Garda; the treatment programmes being provided to deal this problem; and if she will make a statement on the matter. [35536/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I am advised by the Health Services Executive that, unfortunately, all hospitals in large urban areas, like most public buildings, face potential risks of drug dealing on their premises. Hospitals work closely with gardaí to minimise such activity and there are protocols in place to alert the Garda where concerns arise.

I understand the Deputy's question relates to media reports about widespread drug dealing within St. James's Hospital. St. James's Hospital refutes allegations of systematic drug dealing within the hospital. In the past, the hospital sought the advice of the Garda Síochána when a problem was identified, and having taken its advice on board, crime prevention measures have been implemented. The hospital is active in utilising CCTV and ultra violet lighting along with other recognised security measures in combating any form of drug abuse. Liaison is maintained between the hospital and the Garda on a 24-hour basis.

My colleague, the Minister for Justice, Equality and Law Reform has advised me that a Garda inspector from Kilmainham Garda Station acts as a designated liaison officer to St. James's Hospital and that regular meetings are held between gardaí and the hospital authorities. This ongoing liaison is part of the implementation of the crime prevention initiative, Hospital Watch, which is due to be officially launched in St. James's Hospital in December. Hospital Watch schemes are already in place in Tallaght, Blanchardstown, Beaumont and the Mater hospitals to ensure that hospitals and their surroundings are safe places for patients and visitors.

Garda authorities further advise that while a number of complaints have been received of low level drug dealing taking place in the grounds of

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St. James's Hospital and in the vicinity of the adjacent Luas station, local gardaí are unaware of reports of open drug dealing within the wards, waiting areas or in the hospital corridors.

All reports of crime related activity in the area are vigorously investigated and dealt with in the appropriate manner.

Additional material not given on the floor of the House.

As the Deputy is aware the delivery of drug treatment programmes is the responsibility of the Health Services Executive. I am informed by it that the range and availability of treatment services has expanded considerably in recent years.

Services provided directly by the health boards include outreach services, education services, treatment services which include assessment, stabilisation, harm reduction measures, care planning, methadone maintenance, and counselling and detoxification within specialist clinics, residential settings and community settings. In addition, services are provided by a range of voluntary and community sector organisations which are funded and co-ordinated by the HSE. The cumulative increase in additional annual funding provided to the HSE to address the problem of drug misuse since 1997 amounts to approximately €57 million.

There are currently 66 drug treatment locations in the HSE areas compared with 12 in 1996. General practitioners and pharmacists also provide treatment services. At the end of September 2005 there were 7,619 people receiving methadone treatment compared with 1,861 at the end of December 1996.

Ms McManus: Many people were shocked by what they read in the newspapers about this problem. Is the Minister of State aware that illegal drug dealing in hospitals creates a serious risk, not just to patients, but to the staff of the hospital? It is his responsibility to find out the extent of the problem. It would be useful to know, for example, how many arrests have been made for illegal drug dealing in our hospitals. I asked him about the extent of the problem, but he was not able to advise me on that. Would the Minister of State agree that this shows a level of ignorance not commensurate with the problem of which we are now aware, which is clearly not being dealt with adequately?

The report of a particular accident and emergency staff member of St. James's Hospital stated that drugs changing hands in the hospital included cocaine, heroin, amphetamines and hash and that whatever anyone wanted was available in the hospital. We need to know how many arrests have been made in St. James's Hospital as a result of investigations of illegal drug dealing. Why is it that when we checked today there did not appear to be any additional security measures

in place? Are there undercover gardaí in our hospitals assessing the problem or will we have the ongoing problem we have in our prisons now in our hospitals, but at much greater risk to the public? What measures does the Minister for Health and Children intend to introduce to deal with this new risk in our hospitals? We already have MRSA and hospital acquired infections. Is the Government to accept that illegal criminal activity in our hospitals will now be part and parcel of our experience of the health service?

Mr. S. Power: Hospitals are no different to other public buildings in that there is always the potential for drug dealing on the premises or in the surrounding area. In this instance a report appeared in the newspaper and St. James's Hospital refuting the allegations of systematic drug dealing within the hospital. The Deputy has said that information came from a staff member. If any staff member has that information, he or she should make it available to gardaí as soon as possible. The hospital authorities have been working closely with gardaí and I mentioned the liaison between them and Kilmainham Garda station.

Illegal drug dealing is the last activity we want to see associated with hospitals. We do not want to facilitate that. Every effort will be made to stamp out any illegal drug dealing taking place. We have a number of security measures in place. We would like to get the co-operation of any staff members with particular information and any helpful information they have should be passed on to gardaí.

Hospital Accommodation.

80. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the number of the 3,000 promised beds which have been delivered; the time line for the delivery of beds; and if she will make a statement on the matter. [35664/05]

Ms Harney: The agreed programme for Government includes a commitment to expand public hospital beds in line with the health strategy commitment to increase total acute hospital bed capacity by 3,000 by 2011.

Substantial investment in additional bed capacity in acute hospitals has already taken place. In 2001, the average number of beds available for treatment of patients in public acute hospitals was 12,144. In August last, this number had risen to 13,244, an increase of 1,100. Some 2,500 acute beds in private hospitals must be added to these figures to give us the full extent of acute hospital capacity in the country, that is, nearly 16,000 beds. Part of this new capacity has been achieved by funding entirely new beds. Funding has been provided for 900, some 806 of which are in place. The remaining 94 will come on stream shortly.

A further 450 acute beds are in various stages of planning and development under the capital

investment programme. The recently published Estimates include €60 million to open new acute hospital facilities some of which will provide additional bed capacity. Suggestions that all these should be inpatient beds involving an overnight stay by patients are out of touch with modern practice in hospitals around the world. In the interests of patients and of efficiency many surgical and other procedures are now done on a day basis. In July of this year, I announced an initiative that will provide up to 1,000 additional beds for public patients in public hospitals over the next five years. The HSE has been asked to develop an implementation plan and to prioritise proposals in this area. Public bed numbers are increasing substantially as a result of direct provision and the initiative I have mentioned. It is important to reform the manner in which hospital bed capacity is used. We are doing that in tandem with developments in the primary and community care sectors. Acute care, primary care and community care cannot be viewed in isolation because each impacts on the other. I am determined to ensure the pace of spending increases in the health service matches the pace of reform, in order to achieve a better service for patients.

Mr. Gormley: I thank the Tánaiste for her reply. Does she agree that we face a crisis, given that 80 operations are being cancelled every day, many of them because of bed shortages, and especially as Dr. Séamus O'Reilly has stated in a letter that cancer patients are being left in pain at home because they cannot access beds? Given that the population is increasing — some 120,000 Polish people are living here — does she accept that we need to revise upwards this country's bed capacity, so it is more than 3,000? The root of the problem is that the population has increased by approximately 25% since the 1980s, but the number of beds in our hospitals has decreased by approximately 25% in that time. The Tánaiste seemed to indicate to the House that she agrees with the assessment of Professor Drumm that the number of beds in our acute hospitals is sufficient. Does that continue to be her position, despite all the evidence suggesting that the opposite is the case? Will the 94 beds which were mentioned by the Tánaiste in her reply be delivered before Christmas?

Ms Harney: I remind the Deputy that the agreement to provide 3,000 additional public beds was reached separately to any analysis of bed capacity in the private sector. The Deputy is aware that 53% of the population has private health insurance. When we consider the issue of acute bed capacity, we need to examine this country's total bed capacity and ensure that we use all the facilities available to us as effectively and efficiently as possible. The mapping exercise that the National Hospitals Office has completed in respect of ten hospitals is being carried out with a view to ascertaining the efficiency and effective-

ness of current hospital practices. It is the case throughout the world that more and more hospital activity is being done on a day case basis. The reality is that Ireland has more hospital beds *pro rata* than the UK. While 17% of the population of the UK is over the age of 65, just 11% of our population is over that age. We are putting more emphasis on community-based services, particularly for the elderly, which is necessary. On a certain date a couple of weeks ago — I do not have the figures for today or yesterday — up to 400 people who did not need to be in hospital were in hospitals in Dublin. They were medically fit to be discharged, but we were not in a position to put alternative arrangements in place for them. I am determined to resolve this problem over the next number of months. Such people comprise the capacity of a whole hospital, in effect. When we speak about bed numbers, we need to consider the appropriate use of existing beds. In particular, we need to put a greater emphasis on resourcing community-based and home-based services for elderly patients. The Government intends to provide such resources later this year with a view to putting such services in place next year.

Obesity Related Diseases.

81. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children her views regarding the incidence of metabolic syndrome here; and if she will make a statement on the matter. [35724/05]

Mr. S. Power: The Deputy is aware that the description of metabolic syndrome is of fairly recent origin, having first been described by Dr. Gerald Reaven in 1988. The syndrome has a set of risk factors, which include abdominal obesity; a decreased ability to process glucose, or insulin resistance; dyslipidemia, or unhealthy lipid levels; and hypertension. In a recent joint statement, the American Diabetes Association and the European Association for the Study of Diabetes questioned the diagnosis of metabolic syndrome. An editorial in this week's *British Medical Journal* noted that the debate on the existence of the syndrome will continue. The concept of metabolic syndrome provides a useful practical way for clinicians to identify patients with multiple factors which place them at a high risk of developing type 2 diabetes and cardiovascular disease. The concept also provides a rational basis for linking the actions in public health programmes like the cardiovascular strategy with the recommendations of the task force on obesity.

International literature has estimated that the prevalence of metabolic syndrome in the adult population of developed countries is between 22% and 39%, depending on the definition used and on ethnicity. There is not much information on the incidence of the syndrome. As there is no specific ICD code for metabolic syndrome in the

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ninth revision — clinical modification — of the international classification of diseases, it is not possible to state how many cases of metabolic syndrome are routinely identified and treated in Ireland. The prevalence of cardiovascular disease, type 2 diabetes and obesity is well documented, however. Some 39% of adults in Ireland are overweight and 18% are obese. Approximately 5% of the population is diabetic and over 40% of all deaths result from cardiovascular disease. It is well known that risk factors for these diseases are significantly inter-related.

Additional information not given on the floor of the House.

Lifestyle modifications are the primary interventions which help to reduce metabolic risk factors and manage short-term and long-term risk. Such lifestyle interventions include weight loss to achieve a desirable weight, defined as having a body mass index of less than 25 kg/m²; increased physical activity with a goal of at least 30 minutes of moderate intensity activity on most days of the week; and healthy food habits which include reduced intake of saturated fat and cholesterol.

The Government established the national task force on obesity in response to this country's obesity trends. The remit of the task force is to set out a strategic framework that identifies best practice for prevention, detection and treatment of overweight and obesity. The report of the task force, which was launched in May, makes 93 recommendations which relate to actions across six broad sectors: high-level government; education; social and community; health; food commodities, production and supply; and the physical environment. The report's main aim is to create a society that enables people to eat healthily and to be physically active. An implementation plan for the report is being developed by the Department of Health and Children's health promotion unit. Additional funding of €3 million has been made available to the HSE in the Book of Estimates to support the implementation of the report's recommendations. I would like to outline some of the key recommendations.

The report of the national obesity task force recommends that every child should be able to achieve a minimum of 30 minutes of dedicated physical activity every day, in all educational settings. As part of their school development planning, all schools should be encouraged to develop consistent policies to promote healthy eating and active living, with the necessary support from the Department of Education and Science. Such policies should address opportunities for physical activity and what is being provided in school meals. The report recommends that the Department of Arts, Sport and Tourism should co-ordinate with the Department of Education and Science the shared use of sports and physical activity facilities by schools and communities.

Community skills-based programmes should be developed to provide skills such as food preparation, household budgeting and those which can promote physical activity. The health services, in their strategic planning and delivery, should advocate and lead a change in emphasis from the primacy of individual responsibility to environments which support healthy food choices and regular physical activity. An education and training programme for health professionals in the appropriate and sensitive management of overweight and obesity should be developed and implemented. Programmes should include training in developing life skills for healthy eating and active living and counselling.

The report of the task force recommends that the Departments of Enterprise, Trade and Employment and Health and Children, together with the private sector and consumer groups, should take multisectoral action on the marketing and advertising of products which contribute to weight gain, particularly those aimed at children. The Department of Agriculture and Food should review policies in partnership with other Departments to promote access to healthy food. Such policies should encompass positive discrimination in the provision of grants and funding to local industry in favour of healthy products. Guidelines for food and nutrition labelling should be reviewed to ensure labelling is accurate, consistent, user-friendly and contains information on portion sizes and nutrient content. The Department of the Environment, Heritage and Local Government should develop coherent planning policies for urban and rural housing, transport, amenity spaces and workplace settings to encourage spontaneous increases in physical activity in adults and children. The task force also recommended that the Irish Financial Services Regulatory Authority should examine the high costs of public liability and their impact on physical activity and should foster initiatives to address such costs.

A new campaign, Every Step Counts — Small Changes Make the Difference, which was developed in 2004 in response to the increase in the levels of overweight and obesity, promoted two main lifestyle areas — healthy eating and regular physical activity. The 2005 campaign, which is due to be launched later this month, will focus on promoting physical activity and the consumption of five portions of fruit and vegetables daily. The health promotion unit of the Department of Health and Children is also developing a national nutrition policy. It is envisaged that the policy will provide strategic direction on nutrition for the next five to ten years. The policy's target group is young people under the age of 18 and its priority actions are obesity and food poverty. A national consultation has taken place and the policy is due to be published early in 2006.

Dr. Twomey: I am glad the Minister of State has accepted that the background conditions

which cause metabolic syndrome are a greater threat to public health than smoking was at the height of its popularity. What does he consider to be the best approach to dealing with the four core elements of the syndrome, which are hypertension, high levels of cholesterol, a body mass index of more than the suggested level and diabetes? Does the Minister of State agree that prevention is better than cure? Does he accept there is a need to implement a screening programme at primary care level as the best way of dealing with this? The cardiovascular strategy that was mentioned by the Minister of State is not relevant in this regard, because most of it focusses on the Heartwatch programme, which is a form of secondary prevention. In other words, one cannot be dealt with under the programme unless one has had a heart attack or something like it. Are there any plans to introduce primary screening in this area? The four main elements of metabolic syndrome — blood pressure, high cholesterol levels, obesity and diabetes — are going out of control, more or less, among the general population. We should introduce screening programmes in such areas, rather than waiting for problems to develop.

Mr. S. Power: I agree that prevention is better than cure. Lifestyle modifications, such as weight loss to achieve a desirable weight, increased physical activity among young and old people and healthy food habits including reduced intake of saturated fat and cholesterol are the primary means of intervening to manage long-term and short-term metabolic risk factors. The report of the task force on obesity, which contained over 90 recommendations, was published earlier this year. The recommendations do not all relate to the work of the Department of Health and Children, as some of them relate to other Departments and agencies. Some €3 million was allocated in the Book of Estimates last week for the implementation of the report's recommendations. The Department will present its plan for the implementation of the recommendations shortly. I am aware of the significance and importance of dealing at an early stage with the problem of obesity, which has been described by the World Health Organisation as an epidemic. The evident increase in obesity in Ireland is another example of an unfortunate problem that has accompanied this country's increased affluence. Hospitals have reported cases of teenagers developing type 2 diabetes, which is normally associated with older people.

Mr. Gormley: They are doing no exercise.

Mr. S. Power: That is what it is.

Mr. Gormley: We need to get them on their bikes.

Mr. S. Power: We are trying to create a society that encourages people to eat healthily and be physically active. The Government intends to take a number of measures to bring that about.

Dr. Twomey: Is it fair to suggest that the Government has given a lukewarm reception to the proposal to introduce a screening programme in this regard? It has given a similarly lukewarm reception to the breast cancer screening programme, which is being rolled out very slowly, and an even more lukewarm reception to the cervical cancer screening programme. Does the Government have any regard at all for the proposal to screen for diseases of this nature within the health care system?

Mr. S. Power: The Deputy expanded on his question to cover a number of areas. From his side of the fence, our reception to the idea of the provision of such screening programmes might appear lukewarm, but we are serious about the policies we are implementing.

Some people have been critical of the Government for not dealing with the issue of obesity in the past, but last week it put its money where its mouth is. A sum of €3 million was provided in the Estimates to roll out our fight against the problem of obesity next year, an issue on which we have been working.

We will examine the provision of the screening programme to which the Deputy referred, if we consider it would be of benefit. I am not sure it would be, and I would not like to comment on it other than to say I will have the Deputy's suggestion examined and report back to him on it.

Hospital Services.

82. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the agreement she has reached with British Health Minister in the Six Counties, Mr. Shaun Woodward, regarding the treatment of cancer patients from this jurisdiction in Belfast; if this access is confined to patients from County Donegal or if it will apply on a wider basis; and if she will make a statement on the matter. [35537/05]

Ms Harney: I am glad of this opportunity to advise the House on the very positive outcome of my meeting last Tuesday with the Minister for Health for Northern Ireland, Mr. Shaun Woodward, MP. We agreed that the new Belfast Cancer Centre, which is to open next March, will treat patients from County Donegal. Details of the arrangements will be finalised in discussions involving the Health Service Executive, Belfast City Hospital and our respective Departments. This will involve assessment of the specific radiotherapy needs of the different cancer patients in County Donegal and the development of clinical treatment protocols, including appropriate transport arrangements, to ensure best patient care.

[Ms Harney.]

Discussions will also be necessary on the funding arrangements involving the hospital and the HSE.

This initiative is a further and practical example of North-South co-operation on health and will be of significant benefit to patients who will be treated at what I consider to be one of the best facilities in Europe. This agreement also progresses the Government's plan on radiotherapy which I announced last July. Both the Minister, Mr. Woodward, and I are committed to developing additional co-operative initiatives for the benefit of our respective health services.

On access for cancer patients in other Border counties, we need to ensure that access by County Donegal patients to the Belfast service is working effectively and is properly grounded in effective clinical referral protocols involving the relevant clinicians both North and South. This is essential before I could realistically consider the question of additional access.

Caoimhghín Ó Caoláin: I take this opportunity to welcome the agreement the Tánaiste reached with the health authorities in Belfast. We need to see much more co-operation and integration of health services where that is feasible. I give the Tánaiste every support in that pursuit in the interests of all the people of Ireland.

However, there are serious questions about the Government's proposed roll-out of radiation oncology services, specifically the focus on Dublin, Cork and Galway with possible public access to a private facility in Waterford. In the context of the agreement, what is the position of the Border counties? I listened carefully to her reply. Is the agreement reached with the Minister, Mr. Shaun Woodward, to apply only to County Donegal? When the Government's plan for radiation oncology centres was rolled out last July, it was indicated at that time that the north west was to be the focus of discussions leading to access to facilities in Belfast, and even possible access to facilities in Derry was mooted. The north west, as I understand it, includes counties Donegal, Sligo and Leitrim. Am I to understand from the Tánaiste's reply that counties Sligo and Leitrim are not covered in the agreement she reached last week?

Patients from counties Cavan and Monaghan are supposed to access radiation oncology services in Beaumont Hospital in Dublin, yet those two counties which I represent are more distant from Dublin than they are from Belfast. That is true of all of County Monaghan and the greater part of County Cavan. Why was the Belfast option not considered for those for whom the shorter distance would be welcome? Equally important, why is there no intention on the part of the Tánaiste and her Department to provide *in situ* radiation oncology services for the rest of this jurisdiction north of a line drawn from Dublin to Galway? Provision of services north of this line has been completely excluded from her plans,

with the exception of this recently reached agreement in respect of services in Belfast.

Is the Tánaiste not aware that people throughout the rest of this island who are not being catered for again feel very much that they are viewed as being of less worth than citizens in other parts of the State? That is the case especially in the north-east region. The Tánaiste spoke of accessing services for people in County Donegal and the possibility of extending access to such services to the whole of the north west. What about access to such services for people in the north east? In terms of ballpark figures for the roll-out of radiation oncology, is the Tánaiste aware that the population in the north east is growing at an enormous rate, as has been shown time and again, more recently with the break-up of the Meath constituency to provide an additional representative seat in this House? What will the Tánaiste do to help address access to health services for people in those counties who, despite being desperately ill and in need of urgent attention, face long distances to access such services?

Ms Harney: I thank the Deputy for his comments. A number of issues are involved. I understand that Belfast will have spare capacity for approximately 100 or so patients a year. Some 500 new cancer cases occur in County Donegal annually and approximately half of those, some 250 people, require radiotherapy. They are the furthest from either Dublin or Galway. Therefore, they were the priority in terms of seeking access for up to 100 of them to appropriate radiotherapy in what will be the best facility on this island next March with eight linear accelerators and a huge complement of staff. In Northern Ireland it was decided to have one single centre. Deputy Ó Caoláin's colleague, the Minister, Bairbre de Brún, was responsible for centralisation to get critical mass and provide a really good facility. The people in the North will have the best facility on this island when the centre there is opened in March.

In time, the centre in St. James's Hospital and our other centres, as they develop, will also be of that standard. I hope the centres in St. James's and Beaumont hospitals will be the larger centres. This provision is about being realistic and pragmatic. When the centre in Beaumont Hospital is completed, it will be much more convenient with the new road network to patients from counties Cavan, Monaghan and Louth.

Access to services for patients in County Donegal was and is the priority. However, I hope this experiment works well and I heard what the Deputy said about introducing more such initiatives. If it were not for partition, political instability and violence, health services on the island would be very different for the northern part of this island. There is no doubt about that. There are many initiatives we want to explore together. This one is a start and I hope that is the case. I

hope we can do more. It may well be that further capacity could be installed in Belfast to facilitate the treatment of other patients, but for the moment access to these services is being provided for patients in County Donegal. We hope shortly to be able to pin down the political agreement that was made with the appropriate protocol in order that the treatment can begin as soon as possible.

An Leas-Cheann Comhairle: That concludes priority questions.

Caoimhghín Ó Caoláin: If I may ask a brief supplementary—

An Leas-Cheann Comhairle: We have extended the time allowed for this question.

Caoimhghín Ó Caoláin: I will ask a brief supplementary, if the Chair will accommodate me.

An Leas-Cheann Comhairle: That is unfair to other Deputies who have questions tabled.

Caoimhghín Ó Caoláin: I only want to ask—

An Leas-Cheann Comhairle: The Deputy must be brief.

Caoimhghín Ó Caoláin: Will the Tánaiste accept that we are not comparing like with like in regard to the Six Counties and any other comparable region within the jurisdiction of the Twenty-six Counties, given the reality of the infrastructure? Will the Tánaiste also—

An Leas-Cheann Comhairle: That completes priority questions. We must proceed to Question No. 83.

Caoimhghín Ó Caoláin: As I cannot pursue any other line of questioning, I wish to say to the Tánaiste that I agree with her that partition has been more than a damned nuisance.

Other Questions.

Care of the Elderly.

83. **Mr. Coveney** asked the Tánaiste and Minister for Health and Children her plans for home care packages for the elderly; and if she will make a statement on the matter. [35376/05]

Mr. S. Power: It is a priority of mine to support people to stay in their homes and communities and move away from the practice of placing people in residential care as a first option. This is the expressed wish of the majority of older people. I would like to see the further development of home care packages for older people.

The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care. Following on the publication of this report, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, including improvements in community care and home care packages, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. This group will report to the Tánaiste and to the Minister, Deputy Brennan, before the end of the year. It is expected that the report of the group will be submitted to Government in the near future.

Dr. Twomey: None of my questions was answered. Put simply, who is entitled to this care, when will the scheme commence, how many people will be able to avail of it and in what areas will it operate? I was told I was wrong when I accused the Tánaiste six months ago of cutting 2 million home help hours from the home care budget. I have still not got a clear answer to how what I said was wrong. It appears that we are robbing Peter to pay Paul in regard to home care plans. It is simply a case of taking home help hours from one group of patients, dressing them up as home care packages and giving them to a new group of patients.

Are patients to be responsible for the home care packages or will they be given to a private service provider who will then be in charge of the provision of home care services for patients? I would be delighted if the Minister of State could tell me where the 2 million home help hours went.

Mr. S. Power: We want to make the practice of placing older people in residential care the last option. All the studies clearly show that people are much happier in their own homes and communities among family and friends. Patients also recover more quickly from illness when they are in that environment.

The home help facility has been a wonderful success and has made a great difference to the quality of life of the people who avail of it. A number of home care pilot schemes have been in place and these have worked exceptionally well. In many cases there is not much difference in the cost of residential care compared with a home care package. It is our intention to improve on the provision of home care. The Tánaiste mentioned that we will increase investment in community based services. The home care packages and home help have worked well. We are getting

[Mr. S. Power.]

extremely good value for money. It is also what the patients want. We will continue to invest in this area.

Dr. Twomey: I am sorry but my questions have not been answered. For instance, what can we tell somebody seeking to avail of the home care package who comes into my constituency clinic or those of the Minister of State, Deputy Seán Power, Deputy Ó Caoláin or Deputy McManus, and who will be responsible for it?

Mr. S. Power: I cannot give Deputy Twomey an answer on the floor of the House but, as I stated, a number of pilot schemes that have been in operation around the country have worked very well. A team is coming together in this regard. I accept this is a general question but I am not medically qualified and the medical situation of a person will have to be taken into account. We are seeking to expand the home care service and the number of packages that are available throughout the country. On who can avail of the scheme, that is very much dependent on the individual needs of patients, if they are high dependency and what exactly are the difficulties. If they can be looked after in their own home it is our intention that we would do that.

Caoimhghín Ó Caoláin: Has attention been given to establishing a team of people who would be available to provide home care services for those who need it? At present, the process is only set in train when a need is identified. With all the requirements, there is a delay of several months — certainly for Garda clearance the delay is at least two months. In the meantime a patient with an immediate need has to wait for this service to be provided. I have argued with the Health Service Executive in my area that a pool of people must be identified who would be available to give emergency support for somebody in need of care or to take up new opportunities, which need not be confined to care in the home but would also support people with disabilities who need assistance outside the home for walks or whatever the case may be. Has attention been given to that approach to speed up the process?

Mr. S. Power: I think Deputy Ó Caoláin will agree it is important that we ensure those people providing help are fit to carry out that important work. I am aware of a company that recently set up here and has recruited a number of staff to provide a home help service. It appears it had no difficulty recruiting staff and that many people were available.

Caoimhghín Ó Caoláin: Should the Health Service Executive do that rather than a private company?

Mr. S. Power: We would like to remove some of the bureaucracy that exists. If it is decided that somebody is in need of a home care package we would like the decision to be implemented as quickly as possible.

Variant CJD Incidence.

84. **Mr. Sargent** asked the Tánaiste and Minister for Health and Children the latest figures for new variant CJD in the Republic; and if she will make a statement on the matter. [35443/05]

Mr. S. Power: There have been two confirmed cases of new variant CJD in Ireland to date. The first concerned a woman who had lived in England for 20 years. Given the long incubation period of variant CJD, the probability is that the disease was not contracted in Ireland. The second concerned a 24 year old Dublin male. The probability is that he contracted it before the current very strict controls on the sale of meat in Ireland were brought into force in 1996. A third suspected case arose in June of this year concerning a young man in a Dublin hospital.

Mr. Gormley: I thank the Minister of State for that information. Have we developed a reliable diagnostic test for new variant CJD? This has long been an issue for the World Health Organisation. The Minister of State referred to the incubation period. Do we have reliable projections for the number of people who could develop new variant CJD in this country, either from the consumption of beef in Ireland or the United Kingdom, which appears to be the most likely source?

Have we developed proper care for people who have contracted new variant CJD. From the cases in Belfast I know that the parents of one individual were not satisfied with the care the young person in question received.

Mr. S. Power: The CJD advisory group provides scientific, professional and technical advice on all aspects of CJD and the policy responses that are appropriate in the light of evolving information and the evidence on this topic.

Fortunately, the number of people contracting this disease has been small. The Food Safety Authority of Ireland and the Department of Agriculture and Food are responsible for the control of BSE. The Food Safety Authority stresses that the BSE controls that have been put in place since 1996 are very strict and robust so as to ensure maximum consumer protection. There has been a welcome decline in the incidence of BSE in the Irish cattle population, which demonstrates that the controls introduced in 1996 are working. The vast majority of current cases are in animals born before the introduction of these enhanced controls. We would not anticipate an increase in the incidence of new variant CJD. There is no

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evidence at present to suggest the number of people contracting CJD will increase.

Mr. Gormley: Do we have a reliable diagnostic test at present?

Mr. S. Power: We are in the process of developing it and it is not yet finalised. I understand it will be shortly.

Ms McManus: I am curious to know whether this is within the remit of the Minister of State. Does he have responsibility for this area?

Mr. S. Power: I am replying to the question because of the variant CJD aspect.

Ms Harney: Health promotion.

Ms McManus: I am curious. Is that the area of responsibility of the Minister of State?

Mr. S. Power: That is why I am dealing with the question.

Ms McManus: I was just asking. It is.

Mr. S. Power: Yes.

Ms McManus: Does that mean the Minister of State's area of responsibility extends to MRSA? Where does the boundary occur? What area of responsibility does the Minister of State have that includes new variant CJD?

Mr. S. Power: I have responsibility for health promotion within the Department of Health and Children. If the Deputy wants, I will provide her with a breakdown of responsibilities of the Tánaiste and the three Ministers of State at the Department of Health and Children.

Ms McManus: I thank the Minister of State.

Health Services.

85. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children if the position of chiropody services for medical card holders and the possibility of chiropodists charging top-up fees to medical card holders will be clarified; and if she will make a statement on the matter. [35480/05]

Ms Harney: There is no statutory obligation on the Health Service Executive to provide chiropody services to General Medical Service patients. However, in practice, arrangements are made to provide these services. Prior to the establishment of the HSE, the nature of arrangements for chiropody and the level of service provided were matters for individual health boards and variation in practice developed over time. Priority is usually given to certain groups of people, including people aged 65 years and over who are medical card holders. In several regions the service is pro-

vided by private chiropodists by arrangement with the HSE.

It is inappropriate for private chiropodists who provide services on behalf of the HSE to charge patients a top-up fee, and I have conveyed this view formally to the HSE. My Department recently requested the HSE to initiate a review of the fee arrangements in place for the provision of chiropody services with a view to ensuring that such additional fees would no longer be levied on persons in receipt of this service. I am preparing new legislation on eligibility and entitlement which will clarify patients' entitlements, especially in the GMS.

Ms McManus: I thank the Tánaiste for her reply. She has made great play on her commitment to care of the elderly. Does she agree that one of the most basic and important services one can provide to generally healthy older people is a chiropody service? Does she have a response to the fact that the Health Service Executive sought sanction for an increase in the uniform charge to a level rate throughout the country for domiciliary chiropody services to people in nursing services? Why has the Tánaiste not sanctioned this? Is she aware that a second visit by a chiropodist to a nursing home only accrues €7.03, according to an answer given last month to a parliamentary question? Does the Tánaiste intend to increase charges, outlaw these top-up charges and ensure sufficient chiropodists in the scheme to meet the requirements? She may be aware that elderly people have difficulties in accessing a chiropodist within the scheme.

Ms Harney: I am concerned about this area, particularly as we move towards providing more community-based services. Even within the hospital system, some of our largest hospitals have too few chiropodists and major issues arise. The fee must be realistic to provide a service. While I am not in favour of patients paying a top-up fee, unless appropriate fees are paid, chiropodists will not provide the service.

Entitlement and eligibility legislation will clarify who is entitled to services of this kind. A separate issue arises regarding those with diabetes and vulnerable groups such as the elderly. If we do not put in place preventative measures and chiropody services, more serious issues will arise which will be not only more severe for the patient but also more costly from the perspective of the health service. This is one of the areas in which major change must occur in the way we provide services at community level in particular.

Ms McManus: The Tánaiste did not answer my question. The HSE has requested an increase in fees for chiropodists. I have a list of chiropodists in the scheme and approximately one third of them are unavailable. I presume they are unavailable because they do not make enough money. It is not a case of entitlements legislation. We have

[Ms McManus.]

been waiting 20 years for that. What is the response to the HSE's request to increase the fee?

Ms Harney: I will not respond to that question because we must consider it in the context of the provision of services. One cannot have one without the other, if that does not sound like a cliché. There are large deficits at community level in chiropody services. I will shortly examine the issues which arise regarding fees. Confusion also arises on who is eligible for what and no statutory basis exists for that. All these matters must be dealt with. I am anxious to ensure that vulnerable groups of patients, in particular elderly patients, have regular access to appropriate chiropody services. In so far as the fee influences that, it must be reviewed.

Dr. Twomey: Regardless of who is eligible for the service and other issues the Tánaiste wishes to tidy up, is it illegal to charge a medical card patient a top-up fee if the fee, no matter how small, is already paid by the HSE? Whatever about the patient offering the provider a gratuity payment, is it illegal to seek a payment from any patient provided a service in the GMS?

Ms Harney: As I stated in my reply, it is not part of the GMS. That is the issue.

Dr. Twomey: How does the system work?

Ms Harney: It evolved on an *ad hoc* basis and varied from one health board to another. That is one of the issues that needs to be clarified. IMPACT represents the chiropodists and discussions and negotiations will take place between the Health Service Executive, the employer representative group and IMPACT on fee issues.

Departmental Programmes.

86. **Mr. Gogarty** asked the Tánaiste and Minister for Health and Children the nature of the advice on alcohol policy provided by Target Health; and if she will make a statement on the matter. [35439/05]

Mr. S. Power: The national alcohol policy, published in September 1996, provides that a dedicated national alcohol surveillance function be established by the Department of Health and Children. This function is performed on a contractual basis by Target Health. The principal duties of this function are to advise the health promotion unit on alcohol policy issues; collate and co-ordinate relevant data on alcohol policy issues, alcohol consumption, alcohol related health problems, indicators of alcohol related harm, alcohol related offences and expenditure on alcohol, including the establishment of a database of information; liaise with statutory and non-statutory organisations, either in association with

or on behalf of the Department of Health and Children, to assess the extent to which agencies implement the national alcohol policy; conduct and advise on research projects; brief departmental officials on relevant international developments in the general area of alcohol policies and of strategies to promote moderation in alcohol consumption; advise the Department of international research and evidence of best practice on alcohol policy; and represent the Department on national and international expert groups on alcohol policy.

Mr. Gormley: Will the Minister of State tell the House how much Target Health charges the Department of Health and Children for this? It seems to be quite a comprehensive list. Did Target Health advise the Minister of State to abandon the alcohol products Bill? Surely that was an integral part of the strategy to deal with alcohol abuse? Does the Minister of State agree that having alcohol advertising all the time, particularly at tea-time, influences people to consume more alcohol? It would be sensible to curtail such advertising if we are to deal with this serious health problem. At the very least, the previous Minister stood up to vested interests. Why has this Government capitulated completely to the alcohol industry?

Mr. S. Power: I resent the comment that the Government has capitulated to the drinks industry. We appreciate the problem presented by alcohol here and there is no greater problem facing society than alcohol. We are all familiar with these difficulties and few families are not affected. The Government set up the strategic task force on alcohol that reported a short time ago. I presented that report to Cabinet and got approval to implement the recommendations under the remit of the Department of Health and Children.

Mr. Gormley: The question is on Target Health. How did it reply?

Mr. S. Power: I ask Deputy Gormley to allow me to reply. I have listened to Deputy Gormley and he often makes throwaway remarks with little foundation.

Mr. Gormley: I asked the Minister of State a question.

Mr. S. Power: Advertisers would not waste money placing advertisements on television if they did not work. This principle applies to the drinks industry. The Government was concerned about the number of advertisements that appear in media, concerning drinks and sexy campaigns aimed at young people. The Government approached the drinks industry and discussed the matter with it. The Government is conscious of the difficulty and realised the industry could be

part of the solution rather than part of the problem. The Government has reached an agreement on the type of advertisements placed and the timing of these.

Mr. Gormley: Will there be no more sexy campaigns?

Mr. S. Power: The result of this campaign is the same as if legislation were introduced. We have an independent committee to monitor this agreement and if it does not work legislation will be introduced if needed.

Mr. Gormley: I want to know what Target Health advised the Minister of State. That was my question.

Mr. S. Power: Government must make decisions and it is open to advice from a number of areas, including the Opposition. If the Deputy has something constructive to propose rather than criticism, we will listen to him.

Mr. Gormley: We do so all the time. Did Target Health advise the Minister of State to abandon the alcohol products Bill or did it state that this was the best way forward?

Mr. S. Power: Target Health has a number of functions in advising Government, which it does on a regular basis. The Government takes all advice on board before making decisions.

Mr. Gormley: Will the Minister of State answer this very simple question to which I am seeking an answer for the fourth time? Did Target Health advise the Minister to abandon the alcohol products Bill?

Mr. Allen: The answer is obviously "yes".

Mr. S. Power: Government decided to enter negotiations with the drinks industry on advertising and deal with it in the manner outlined. This will have the same effect as legislation and if it is not working we will resort to legislation. At present the drinks industry and the advertising industry are conscious of the difficulties alcohol creates and are prepared to take measures to deal with this. The Government is pleased to work with them to do so.

Mr. Gormley: The Minister of State is stating the Government paid substantial sums of taxpayers' money to consultants, who advised a certain strategy that was ignored.

Mr. S. Power: Deputy Gormley can choose his words but should not try to put words into my mouth. I did not state what Deputy Gormley suggests. A strategic task force on alcohol made certain recommendations. There are several ways of achieving a result and legislation is not necessarily needed.

Mr. Gormley: I cannot get an answer from the Minister of State.

Mr. S. Power: In this instance we have entered into agreement with the relevant——

Mr. Gormley: Stakeholders. Why not use that word?

Mr. S. Power: ——members. Nothing could be further from the truth than to suggest the Government is cosying up to the drinks industry. This was seen last year when the ban on smoking in the workplace was introduced.

Mr. Gormley: Nothing is banned here and the Government is not dealing with this matter.

Written answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Broughan — the need to ensure a dedicated comprehensive marine and fisheries department that remains independent and coherent; (2) Deputy Eamon Ryan — if the Minister will outline the proposed role for Mr. Barry McSweeney with regard to the proposed new Energy Research Council; (3) Deputy Howlin — the urgent need for the Minister to grant school transport facilities to post primary students in Blackwater, County Wexford; (4) Deputy Cowley — to ask the Minister if he is satisfied with the manner in which a private prosecution for dangerous driving was dealt with; (5) Deputy Burton — the situation whereby children with severe disabilities from Scoil Mochua in Clondalkin are unable to access the facilities of the National Aquatic Centre; (6) Deputy Boyle — the Minister's views on the leaked contents of the letter written to her by Cork based consultant Dr. Seamus O'Reilly; (7) Deputy Sherlock — the need for the Minister to amend the nursing home subvention scheme under Section 22(3) of the Nursing Home Regulations 1993; (8) Deputy Wall — the Minister's response to the observations and conclusions of a recent Economic and Social Research Institute report; (9) Deputies Perry, Harkin and Devins — if the Minister intends to travel to Sligo to open negotiations with Tractech in response to its announcement to close operations at Finisklin; (10) Deputy M. Higgins — the need for the Minister to publish a report on the health, safety and basic conditions of Traveller halting sites; (11) Deputy Deenihan — the unacceptable state of cancer services in County Kerry; (12) Deputy Naughten — the need for the Minister to outline the reason Teagasc ignored an offer from a local development group to purchase the research centre in Ballinamore, County Leitrim contravening a prior commitment

[An Leas-Cheann Comhairle.]

by her; and (13) Deputy Allen — the disturbing contents of a letter sent to the Minister from Dr. Séamus O'Reilly, consultant oncologist, outlining the crisis in cancer care in the Munster region and the ongoing delays in rolling out the national breast cancer screening programme in Munster.

The matters raised by Deputies Sherlock, Perry, Harkin, Devins, and Howlin have been selected for debate.

Leaders' Questions.

Mr. Kenny: This week, four years ago, the Government launched one of the greatest election scams of the decade, namely, the national health strategy. We were promised a world class health strategy, launched by the Taoiseach, the Tánaiste and the then Minister for Health and Children, Deputy Martin.

Mr. S. Power: What about the Eircom shareholders?

Mr. Kenny: Deputy Power should remain quiet. The national health strategy was to deliver 3,000 beds, a wish list of services for the elderly, 600 primary care centres and a national cancer strategy by the end of 2002. Four years later, after tens of billions of euro, we do not have the world class health system promised by the Government.

This week, many are left wondering where all the money has gone when we read the truly damning letter in the *Irish Examiner* to the Tánaiste and Minister for Health and Children from the southern region's only consultant medical oncologist, Dr. O'Reilly, who is now serving 500,000 people. In his letter he states he could not get hospital care for dying cancer patients because of a lack of beds. As a result of the failure to roll out breast cancer screening services, women in the southern region need more extensive surgery, radiotherapy, chemotherapy and hormonal therapy.

Dr. O'Reilly describes how a cancer patient was left at home in pain as the only alternative was to admit her on a trolley in the accident and emergency unit. Previous cancer patients were put in wards surrounded by intoxicated people. The southern region has fewer consultants, fewer junior doctors and fewer liaison nurse supporters than any other region. In the ninth year of the Government, why in the name of heavens is a skilled and senior medical professional reduced to a desperate plea for action on behalf of his patients? Is this not a damning indictment of the Government? Does it not expose the inability to plan properly, spend wisely and invest well? Does it not expose the hypocrisy of the words of the Government for the past nine years in respect of national cancer strategy and world class health services? Does it not demonstrate how the Government has wasted the people's money, and as a consequence why, in some circumstances, people have died?

The Taoiseach: I do not accept that people working in the health service, the new units in the health service or the facilities are a waste of money. Money and a large amount of resources are used. The issues raised by Dr. O'Reilly, the consultant medical oncologist to whom Deputy Kenny referred, namely, the management of delivery of health, personal and social services, are the responsibility of the HSE and it has issued a statement outlining the investment made in the service in which Dr. O'Reilly works. Dr. O'Reilly had a colleague who left for another job so he is presently working on his own.

Mr. Allen: He left because he was the solution to the problem.

An Ceann Comhairle: Allow the Taoiseach, without interruption.

Mr. Allen: The Taoiseach is acting like Pontius Pilate.

The Taoiseach: The former colleague of Dr. O'Reilly has taken up another post and I understand there is a locum working with Dr. O'Reilly. The matters to which he referred are being addressed by the management of Cork University Hospital. Since the implementation of the national cancer strategy some €80 million cumulative additional funding has been made available to the southern region.

An additional 11 consultants and support staff are being appointed across the region. The HSE has advised that approval has been secured in recent weeks to proceed to the next phase of the development of a €47 million oncology, cardiac and renal centre, which will include a dedicated 30-bed oncology ward. It is planned to commence construction of that centre next year.

Mr. J. O'Keefe: Plans and promises are no good to someone who is dying.

The Taoiseach: Arrangements are also being made to give effect to the establishment of a ten-bed medical oncology ward within the Cork University Hospital. Nobody would say that those facilities and new units are not enormously welcome and will prove to be very good value for money and a good allocation of resources.

Ms Lynch: When will they be ready?

Mr. J. O'Keefe: That is no comfort for somebody who needs services now.

The Taoiseach: The Deputy can argue that it would be great if it was there 20 years ago but it was not. The fact is that it is there.

The expansion of radiation oncology services under the national plan announced by the Tánaiste last July has increased the number of linear accelerators from four to seven, which will greatly improve the access for cancer patients

throughout Cork and the southern region to radiotherapy treatment. Planning is also under way for the development of the necessary infrastructure for the roll-out of the BreastCheck programme—

Mr. Allen: That has been promised for a number of years. We will get it in two years' time and there is a two year waiting list. There is a two year waiting list for a mammogram.

An Ceann Comhairle: This is leader's question time and Deputy Allen is not the leader.

The Taoiseach: It seems as if people do not want to see the new facilities. I am just giving the facts, that these are major investments.

Mr. Stagg: It is a pity the Taoiseach did not make them before now.

The Taoiseach: These are major investments in the area that Dr. O'Reilly, who is the consultant medical oncologist, wants to see. The fact is that these issues have been approved. I presume he hopes that these facilities can be put in place as quickly as possible. There is approval for the oncology, cardiac and renal centre, which will include a dedicated 30-bed oncology ward. I am sure that will greatly assist Dr. O'Reilly, his patients and those in the Cork region who use the services. That is a fair and valid point.

Mr. Kenny: As usual, the Taoiseach answers every question about health matters with a pained expression, a flurry of figures, a litany of what has been spent and a firm resolve to do better. Will the Taoiseach acknowledge — we have heard all this before — that in his letter, Dr. O'Reilly states that he has been trying to resolve these issues for four years? Of course, Cork University Hospital is a wonderful building, a flagship hospital, and many of the people there do a wonderful job. However, this is about the level of service delivered inside the walls of the hospital. The specialists and frontline people are not there and dedicated staff in the wards are not available to patients when they need them.

The Taoiseach's Government has shown an unlimited capacity to spend the people's money. We remember the fanfare and the failure attached to the health strategy. We remember the €160 million spent on PPARS, the €3 million spent on the web portal of the former Minister for Health and Children, Deputy Martin. It is not about what one spends but how one delivers that spend.

The Taoiseach might not believe my words and might say that they are purely political. Let me quote from a letter from a constituent of Deputy Jim O'Keefe's about her mother:

On the 23rd of October, my mother lay in bed at home crying with pain and Dr. O'Reilly could offer us no help as the hospital are short

of beds and staff. We were forced to watch a lady, with pride and dignity, dying in front of us, due to a failing health service and for this I am angry, hurt and lacking confidence in Mary Harney's effort at reform... The following day I brought her to Cork University Hospital and again she was in a waiting room from 9 a.m. until she was given a bed in what I would call appalling conditions, 11 hours later. This ward was a rapid transit ward and although these staff were outstanding, patients were subjected to a distinct smell of urine and, I believe, unhealthy conditions in general. It was three days before she was transferred to a proper ward. Rapid transit? I don't think so.

These are the words of a constituent about her mother, in respect of whom the Taoiseach is spending money, her money, and the services are not being delivered. A world class health service? I do not think so.

Mr. Boyle: Not to mention the people of Cork who are not getting any after-care.

The Taoiseach: I do not think increasing the number of consultants by 700 is a waste of money. The implication, every time Deputy Kenny says that, is a negative one, though I know that is not the way he means it. Most of the money in the health Vote goes into buildings, equipment or staff. The buildings certainly are not a waste of money, I do not think the equipment is a waste of money because it is world class equipment and I do not think the staff is a waste of money. In the case of consultants, we have doubled the number of consultants. If Deputy Kenny or anyone else wants to say that we have doubled the number of consultants but they are all playing cards, I would accept that as a criticism if he believed it to be true, but I do not believe it to be true.

Ms McManus: That is a disgraceful comment. That is pathetic. Who told the Taoiseach that they were all playing cards?

An Ceann Comhairle: Please allow the Taoiseach to continue.

The Taoiseach: I will not leave it go unanswered that the money is wasted. The money is not wasted. The people are doing their jobs and working hard. We know that cancer will affect one in three of the population. There are now 107 more consultant posts and 245 more clinical nurse specialists in cancer services—

Mr. Allen: Why is there only one in Cork?

Ms Lynch: They are not in Cork.

The Taoiseach: They are all working hard. They have helped to achieve—

Mr. Allen: The Taoiseach can talk about George Best's health and about Roy Keane. He should talk about the relevant issues. I am sick of listening to him.

The Taoiseach: I am trying to answer Deputy Kenny's question.

Mr. J. O'Keefe: Will the Taoiseach answer me? What will I tell my constituent?

An Ceann Comhairle: Deputy O'Keefe, it is not your question, you are not the leader of your party. Your leader is entitled to hear the answer, even if you do not want to afford the Taoiseach the courtesy of being heard.

Mr. J. O'Keefe: It is my constituent who is dying, who needs treatment. Matters of courtesy arise in that situation.

The Taoiseach: They have helped to achieve a cut in cancer mortality of at least 15% for those under 65. They have made an enormously successful indent into the problem that existed a few years ago. I am not saying everything is perfect, nobody is saying that, but we are building a radiotherapy network that will bring the service as close as possible to people in every region. That service has opened up in Galway, it has been expanded in Cork, two major centres will be built in Dublin — in Beaumont and St. James's hospitals — and in the area where Dr. O'Reilly is based. He is making points that he obviously believes are highly valid and I accept that.

Mr. Boyle: He has been making them for the past four years.

The Taoiseach: Approval has been secured in the past few weeks to move to the development of a €47 million oncology, cardiac and renal centre, which will include a dedicated 30-bed oncology ward. Dr. O'Reilly is making the point that his facilities are not good enough. In response, I am saying that these facilities have been improved. If the doctor is saying that he would like the development to happen more quickly, we will accept that and will do all we can to make things happen faster. Arrangements are also being made to give effect to the establishment of a ten-bed medical oncology ward within Cork University Hospital. It is not that nothing has happened or that money is being wasted.

Ms Lynch: It is just that very little has happened.

The Taoiseach: Money has been allocated to a dedicated unit and that is quite significant.

Mr. Kenny: What about the smell of urine in the wards of cancer patients?

The Taoiseach: That should not be.

Mr. Kenny: It should not be.

Mr. Allen: The Minister responsible is sitting beside the Taoiseach.

An Ceann Comhairle: Allow the Taoiseach—

Mr. Kenny: It is appalling.

The Taoiseach: We should ask that question of the 104,000 staff who are responsible and the management of those staff. I do not know if there is a smell of urine in the wards, but there are 104,000 people in the health service who are paid as much as I am to make sure that it is not there.

Mr. Kenny: Talk to the Minister responsible.

The Taoiseach: We all have a responsibility and everyone is drawing their week's salary. If those problems exist, people are employed, under good conditions, to deal with them.

Dr. O'Reilly makes valid points on which I was asked to respond today and I am explaining what is happening in that hospital to deal with those issues. I accept that the improvements will not be made tomorrow, but they have been announced and approved and hopefully the work can be completed as soon as possible.

Mr. Rabbitte: I think the Taoiseach misses the point. The issue raised with him by Deputy Kenny is the extraordinary letter published in the *Irish Examiner* yesterday from the lone consultant serving 500,000 people in what was formerly the southern health board area. The Taoiseach said that a considerable indent has been made and then goes on to confuse the matter with national figures and so on. According to his letter, Dr. O'Reilly is the only oncologist in the region and is solely responsible for providing cancer care for 500,000 people. Is that true? Where does that leave the 107 consultants the Taoiseach says he has appointed during eight and half years in Government? The Taoiseach makes remarks about people who are paid as much as he is but the IMO is reported in the *Irish Examiner* this morning as stating that oncology nurses are leaving because of the lack of oncology support services in the former southern health board region. I hope the Taoiseach is not saying nurses are paid the same as he is. Those services are not being provided despite the fact that the Government has been in power for eight and a half years. The consultant in question said this week that a woman at home in pain and dying from cancer cannot be admitted to any of the four hospitals and the only way she can get access to care in a hospital is on a trolley in an accident and emergency department. How is that acceptable in 2005?

A consultant from Northern Ireland appeared on the television news last night to point out that lives have been saved in Northern Ireland

because of their superior screening programme. There is no cervical screening in this jurisdiction and BreastCheck has not been rolled out in Counties Cork and Kerry. Hundreds of women in the southern region have attended meetings organised by my colleagues Deputy McManus, Deputy O'Sullivan, Deputy Lynch and Deputy Moynihan-Cronin demanding a service that, as Dr. O'Reilly confirms, is not available. What is the point in talking about billions of euro and appointing consultants when that is the position in the former southern health area?

The Taoiseach: It does not change the fact that 107 consultants have been appointed in the cancer services.

Mr. Boyle: Not in Cork, Taoiseach.

The Taoiseach: I referred to the health services in their entirety. Dr. O'Reilly is not the only consultant dealing with cancer. He is a medical oncologist but there are surgical oncologists, radiographers and clinical oncologists, a number of people working in cancer services. He has a locum since his colleague left to come back to Dublin, which was his wish.

Mr. Allen: That is not correct.

An Ceann Comhairle: Deputy Allen, I will ask you to leave the House if you do not remain quiet.

Ms McManus: He left in frustration.

The Taoiseach: Dr. O'Reilly said the facilities there are inadequate. Nevertheless it is relevant that 107 more people now work in the service in numerous areas, particularly Cork University Hospital where the doctor has complained he does not have all he wishes. We have in recent weeks progressed the development of a €47 million oncology, cardiac and renal centre, which will include a dedicated, bedded oncology ward planned to commence construction next year.

Mr. Allen: Next year.

Mr. J. O'Keefe: That will not be any good to my constituent.

The Taoiseach: The money has been allocated. This will be of major assistance to medical oncologists and their colleagues. In addition to 107 new consultants there are 245 more clinical nurse specialists. It is not correct that we are losing nurses, because the rate of turnover of nurses has dropped dramatically in recent times. This service, which people portray as terrible, and I do not portray it as perfect, has seen a reduction in cancer mortality among under-65s by at least 15%, which is a huge figure. Deputy Rabbitte makes a good point about Northern Ireland. Medics there say the reason they have achieved

success is they have centralised all their facilities into one unit.

Ms McManus: It is because they have BreastCheck.

An Ceann Comhairle: Deputy McManus is not the leader of her party.

The Taoiseach: we have centralised——

Mr. Allen: Not in the south where there is a two year waiting list.

An Ceann Comhairle: Does Deputy Allen wish to leave the House?

Mr. Allen: No, I do not want to leave the House——

An Ceann Comhairle: The Deputy will be leaving the House.

Mr. Allen: ——but there are inaccuracies there——

An Ceann Comhairle: It is not the Deputy's question. He is not the leader of his party. This is a Labour Party question and the Deputy knows he has no right to interrupt.

The Taoiseach: People have made the argument at many of the meetings to which Deputy Rabbitte referred that they have brought about a huge improvement in the North by centralising services into one location. Deputies do not want to hear this but precisely that point has been made here for some time, whereas lobby groups argue against it because they want services spread thinly, the opposite to what Deputy Rabbitte correctly said has happened in Northern Ireland.

Mr. Rabbitte: I heard the consultant from Northern Ireland with my own ears last night. He said their superior performance was due to the existence of screening programmes, which do not exist in the health board areas we are talking about.

In his letter published yesterday Dr. O'Reilly said interviews for the post had been held but they failed to fill it because of the conditions. The Taoiseach trots out the line that whoever was there left for a better job. When Dr. Halligan failed to take up the HSE job, the Taoiseach spun the line that he wanted a job in England, which the media faithfully reported. There is only one consultant oncologist in this area. There is no point confusing it with nurses because the number of vacancies in nursing is 1,100 and rising.

Ms Harney: It is falling.

Ms McManus: It is rising.

Mr. Rabbitte: Dr. O'Reilly writes, and I have no reason to believe he is lying, that the oncology and renal ward to which the Taoiseach refers has been approved but that funding has not been approved. What is the point in saying in the national Parliament that they have approved a dedicated ward for this purpose when no funding has been provided? The post is still vacant and, no matter what the Tánaiste says, there is no funding for the ward.

What will the Tánaiste give back from the capital spend budget this year? The Book of Estimates states it will be €56.4 million. That happens to be 10% and is the figure that can be rolled over. How much will she actually give back? How can she give back that amount of capital moneys when there is such a need in the Cork and Kerry region and for the promised roll-out of BreastCheck? Three years later women in that area do not have access to that essential service, which the same oncologist said has cost 65 deaths in one year in this jurisdiction. I am not suggesting the Taoiseach is any less sensitive to the human tragedies involved than anybody on this side of the House, but he is entirely remote. The Government has learned the mantra about the successful economy — it is a single transferable speech. Every Minister is rolled out on television to relate how successful the economy is and how many billions have been spent. No one has questioned his ability to spend money but it is his ability to waste it and not provide essential services that concerns Members on this side of the House.

The Taoiseach: On BreastCheck, this is not the point consultants in the north have been making. They have a good centralised unit. As Deputy Rabbitte and the House knows, BreastCheck is now available in many regions throughout the country and it will be rolled out in full by January 2007. Significant resources have been put into the service, but it will not solve all the problems. One in three people have cancer and BreastCheck will not resolve that. Dedicated units are required, including radiologists and medical and surgical oncologists to provide the service. That is what the Government has been trying to provide. There are 107 more consultants working in the cancer area, who are making a considerable impact.

There are other facilities, including the building of a radiotherapy network to bring the service as close as possible to the people in the regions. People would like the service to be provided throughout the country, but no one else has done that. Since the Tánaiste made her announcement in July, we have increased the number of linear accelerators from four to seven, which will improve greatly access for cancer patients throughout the country. The work which is going on in various parts of the country will help in that regard. Unfortunately, it will not mean that people will not die from cancer. Even with the

best cancer services and facilities in the world, people still die from cancer, but we must try to provide as good a service as possible.

Ms Lynch: We are a long way from that.

The Taoiseach: We are a long way from where we were. While expenditure of €12 billion on health services in a country with a population of 4 million is significant, I do not believe the money is wasted. The facilities are improving all the time. New units are being opened and new staff are being employed, which is good. There will always be new inventions to improve the service. Planning is under way for the development of the infrastructure that will roll out BreastCheck.

Mr. Allen: That has been going on for six years. A pilot scheme was introduced five years ago.

The Taoiseach: BreastCheck was launched in 1999.

Mr. Allen: That is six years ago.

The Taoiseach: It is six years ago but, unfortunately, one cannot introduce the service today and implement it tomorrow.

(Interruptions).

The Taoiseach: Deputy Rabbitte referred to Dr. O'Reilly. I do not know the man and I am not saying he is a liar. I am sure he is working very hard. My information is that the resources in that area have been sanctioned and approved. I will check it out but my information is that the resources have been made available for the €47 million unit.

Mr. Rabbitte: If that is true, why did someone not tell the man? He had a meeting with officials after Christmas but he has heard nothing since then.

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: The Deputy will appreciate that I was not at the meeting.

Mr. Rabbitte: I appreciate that, but one would think that the officials in Hawkins House would tell him that if it is true.

The Taoiseach: I agree with the Deputy, someone should tell him.

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

The Taoiseach: He is working with the management of the hospital, therefore, someone should tell him. The main point is that Dr. O'Reilly said he needs better facilities. I am saying the new

unit, including the ten-bed oncology ward, is approved. It is going ahead and will be put in to Cork University Hospital.

Mr. J. O'Keefe: That is cold comfort for my constituents.

Mr. Sargent: The Taoiseach was asked a number of questions by Deputy Kenny and Deputy Rabbitte on the injustice and shortcomings in the health service, mainly in Munster, as a result of the letter from Dr. Séamus O'Reilly. As the Taoiseach said, he does not know Dr. O'Reilly, but is it his intention to meet Dr. O'Reilly, given that it is something he asked for explicitly in his letter? He was anxious to explain the reality on the ground, which it is important for the Taoiseach to understand. I would like to know if the Taoiseach will meet Dr. O'Reilly.

Will he answer the question asked in regard to the shortcomings in Munster and not simply say there is a general situation throughout the country? Is it right that there is just one oncologist in the Cork region? Is this acceptable and adequate from the Taoiseach's point of view? Is it right that the one oncologist operates in four hospitals, catering for 500,000 people? Is it right that none of the hospitals has a seven-day inpatient ward? Will the Taoiseach acknowledge the many people who are of the view — I cannot understand why Professor Drumm is not of this view — that there are not sufficient beds? Dr. O'Reilly made it clear that people are dying at home, that they are not able to get a bed even when they are dying. Is it clear that there is a problem with bed numbers, to which there must be a response, and when will that response come?

In regard to BreastCheck, we all know one cannot announce the service today and provide it tomorrow. The Taoiseach knows this is not what the Government proposed.

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

Mr. Sargent: The Government was elected on the basis of a promise that BreastCheck would be available countrywide by 2007. Will that promise be fulfilled or will the Taoiseach stand up and say it is one more promise that will be broken?

The Taoiseach: I understand Dr. O'Reilly is a consultant medical oncologist, of whom there were two.

Mr. Sargent: There is one now.

An Ceann Comhairle: Allow the Taoiseach to reply without interruption. The Deputy was allowed to put his question without interruption.

The Taoiseach: Two were approved by Comhairle na nOspidéal but one left to take up a post in Dublin.

Mr. Allen: He left in frustration.

The Taoiseach: A locum consultant oncologist is working with Dr. O'Reilly.

Mr. Sargent: Is that acceptable?

The Taoiseach: When there is a full-time post, the locum will become a full-time oncologist, but there are still two people employed. The Deputy asked me not to generalise when responding but to stick to Cork, which means I must repeat myself. I said that approval has been secured to proceed to the next phase of the €47 million oncology-cardiac-renal centre which will have a dedicated 30-bed oncology ward. It is planned to commence next year with a ten-bed medical oncology ward.

Mr. Boyle: Is the Taoiseach responsible—

The Taoiseach: The BreastCheck programme covers east to west and is being extended to Galway. The Tánaiste and I met some consultants earlier in the year. The service covers approximately half the population. It will be rolled out in the rest of the country between now and the beginning of 2007, which is in 14 or 15 months' time. This progress has been made from a time when there was no BreastCheck service. There are many additional consultants providing a far better cancer service throughout the country now than was ever the case. There are 107 dedicated consultants working in this area at senior level, plus 245 clinical nurses. The units are improving dramatically the cancer services.

Mr. Gormley: Will the Taoiseach fulfil his promise?

The Taoiseach: Under the cancer strategy, €80 million in cumulative additional funding has been made available to the southern region alone, with an additional 11 consultants and support staff being appointed throughout the region. It is a considerable investment and while it will not solve every case, it will go a long way towards improving the service.

Mr. Sargent: It is important for the Taoiseach to realise that the second oncologist resigned on the basis that the conditions were intolerable. If the remaining oncologist is not to resign, will the Taoiseach meet the man? He is in a desperate situation and wants the Taoiseach to understand what he is going through. Such a meeting would be timely and important. Asking on behalf of the 500,000 people in the region, the Taoiseach mentioned BreastCheck and said it would happen sometime but is it not a serious indictment that planning permission has not even been sought for BreastCheck premises and facilities in Cork? Does that not indicate that heels are being dragged on the matter and that it should be fast-tracked and priority given to it? Will the

[Mr. Sargent.]

Taoiseach meet Dr. O'Reilly? Will he ensure planning permission is sought in Cork? Will we get a completion date for the BreastCheck services that are due if the Government promise is to be believed?

The Taoiseach: Dr. O'Reilly is working in Cork. He worked in Waterford until three or four years ago. His colleague in Cork moved to Dublin. I do not know why Dr. O'Reilly moved to Cork.

Mr. Gormley: The Taoiseach could ask him when he meets him.

The Taoiseach: I am not going to ask him. I am not going to go around asking 104,000 people in the health service why they moved from one area to another.

Mr. Boyle: The Taoiseach is in Cork often enough.

The Taoiseach: I presume he left Waterford because there were better facilities in Cork and the other man moved to Dublin because he thought there were better facilities there.

Mr. F. McGrath: Deputy Cullen drove him out of Waterford.

Mr. Allen: The Taoiseach knows why the man moved.

The Taoiseach: Whatever the reason, Dr. O'Reilly is working with a locum in Cork and that post will be filled in due time.

Planning is underway for the development of the remaining half of the country on the infrastructure for the national roll out of BreastCheck. BreastCheck has advertised for the key lead consultant radiologists and radiotherapists for the programme and to recruit other key clinical posts that will commence early in 2006. That will complete the programme. BreastCheck, on its own admission, has stated it can finish this work in 2007. We have provided the resources.

Mr. Gormley: Will the Taoiseach meet Dr. O'Reilly?

The Taoiseach: If Dr. O'Reilly wants to meet me, he could have arranged it easily enough. I am easy enough to meet.

Ms Lynch: Perhaps he is too busy.

Mr. Allen: That is very arrogant of the Taoiseach.

Mr. Sargent: He will come to meet the Taoiseach.

The Taoiseach: I am sure he is too busy, I accept that. There is a locum working in Cork so two consultants are there. They are not the only people, there are 11 consultants in place. We have already improved the new unit and BreastCheck is being rolled out.

Mr. Allen: There is a two year waiting list for it.

The Taoiseach: Maybe there is——

Mr. Allen: There is, there is no maybe about it.

The Taoiseach: ——but if we do not put the investment in place——

Mr. Quinn: The Government has not put it in place.

The Taoiseach: ——to undertake the job and if we do not put the consultants in place——

Mr. Quinn: The Government has had eight years to do it.

The Taoiseach: We hardly had a cancer strategy eight years ago — there was no strategy at all. There were hardly any oncologists so we should not go down that road, it is a stupid argument.

Mr. Quinn: Eight years.

The Taoiseach: We had not heard of BreastCheck eight years ago.

Mr. Allen: That is not true.

An Ceann Comhairle: It is obvious to the Chair that Deputy Allen wants to leave the House. He has been warned at least six times and I now ask him to leave the House for being disorderly.

Mr. Allen: I do not want to leave the House.

The Taoiseach: He wants to stop me saying what is in Cork.

Mr. Quinn: What about the waiting lists?

An Ceann Comhairle: I am asking the Deputy to leave not for the issue but because he is being disorderly. The Deputy will leave the House, he was warned at least six or seven times. Deputy Allen has continued to interrupt on all three questions and the Chair has warned him often enough.

Mr. Gormley: The Taoiseach is speaking.

Mr. Kenny: This is an outrageous carry on. Deputy Allen never even stood up.

Suspension of Member.

An Ceann Comhairle: For being disorderly, not on the issue, I move: “That Deputy Allen be suspended from the service of the Dáil.”

Question put.

Mr. Kenny: Vótáil. If the Ceann Comhairle wants this type of opposition, he might get it on a more regular basis.

Mr. Gormley: Can the Taoiseach be allowed to answer?

An Ceann Comhairle: In accordance with Standing Orders, the division will take place tomorrow morning at the beginning of business.

Mr. Sargent: The Taoiseach had not finished answering, the Ceann Comhairle interrupted.

Mr. Kenny: The Ceann Comhairle is doing this for no reason other than his own——

Ms Lynch: On a point of order——

An Ceann Comhairle: There is no point of order, I am dealing with disorder. Deputy Allen must leave the House.

Mr. Kenny: He did not stand up. The Ceann Comhairle better explain why——

An Ceann Comhairle: He did not have to stand up, he interrupted on all three questions.

Ms Lynch: Ceann Comhairle, on a point of order——

Mr. Kenny: The Ceann Comhairle can have him voted out if he wants.

Ms Lynch: The Government has ignored Munster, and now the Ceann Comhairle——

Mr. Sargent: Ceann Comhairle, you cut the Taoiseach off——

An Ceann Comhairle: I do not want to suspend the House but it will be necessary if Deputy Allen does not leave.

Mr. Kenny: Suspend the House then.

An Ceann Comhairle: The House is suspended for five minutes to allow Deputy Allen to leave.

Mr. Sargent: Why will the Taoiseach not finish the answer?

Sitting suspended at 4.55 p.m. and resumed at 5 p.m.

An Ceann Comhairle: As Deputy Allen is still in the House, the sitting must be suspended again.

Mr. Howlin: Listen to the Members.

Mr. Kenny: On a point of order, the Ceann Comhairle is a respected medical person. Under what Standing Order or criteria was it obvious to him that Deputy Allen wanted to be thrown out of the House. He is a representative of the people of Cork and he was asking legitimate questions, no more than any other Member——

An Ceann Comhairle: The Chair has ruled that the Deputy should leave the House for being disorderly.

Mr. Kenny: The Ceann Comhairle said it was obvious to him that Deputy Allen wanted to be thrown out of the House. I would like him to explain that remark.

An Ceann Comhairle: Yes, and, as the Deputy is still in the House, the sitting will be suspended for ten minutes to give him an opportunity to leave.

Mr. Kenny: The Chair will have to give us an explanation when the sitting resumes.

Sitting suspended at 5.05 p.m. and resumed at 5.15 p.m.

Mr. Kenny: I would like an explanation from the Ceann Comhairle why he considered that Deputy Allen should be removed from the House. A discussion was going on in this House about a serious situation regarding cancer services. Deputy Allen is a Cork representative and he pointed out to the Taoiseach that he received a letter from the Health Service Executive today confirming that there is a two-year waiting list for mammograms in Cork. The Taoiseach did not have a copy of that letter and clearly was not aware of its contents. Deputy Allen was not even on his feet when he made his intervention on a number of occasions. The Ceann Comhairle’s assertion that it was obvious to him that Deputy Allen wished to be removed from the House is not correct. I would like the Ceann Comhairle to explain why he feels Deputy Allen should be removed from the House.

An Ceann Comhairle: As Deputy Kenny is aware, Deputy Allen interrupted a number of times when the Deputy Kenny submitted a question. He interrupted again a number of times when Deputy Rabbite submitted his question and when the Taoiseach was replying. He interrupted a number of times when Deputy Sargent submitted his question and when the Taoiseach was replying. The Chair warned Deputy Allen a number of times that if he persisted, the Chair would have no choice but to ask him to leave. He is being asked to leave the House for gross disorder; it has nothing to do with the issue before the House.

Ms Lynch: A Cheann Comhairle——

An Ceann Comhairle: Will the Deputy please resume her seat?

Ms Lynch: ——I think you fail to understand the depth of anger in Cork about the cancer issue. To suspend Deputy Allen at this stage because he is representing his constituents is entirely wrong.

An Ceann Comhairle: The Chair is suspending the sitting again to give Deputy Allen an opportunity to leave.

Mr. Allen: As the Chair is well aware, I tabled a request under Standing Order 31 today on this issue. I also tabled a private notice question and sought to raise the issue on the Adjournment. I presume a debate will not be granted under Standing Order 31. My private notice question was over-ruled by the Chair, as was my request for a debate on the Adjournment on what is a life and death issue. I listened to the Taoiseach when he made comments about Roy Keane and the health of George Best. I also listened to him give inaccurate information to the House about the health of the people of Cork.

An Ceann Comhairle: We are not discussing that issue but gross disorder on the part of a Member of the House.

Mr. Allen: It was not gross disorder.

An Ceann Comhairle: I am suspending the sitting.

Mr. Allen: I was clarifying misinformation given by the Taoiseach.

An Ceann Comhairle: The Deputy has made his point. I ask him to leave the House.

Deputy Allen withdrew from the Chamber.

Sitting suspended at 5.22 p.m. and resumed at 5.26 p.m.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 31——

Ms Lynch: A Cheann Comhairle, it is quite outrageous——

An Ceann Comhairle: I ask Deputy Lynch to resume her seat.

Ms Lynch: ——that a Deputy should be removed from the Chamber because he raises a legitimate complaint——

An Ceann Comhairle: The Deputy is out of order.

Ms Lynch: ——on behalf of his constituents, constituents not just in Cork city——

An Ceann Comhairle: I ask the Deputy to resume her seat.

Ms Lynch: —— and then to ask the press to leave in order that the event would not be recorded.

An Ceann Comhairle: I ask the Deputy——

Ms Lynch: That is quite outrageous. We have sat here for an hour and a half because the Chair decided we could not have a discussion on the health of cancer patients in Munster.

An Ceann Comhairle: The Deputy is being grossly disorderly.

Ms Lynch: All the last Minister for Health and Children did was issue reports.

An Ceann Comhairle: The Deputy is being grossly disorderly and leaves the Chair no option but to be consistent and ask that she leave the House.

Ms Lynch: He issued a cancer strategy five years ago and what have we for it? Nothing.

An Ceann Comhairle: I ask Deputy Lynch to resume her seat.

Ms Lynch: I will not resume my seat.

An Ceann Comhairle: Well then, the Deputy will leave the House.

Ms Lynch: If I resume my seat, the people of Cork who are demanding a cancer service——

An Ceann Comhairle: If the Deputy does not resume her seat, she will have to leave the House.

Ms Lynch: A Cheann Comhairle, let me tell you about a man who eventually got a bed in Cork today. He had waited five weeks for one.

An Ceann Comhairle: The Chair has no choice but to be consistent. I ask the Deputy to leave the House.

Ms Lynch: As his wife said to me, he was wasting away in front of her. He was told that if he wanted a bed, he should go through the accident and emergency department. We are talking about State consultants.

An Ceann Comhairle: I move: “That Deputy Lynch be suspended from the service of the Dáil.”

Question put.

Deputies: Votáil.

An Ceann Comhairle: In accordance with Standing Orders, the division will take place tomorrow. The Chair will suspend the sitting for five minutes to give Deputy Lynch an opportunity to leave the House.

Sitting suspended at 5.30 p.m. and resumed at 5.35 p.m.

An Ceann Comhairle: I ask Deputy Lynch to leave the House.

Deputy Lynch withdrew from the Chamber.

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: On a point of order, I would like to know the Standing Order under which Deputies Allen and Lynch have been asked to leave the House today.

An Ceann Comhairle: If the Deputy has a problem, he should—

Mr. Boyle: I would like to know the grounds on which the Adjournment debate matters in the names of Deputies Allen and Lynch and mine have been disallowed.

An Ceann Comhairle: I ask the Deputy to resume his seat. I appreciate he is from the same constituency as the other two.

Mr. Gormley: He is not actually.

(Interruptions).

An Ceann Comhairle: I also expect that the Deputy would—

Mr. Boyle: We have witnessed a farce today where no real answers have been given about a second-class health service in the Cork region.

An Ceann Comhairle: I ask the Deputy to resume his seat.

Mr. Boyle: I have asked two questions, to which I would be grateful to receive answers.

An Ceann Comhairle: The Chair is responding to the Deputy and if he resumes his seat, he will hear what the Chair has to say.

Mr. Boyle: I would hear better if I was standing.

An Ceann Comhairle: The Chair has no intention of getting involved in a discussion with the Deputy on the floor of the House, particularly if he is being disorderly and disobeying the Chair.

Mr. Boyle: I asked a specific question about the Standing Order under which two Members have been asked to leave the House.

An Ceann Comhairle: If the Deputy wishes to continue the way his colleagues went, he may do so. Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 31 and will call on the Deputies in the order in which they submitted their notices to my office. I call Deputy Perry.

Mr. Sargent: Deputy Boyle is raising a point of order.

An Ceann Comhairle: He is not. I have ruled it out as a point of order. If the Deputy has a problem, he is welcome to come to my office and I will be glad to give him all the time he needs.

Mr. Sargent: It is normal to have an answer given to a point of order raised.

An Ceann Comhairle: I call Deputy Perry.

Mr. Sargent: The Ceann Comhairle is being discourteous to a Member of the House.

Mr. Boyle: I have asked about the Standing Order under which—

An Ceann Comhairle: The Chair has pointed out to the Deputy that the Chair would be only too delighted to discuss it with the Deputy and give him all the time he needs in my office immediately after the Order of Business.

Mr. Boyle: I am standing on the basis that I have asked a question about a matter which has been disallowed for discussion on the Adjournment.

An Ceann Comhairle: We are only taking items raised under Standing Order 31.

Mr. Boyle: I am referring to Standing Order 21.

An Ceann Comhairle: We will come to that matter later.

Mr. Boyle: Deputies Allen and Lynch and I gave notice under Standing Order 21 of our wish to raise this matter on the Adjournment and it has not been allowed.

An Ceann Comhairle: I ask the Deputy to resume his seat in order that we can hear the matters raised under Standing Order 31.

Mr. Sargent: The Taoiseach has not finished the answer to my question on Leaders' Questions.

An Ceann Comhairle: The Taoiseach intimated that he had concluded.

Mr. Sargent: He had not answered the questions about the number of beds.

An Ceann Comhairle: That is not a matter for the Deputy.

Mr. Gormley: He did not give a complete reply.

Mr. Sargent: The Ceann Comhairle interrupted the Taoiseach and he was obliged to sit down.

Mr. Boyle: I asked a procedural question under Standing Order 21. Three requests were submitted by Deputies Allen and Lynch, and me.

An Ceann Comhairle: That is correct. However, that is not a point of order and the Deputy is being disorderly.

Mr. Boyle: I am talking about Standing Order 21. If that is not a Standing Order, what is?

An Ceann Comhairle: The Deputy is not entitled to raise the matter at this time and I ask him to resume his seat.

Mr. Boyle: This is the Order of Business.

An Ceann Comhairle: We are not on the Order of Business yet; we are dealing with matters raised under Standing Order 31. If the Deputy wants to leave the House, the Chair will facilitate him.

(Interruptions).

An Ceann Comhairle: The Deputy is being grossly disorderly and it is obvious to the Chair that is what he wants to do. I suggest he resume his seat.

Mr. Boyle: I am leaving the House of my own volition because of the disrespect shown to Cork Deputies who are highlighting a second-class health service.

Mr. Kelleher: On a point of order——

(Interruptions).

Mr. Kelleher: I am sure the Ceann Comhairle can sense from the Deputies opposite that there is a very strong feeling in Cork about this issue.

An Ceann Comhairle: That is not a point of order.

Mr. Kelleher: Just to be helpful, would it be possible to give an assurance to the Deputies opposite——

Mr. Rabbitte: Has the Ceann Comhairle been struck dumb?

Ms McManus: Apparently, Deputy Kelleher is allowed to speak.

Mr. Durkan: The Ceann Comhairle should throw Deputy Kelleher out.

Mr. Kelleher:——and some of the Deputies on this side that on the Adjournment tomorrow night we will have an opportunity to discuss the issue which would meet some of the concerns of the Deputies opposite? We would like to be helpful if we can.

An Ceann Comhairle: I call Deputy Perry.

Mr. Stagg: On a point of order, did the Ceann Comhairle or some member of staff give instructions to clear the Press Gallery.

An Ceann Comhairle: I know nothing at all about that matter.

Mr. Stagg: Why did some of the staff under the control of the Ceann Comhairle approach them in that regard?

An Ceann Comhairle: I know nothing at all about that matter.

Mr. Stagg: The Ceann Comhairle might make inquiries, given that the Dáil is supposed to sit in public session. I know the Ceann Comhairle would like to hold it in private.

Mr. Gormley: On a point of order, the point raised by Deputy Sargent is legitimate. The Taoiseach had not completed his reply.

An Ceann Comhairle: The Chair has ruled on the matter. That is not a point of order. I ask the Deputy to resume his seat.

Mr. Gormley: It is a serious point of order. There were three parts to the question. The final part, the question of bed capacity——

An Ceann Comhairle: It is obvious to the Chair that the Deputy wishes to disrupt the business of the House.

Mr. Gormley: That should not be obvious. I do not know how that is obvious to the Chair. I do not wish to——

An Ceann Comhairle: It is. The Chair has ruled that it is not a point of order. I call Deputy Perry.

Mr. Gormley: I would like the Taoiseach to complete his reply. There was a final part to the question and I ask him to reply.

An Ceann Comhairle: I call on Deputy Perry to proceed.

Mr. Gormley: Will the Chair allow the Taoiseach to reply?

An Ceann Comhairle: Sorry, the Taoiseach had concluded his questions.

Mr. Gormley: We were interrupted. The Taoiseach had——

An Ceann Comhairle: We had already gone over time. Today we went 16 or 17 minutes over time on Question Time. I call Deputy Perry.

Mr. Gormley: Please allow the Taoiseach 30 seconds to reply. He has indicated he wants to reply.

Requests to move Adjournment of Dáil under Standing Order 31.

Mr. Perry: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the decision taken by the company Tractech in Sligo to close its plant, with the consequent loss of 122 jobs. The closure of the Tractech plant is a massive loss to the north west and Sligo, especially given that this announcement comes less than three months after 560 jobs were lost in the region when Hospira announced it would close its plant in Donegal town. What action will the Minister for Enterprise, Trade and Employment take? Will he come to Sligo to check at first hand the devastation caused? The company manufactures mechanical parts and will move its operations to Poland or Mexico, despite huge profitability. The company just changed hands to a new owner in the past three months.

Mr. Naughten: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of urgent importance, namely, in light of the decision by Teagasc to ignore an offer from a local development group to purchase the research centre in Ballinamore, County Leitrim contravening a prior commitment by the Minister for Agriculture and Food, the need for the Minister and the Government to clarify their position and explain why they have turned their backs on the local community.

Mr. Gregory: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the loss of resources and of resource teachers for children with special educational needs in small disadvantaged schools, including several inner city schools, resulting in large numbers of children being denied tuition at a critical time in their education and at a time of unprecedented affluence in this country and that this scandal be addressed by the Government as a matter of urgency.

Mr. M. Higgins: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, a matter I raised previously in November 2003 on the Adjournment, namely, the urgent need for the Minister for the Environment to publish a report on the health, safety and basic conditions of Traveller halting sites, including transient halting sites, and in particular the condition of Carrowbrowne halting site, Headford Road, Galway; the timescale for the works proposed at this site and the failure of conditions to meet even the most basic health and safety minimum standards.

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. 10, motion re membership of committees; No. 11, motion re proposed approval by Dáil Éireann of the terms of the revised agreement on social security between the Government of Ireland and the Government of Australia (back from committee); No. 12, motion re referral to select committee of proposed approval by Dáil Éireann of the double taxation relief orders 2005, Republic of Chile, Portuguese Republic and accession states; No. 13, motion re referral to select committee of proposed approval by Dáil Éireann of the terms of the Tampere Convention on the provision of telecommunications resources for disaster mitigation and relief operations; No. 14, motion re referral to joint committee of proposed approval by Dáil Éireann of the Regional Fisheries Boards (Postponement of Elections) and Fisheries (Miscellaneous Commercial Licences) (Alteration of Duties) Orders 2005; and No. 15, motion re Book of Estimates 2006.

It is proposed, notwithstanding anything in Standing Orders, that (1) the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted not later than 9.30 p.m.; (2) Nos. 10, 11, 12, 13, and 14 shall be decided without debate; (3) the proceedings on No. 15 shall, if not previously concluded, adjourn at 9.30 p.m. tonight and shall resume not later than 5 p.m. tomorrow and shall, if not previously concluded be brought to a conclusion at 7 p.m. on that night and the following arrangements shall apply: the speech of the Minister for Finance and of the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case; the speech of each other Member called upon shall not exceed 10 minutes in each case; Members may share time; and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed ten minutes.

An Ceann Comhairle: There are three proposals to put to the House. Is the proposal for the late sitting agreed? Agreed.

Is the proposal for dealing with Nos. 10 to 14, inclusive, without debate agreed?

Mr. Perry: On No. 14, the motion re the fisheries boards, I am very disappointed. That report was compiled over two years by consultants but there was little or no consultation on it. It concerns the amalgamation of the seven central fishery boards and the removal of the research facility to the Marine Institute. It is very disappointing that this is happening. This runs contrary to the ethos of decentralisation and there is significant unrest over it. The Taoiseach intends to refer this issue to the committee, but I would expect to discuss the proposal in the House. The proposal has far reaching impact for the development of central fishery boards. In light of the announcement last week with regard to marine responsibilities being taken from the Minister of State on several issues, and in light of the lack of funding for the central fishery boards, this proposal is a retrograde step. I am very disappointed that it is being rammed through the select committee.

Mr. Broughan: I endorse the comments of Deputy Perry. Although the Taoiseach did not seem to be aware of it, this important report was produced and announced on the nine o'clock news and not to this House. The report has far-reaching ramifications for our inland waterways and fisheries in that it effectively abolishes the regional fisheries boards and the central fisheries board which has played an important research role over the years and which has co-ordinated our inland fisheries. It was discourteous to the House and the Ceann Comhairle that this report did not appear before the House before being announced on the news. This is another example of the ongoing war between the Minister for Communications, Marine and Natural Resources, Deputy Dempsey, and his Minister of State, Deputy Gallagher. The Minister of State was trying to keep the marine and fisheries responsibilities together, but was prevented from doing so by the Minister.

The report is important. It seems to fly in the face of the Taoiseach's decentralisation policy by recentralising the fisheries supervision process. Above all, it abandons the research function inland fisheries had. It is discourteous to the House and we do not accept it.

An Ceann Comhairle: We cannot discuss the contents of the report.

Mr. Sargent: The points made should be heeded. A debate in the House is the least we can expect, arising from the clear unacceptability of proceeding with this motion without debate. I ask the Ceann Comhairle to take account of the sentiments expressed. He should also take into account that internationally this country is out of step with best practice in fishery conservation. As a result we face serious danger for wild Irish salmon. This country has international friends who would help us, but the Government will not accept that help for some reason. I ask for debate on this matter. This is an issue that will not wait, the fish will be gone and it will be too late then to talk about it.

Caoimhghín Ó Caoláin: The proposal to take No. 14 without debate has far-reaching consequences for inland fisheries. The Farrell Grant Sparks report clearly indicates the demise of the regional fisheries boards as we have known them and the establishment of a national fisheries authority. While there is a genuflection with regard to local input in terms of the proposals within the current proposition, the absence of executive authority from the local boards will leave them as relatively toothless bodies. It is imperative—

An Ceann Comhairle: As I said to Deputy Broughan, we cannot discuss the contents of the report.

Caoimhghín Ó Caoláin: I indicate the import of what is proposed in the report. The issue needs to be addressed in the House. It is simply unacceptable that the House will consider the motion without debate. I absolutely reject that and will oppose it.

The Taoiseach: I understand the motion proposes to refer the matter to a committee, which will discuss it. If the members of the committee cannot resolve the matter, it is open to the House to take the matter back from the committee. All we are being asked to do, in the first instance, is to decide whether it should be referred to the committee. It is obvious there are many objections. I am not aware of all the details. After the matter has been examined by the committee, if people seriously believe it should be debated in the House, the Whips can consider it at that stage. I ask that it go to the committee first. We can decide whether it requires time in this Chamber after that debate has finished.

Question put: "That the proposal for dealing with Nos. 10, 11, 12, 13 and 14 be agreed to."

The Dáil divided: Tá, 60; Níl, 50.

Tá

Ahern, Bertie.
 Ahern, Dermot.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Tony.
 Devins, Jimmy.
 Fahey, Frank.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.

Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 McDowell, Michael.
 McEllistram, Thomas.
 McGuinness, John.
 Moloney, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Batt.
 O'Keefe, Ned.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Michael.
 Wallace, Dan.
 Walsh, Joe.
 Wilkinson, Ollie.
 Wright, G.V.

Níl

Breen, James.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Enright, Olwyn.
 Gormley, John.
 Harkin, Marian.
 Healy, Seamus.
 Higgins, Joe.
 Higgins, Michael D.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.

McManus, Liz.
 Mitchell, Gay.
 Mitchell, Olivia.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Murphy, Gerard.
 Naughten, Denis.
 Ó Caoláin, Caoimhghín.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Stagg, Emmet.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

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

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 15, motion re Book of Estimates 2006 agreed?

Mr. Kenny: We have lost an hour and five minutes because of other important matters.

An Ceann Comhairle: Is proposal No. 3 agreed?

Mr. Kenny: Proposal No. 3?

An Ceann Comhairle: Yes, we are dealing with the proposal for dealing with the motion re Book of Estimates. Is that agreed?

Mr. Kenny: No, it is not agreed. Last year the Minister for Finance said he would take into account any ideas or proposals Members had to improve this situation. We are now
6 o'clock half way through the charade of approaching the budget and we are about to embark on a three hour Estimates debate involving the expenditure of almost €50 billion.

Deputy Bruton has put forward a number of ideas which would make the process far more meaningful for members of all parties and none in the House in terms of the method of discussing these Estimates and recommending possible transfers of money from one Vote to another in order that when the Minister for Finance introduces the budget he would at least have the reflected views of the elected members of the people as distinct from the Department of Finance personnel who will put their stamp on this.

From that point of view, despite the important discussions today on the oncology unit in Cork, there will be insufficient time to discuss these Estimates. On that basis, I am opposed to the proposal for their discussion.

Mr. Rabbitte: I agree with those sentiments. Prior to summer the Committee of Public Accounts asked me to prepare a report on this issue. I did so and all parties represented on the committee approved that report, which provided for better parliamentary oversight of the Estimates process and made specific recommendations which, with one or two minor changes, the committee as a whole was happy to endorse. I would like to think the Taoiseach would give some indication before budget day that he is prepared to examine the way we do business because we end up in this House approving Estimates after the money is spent. The report of the Committee of Public Accounts sets out a format whereby one can collapse the publication of the Book of Estimates and budget into a single event and provide for better parliamentary scrutiny of Estimates that currently are entirely opaque and impenetrable.

There is one table in the report that traces the amount of time given in the current calendar year to scrutiny of the Estimates for each of the 15 Departments. It amounts to approximately one hour and three quarters to approve approximately €44 billion for the 15 Departments. That is the total amount of time given to examining the Estimates and elements of them. It is about time we examined this process.

Mr. Sargent: We, too, object to the way it is proposed to deal with this debate. The time allowed for it needs to be extended. That would be only fair if we are to reflect any justice in regard to the Estimates. I understand undertakings were given previously that there would be a reform of the way in which the Estimates are presented. I recall the Taoiseach said that people approached him in the corridor and made a case for one matter or another. There is no doubt that there needs to be a more methodical way of assessing and compiling the Estimates. Perhaps there will be an opportunity during the debate to refer to that point, but if the debate is not sufficiently long, it will not do justice to such consideration. I ask that the debate be longer to take into account the time we have lost.

Caoimhghín Ó Caoláin: The view expressed is not only the view of the Opposition. It is important to reflect that the sentiments expressed by the Deputies who have spoken and to which I add my support, were also reflected by members of the Taoiseach's party. Everyone recognises that this is a flawed way of doing business. As a member of the Joint Committee on Finance and the Public Service, time and again we have underlined how unsatisfactory it is to deal with the Estimates months into the New Year which makes the process nothing more than a charade.

It is important that this issue is finally addressed. I encourage the Taoiseach and the Minister for Finance, Deputy Cowen, to take the issue to heart and address it and to reflect the expression of views from their party and all the Opposition parties over several years of which I am aware from my experience here. It is time to change the process. As a former Minister for Finance, the Taoiseach might ensure this will happen.

The Taoiseach: The Minister for Finance, Deputy Cowen, raised this issue in last year's budget. He has listened to the submissions and presentations made by others and he will return to this issue. It is not every year we have a debate on the Book of Estimates. Last week I was asked if I would allow time for a debate on the Book of Estimates this year. We made provision for that and for them to be dealt with in the committees. The Minister will return to this issue in due course.

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

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

The Dáil divided: Tá, 60; Níl, 46.

Tá

Ahern, Bertie.
 Ahern, Dermot.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Tony.
 Devins, Jimmy.
 Fahey, Frank.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.

Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 McDowell, Michael.
 McEllistrim, Thomas.
 McGuinness, John.
 Moloney, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Batt.
 O'Keefe, Ned.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Michael.
 Wallace, Dan.
 Walsh, Joe.
 Wilkinson, Ollie.
 Wright, G.V.

Níl

Breen, James.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Enright, Olwyn.
 Harkin, Marian.
 Healy, Seamus.
 Higgins, Joe.
 Higgins, Michael D.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 McCormack, Padraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Paul.
 McManus, Liz.

Mitchell, Gay.
 Mitchell, Olivia.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Naughten, Denis.
 Ó Caoláin, Caoimhghín.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairi.
 Rabbitte, Pat.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Stagg, Emmet.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

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

Question declared carried.

Mr. Kenny: When is it expected a Government approved report on the safety issues surrounding the Corrib gas line will be produced? The Taoiseach will be aware that the Natural Gas Regulation Bill is promised for 2006. He will also be aware of a report published today by a group called CPI, in respect of which I would have serious concerns about the ethics of some

members associated with it. It might be appropriate if the Taoiseach would indicate when the Government approved report will be produced and published.

The Taoiseach: The draft report from the consultants who undertook the safety review for the Department arrived to the Minister's technical advisory group yesterday. The group has to do some work but the intention is to publish the

[The Taoiseach.]

report in County Mayo before general release. Following this, there will be a two week period in which to make submissions and observations. I am not too sure how soon the Minister will publish the report but, obviously, he now has the draft report and I do not believe he intends to unduly delay its publication.

Mr. Kenny: Will it be published before the end of the year?

The Taoiseach: I assume so. From what I read in a note I was given earlier, I assume it will be published almost immediately. I will confirm this for the Deputy.

Mr. Rabbitte: The Taoiseach will understand if I say that after my clinic on Saturday, I had a couple of pints. I tuned in to RTE in the hope it would be a "Michael McDowell-free zone". I turned on the "Tubridy Tonight" show and there he was again.

As a result of the reheated anti-crime package the Minister has launched this evening, will the Taoiseach give an undertaking to this House that we will have an opportunity to examine the elements of the package because it has been the Minister's practice to have amendments printed while the debate is ongoing? We have to take amendments off the top of his head, despite the fact that our citizens are extremely concerned, not just about violent crime among gangland thugs but about anti-social behaviour and violence against the person on our streets. In the past the Minister has not given Members an opportunity to scrutinise amendments when they were brought before the House. He makes them up as the debate continues. Whatever he has announced this evening, what he announced in *The Irish Times* this morning has been published 12 times already. An opportunity must be given to the House to examine the proposals in the depth they ought to warrant.

An Ceann Comhairle: The Taoiseach will answer on the legislation.

The Taoiseach: The Minister's proposal contains a number of important elements. It is some time since the Bill was published. I hope the new elements can be included in the discussion. I am sure they will.

Mr. Rabbitte: I am deadly serious about this. Do I interpret the Taoiseach as stating that normal parliamentary procedure will be observed and we will have an opportunity to examine whatever the Minister has now come up with? Is that what the Taoiseach stated? We have not had that opportunity with most of the legislation that the Minister for Justice, Equality and Law Reform has put through.

An Ceann Comhairle: The Deputy has made his point.

The Taoiseach: The Whips must organise the time.

Mr. Howlin: Report Stage amendments.

The Taoiseach: It involves significant amendments that will have to be debated in the House.

Mr. Sargent: I understand legislation is promised on the establishment of a road safety authority or for the measures required on other road safety matters following the ten deaths on the roads last weekend, which make a total of 352 so far this year. Will the Taoiseach tell the House what promised legislation is necessary in this area? He was quoted as stating that we must keep trying to enforce the law on road safety as best we can. Obviously the law is not adequate so I expect there is promised legislation to assist.

The Taoiseach: The list contains one Bill, which is due next year.

Mr. Sargent: Which Bill is that? Is legislation required for the road safety authority?

The Taoiseach: It is to amend the legislation on roads, the national roads authority and traffic.

Mr. Sargent: So law is not required for the national safety authority.

Caoimhghín Ó Caoláin: A Bill was promised to amend the Hepatitis C Compensation Tribunal Acts 1997 and 2002 to establish an insurance scheme for persons infected with hepatitis C or HIV as a result of the State's role in the provision of blood or blood products. Only three weeks remain before Christmas. This was committed to be taken in this session in the most recent legislative programme. Will the Taoiseach confirm we will have the Hepatitis C and HIV Compensation Tribunal (Amendment) Bill prior to Christmas?

The Taoiseach: The Bill is due this session. That means we will be ready to take it in the next session.

An Ceann Comhairle: A number of Deputies are offering. I have taken their names and will call them first tomorrow after Leaders' Questions.

Electoral (Amendment) (Prisoners' Franchise) Bill, 2005: First Stage.

Mr. G. Mitchell: I move:

"That leave be granted to introduce a Bill entitled an Act to provide for a mechanism for prisoners to exercise their electoral franchises and to amend and extend the Electoral Act 1992".

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Mr. Kitt): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a private Members' Bill, Second Stage must, under Standing Orders, be taken in private Members' time.

Mr. G. Mitchell: I move: "That the Bill be taken in private Members' time."

Question put and agreed to.

Membership of Committees: Motion.

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

That Deputy Fiona O'Malley be discharged from the Select Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs and that Deputy Martin Brady be appointed in substitution for her. That Deputy Martin Brady be discharged from the Select Committee on Communications, Marine and Natural Resources and that Deputy Fiona O'Malley be appointed in substitution for him.

Question put and agreed to.

International Agreements: Motion.

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

That Dáil Éireann approves the terms of the revised Agreement on Social Security between the Government of Ireland and the Government of Australia which was signed at Dublin on 9 June, 2005 and was laid before Dáil Éireann on 27 October, 2005.

Question put and agreed to.

Double Taxation Relief Orders: Referral to Select Committee.

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

That the proposal that Dáil Éireann approve the following Orders in draft: Double Taxation Relief (Taxes on Income and Capital Gains) (Republic of Chile) Order 2005, Double Taxation Relief (Taxes on Income) (Portuguese Republic) Order 2005, Double Taxation Relief (Taxes on Income) (Adjustment of Profits of Associated Enterprises) (Accession States) Order 2005, copies of which were laid before Dáil Éireann on 15 November, 2005, be referred to the Select Committee on Finance and the Public Service, in accordance with the Orders of Reference of that committee, which shall, not later than 6 December, 2005, send a message to the Dáil in

the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Question put and agreed to.

International Agreements: Referral to Select Committee.

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

That the proposal that Dáil Éireann approves the terms of the Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations as adopted on 18 June, 1998 in Tampere, Finland; copies of which were laid before Dáil Éireann on 28 October, 2005, subject to the following reservation: To the extent to which certain provisions of the Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations fall within the area of responsibility of the European Community, the full implementation of the Convention by Ireland has to be done in accordance with the procedures of this international organisation, be referred to the Select Committee on Communications, Marine and Natural Resources, in accordance with paragraph (1) of the Orders of Reference of that committee, which, not later than 6 December, 2005, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Question put and agreed to.

Draft Fisheries Boards Orders: Referral to Joint Committee.

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

That the proposal that Dáil Éireann approve the following Orders in draft: (i) Regional Fisheries Boards (Postponement of Elections) Order 2005, copies of which were laid before Dáil Éireann on 17 November, 2005, (ii) Fisheries (Miscellaneous Commercial Licences) (Alteration of Duties) Order 2005, copies of which were laid before Dáil Éireann on 18 November, 2005, be referred to the Joint Committee on Communications, Marine and Natural Resources, in accordance with paragraph (2) of the Orders of Reference of that committee, which, not later than 6 December, 2005, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

An Ceann Comhairle: Is that agreed?

Caoimhghín Ó Caoláin: It is not agreed.

Question put and declared carried.

Estimates for Public Services 2006: Motion.

Minister for Finance (Mr. Cowen): I move:

That Dail Eireann commends the 2006 Estimates for Public Services (Abridged) published by the Minister for Finance on 17 November, 2005.

The 2006 pre-budget Estimates provide for gross expenditure of approximately €48.5 billion. Of this approximately €42.2 billion is current and approximately €6.3 billion is capital. It represents an increase of almost €3 billion over 2005 or an increase 6.6%. It is important to stress that the Estimates provision for 2006 is a reflection of the cumulative investment in improving public services which this Government has undertaken since assuming office in 1997. We have been able to create the resources to finance this investment by sound management of the economy and the public finances. This investment has delivered real improvements in the quality of the public services and is making a real difference in so many areas as the following examples show: a reduction in the pupil-teacher ratio at primary level from 22.3 to 1 to 17 to 1; the creation of 30,000 child care places from a base of zero which we inherited; approximately 30,000 additional frontline staff in the health services; significant real increases in all social welfare payments; one in three income earners out of the tax net this year compared to the one in four figure which we inherited. I could list many more such examples. These are real outputs which are improving the quality of our public services and the quality of life for our citizens.

Clearly we need to continue to invest and ensure that we get outputs commensurate with that investment. This investment must continue to be underpinned by sustainable economic and budgetary policies. The Estimates which I commend to the House today are based on this approach.

Our public finances are extremely sound. We will comfortably achieve our budget targets for 2005. I expect the economy to grow close to its potential rate of 4.5% to 5% over the medium term. While these rates of growth will be lower than in the previous decade they are strong by international standards. We have, by any standards, made remarkable economic and social progress since 1997. We have achieved an average economic growth rate of 7%, more than twice the EU average. Our debt GDP ratio will be approximately 29% at year end, compared with 65% when we took office. With a record high of nearly 2 million in work, approximately 500,000 more are employed compared to when we took office.

The risks ahead include oil prices, interest rates, increased international competition for investment and in product markets. We will continue with prudent fiscal policies to ensure we have the flexibility required to deal with economic shocks, to promote sustainable economic

and employment growth and competitiveness and to tackle social inequalities.

This year gross public expenditure is expected to be approximately €45.5 billion. A small underspend on current expenditure of approximately €75 million is expected. Capital spending in 2005 in cash terms will be approximately €6 billion capital, including carryover of approximately €137 million from 2004. This represents 15% more than the equivalent spend in 2004. The multi-annual system for managing capital, which we now operate, with its 10% carryover arrangement facilitates better management of capital programmes and projects. It ensures that significant amounts of money are not lost to the capital budget, and as a result €286 million of capital not spent this year will be available to Departments for spending next year.

Turning now to the 2006 Estimates, approximately €2.7 billion of the overall additional spending provision of €3 billion is allocated to day-to-day public services bringing the total gross provision to €42.2 billion for the year. This is a 6.9% increase on the 2005 forecast outturn. The approach of the Government in framing the 2006 Estimates has been to target the additional resources of approximately €3 billion to improve services in key priority areas, particularly health, education and welfare services. Approximately €1.9 billion or 70% of the additional €2.7 billion is provided for these three priority areas. The Department of Health and Children allocation for current expenditure is more than €12 billion, an increase of €750 million or about 9% on an underlying basis when account is taken of a number of exceptional one-off expenses this year in respect of the establishment of the HSE.

In addition to this €750 million increase, a provisional allocation of €400 million is being made in 2006 towards the cost of repaying charges for long-stay care in former health board funded institutions. Some €250 million is provided for service improvements including: some €100 million for disability and mental health services; €60 million for commissioning of new units; €16 million for primary care services; €13 million for the national treatment purchase fund; €10 million for emergency planning, and €9 million for medical education and training.

The Government is strongly committed to investment in education and the general area of training and upskilling. Reflecting this the Department of Education and Science allocation in 2006 will increase by €530 million or approximately 8% to €7.2 billion. This will help fund the cost of service improvements in a number of key areas, including: a one point reduction in the staffing schedule for primary schools with effect from September 2006 and a further one point reduction in 2007, creating about 200 additional posts in primary schools in 2006 and 2007; the full year cost of some 590 additional resource teachers for pupils with special needs appointed in September 2005; the cost of some 270 new

posts under the delivering equality of opportunity programme; measures to ensure that the three for two seating arrangement on school buses is phased out by December 2006 and that all public and private sector buses are equipped with seat belts by September 2007 and an increase of 10.8% in funding for capitation grants, for the maintenance and upkeep of our schools. This allows increased payments significantly above the rate of inflation for all primary and secondary schools.

Within the productive sector, the Government is giving priority to spending on the key area of research and development. The combined allocation for this purpose in enterprise and third level education in 2006 will be €358.6 million, an increase of 12% on 2005.

The increase in the provision for current spending on the Garda Síochána Vote is €105 million or 9% to €1.3 billion. This will facilitate the implementation of the Government's commitment to expand the force by 2000 to a new complement of 14,000. At the end of 2005 the number of gardaí employed will be 12,250. The 2006 provision will allow for the employment of some 12,920 gardaí in 2006, an increase of 2,000 on 1997 levels.

Expenditure on child care has increased from about €500 million in 1997 to about €2.3 billion this year. In 2006, I will provide more than €100 million for the equal opportunities child care programme — €55 million in current spending for staffing grants to community child care facilities and supports to city and county child care committees and €47 million in capital spending. The capital allocation will bring the number of extra child care places funded under the programme from a nil base in 1997 to approximately 30,000 at the end of 2006. I will make further provision for child care on budget day.

The allocation for social welfare is €12.4 billion on a pre-budget basis. I will make separate provision for increases in social welfare payment rates on budget day. Since 1997 the Government has increased spending on: pensioner incomes from €1.3 billion to almost €3 billion; child benefit from €0.5 billion to almost €2 billion; widows and lone parents from €1 billion to €2 billion; and illness disability and carers schemes from €0.8 billion to more than €2.1 billion.

Expenditure on the provision of services for people with disability will be some €3 billion this year, an increase of more than €400 million on 2004. The 2006 Estimates provide for spending of almost €3.3 billion for disability specific services. This is an increase of more than €300 million or 10% and includes €135 million under the special disability package announced in my last budget.

In September, the Government committed to reaching the target for overseas development aid of 0.7% of GNP by 2012 and an interim target of 0.5% of GNP in 2007. The 2006 Estimates provide for a total commitment of €675 million or 0.47% of GNP for overseas development aid

in 2006. This represents an increase of €129 million or 24% on the 2005 allocation of €546 million. Ireland's contribution rate at 0.47% of GNP compares with current indicative figures of 0.19% in the United States, 0.3% average in the OECD and 0.43% average in the EU for 2006.

The pre-budget 2006 Exchequer capital provisions reflect the figures set out in my last budget. Total cash spend on investment on a pre-budget basis will be almost €6.6 billion, inclusive of the £286 million carryover from 2005. This is an increase of almost €600 million or 10% more than 2005. I will announce a new five year capital envelope on budget day. This will be consistent with the Government's overall priority commitment to capital investment and it will incorporate the increased investment on transport under the Transport 21 framework.

I am absolutely determined that the principle that every euro of the taxpayers money must be well spent should apply. We must in particular ensure that best practice is employed in the appraisal and management of ICT and capital programmes and projects. We must also be prepared to learn lessons and address shortcomings which may come to light.

Building on reforms such as the five year multi-annual capital envelopes, revised capital appraisal guidelines and planned improvements in construction and construction related contracts, we recently announced two initiatives to further improve the approach to securing value for money. These were an initiative on management of ICT projects and consultancies and additional measures on value for money that I announced on 20 October 2005. Departments have been asked to give effect to the measures that can be implemented immediately and work is under way on updating the necessary guidelines and other necessary steps to implement all these measures.

The gross provision for 2006 to fund public service pay and pensions is €16.4 billion, an increase of €1.1 billion or 7%. It makes full provision for the final phase of Sustaining Progress and includes some €430 million for service improvements and extra numbers. The extra numbers are primarily employed in a frontline capacity in areas of health, education and the Garda Síochána. Despite the contrary perception created in some quarters there has not been an increase in the share of overall current expenditure attributable to pay and pensions. In 1997, this was around 40% of gross current spending and in 2006 on a pre-budget basis it is nearly 39%.

The total numbers employed in the public service in 2005 is just over 290,000. The Government remains committed to controlling public sector numbers as part of its approach to managing public expenditure and securing better value for money, but the policy is not being implemented indiscriminately. We have consistently taken the line that priority must be given to frontline and essential services.

[Mr. Cowen.]

Where necessary the Government has been prepared to increase numbers to meet priority needs. We have held numbers in the civil service, the local authority, defence and non-commercial semi-State sectors at below their 2002 levels but we have allowed increases in staff in the key areas of health, education and gardaí to improve the delivery of important services to the public.

Health and education are labour intensive areas. If we are to have lower pupil-teacher ratios and better treatment in all areas of health the additional frontline staff in these areas are inevitable. In no sense is there a blank cheque approach to sanctioning extra posts in these areas but we will continue to agree targeted enhancements where such is consistent with implementing Government policy.

The Government has continued to successfully manage the public finances and the economy. Our fiscal policies have generated increased prosperity and the necessary resources to fund real improvements in public services and to address social needs. We are providing an extra €3 billion on a pre-budget basis bringing the total 2006 provision for the public service spending to €48.5 billion. We will make additional provision for spending on budget day for social welfare, child care, care of the elderly and investment.

I commend the motion to the House.

Mr. Bruton: I join Deputies Rabbitte and Kenny in describing this process as hopelessly inadequate as a means to scrutinise value for money in public spending. This must change and although the former Minister for Finance, Mr. McCreevy, promised change, along with Deputy Cowen and the Taoiseach, we find ourselves in the same rut, examining meaningless Estimates. It is similar to asking a consumer to buy from a mail order catalogue and removing product specification, prices and the manufacturer's guarantee. No consumer would purchase on that basis but we are asked to sign up to €50 billion on behalf of taxpayers. It is ridiculous, unacceptable and must change.

The Minister is asking for an act of faith that he and his colleagues will deliver value for money. With the greatest of respect to him, there is evidence that he is not delivering value for money that people have a right to expect. To come into the House with Estimates that do not give us any foundation for making proper decisions about the allocation of moneys is unacceptable. For example, there is not a single mention of the level of performance last year. Is that not the first thing for which the Minister should ask? If we are being asked to sign up to a figure of €50 billion in spending, we must ask how we got on last year with the €46 billion that we spent. All the catalogue the Minister has produced tells us is the size of the bill that had to be funded last year. He cannot even reconcile the size of the bill to which we had to sign up with

the individual items. He is still quoting estimates. There is no reconciliation. However, that is only a minor issue. The truth is that not even a two-bit company would sign up to and accept from an accountant the figures we are expected to accept and we represent 2 million taxpayers. That is the reality.

It is worth examining what happened last year when we went through the very same charade and Ministers went out with their glossy brochures announcing all of the wonderful things that would happen in 2005. I have chosen ten porkies delivered by the Minister's colleagues this time last year in the Estimates process. We were told that an extra 230,000 would have a medical card or a doctor only card. The reality is that at most there will be an extra 3,000 or 4,000 with cards. It was due to happen last April but there will only be 3,000 or 4,000, not 230,000.

We were told there would be a major initiative in accident and emergency departments that would reduce waiting times. One year on there are 85 more patients on trolleys on a regular basis.

We were to have three new acute medical units, one of which was to be located in Beaumont Hospital in my constituency. That acute medical unit did not materialise, even though the money was voted for its development.

The Minister for Justice, Equality and Law Reform announced that we would have an extra 1,100 gardaí. The truth, as revealed by the Minister's own Estimates, is that less than half that number has been delivered. The Minister also promised to implement the Children Act through new allocations to the probation and welfare service. That has not happened.

We were to have an integrated ticketing system in Dublin as announced by the Minister for Transport, Deputy Cullen. That has not happened. We were also to have a central railway station in Dublin, which certainly has not happened. We were to have an extra 367 km of new roads, for which €245 million would be provided by way of PPPs. There is no evidence that this has happened. As far as I can see, the PPPs have not materialised, although it is almost impossible to find out what is happening in that regard.

The Minister for Finance said this time last year that the Government was still committed to reducing public service numbers by 5,000. The truth, as evidenced by his own figures, is that he has increased public service numbers by 15,000. His target was to reduce the number by 5,000. He has not met his own target.

Last year we were to have an extra 13,000 social and affordable homes. The mid-year figures which are all the Minister can come up with indicate that 3,300 such homes had been built by that stage. This means that we are not even one quarter of the way towards reaching the target. It is not acceptable that the Minister has come back to the House this year, having delivered that number of commitments which have not materi-

alised, and expects us to again accept, on faith, the announcements Ministers are making left, right and centre.

What the Minister needs is a real process of scrutiny. I have examined the Department of Justice, Equality and Law Reform with this in mind. In the past four years the total spend in that Department is up 43%. Against this, let us look at what is happening on the ground. As we know, crime levels were almost static over those four years. However, what has deteriorated rapidly is the number of detections. The detection rate is down dramatically with regard to serious crime, serious assaults, non-headline crimes and so on. It is down on every front. The risk of suffering an assault on the streets is rising. We have also seen problems with regard to the seizure of illicit drugs. The amount being discovered is falling, even though there is clear evidence on the streets that the drug abuse epidemic is more severe than ever and the trade more violent and threatening to communities. Is it not reasonable to ask the Minister for Justice, Equality and Law Reform who wants us to vote through an extra €184 million for his Department why he has not delivered to date? Why are there no performance indicators attached to his Estimates to indicate we are getting something worthwhile for the money spent?

We could conduct the same scrutiny process in the Department of Health and Children. The Minister for Health and Children has received a 54% increase in her budget since the last general election. The number of in-patient admissions is only up by 0.8%, a tiny increase. There has been a dramatic reduction in the proportion with medical cards. We are told the Minister's key health strategy is to improve access to primary care and keep people out of hospital. That is not happening. Primary care centres have not been delivered. Basic eligibility has not been improved.

Where has the Department's money gone? We have seen the medication bill go through the roof. It has gone up by 50% in just three years. Why should we accept, on faith, that it should rise so rapidly at a time when we are giving fewer people access to primary care? There is something seriously wrong with the contracts designed for delivering medication to the health system. The dogs on the streets know this but nothing is being done because we vote through money, year after year, without serious scrutiny. There is no opportunity for proper scrutiny before decisions are made. That is not acceptable.

Accident and emergency departments are another source of concern. Some will swear there has been an enormous increase in the number going to accident and emergency departments, which is exerting major pressure on hospital services, but that is not the case. The number attending accident and emergency departments in the past four years has risen by 2.8%, only a few thousand per year. However, the people concerned are facing ever-worsening conditions.

Let us look at what is happening in the hospital system. The Minister for Finance has said he is releasing money to frontline services. The truth, as the Minister's figures show, is that in the past four years the number of nurses in voluntary hospitals has declined. We now have fewer nurses in our voluntary hospitals today. Despite the fact that the Minister for Health and Children has recruited an extra 5,500 into the health service, we have fewer nurses working in acute hospitals than four years ago. What is the logic of this? Why should we vote for this again? Why should we vote for more people in back office activity in the health service than in front office activity? That is what has happened in the past four years; frontline services have reduced, proportionately, although not by much, admittedly. The whole thrust of what we were told was happening was that resources were being released to frontline services, but when we look at the numbers, we see the opposite is happening.

There is something wrong and it is in this House that the process of reform must be generated. If we just let the whole process roll on, year in, year out, as we have been doing, we will not see change in the way decisions are made. It is crucial that we start to make those necessary changes. Why has the Minister for Health and Children been entitled to say to every taxpayer that she wants €2,500 more from every family in the country to run the health service when families cannot see extra value to the tune of even €2, not to mention €2,500? There must be criteria against which we make these decisions. There must be performance tests. Ministers and their agencies must come up to the line, announce their targets for the year and be judged at the end of it on them. Instead of this, we have phoney targets being announced by Ministers every year that have no credibility with the public or this House, but we have not reformed the system in order that we can bring serious pressure to bear and actually effect change.

With regard to overall macro-management, the Minister has had extraordinary good fortune to be in government at a time when there has been enormously increased revenue. He has set out certain broad criteria and I presume he still subscribes to the principles that inspired his Government. He said he would keep growth in current spending in line with growth in GNP. This was the golden rule that his predecessor, former Deputy McCreevy, advocated and was supposed to characterise public spending and policy. The rule makes sense because it means the Government does not have to increase the tax take as a proportion of GNP. However, that is not what has happened. Since 2001 the proportion of current spending as a proportion of GNP has gone up from 25% to 30% and it is up again this year. There is something seriously wrong when the Minister is looking for that extra proportion, a bigger slice of the cake, while not delivering on

[Mr. Bruton.]

the ground. There is something seriously wrong with the way we are allocating our money.

The Minister set himself the target of investing 5% of GNP in public investment programmes. That is not being delivered. It has not been delivered for any year since 2002 and the cumulative shortfall from the Government's target by the end of 2006 will be €2.5 billion of investment. I do not believe the Minister is unwilling to spend the money. The problem is we have not geared up the public service to create the capacity to bring bankable projects to the starting line. We do not have a strong pipeline of good projects other than in roads and education, which for all its weaknesses has a pipeline of sorts.

The objectionable feature of Transport 21 is the projects were announced in 2000. I do not mind the Minister seeking plaudits in Dublin Castle for relaunching them but the fact that in the five years since then not a single foot of progress has been made on any of them is offensive. The pre-planning process has not even started, which is unacceptable. We cannot get value from our infrastructure because we have not made the effort to bring ideas and projects through. Maybe there are not sufficient members of staff in the public service or maybe the Minister did not bother to motivate them. Maybe in the hiatus created by three or four different Ministers they lost sight of the ball.

People expect the Minister for Finance to deliver projects for their money and can see the yawning gap in our infrastructures but something is wrong when ideas are not advanced for five years. He boasts that roads programme projects due to be completed by 2006 will now be completed in 2010, without a blush from the Minister for Transport, who does not see how the public might be dissatisfied. He thinks he deserves plaudits for being four years late. Who was the Minister trying to fool this time last year when he said he was still committed to a 5,000 reduction in public service numbers? It did not happen in year one, year two or year three so we are 15,000 up rather than 5,000 down. Why persist in telling us things which are plainly not Government policy? They are designed to go down well with some commentators but are not Government policy and, in that regard, we are being sold a pup.

This is a constrained and effectively meaningless debate. The Minister plans to announce in the budget a new approach in this House. We have received input from the Committee of Public Accounts and Deputy Rabbitte's work and I have carried out my own research. It is not adequate to say there will be better evaluation. That is an in-house process, not an exercise in public scrutiny. If the Government wants better evaluation I suggest the plans be published. A manager of a project should demonstrate progress before receiving another tranche of money. If the Minister for Health and Children says in this House there will be three medical units she

should come back shamefaced to explain why they have not been put in place, or why medical cards are not in place, even though the money was voted. The money is spent but there are no results. We need that sort of debate in this House. It might be embarrassing for Ministers but it would filter down and give rise to a different dynamic.

Ms Burton: The fates seem to conspire to undo this Government. Every time Ministers have a dramatic announcement to make and billions to wave around they are met with yawns of boredom by a cynical public that has heard it all before. Last week was no different when the Book of Estimates was published. Barely a day's wonder and along comes Roy Keane to knock it off the news. Which would one prefer to read about, Roy's rows or Brian's billions? There is no contest in terms of news value. We are witnessing a bonfire of Fianna Fáil vanities and, for occasional diversion, a small sideshow from a junior partner that cannot decide just yet whether it wants to contest the election with the Government or the Opposition. It is the curse of Janus, the Roman god with a double-faced head, each looking in opposite directions.

The Book of Estimates is a chronicle of wasted chances and hardly a line is original. It is another dose of promises made time and again, for more gardaí, more teachers, more medical cards, all announced so often before and with ever increasing fanfares but as worthy of credibility as an Al Capone declaration of innocence.

The American journalist Walter Litman wrote that a credibility gap is a result of a deliberate policy of artificial manipulation of official news. This Government has overdosed on this type of artificial manipulation of news by announcing the same thing so often and packaging it as something new. All we have, however, are promises made and forgotten. For example, Fianna Fáil said in the general election campaign it would cut class sizes for all children under nine years of age to 20 or less. I will put a simple question to the Minister for Finance, Deputy Cowen and the Minister for Education and Science, Deputy Hanafin. Are we any closer to that target after last week's Estimates for the Department of Education and Science and the indicative falls in class size numbers? In Blanchardstown many classes are close to 40, the largest number of super-sized classes in the country. There is not the remotest chance that all children under nine will be in classes of 20 by the next election. It was a cynical promise, which they were aware of when they made it but, true to form, they made it and broke it. True to form they also think they can resurrect it and present it as something new and bold when it is nothing more than an old promise reheated and rehased under a new shiny label.

In the overblown health strategy, waiting lists would be gone by 2004 and there would be 200,000 full medical cards. The result has been

an appalling vista that on its own merits electoral defeat. Countless billions have been spent with little to show. As for the promised billions for Transport 21, Ministers might not know but last week saw unprecedented delays on the M50, with traffic jams stretching every morning, afternoon and evening from the toll bridge to Santry in one direction and back to Templeogue in the other. The M50 is beginning to resemble one of Dante's circles of hell, yet the permanent civil service, in the person of the Secretary General of the Department of Transport, told the Committee of Public Accounts just a week ago it would be years before electronic tolling or other improvements to the gridlock will come about. In the meantime this week's misery will get worse when the upgrade to the road starts next year and an estimated 7,900 lorries hit the M50 and the toll bridge every day. Needless to remark, Transport 21, for all its billions of taxpayers money to spend has nothing to say about the toll bridge in its five little pages with a miserable map which even had Dublin's topography wrong.

The public spending Estimates for 2006 prove beyond doubt that this is a tax and spend Government. It would not be so bad if taxpayers got value for money but often they do not. The Government has been in power for eight and a half years and has done little of significance to ensure the efficiency and effectiveness of big spending Departments like the Department of Health and Children, the Department of Education and Science and the Department of Social and Family Affairs. As a result people are frequently subjected to wholly inadequate levels of public service. At least in Angola or elsewhere in Africa people might be treated with human decency, in contrast to a three-day wait on a trolley.

Debate adjourned.

Private Members' Business.

Housing Developments: Motion.

Mr. Gilmore: I wish to share time with Deputies Stagg and Broughan. I move:

That Dáil Éireann, considering the increased use of 'management companies' as an alternative to the public 'taking in charge' of housing developments and considering that these management companies impose a management charge on house-buyers for services which are normally provided by a public local authority, calls on the Minister for the Environment, Heritage and Local Government:

- to issue, under section 29 of the Planning and Development Act 2000, policy directives:

- requiring all planning authorities to insist that all new housing developments are designed, constructed and completed to 'taking in charge' standards; and
- specifying that planning permissions for the development of houses (as distinct from apartments) should not require or allow for the establishment of management companies;
- to issue guidelines to planning authorities specifying the limited circumstances (mainly apartment developments) where management companies may be permitted, and in respect of those permissions, to set down those services including where possible, all roads, public open spaces, public lighting and water and sewage services which should be completed to 'taking in charge' standards, and which should be taken in charge by the local authority;
- to introduce new legislation which will:
- regulate the operation of management companies;
- give consumer protection to homebuyers, including the regulation of management charges;
- re-inforce section 180 of the Planning and Development Act 2000, to the effect that a development which is or has been the subject of a 'management company' condition, may be taken in charge by a local authority where a majority of the qualified electors who own or occupy the houses in question, so consent; and
- provide for the winding-up of management companies.

Domestic rates are back. They were supposed to have been abolished after the 1977 general election but they are now, in reality, back with us again, not as they were but in a new form as management charges for housing estates and apartment blocks. They are no longer paid to local authorities but to private management companies. They are being paid for the same public services which used to be provided by local authorities. These include public lighting, management of open spaces, provision and maintenance of roads and, in some cases, the provision and maintenance of water and sewage services. They are paid in the main by first-time home buyers in new housing estates and new apartment developments. They are an additional financial burden on families already overstretched with mortgage repayments and child care costs. Some pay €500 per annum, some pay €1,000 per annum and some pay more. The amount is not controlled or regu-

[Mr. Gilmore.]

lated and it can be charged indefinitely. Management charges are a new stealth tax imposed on vulnerable house buyers, paid to private management companies for services which should be provided publicly.

Mr. J. Higgins: Hear, hear.

Mr. Gilmore: The Labour Party motion is intended to solve the growing problem of management charges and management companies in private housing developments. The motion calls on the Minister for the Environment, Heritage and Local Government to take three forms of action to address the management company problem, namely to stop new management companies from being formed and new management charges from being levied, to regulate management companies and charges where they currently exist and to legislate for the winding-up of management companies and the ending of management charges and to have housing developments taken in charge and maintained by local authorities.

Mr. J. Higgins: Correct.

Mr. Gilmore: The idea of management companies ordering and maintaining residential developments and charging for these services is not new. In the past, however, it was a practice mainly associated with private apartment developments and with some small expensive and exclusive housing developments mainly in what were known as the gated communities.

Normal housing estates, however, did not have management companies or charges. These estates were usually designed, constructed and completed to a standard which the local authority required for taking in charge. In the planning permission the local authority set the road widths and standards, the amount of open space, the quality and location of public lighting etc. and the developer was obliged to complete the development to that standard. As we know, some developers failed in their obligation to complete satisfactorily housing estates. This problem has already been addressed by a Labour Party Private Members' Bill, which passed Second Stage in this House last spring and for which I am still awaiting a date for the Committee Stage in the select committee. I take this opportunity to ask the Minister to facilitate the taking of that Committee Stage which, apart from dealing with the issue of unfinished housing estates, might also provide an opportunity to legislate for the management company problem which this motion addresses.

In the case of apartment developments, matters were usually a bit more complicated. Common areas within apartment buildings, parking areas, whether within the building or within its curtilage, public lighting, small open spaces and the planting around apartment buildings often did

not lend themselves to being taken in charge by a local authority. The solution which was arrived at was that the developer would establish a management company, in many cases comprised of the owners of the apartments, and it would have the responsibility for the care, maintenance and management of the common areas. The apartment owners would pay an annual charge to the management company for these services. In the main, this practice was confined to apartment developments only. It did not apply to housing developments, except in the small exclusive, usually very expensive, private housing developments, where the house owners were opting for the privacy and exclusivity which the management company and management charges gave them. In both cases, the purchasers of both the apartments and houses in these small developments were paying for privacy and exclusivity.

In recent years, however, the practice has grown and widened. First, apartments now constitute a much bigger proportion of residential development. Apartments are increasingly becoming the typical first home for many first-time buyers, except in the big urban areas. Therefore, the use of management companies and the imposition of management charges is no longer an option being voluntarily exercised by the purchasers of these dwellings, but it is being imposed on them by the developer and, in some cases, by the conditions set by the planning authority. Second, many residential developments are now mixed, containing a variety of dwellings from apartments in multi-dwelling blocks, duplexes, maisonettes, town-houses in courtyard settings to the standard semi-detached and detached dwellings.

In these mixed housing schemes, common areas and services, including roads, open spaces, planting, parking and public lighting do not fit easily into the model which local authorities set for taking in charge purposes. I want to give an example of this type of development which I received today. It refers to a development on the western side of this city. It reads that the development comprises of a mix of houses, duplex units and apartments. The total number of dwellings on the estate is 320. The management company is a guaranteed company, without a share capital, which was incorporated in 2003. Each owner of a unit in the estate has a €1 share in the management company. However, the developer and his associate remain directors until the estate is completed and until the last unit is sold. Once the last unit is sold, new directors can then be elected to the management company. If the owners are in agreement, new management agents can be appointed to oversee the day-to-day running of the company. I will return to the issue of selling the last unit.

Some developers have concluded that they can finish housing estates to a different and often lower standard than that required by local authorities if they opt out of the taking in charge pro-

cess. They can do so by setting up a management company for the housing estate which will either directly charge for the services or appoint an agent for the carrying out of these services which will charge for them. These services should normally be provided through local authorities. It benefits developers in a couple of ways. First, the developer saves on development costs by not having to comply with the standards usually set by local authorities for road widths, amount of open space and so on. It can be a nice little earner for the developers because some operate the condition that they will transfer the directorships of these companies once the last unit is sold. If, however, they retain a single unit in the development, they retain effective control of the management company and in addition to having charged the house buyer whatever enormous amount they charged for the dwelling, they can then continue to charge for management services on an unregulated basis for as long as they want.

Some local authorities now find it convenient to not only facilitate developers to opt out of taking in charge but encourage them to do so and in some cases make it a condition of the planning permission. The unfortunate house buyer is now faced with a pincer movement between the developer seeking to maximise gain on one hand and a local authority that already feels it has too many kilometres of road and acres of open space to manage and that wants to get rid of further responsibility in that regard by letting the developer establish a management company. That saves the local authority from incurring costs in maintaining and developing these services.

The result is a recent major growth in the amount of housing and the number of privately maintained and managed housing estates for which the householder is paying a charge. There are a number of problems with all this. The house buyer, having paid a high price for a home, has to indefinitely pay a private management company for services which should be delivered through a public authority. In many cases — I know this from experience in my constituency — where management companies have been used for apartments and supposedly exclusive developments, management companies collapse, leaving nobody in charge of maintaining and managing common areas in apartments and housing developments. This can give rise to problems of neglect, dereliction and difficulties with insurance and liability.

As a result of developments not conforming to the taking in charge standard, issues of renewal and repair arise early and more frequently. The fancy cobblelock that has been set down instead of normal road surfacing becomes uneven and broken, a water pipe crushes, the fussy planted feature becomes overgrown and the ground level public lighting needs to be rewired and upgraded. The cost of all this work falls on the management company and ultimately back on the householder. The new house buyers who find themselves faced

with a management charge will also find themselves faced with the capital cost of renewing water, sewerage and roads — services which are being provided in some cases to a standard below that which the local authority allows. In the course of time, purchasers of homes in privately managed estates will find that they are liable not only for the annual charge for the routine maintenance of these services, but also for the capital costs of repairing and renewing them.

When the householder wishes to sell the house or apartment, there will often be complications with conveyancing. Solicitors inform me that there are many difficulties facing those in privately managed estates when they try to sell their property.

Local authorities are reluctant to take in charge housing developments which had been the subject of management companies because they have not been built to the taking in charge standard, the maintenance of services may have been indifferent over the years and these are additional costs associated with the development. The original developer has benefited financially by building a housing scheme to a standard below that required by the local authority and the local authority will be unwilling, understandably, to pick up the cost ten or 15 years later. The growing use of management companies in housing development is costing householders today, storing up future costs and conveyancing difficulties in the future and creating a future headache and cost for local authorities that at some point will have to step in to clear up the mess.

The whole issue requires urgent attention. At the last general election the Labour Party committed itself to legislating in this area if we were returned to Government. We were not and the problem has continued to grow. Our motion tonight, however, calls on the Minister to take three lines of action. He can immediately stop future housing schemes being developed to below taking in charge standards, stop the setting up of management companies——

Mr. J. Higgins: Hear, hear.

Mr. Gilmore: ——stop management charges being levied and require all new housing development to be built to the standard required by local authorities for taking in charge. He can do this by issuing a policy directive under section 29 of the Planning and Development Act 2000. Planning authorities are required to comply with a policy direction given by the Minister under section 29.

Further, recognising that in apartment developments there may still be a need for some private management, he can make planning guidelines under section 28 of the Planning Act. These guidelines could, for example, in the case of apartment or mixed development, distinguish between the internal areas, such as stairwells, where private management arrangements may be needed, and the roads leading to an apartment

[Mr. Gilmore.]

building where normal taking in charge standards could apply.

Mr. J. Higgins: Correct.

Mr. Gilmore: In the case of car parking, for example, it could distinguish between car parking provided within the building where private management would be appropriate and kerbside car parking which should be subject to public management. In short, the guidelines would clarify those services which are and should be public and those which are appropriate for private arrangement.

There is a need for new legislation in this area and the Labour motion calls on the Minister to prepare a Bill to address a number of aspects of this problem: to regulate management companies where they are established and to control the levels of management charge; to protect the consumer, or the house buyer; to strengthen the existing provisions of section 180 of the planning Act; and to allow for the taking in charge by a local authority of a development which is already subject to a management company.

Section 180 already provides for taking in charge of a development that is the subject of a management company. It provides:

Where the development has been completed to the satisfaction of the planning authority, in accordance with the permission and any conditions to which the planning permission is subject, the authority shall, where requested by the person carrying out the development, or, subject to *subsection (3)*, by the majority of the qualified electors who are owners or occupiers of the houses involved, as soon as may be, initiate procedures under section 11 of the Roads Act 1993.

There has been a casualty in the course of the afternoon so I have some latitude in my time. It was intended that I would share with Deputies Stagg and Broughan. I was also to share with Deputy Lynch but, due to circumstances beyond her control, she cannot be with us.

It could be argued that section 180, even as it stands, could be used by the householders in apartments or houses to hold a plebiscite to vote to have the estate taken in charge even if it is subject to a management company. Lest there be any doubt about that, however, the Minister should legislate to strengthen section 180 and to clarify what happens in circumstances where taking in charge has taken place. No one wants circumstances where the cute developer sets up a private management company and the residents vote to opt into the local authority and the public purse must foot the bill for the gains the developer made. There will be a need to provide for what happens when taking in charge takes place. The legislation needs to address how, and in what circumstances, existing management companies

can be wound up. I ask the Minister to accept the Labour Party motion. Both he and the Taoiseach are on the record that they do not like the growth of management companies and the imposition of management charges. The Labour Party's proposal provides the Minister with a means of dealing with the issue effectively. He can stop the rot by regulating the existing companies and legislating to wind them up and for the ultimate taking in charge of housing developments which are subject to them.

Mr. Stagg: I thank our spokesperson, Deputy Gilmore, for raising this important matter. I also acknowledge the points consistently raised by my constituency colleague, Deputy Catherine Murphy, and Deputy Joe Higgins of the Socialist Party on this matter in the House.

The Labour Party tabled the motion in response to widespread concern that management companies, which were intended to deal with the common areas of apartment blocks, are being applied to newly completed or not fully completed housing estates. The Labour Party believes that section 34(4) of the Planning and Development Act 2000 is being misused and abused by county managers to force new owners to sign up to management companies which bring them no benefits and they must pay through the nose for the privilege.

Mr. J. Higgins: Hear, hear. That is correct.

Mr. Stagg: For example, two housing estates in Celbridge, County Kildare, are divided by a public road. One estate has a residents' association to which the annual voluntary contribution is €100. That estate is maintained by the residents to a high standard and they use contractors to cut grass and do other work for them. The other estate is maintained by a management company and the annual charge is €1,000 but the estate's management is not as good as the other estate. However, this estate comprises 400 houses which yield €400,000 per annum to the management company. The only work done by management company is the cutting of grass in the green areas. One would cut a great deal of grass for €400,000 per annum. The company is controlled entirely by the developer and I wonder what happens to the balance of the money when he has cut the grass.

Mr. J. Higgins: That is outrageous.

Mr. Stagg: I presume he uses it to carry out his duties as a developer to finish the estate which is not up to the standard for taking in charge. However, it will not be taken in charge at all if the county manager has his way.

County managers, a special and powerful group of unaccountable officials, have seen and grasped an opportunity by using and imposing management companies on householders to privatise the

provision and maintenance of public services that were traditionally the responsibility of local authorities. These include roads, footpaths, lighting, landscaping, green areas and water and sewerage schemes. The Minister, in reply to a parliamentary question tabled by my constituency colleague, stated green areas were not necessarily included. However, they traditionally have been and, while residents' associations help to maintain them, they are the responsibly of the local authority if the estate is taken in charge.

Mr. J. Higgins: That is correct.

Mr. Stagg: The planning conditions imposed by county managers in this regard are not for a limited period. They are intended to be a permanent feature, thereby, transferring responsibility from the council to the individual householder.

I refer to a housing development at Clane Road, Kilcock, County Kildare, comprising 122 houses and 56 flats. Condition No. 43 of the planning permission states:

A management company shall be set up in order to manage the communal activities of the development. Prior to the commencement of the development, details of the management company shall be submitted to the planning authority for approval, with particular emphasis on the provision of sanitary services. Each property owner shall be a party to the management company and the management agreement shall be registered on the relevant property folios in the Land Registry upon the sale of each individual property.

The man who signed his name to that planning condition had no intention of ever taking that estate in charge. We are asking the Minister to call a halt to the managers' gallop and to have them reverse the decisions taken, thereby preventing a recurrence.

Collectively and individually, county managers represent a significant democratic deficit in our decision-making process. Large tranches of power previously in the remit of elected representatives have been transferred to them and they exercise that power with impunity, ignoring the elected representatives of the public. It is time to put a stop to their gallop, remove them from their highly paid ivory towers and give back to the people, through those they elect, the power that is rightly theirs. The Minister has first-hand experience of the issue I have raised. I call on him to act on this while he has the opportunity. He is aware, on the basis of what is happening in his constituency, of the need for change and I assure him he will have our strong support for action to replace county managers with democratically elected chairmen or mayors with the same powers managers exercise. However, I digress from the main issue.

Mr. Roche: It was a good digression.

Mr. Stagg: My county council, on foot of a motion tabled by its chairman, Councillor John McGinley, has set up a working party to report on this matter to the Minister. There is no need for a working party or another report. The council will probably hire consultants to do this work because, even though it employs 67 full-time engineers, they could not fill a pothole without a consultant's report. When I was a member of the local authority, I asked whether the consultants were more qualified than our engineers. The county engineer replied that we had the best qualified engineers in the world. I asked, if that was the case, why they did not do the work of the consultants. The county engineer replied that I did not understand how the system worked. He said a group of our engineers monitor the consultants while another group interprets their reports. I then went outside to check whether I was in a lunatic asylum or a county council office.

This issue is clear. County managers are misusing a section of the planning Act to impose — wrongly and without a legal basis — management companies on householders, thereby hiving off their responsibilities for services to individual householders and privatising public services by the back door. We want the Minister to put a stop to this practice forthwith and to put in place a procedure for the winding up of the companies, including the removal from the deeds of the individual householders of the lien on their properties imposed by the manager's planning condition. Legislation is required to regulate management companies and to control their charges in apartment blocks where they may be required. I would prefer if co-operative management could be considered in apartment blocks rather than the imposition of management companies.

Developers are required to give 20% of the houses they build to the local authority for sale or rent to people on the affordable housing lists. Not many have been handed over to Kildare County Council but of those, a significant number has been handed over on estates run by management companies. In fact, much of what we have been offered by the private sector for social housing are more or less shoe boxes designed for singles in yuppie-land. They are entirely unsuitable for the needs of a family and are being offered because it seems they are the cheapest. I am not sure how they measure up. I have been in some and one would hardly get a pram down the corridors in the living quarters.

The people who move in are required to pay a management charge and become shareholders. There is no regulation in this area. I want the Minister to examine if the county council will be the shareholder in such a case and will pay the management charge or whether the individual, probably on social welfare payments, will be required to pay the charge or be thrown out by his or her fellows in the private part of the building. That might be possible too.

[Mr. Stagg.]

The final point made by my colleague in introducing this subject was that domestic rates are back. I am prepared to give the Minister the benefit of the doubt, but that might disappear very quickly when the Minister responds to this motion, which we hope he might accept, given his previous comments. We will know by the Minister's response whether domestic rates are back.

Mr. Broughan: I am delighted to support the motion brought forward by the Labour Party's spokesperson on the environment, Deputy Gilmore. Many young people in particular throughout the country are delighted that at long last this issue has reached the political arena in the form of a motion before this House, which the Minister could support. What is happening is a grotesque attempt at privatisation by the back door of all local authority services. I did not believe the Taoiseach when he said when Deputies Burton and Michael D. Higgins raised the matter that he did not understand this, did not know about it and that it had never been brought to his attention. He went on to lecture us that the legislation which is clearly necessary and which is demanded in this motion could not be retrospective and asserted that nothing could be done about the anguish and suffering which young people undergo in new estates in many urban and rural areas.

I have spoken to one or two of the new householders inhabiting the massive new city being built across my constituency, Dublin North-East, the constituency of Dublin North-West and just south of the constituency of Dublin North. There are perhaps 40,000 to 50,000 housing units in place and the first few hundred families have moved into this brave new world of very high density with a total lack of public services and no proper planning organisation. For example, it seems it is only in recent months local authorities discovered there is no national system of education in this country and that it was not possible to provide hospitals or schools or provide even outline planning for them down the line in this vast new district.

Young people who finally managed to put together the €250,000, €300,000 or €410,000 in this new development are being hit by management companies with a minimum extra of €650 as an estate management charge. This is part of the chaotic and disgraceful housing market for which the Minister for the Environment, Heritage and Local Government and his predecessors have been fully responsible. They have been a failure in this area. In the dying days of this Government its representatives have talked about regulating the auctioneering profession. They had eight and a half years to do so, to stop gazumping and the suffering people must undergo when trying to get a roof over their heads. They had eight and a half years to deal with the grotesque, unbelievable and outrageous profits of more than €150,000 to

€200,000 per housing unit being made by developers. They did nothing about it. Why would they since those developers own the Minister's party lock, stock and barrel and they own the Minister? Why would its representatives stand up to them? This disgusting system of privatising basic services and charging people on the double is the final straw to break the camel's back.

Mr. Roche: Before the Deputy personalises matters, nobody owns me.

Mr. Broughan: They own the Minister's party.

Mr. Roche: Nobody owns me.

Mr. Broughan: Why then does the Minister not take action? Why does he not bring in legislation?

Mr. Roche: I am simply making the point, before the Deputy chooses to make personalised comments, that nobody owns me.

Mr. Broughan: I withdraw the remark about the Minister, but not about his party.

Mr. Roche: Thank you.

Mr. Broughan: The ideological bent of the Taoiseach and the Government over the past nine years has been precisely to produce the kind of housing market and system which we have with 200,000 units being built over the past three years and more than 50,000 people still on housing lists for ten, 12, 13, 14 or 15 years, as the Minister is aware. The traditional housing system involved water drainage, open spaces, lighting, streets, footpaths and all the basic services of a new estate. They were maintained by the developer under the supervision of a local authority. As public representatives we often had lengthy battles to have estates taken over. I recall one estate in my constituency finally being taken over after ten or 12 years.

Imperfect as it was, that was the system. We now have a cruel, disgraceful abuse of young householders. This is the final attempt to suck the marrow from the bone of people desperately trying to put roofs over their heads, with fees of €200, €400, €600 or €800. Young people are bullied into paying these sums. What choice have they got? When the legal contract is put in front of one, involving the most important transaction in one's life, someone now points out that one needs to also sign another form. One may be signing one's life away for two or three years to the gangsters running this system, who may include close relatives of the developer or perhaps the foreman's son or some other relative who will then be able to levy the charges for another period. It is grotesque that while we have very settled, upmarket, well financed, high-income districts of our cities where people do not pay such charges and would stage a major revolution if

they had to do so, young families coming into estates are forced to pay them.

Deputy Stagg correctly noted that much of this goes back to the farce of local administration whereby unelected county managers and planning managers could allow this development to take place. It is sad that Fingal County Council is one of the local authorities to the forefront in trying to offload key public services. A major objective of the next Government must be to introduce a decent system of local government with the election of the chief executive.

If a householder is asked to pay a private management company which is not providing the services being charged for, where does that householder stand legally? One case from the west Dublin area has come to my attention involving a householder threatened with legal action for withholding payment of charges, even though the householder ended up in hospital with water poisoning because the company had not tested the standard of the water and waste had leaked into underground storage tanks and poisoned the water. That happened just a few months ago in the Tyrellstown area. It is also outrageous in this case that residents will have to pay for the replacement equipment for the water supply to the estate even though they are already paying their management fees to the company involved and the water supply was poisoned for a full two weeks last June owing to negligence by the management company.

Householders in that estate face an annual fee of between €200 and €600 depending on the location or proximity to any green area in the estate. This fee could increase by any amount year to year as the contract is open-ended and states that amounts can vary with larger houses incurring larger fees than smaller houses. What the management company does with the money it collects is a mystery to the new residents. The grass is not cut regularly. The roads are not finished. They have not had their top covering and are in need of urgent resurfacing. The lights do not work on half the streets while the lights on other streets are on all day long. During the past 18 months this estate has had three different management companies overseeing service provision in the area. What mechanisms are in place for such charges in any residential estate? Can anybody set up a management company? That is just one of countless examples in the west and north side of the city. It is a disgraceful state of affairs. The Taoiseach and the Minister did know about it and it is shameful they did not take action to remedy it before it became a crisis for so many of our young constituents.

Minister for the Environment, Heritage and Local Government (Mr. Roche): I move amendment No. 1:

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

- ”— recognising the importance of well-planned and well-designed residential development, commends the Government’s commitment to promoting sustainable communities which:
 - offer choice to householders across a wide range of accommodation options;
 - embody high quality urban design which is also environmentally progressive and energy efficient; and
 - provide a wide range of services and amenities for the community, and are focused on locations that capitalise on recent and planned transport improvements as set out in Transport 21, published recently by the Government;
- notes that a Law Reform Commission working group is currently examining a range of legal issues in relation to the importance of effective management arrangements for multi-unit structures and that the government will consider recommendations of the group’s final report including the need for any new legislation to regulate management companies;
- notes that the supply of housing has been greatly increased since 1997 and that almost 77,000 units were completed in 2004 which was double the level achieved in 1997 and that 21% of housing units built in 2004 were apartments and that apartments constituted 68% of the housing units built in Dublin City in 2004, and 42% of the units built in the Dublin area;
- recalls the provisions in the Planning and Development Act 2000 whereby planning authorities must initiate the taking in charge of housing estates when requested to do by the majority of the residents who are qualified electors, or by the developer;
- notes the strong provisions in the Planning and Development Act 2000 which require the completion of estates by developers, including the provision whereby the developer can be required to give adequate security for the completion of the development and the strengthened provisions in relation to enforcement of planning conditions;
- notes that the Planning and Development Act 2000 recognised that management companies may be required, in appropriate circumstances, to provide for the maintenance of multi-unit structures, for the communal benefit of all residents;

[Mr. Roche.]

- notes that in accordance with long-standing policy the application of conditions to a planning permission should in all cases be necessary, relevant to planning and to the development, enforceable, precise and reasonable, and that planning authorities must operate in accordance with these principles; and
- welcomes the fact that as a result of the increase of 6% in the Exchequer contribution to the Local Government fund, as provided for in the Abridged Estimates published last week, the Minister for the Environment, Heritage and Local Government will be in a position to build on the Government's strong record of strengthening the financial position of local authorities thereby empowering them to continue to improve the quality and range of services they provide to all their customers."

I wish to share time with Deputy O'Connor.

Acting Chairman (Mr. McGinley): Is that agreed? Agreed.

Mr. Roche: I am grateful to Deputy Broughan for removing the slur he placed on me. I am an independent individual and do not depend on any developer.

I welcome the opportunity to speak on an issue which is of importance to the everyday lives of so many homeowners. Since coming into office this Government has led an unprecedented reform of the planning system. We have updated planning law from scratch and have issued an increasing number of planning guidelines — certainly that is the case since I took over this portfolio — to assist local authorities in delivering a quality service and to assist the public with the planning laws.

We have done this because, in the words of the Government amendment, we recognise the importance of well-designed residential development and we are committed to promoting sustainable communities which offer choice to householders across a wide range of accommodation options, embody high quality urban design which is also environmentally progressive and energy efficient and provide a wide range of services and amenities for the community, and are focused on locations that capitalise on recent and planned transport improvements.

The issues raised today relate to the law governing management companies and the appropriate or inappropriate use of planning conditions to require the establishment of management companies. Deputy Stagg mentioned a few and Deputy Catherine Murphy has drawn my attention to them in County Kildare. Another issue

raised was the taking in charge of housing estates by local authorities, an area completely reformed by this Government.

In understanding the increased role of management companies, one has only to look at how the supply of housing has changed and expanded in recent years. Almost 77,000 new housing units were completed in 2004 which was more than double the amount completed when the Labour Party was last in Government. Some 21% of the homes built in 2004 were apartments. Even more dramatic, apartments constituted 42% of all houses built in the Dublin area in that year and 68% of the units built in the city council area. In Cork city, apartments made up 43% of all units. More than 100,000 apartments have been built during the past ten years. Deputy Gilmore recognised that the position of apartments is different from that of the traditional houses.

Turning to the law governing management companies, the Government is committed to ensuring current practice should reflect the reality that increasing numbers of people live in apartments. The Law Reform Commission is examining a range of legal issues in regard to the management for multi-unit structures. While management companies have operated successfully in many apartment complexes, problems have arisen in some instances due to a number of factors. Difficulties that have been reported include the standard and cost of service provided by management agents employed by developers or management companies, chronicled by two of the last three speakers; delays in transferring responsibility to owner-controlled companies; and most worrying perhaps for the future, insufficient provision for maintenance or future refurbishment.

I look forward to the recommendations of the Law Reform Commission in addressing the various issues that have been identified. The commission has already done a good deal of work and I understand it expects to issue a consultation paper in the new year. It is not possible to say what the report will contain but a key objective will be to ensure any possible gaps or deficiencies in the legal framework are addressed. It will be necessary to prevent problems arising in the future and to provide a mechanism to rectify difficulties that have arisen with existing apartment complexes. I also expect the report to deal with consumer issues such as the need for transparency in service charges, an issue dealt with by Deputies Stagg and Gilmore. I look forward to receiving the Law Reform Commission report and I will act as speedily as possible on any of its recommendations relevant to my Department.

The Government is already acting in a number of areas. The Minister for Enterprise, Trade and Employment has indicated that as part of the overall review of company law, the law applying to guarantee companies, including apartment management companies, will be simplified. The Minister hopes to bring proposals for legislation

to Government early in 2006. The Minister for Justice, Equality and Law Reform recently announced that he intends to establish a new national property service regulatory authority whose functions would include licensing and regulating property managing agents that undertake multi-unit management functions and establishing vetting and complaints procedures.

The maintenance and management of private apartment complexes is ultimately the responsibility of apartment owners, just as in the case of an individual house the house owner has to take responsibility for maintenance, insurance and so on. In the apartment complex context, this is catered for most frequently through management companies, a point recognised in Deputy Gilmore's contribution.

Deputy Gilmore touched also on the issue of taking in charge, as did Deputy Broughan. Throughout the 1970s, 1980s and the 1990s, the problem related to people suffering due to estates being left unfinished. I have first-hand experience of that in County Wicklow. When we modernised the planning law in the Planning and Development Act 2000 to equip it for the challenges of this century, the Government tackled head on the problem of unfinished estates. Deputy Gilmore referred to the changes that were made. We ensured that new homeowners would not be required to bear the burden of the basic infrastructure by obliging local authorities to take estates in charge once finished. Deputy Stagg characterised some of what is happening in his constituency as a nefarious attempt by some in local government to frustrate the taking in charge of estates. In so far as there is any evidence that is happening I will deal with it.

We equipped local authorities with the tools to get housing estates finished. We have strengthened the powers to enable planning authorities to require adequate security to be provided by developers and to require estates to be finished within a reasonably short period. The Act also strengthens provisions in regard to enforcement of planning conditions. Developers can be required to put forward bonds and to deliver on the permissions they get. They can be forced to complete to "taking in charge" standards. That issue was raised by Deputy Gilmore.

Under section 180 of the Planning and Development Act, local authorities are obliged to take in charge the public services of housing estates, once completed to a satisfactory standard, where requested to do so by a majority of the residents of the housing development, or by the developer. Certainly the inclusion of the majority of residents of the housing development is a novel and welcome change in planning law. The section is emphatic. It is not in any way ambiguous. Once completed, section 180 provides that the planning authority must, I emphasise must, initiate the procedures if requested to do so by the developer or by the majority of the qualified electors who are owners or occupiers of the

houses. That is not a *desiderata*, it is an obligatory provision in the Act. The local authority will then be responsible for the maintenance of public services, and that of any associated pipes, pavements, open spaces, car parks and so on, all of which were mentioned by Deputy Gilmore. He made the reasonable point that a differentiation has to be made between those elements which relate to multi-complexes, to apartments and those which relate to more standard housing.

If estates are unfinished and planning enforcement proceedings have not been commenced by the authority within the relevant period, section 180 also provides that the planning authority must, if requested to do so by the majority, initiate the procedures in section 11 of the Roads Act to take the roads in charge. When they do so, they are precluded from considering the financial implications of taking the road in charge. Many of us had experiences in the past when this provision did not exist because roads issues were frequently used to frustrate the taking in charge process. The section is emphatic and no purpose would be served by the changes suggested in the motion tabled by the Labour Party. I accept they are well meaning but I do not think the change proposed is needed. It is not necessary for legislation to repeat what is already set down in law.

Whether a management company exists for a housing development, the existence of a management company does not override the legal obligation on developers to complete and maintain estates until they are taken in charge. Nor does it provide a mechanism for a local authority to offload its responsibilities. Elected members of local councils have responsibility if there is a common belief or scintilla of evidence that their manager or planning officials are attempting to offload on to residents responsibilities which should apply to local authorities.

The Planning and Development Act, enacted by the Oireachtas in 2000, recognised that management companies may be required, in appropriate circumstances, to provide for the maintenance of multi-unit functions. In considering this issue, we should not lose sight that management companies have an important role, for the benefit of all residents living in shared spaces. Apartment complexes have special management and maintenance needs because of the extent of shared or communal elements involved. Some of these such as corridors, hallways, lifts, stairs, roof and the overall structure of the building are clearly evident. Similarly, external areas such as car parks and planted areas serving the apartments are features of these developments.

Interdependence is an inherent feature of apartment living. This necessitates a range of rights and responsibilities with a mechanism for upholding, enforcing and, where necessary, reconciling these, in the interest of all the owners and residents. This is what management companies are intended to do. They are not intended to be rich sources of funding for people associated

[Mr. Roche.]

with developers. In addition, many housing estates have management companies to deal with the ongoing maintenance and management of the private elements to housing developments, such as looking after the green areas, landscaping, maintenance of community amenities and so on, as mentioned by Deputy Gilmore.

In recent weeks I was informed that some planning authorities now attach conditions to permissions for housing estates whose responsibilities are wider than the limited maintenance role that I have described. This matter was highlighted in a number of questions tabled by Deputy Murphy. This is not acceptable and in response I have asked the Department to obtain a report from planning authorities on their policies for attaching conditions relating to management companies to planning permissions for residential developments. While not all planning authorities have yet responded, initial indications are that practice varies across the country and this matter will need to be addressed. I will make it clear to all planning authorities that I expect planning law to be applied in a consistent manner. I will emphasise this approach in the draft management development guidelines that I will publish next week.

Deputy Stagg referred to Kildare County Council's misapplication of the relevant section of the planning Act. Members of that council have appointed a committee to report on the issue. The committee will not report to me, it is an internal committee of the council and will report to its SPC. I expect that the councillors will then act.

The planning Acts are framework ones and local authorities have to ensure that any conditions attached are fair, reasonable and enforceable. This has been the consistent thrust of advice from my Department. Local councillors should take this matter seriously and ensure it happens. As I already mentioned, next week I will launch the draft of modern guidelines for planning authorities on development management. Those guidelines will repeat the long-standing advice to local authorities on the conditions appropriate to attach to planning permissions. When I have studied the full results of the survey of local authority practice, I will consider whether any additional guidance to local authorities is necessary on my part. I will be pleased to issue them if necessary.

Whatever other excuses local authorities may have to act in the manner Deputy Stagg has portrayed it is not a shortage of funds. We have vastly increased the resources available to local government. Income available to local authorities through the local government fund rose from less than €800 million in 1999 to €1.26 billion this year. Last week, I announced a further 6% increase in the Exchequer contribution to the fund, which is well ahead of inflation. There is no excuse for any local authority to use the device

of a management company to avoid its responsibilities.

The Government's overall goal is to build sustainable communities, not just housing units. At the same time we need to deal with the differing nature of housing now. Once the Law Reform Commission reports are published they will be examined in detail. For my part, I will review relevant guidelines in areas such as residential density and housing quality to ensure they are modern, quality driven and appropriate to our society's changing needs. The Government has delivered on housing and will continue to take necessary action. I thank the Deputies for raising the matter in the House. Once the Law Reform Commission has reported—

Mr. J. Higgins: The Minister said nothing about the existing companies.

Mr. Roche: We will consider its recommendations in their totality.

Mr. J. Higgins: What about the abolition of the existing companies? The Minister has not given any comfort to householders stuck with them. Under Standing Orders the Minister can reply to a short interjection if he accepts it. I am concerned about existing householders who are stuck with these contracts. What will the Minister do about them?

Mr. Roche: Perhaps the acoustics are not what they should be on the far side of the House. I am awaiting the report of the Law Reform Commission and as soon as I receive it I will act on it in its totality. I will consider all aspects of it. Issues exist such as those in Kildare, which I have raised with the council. I will not announce some precipitous action without the benefit of the Law Reform Commission report. The Deputy can be assured that I am as concerned as he is on the matter.

Mr. McCormack: Hear, hear.

Mr. Roche: Further to the point made by Deputy Stagg, local authority members have a responsibility to take control of their own areas. Local authority members regardless of their party membership have a democratic imperative which no bureaucrat has. I do not accept the suggestion that they must be beholding and bow down before managers. It is time local authority members used their existing powers.

Mr. McCormack: It is a pity the Government abolished the dual mandate.

Mr. Roche: The Deputy's party supported that change. He should not play the hypocrite.

Mr. McCormack: I supported Deputy Ring in his court challenge.

Mr. Roche: There is no point in weaselling around and trying to slide out of it now. His colleague sitting behind him is very good at slithering out of issues. In reality that was his party's view.

Mr. McCormack: I never supported it.

Mr. Roche: Local authority members have considerable responsibility to take charge of what happens in their counties.

Mr. J. Higgins: Some constituents of mine will go to court next month.

Mr. Gilmore: I ask the Minister to clarify his suggestion that even in an estate where a management company exists the residents of that estate could vote to have the estate taken into charge. In an estate with a management company, can the residents exercise the right under section 180 of the Planning and Development Act to have the estate taken into charge?

Mr. Roche: The law is the law.

Mr. Gilmore: The Minister has given a tricky, clever answer which avoids answering a direct question on whether people can exercise their right.

Mr. Roche: It does not. I have replied and the Deputy knows the law as well as I do.

Mr. Gilmore: The Minister is ducking the question, which proves the issue is not capable of being addressed as the Government has suggested in its amendment.

Mr. J. Higgins: My constituents were in court.

Mr. O'Connor: I am grateful for the opportunity to make a contribution to this debate. I compliment Deputy Gilmore—

Mr. Gilmore: I thank the Deputy.

Mr. O'Connor: —on giving us the opportunity to discuss the matter. As the Minister said, it is important business, and I compliment him on the manner in which he has tackled this business.

Mr. McCormack: Compliment them all.

Mr. O'Connor: I will take my few minutes and perhaps the Acting Chairman will protect me. I am an admirer of the work of this Minister, not only because he cut his political teeth in Tallaght many years ago, but he has shown all of us in his work, particularly since he became Minister for the Environment, Heritage and Local Government, that he is interested in listening to what Deputies on all sides have to say. He represents his Department in a definite and meaningful way. He has

8 o'clock

been particularly accommodating in the manner in which he has dealt with this debate and should be complimented in that regard.

Mr. McCormack: He might be the leader yet.

Mr. O'Connor: I have had a particular interest in these issues for some time, representing as I do a major population centre in Dublin South West, dominated by Tallaght, which is the third largest population centre in the country. Over the years we have faced challenges as far as taking in charge of estates is concerned. In recent times there has been much highlighting in Tallaght of the fact that the Sundale-Suncroft Estate has not been taken in charge, despite being built over ten years ago. There have been other problems in that regard.

I am particularly interested in what the Minister said about apartments. These are a modern phenomenon. A critic told me yesterday that what used to be called flats are now called apartments. These challenges face my community just as they face many other communities. The Minister knows Tallaght and is aware that it was often said about it that it had the population of a city but the status of a village. We have made much progress over the past 15 years in terms of provision of infrastructure and facilities. Of course, many gaps remain and I am happy, with other colleagues, to continue to represent those needs.

If one looked around Tallaght today, one would see 20 cranes working, even on town centre lands. We suddenly have a different landscape and different types of accommodation buildings. There are a number of apartment blocks on town centre lands and apartment blocks are being built in Tallaght village. People have come to me with concerns about what they see as the challenge of these apartments and the different types of accommodation units being provided. A few weeks ago I raised the matter through Dáil business with the Minister of the simple matter, a matter also highlighted by Deputy Gilmore and others, of the difficulty local authorities have registering people on the voting register because apartment blocks are locked up and there are no post boxes. The accommodation is different than traditional accommodation units.

There is much criticism of the units in my community. I highlighted this yesterday at a meeting, with colleagues, including the leader of the Labour Party, with the county manager and his management staff in South Dublin County Council. We highlighted to them the problems that exist with apartment blocks. We also highlighted the difficulties they create for others, including many of the people who live in them.

With regard to the points made in Deputy Gilmore's motion, it is important that we understand there are difficulties and it is only right that all sides of the House highlight them. I am glad the Minister has given me a sympathetic ear when I brought to him problems in my constituency and

[Mr. O'Connor.]

local community with regard to apartment blocks. I mentioned the difficulties to him and know he has received correspondence on the matter from people in apartment blocks in Tallaght and in the Kiltipper area, particularly Marlfield. People have pointed out the particular difficulties that exist in these apartment blocks. In many cases these people have moved into Tallaght and have made a big commitment and investment in the area. They are happy to be close to the Square and the Luas.

I have often said, and do not apologise for doing so, that Tallaght is a positive place and it is great that so many people want to live there. There are, however, issues with which we must deal. I am glad the Minister is taking account of the particular difficulties that exist with apartment blocks, particularly in the Kiltipper area, which I have brought to his attention.

I take the view, and I expressed this view to the south Dublin county manager yesterday, that the council should not use these management systems to absolve itself of responsibility for apartment blocks. The council should continue to watch and take action where necessary to ensure that those moving to these apartment blocks still have all their needs dealt with, for example, public liability, landscaping, street lighting and refuse collection. Some correspondence from Marlfield that I shared with the Minister during the week pointed out that there are difficulties with regard to refuse collections and these other issues.

I support what the Minister said in his speech. It is important that we understand that there are new and particular challenges as far as many apartment blocks are concerned. I hope that this is discussed in contacts with county managers, not only in south Dublin but throughout the Dublin region and the rest of the country. I was glad to hear the Minister give credit to our colleague, Deputy Catherine Murphy, on doing her job in Kildare. South Dublin is no different in that regard and there are challenges for the Minister there. I am confident the Minister understands these problems, that he is listening to what we are saying and that he will take action. I will continue to press him on the issues I have brought and will bring to his attention the various apartments in Tallaght, particularly those in Marlfield and the Kiltipper area.

It is important that the Minister continues to press the various county managers, south Dublin in my case, to continue to ensure they face the challenges posed by the new phenomenon of apartment blocks. Because of density and accommodation needs and the need to deliver new homes there are particular pressures that require new thinking. The Department, in consultation with local authorities, should be part of that thinking. It must understand that the old ways need modernisation. People expect services. People accept the glossy brochures and the good

parts of apartment living and move to apartment blocks, but they still expect to have good services. They do not want to be ambushed by management companies. I know there are good and bad management companies, and in the past few weeks we have heard in the Dáil about both. It is important the Minister consider these issues in a different way.

There is a question with regard to planning permissions and dealing with planning applications in the context of these issues and challenges. I apologise if I have used the word "challenge" too often in this contribution, but it is an important word as far as this issue is concerned.

Mr. McCormack: I thought the Deputy used the word "Tallaght" quite a bit.

Mr. O'Connor: It is not just about Tallaght, I am trying to take a national perspective. However, Tallaght will always show the way. I am always happy to show Tallaght as a good example. What is achieved in Tallaght can be achieved in the rest of the country, and that would make us all happy.

I am not afraid to say there are difficulties. Sitting on these benches does not silence me. I am quite happy to come in and represent the issues as I see them. When my constituents stop me in the street as I go about my business, correspond with me, come to my eight clinics every week and to my full-time office in the main street in Tallaght, I listen to what they say and the issues they raise. The issue of apartments is a major challenge. There are many difficulties about—

Mr. McCormack: It is a pity the Deputy is not a Minister; he would sort it all.

Mr. O'Connor: The Minister listens to what I say.

Mr. Gilmore: Will the Deputy vote for the motion? There is no point in the Deputy telling us he agrees if he then goes and votes the other way.

Mr. O'Connor: I am a bit long in the tooth to be ambushed by this kind of thing.

Acting Chairman (Mr. O'Shea): The Deputy should address his remarks through the Chair.

Mr. O'Connor: I will. I was hoping the Chair would protect me. More experienced colleagues than me are not waiting to tell me how Private Members' business operates. I was often in the Chamber when Deputy Gilmore was on these benches. He knows the system better than I do and he should not be trying to con me at this hour of the night. The fact is there are issues and I want the Minister to deal with them, and I have confidence he will. I am glad the Minister of State, Deputy Noel Ahern, who has a radical view of these matters has joined us.

Ms O. Mitchell: If he is radical, God bless us.

Mr. O'Connor: I am not a bit afraid to say there are difficulties. We should be brave enough to deal with these issues in a cross-party way and get action on them. This is a very important debate. I listened to the earlier parts of the debate and I will continue to listen to the debate tomorrow, as I do every week. It is important that those of us who have the privilege of representing our communities in the Dáil help each other to deal with the various issues. There are many non-party issues to be dealt with.

Mr. McCormack: The Deputy is a great listener.

Mr. O'Connor: I am confident that the Minister for the Environment, Heritage and Local Government, Deputy Roche, and the Ministers of State will listen to what is being said.

Mr. McCormack: The Minister is also a good listener.

Mr. O'Connor: I am sure they will take action, where necessary. I thank the Acting Chairman for his courtesy.

Mr. O'Dowd: I propose to share time with Deputies McCormack and Olivia Mitchell.

Acting Chairman: Is that agreed? Agreed.

Mr. O'Connor: I will not tackle Deputy O'Dowd.

Mr. O'Dowd: I do not mind if the Deputy tackles me. I thank the Labour Party for initiating this important debate in the House. It is important to note that Independent Deputies have also brought this issue to our attention in recent times.

Mr. J. Higgins: I want to hear a hard line from the Fine Gael Members tonight.

Mr. O'Dowd: I remind the Deputy that Fine Gael is about to produce a Bill on this matter. It has been preparing the legislation for some time.

There have been great changes in Irish society in recent years. New building methods have been introduced and people have started to live in alternative types of buildings. It is clear that apartment blocks are a significant feature of modern life, particularly in urban areas. I have concerns about the quality of construction of some new buildings, for example in my constituency. Some new buildings are excellent, but some of them are not. I am concerned that some of the supposedly fine and shiny apartments will become the slums of the future. I do not have a problem with high-density development, as long as the quality of construction is high and environ-

mental considerations are taken into account. The problems in this area need to be addressed.

Demographic changes are putting pressure on the existing housing stock. High-density apartment blocks, which offer cheaper housing that should be of a high quality, allow many young people to get on the property ladder. The 2002 census showed that over 110,000 households, or almost 9% of the total, are based in apartments. The 210,000 people who live in this type of housing are often single people and couples without children. There is evidence to suggest that this trend is continuing. Over 42,500 flats and apartments were completed between 2002 and 2004. Such forms of housing comprised one fifth of all housing completions in that period. Anecdotal evidence suggests that many residents feel powerless to address the serious problems with apartment complexes throughout the country.

Such problems relate primarily to the failure of builders and managing agents to maintain common areas, even though they charge high management fees. They often make little or no provision for the sinking fund that is necessary to cover the high costs which occur every few years when major refurbishment is needed. Non-payment of management fees is not an option because it would lead to a debt being placed on the property. Such a debt would have to be cleared before the property can be sold. There is no State agency to which residents can complain. Given that there is an increasing number of non-residential investors in the apartment sector, it can be difficult to spur the residents into action.

Urban Deputies and public representatives have no shortage of horror stories about apartment blocks. It is becoming common to encounter gardens which are not landscaped, walls which are not painted, broken lifts, crumbling brickwork, sporadic refuse collection and broken fixtures and fittings. Such problems are becoming the order of the day in a significant minority of apartment complexes. The Government has failed to act in this regard, despite many promises that it would. The programme for Government in 2002 stated that the Government would "consider the introduction of legislation to regulate the establishment and operation of apartment complex management companies". In May 2003, the then Minister for the Environment, Heritage and Local Government responded to a Dáil question by stating that the regulation of apartment complex management companies was "still under consideration" and that he had "no immediate plans to set guidelines on fees". In December 2004, the current Minister responded to a question by saying that "a Law Reform Commission working group is examining the law" in this regard. He hoped that the working group would respond "early next year".

Fine Gael, which has been working on this issue for some time, intends to publish in the next few days a Private Members' Bill to legislate for apartment complex management companies.

[Mr. O'Dowd.]

Such legislation is necessary because no State regulation is in place, even though the Government made a commitment to put such a regulation in place. The Fine Gael Bill will seek to amend the Residential Tenancies Act 2004 by widening the role of the Private Residential Tenancies Board. We propose to make the board the regulator in this area, for example by imposing a pro-consumer code of practice on managing agents. The code of practice would protect residents in a number of ways. Developers would be obliged to set the same management fee for the first three years of a new complex at a level which ensures that managing agents can meet the established minimum standards for that period. Such a measure will ensure there is no sudden rise in management fees one or two years after an apartment is purchased.

Fine Gael proposes that provision should be made for an adequate sinking fund from the outset. Many management agents set the annual fee without making provision for the large-scale refurbishments which need to be carried out every few years. This leaves residents with a shortfall and a choice of paying several thousand euro at once or living within a decaying physical environment. Neither scenario is tolerable.

Other areas in the apartment sector need urgent attention. A management fee should not be fully payable until managing agents are in place and the various services can be provided. Many builders demand payment of the first year's management fee before the keys are handed to the new owners, even though the owners may be moving into what is essentially a building site and few of the services for which the fee is paid, such as cleaning, are provided. Owners should be allowed to withhold a portion of the fee until all services are available. Given the complex legal nature of management company arrangements, it is vital that consumers get the necessary protection they deserve. They can rest more easily if the Private Residential Tenancies Board acts as their champion. More needs to be done, however.

Fine Gael has received reports that residents who try to change managing agents have been put at a disadvantage because new agents insist that binding contracts are signed without any probationary period during which the level of service can be assessed. Residents should have the right to insist on a one-year probationary period before deciding to commit to a managing agent for a longer period. Managing agents who adhere strictly to the proposed code of practice will be awarded a special "kite mark" that will alert residents to the managing companies which truly act in their interests.

Given that more people are living in apartments, it is vital that the social welfare code is updated to ensure it provides necessary protection to the most vulnerable people. Two key changes are needed. The rent supplement scheme should be widened to include vouched fees which

its recipients must pay for the upkeep of communal areas, including management fees. A mechanism should be put in place to ensure that those living in flats and apartments are not at a disadvantage when refuse charges are waived in respect of those living in a house in their local authority area. It is vital that action is taken on this agenda immediately.

People who live in gated apartments and developments face a special problem when they want their communal areas to be taken over. While the gates are in place to prevent public access, such people are responsible for the maintenance and upkeep of everything inside the gates, such as the lights, the footpaths and the road. If such people are not aware of that responsibility, they may be placed at a significant disadvantage at a later stage.

Mr. McCormack: I join my colleague, Deputy O'Dowd, in thanking the Labour Party for introducing this motion and highlighting the important issue of young home owners throughout the country, who are already stretched to the limit with high mortgages, being forced to pay a new form of stealth tax. As Deputy O'Dowd said, Fine Gael has established a position on the issue of apartment complexes. It is asking for a genuine engagement by Deputies of all parties, including the Minister, Deputy Roche, on how local government should be funded to allow it to meet its responsibilities to householders, businesspeople and consumers. I take it from the Minister's comments in this debate that the Government intends to hide behind the Law Reform Commission's study of management fees, just as it is hiding behind the ongoing review of local government financing, which will not be finalised before the next general election. Rather than doing that, I ask the Minister or one of his Ministers of State to give us their views on the way forward in this area when they speak during the second part of this debate tomorrow evening.

Local authorities are compelled to promote the development of rateable properties, rather than a healthy mix of residential and commercial developments, because they depend on commercial rates as a consequence of being given inadequate Exchequer funding. This, in turn, is increasing property prices in urban areas and pushing residential development from town and city centres to poorly serviced and remote locations. Things are no better for those trying to buy a new home. Statistics provided by the Department of the Environment, Heritage and Local Government show that the total collected in development levies increased from €57 million in 1997 to €215 million in 2003. The figures for 2004 are almost certain to be even higher. In Galway city, the total take more than doubled to almost €6 million between 1997 and 2003 and in Cork city, the total take of €766,000 in 1997 increased to €7.5 million by 2003. Such increases have taken place even though the Department's guidelines state that

development contributions “should not be set at an excessively high level” and that local authorities should be mindful of the policies adopted by local authorities in their immediate areas because “major divergence in the level of contributions may be difficult to defend”. Matters have deteriorated to such an extent that four local authorities depended on development charges to fund 10% or more of their total expenditure in 2002.

Management fees are the nub of the issue and it is what this debate is about. There is an absence of information about management fees. We have no idea how many housing estates charge fees, how much they charge or how many will charge fees in the future. I implore the Minister of State to ensure his officials gather data on this area. We cannot come up with a solution if we do not know the scale of the problem.

We rely on evidence in respect of this issue, often based on the first-hand evidence of constituents who call to our offices. I will enlighten the Minister of State about this problem. There is a new development area to the east of Galway city that will be known as the Ardaun corridor when fully developed and there are three estates there, Bhoireann Bheag, Ros Caoin and Caiseal Cam, comprising 650 new houses. All those houses are being charged a management fee of €450. That management fees collected for that estate and a nearby estate of 650 houses, whose households also pay a management fee to another management company, amount to €295,500 per annum. That amount would cover the cost of a great deal of grass cutting. There will be 7,000 houses in that area when the estates are completed. The management fees payable in respect of those houses to the management companies — even if the fee does not increase from €450 although it has increased every year since houses in that area were built — will amount to €3.15 million per annum.

I will outline to the Minister of State information I received by way of letter from a person who called to my office last week. The person's letter states:

[Householders are] . . . very sceptical of the role ‘Management Companies’ have to play in the running of housing estates. . . . I would like to explain the . . . concerns . . . [outlined by this person. The couple bought their house from the building company] . . . in November 2002, putting down a booking deposit. There was no mention of Management Companies at that time. In the spring of 2003 our solicitor told us that she had received the Contract and that it contained a clause whereby we would not be sold the house if we did not sign up to having a certain Management Company and paying them a ‘fee’ in advance, of 380 Euro. As we had already sold our last house . . . [they could not back out of the new deal and were forced to go along with this.]

It turned out that we are paying for sewerage maintenance and ESB public lighting and maintenance as well as gardening etc.

This is not a flat complex but an estate comprising detached and semi-detached houses. There is no need for this estate to be managed. The position is different in closed gate apartment complexes whose occupants might like a management company to manage the complex. However, the example to which I referred is an estate of 650 houses. The management fees in that estate was suddenly raised to €450 last year. The house owners in that estate have no say in the selecting of the management company. They were simply informed by the builder of the management company for the estate and had to accept that company.

I want the Minister of State to state clearly if he will give house owners the authority to set up their own management companies rather than have to accept the management companies set up by builders in the selection of which householders have no say. Deputy Gilmore also asked this question. This practice is a scandalous rip-off. When all the houses to be built in that area to which I referred are completed, more than €3 million per annum will be collected in management fees. That level of fees is beyond a joke.

Ms O. Mitchell: I welcome the opportunity to speak on this issue which I raised last April as it is one of growing concern countrywide. In Dublin some 40% of homes are apartment complexes. The number of apartments built in my local authority last year was a staggering eight times greater than houses. It seems that apartment building in urban areas is becoming more the norm. There is a great need for regulation and legislation of this area. Information is also needed on the operation of management companies. From what speakers have said, it is clear there is a lack of understanding regarding management companies. Many of the problems stem from a lack of information about them and a lack of regulation of them.

Many problems were mentioned but I want to concentrate primarily on management companies in apartment complexes as it is in respect of those that I have discovered there to be the greatest cause for concern. I am not against apartments; they offer choice and variety in the market and mobility. Apartments offer young home owners the opportunity to get into the property market and older people the opportunity to downsize. Unless we regulate this area and ensure that home owners are protected, before too long investment in an apartment could become a liability for the investor, his or her neighbours and an environmental eyesore if the buildings are not maintained. The great risk posed is the decline in the standard of maintenance of the overall complex, the collapse of management companies and eventually apartment owners finding it almost impossible to see their apartments. Solicitors

[Ms O. Mitchell.]

increasingly report that they encounter difficulties in closing sales because management companies have collapsed.

There is an old saying that good boundaries make good neighbours. Part of the root of the problem is that boundaries in apartment complexes are not clear or certainly not as clear as they are in the case of the traditional semi-detached house. In apartment complexes, the overall building and the common areas are the joint responsibility of the owners. When the purchaser of an apartment signs a contract, which is a long-term lease, that purchaser takes on joint responsibilities and responsibilities for maintenance. The purchaser not only has responsibility for his or her apartment but to his or her neighbours. This is often not clearly understood and seldom explained to the purchaser.

In many cases young, inexperienced home buyers are vulnerable to sales talk by developers who seldom make an effort to emphasise that buyers take on a lifetime enduring management charge that is equivalent to the dreaded domestic rates of old that we all, or those of us who are old enough to remember them, hated so much. It was a nightmare for young families to have to pay them. Management charges are becoming that type of burden, particularly when people are unprepared for the obligation to pay them.

The measures suggested in the motion are necessary. There is a need for a dispute resolution agency not only in the case of disputes between the management company and individual owners but disputes between owners. A breakdown in communications often occurs between owners in that they begin to let each other down and do not understand that each one of them is a shareholder in the management company. There is a misunderstanding over what is a management company and what is the property management company that the owners employ. There is often a lack of understanding in that owners may be of the view that they can dump their property management company and seek a better deal from other such companies.

It is necessary to inform buyers at an early stage that when they are informed by a builder of the management charge, they are being enticed to purchase on the basis of what is probably a low one. As Deputy O'Dowd pointed out, the charge is often low initially because there are no services but, as sure as eggs are eggs, the charge will increase. That is not made clear to buyers. There is an onus on solicitors when closing sales to make it clear that this is the case and to make clear the implications of that. The buyers become members of a company with liabilities to other members of that company. Solicitors have a major responsibility to pass on that information to their clients.

One of the barriers to the dissemination of this information is a growing practice that should be stamped out and legislated against whereby build-

ers offer young buyers reduced rates for their solicitors to act for buyers. That is a questionable practice. I am amazed that solicitors have got involved in this practice. In such circumstances how can they possibly be objective and act in the best interests of the buyer? The practice of a builder's solicitor acting for a buyer should be stamped out. It is a bizarre arrangement which I understand is widespread not only among apartment buyers but house buyers. A person may call to a public representative having bought a house on discovering a road or a motorway is to be built beside the person's house but the builder did not inform the person of that planned project. When I ask did the person's solicitor not check that, I discover that the person's solicitor is also the builder's solicitor. It is incredible that solicitors lend themselves to being involved in that kind of abuse. It is outrageous.

Increasingly this is the way people will live in urban Ireland. There is an onus on us to ensure that legislation is in place which protects those who purchase and those who live beside those who purchase. We must also ensure that our environment does not deteriorate as, increasingly, it will be an environment for all of us because few of us will live any great distance from apartment blocks. If the market for these houses collapses because they cannot be bought or sold and there is no maintenance on them, it will destroy entire areas and jeopardise the housing market which is such a crucial part of our economy. I support the motion.

Debate adjourned.

Estimates for Public Services 2006: Motion (Resumed).

Debate resumed on the following motion:

That Dáil Éireann commends the 2006 Estimates for Public Services (Abridged) published by the Minister for Finance on 17 November 2005.

—(Minister for Finance).

Ms Burton: The Government has a great facility for raking in ever rising amounts of tax revenue from hard-pressed taxpayers, but in every budget it never fails to add more stealth taxes. That is its speciality. For example, the increases in medical charges announced by the Tánaiste, Deputy Harney, mean that the cost of a visit to an accident and emergency department will increase from €55 to €60. This will be a green light for general practitioners and consultants to increase their fees by a similar amount so that on the north and west side of Dublin, a single visit to a GP will rise from the current price range of between €45 and €50 to a new level of probably €50 to €55 per visit. A family above the medical card limit with two children suffering a winter 'flu episode may well end up spending more than €600 for a few visits each to the GP plus medi-

cation. There is hardly any country in the European Union where doctor's visits are as exorbitant as in Celtic tiger Ireland.

The Tánaiste and Minister for Health and Children is also raising the cost of public and private beds in hospitals. This again will provide a green light to health insurers to raise premiums further. The Government talks the headline talk of low tax rates for income and corporation taxes but the hidden stealth charges for absolute essentials such as medical insurance and GP fees are an enormous burden on ordinary families. The Government cannot live down the fact that more than half those who pay tax pay some or all of it at the 42% rate. In addition, people on the 42% rate, by and large, have no entitlements so they must have extensive costly private medical insurance.

The strongly growing economy has allowed the Government to raise significant amounts of tax revenue. The Celtic tiger has benefited most of us, especially in terms of lower unemployment and higher living standards. There are problems and many of these are due to Government mismanagement. These include many aspects of the health service, poor and inadequate public transport and hopelessly congested roads, especially for daily commuters.

There are two overall priorities for economic policy. One is to develop adequate strategies to ensure continued growth rates at similar levels to this year. This will not be easy and will require much more than continuing to follow the same sectoral strategies that have got the economy to where it is today. The economy has changed and so has the external economic environment.

The other priority is to develop better strategies to distribute the benefits of economic growth more evenly and efficiently. The rising economic tide has left many boats adrift. The booming economy has also led to many negative effects on quality of life for most people, even if overall most of us are better off. Sky high child care costs, traffic congestion, hours spent commuting, and €55 for a short GP visit are just some of the negative effects of our badly managed economic growth.

One of the numerous gaps in the Estimates is provision for a public sector pay deal for the second half of next year. In similar circumstances, previous Ministers for Finance have provided a round but significant sum for a successor pay agreement in the public sector. We must remember that public servants are subject, as much as anybody else, to rip-off Ireland and the astronomical costs of living people experience here.

A few years ago, the then Minister for Finance, Mr. McCreevy, made great play of introducing a multi-annual spending framework for capital spending. In fact, a bad situation has worsened. The amount of underspending by many key Departments has increased each year. The Tánaiste's Department of Health and Children underspent its capital budget by a full 10%, the

maximum permitted capital roll-over, in her case €56 million. The overall underspend and roll-over was €285 million. With a crisis of capacity in many parts of the health service and many sick patients suffering mentally and physically on the Tánaiste's ubiquitous trolley system, she proves incapable of spending the capital budget allocated to her.

Within days of the ridiculous relaunch of some of the country's old transport plans, the Minister for Finance, Deputy Cowen, revealed that the Government's underspend in transport infrastructure has risen again in 2005. A total of €100 million was underspent in 2005. The suspiciously round figure of an even €100 million tells the accountant in me that this figure is dodgy. In the old days when one was looking for fraud — the Minister for Community, Rural and Gaeltacht Affairs might know this——

Éamon Ó Cuív: I know nothing about fraud.

Ms Burton: ——round sum accounting was always frowned on or viewed as a sign of difficulty. The round sum accounting in the underspend on transport in the Estimates is highly suspicious. The real figure is probably more. We need to know the full story about this. It cannot just all be saved up for another glam-rock launch on 7 December. I do not know how many relaunches people can take of Transport 21.

It is worth recalling the series of much ballyhoed pseudo-initiatives, so to speak, that the Taoiseach and his Ministers have launched to convince the electorate that they will deliver much needed infrastructure. Apart from the multi-annual spending framework of the former Minister for Finance, Mr. McCreevy, the National Development Finance Agency was also set up. This is another quango with more consultants and more fat salaries. We can well ask where is the beef and what good has it done.

Public-private partnerships were an earlier big idea of the former Minister for Finance, Mr. McCreevy, and the Tánaiste, Deputy Harney. Significant amounts of money have been spent on Civil Service salaries and much more on consultants' fees, yet what have we to show for it? We have schools that cost significantly more and took longer to build than in the ordinary way. We also have a Dublin waste treatment works that literally stinks parts of Ringsend on a bad day. However, unlike the National Development Finance Agency, public-private partnerships will have an effect. Not satisfied with what the M50 toll bridge extracts from motorists, the Taoiseach and his Ministers have a plan to have at least two tolls on every major road out of Dublin. Public-private partnerships are the means to do this and the plan is making progress. The Kilcock to Kinnegad motorway section will be a very expensive road. The Government has a significant amount of money, between €1.5 billion and €2 billion, to play with on budget day, 7

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December, but Ministers have been out on the weekend talk shows trying to depress expectations.

The Labour Party has just published a detailed document on which we have worked for over two years. It sets out a humane framework for children being minded by their parents who are encouraged to spend time with them. In the Estimates for 2006, child benefit is estimated to cost €1.96 billion. A quarter of that would be €500 million, the same as the cost of the SSIA scheme. That would only provide between €35 and €45 per month for child care. If that is what parents get, the Government will be run out of it and it will deserve to be.

Mr. Boyle: I wish to share time with Deputies Ó Caoláin and McHugh.

Acting Chairman: Is that agreed? Agreed.

Mr. Boyle: I am glad to be back in the Chamber. I do not seem to have graduated to the rank of Teachta Dála *non grata* yet. It is fairly apposite that I am taking part in this debate because much of today's dissension centred around the difficulties that exist in the way we dishonestly portray Government expenditure in terms of its projection and eventual analysis as to whether public money has been properly spent or not. In a case in point, the Government made promises for years on a particular funding project that has yet to come to pass. The Minister has probably included it in some form in the Estimates. The way the Estimates are put together makes it difficult to establish whether it is there.

This afternoon a debate took place on national radio on the quality of literature. It centred around the Taoiseach's daughter, who is a popular author. I will not enter a debate on whether her work rates as high literature. The Book of Estimates would be extremely difficult to define if we were to consider it as a work of literature. Is it fiction or faction? It certainly is not fact. It contains so many loose elements it is impossible for those of us on this side of the House and the public to properly analyse what it means on Government policies and funding important public expenditure.

If this were a review of a cookbook, one would find that half of the ingredients required for the recipes were missing. It is an empty document full of holes. We are supposed to fill in the gaps based on the experience of previous Estimates and some form of educated guesswork on what the Minister for Finance is likely to do on budget day.

The Book of Estimates contains some indications that the Government has a fairly obtuse sense of priorities. Funding for environmental protection has decreased despite a 13% increase for the Environmental Protection Agency. Money to be spent on water services, air quality and other forms of pollution control are

dramatically reduced. To me that indicates where that particular priority lies in the Government's policy scheme. Capital funding for health, which is meant to be a Government priority, and transport is no higher than it was in the previous year. No percentage increase whatsoever is indicated, unless the Minister has rabbits in hats that he wants to reveal on budget day. Probably that is the case.

Considering the longer-term picture the Minister chooses to reveal in the multi-annual envelope for capital expenditure on those and other Government spending programmes also gives reason to be worried and disconcerted. This is particularly due to the increasing use of private money in capital acquisition during the years to come, starting slowly and increasing up to 2009. I must admit I feel extremely queasy about this intent of the Government, particularly regarding education. As a member of the Committee of Public Accounts, I read the Comptroller and Auditor General's report on the failure of the pilot scheme on education, the 18% higher costs and the fact that going deeper and further down this road will not give the taxpayer any greater value for money. It will give private business interests more of a say in public services than they deserve and more than is healthy for our society and body politic.

I will speak in general terms for the remainder of my contribution. The Minister may not be aware of an American book, *Fast Food Nation*, which discusses the commercialisation of the education sector in the United States. Private interests investing capital, taking over the management of schools and putting in vending machines has a circular effect, not only to the disadvantage to the education of the pupils in such schools, but ultimately to their health and social deterioration.

The combination of the two elements that make up the Government means it has embarked on the same roads, producing a Book of Estimates that can only be read as a fictitious document and which will not lead us in the political direction required to balance social inequities in this country. I regret to say that regardless of what the Minister for Finance produces on 7 December, it will not fill the yawning gaps in this Book of Estimates.

Caoimhghn Ó Caoláin: Ordinary citizens have a right to ask what these Estimates actually represent and what they will mean in practice. Once again the Government is attempting to blind the people with apparently massive spending figures. The money is being spent, but are the services being delivered? For many thousands of our people, the answer quite simply is "No".

This evening, people in Cavan and Monaghan in my constituency learned of another blow to the health services in those counties. The proposals from the Royal College of Surgeons in Ireland and the national hospitals office are an attempt

to set in stone the scandalous situation that led directly to the death of Patrick Walsh because he could not be operated on in Monaghan General Hospital. They completely ignored the demand from the Cavan and Monaghan consultant surgeons in September for resources to be provided by the Government to allow Monaghan General Hospital to return to fully on-call status. Those resources are available. What is lacking is the political will. It is indicative of the Government's flawed approach across the public services.

The Estimates for health show another rise after successive years of rises, each failing to keep pace with current health care inflation. Consider the disaster area that is our health service today. Despite the dedication of health care workers at all levels, the system cannot cope. The open letter to the Tánaiste and Minister for Health and Children from Dr. Seamus O'Reilly, consultant medical oncologist, has again exposed the reality of a fundamentally flawed health service. Promised beds have not been delivered, the promised elimination of hospital waiting lists has not happened, the roll-out of BreastCheck and other cancer services has not yet taken place. Dr. O'Reilly serves a population of 500,000 people and states the computer systems available to him are inadequate. As a result, 10% of cancer patients under his care in the region are not recorded on the computer generated list. However, €195 million of taxpayers' money was squandered on the failed PPARS and FISP IT systems.

There is another much more fundamental reason our health system is in such a state and public expenditure is not used to best effect. We have a two-tier public private health system in which an underfunded public system subsidises a private system, and the Tánaiste wants to subsidise the private system even more. The expenditures and tax breaks for private hospitals are to be continued and lands on public hospital sites are to be gifted for the construction of private profit-driven health facilities. The Minister claims it would be too costly for the State to provide hundreds of additional public hospital beds as promised. However, the Government does not know the cost of its tax breaks for private hospitals, which will form the basis of this new plan.

With this scheme, the Tánaiste has also shredded what is left of the Fianna Fáil 2002 general election manifesto health commitments. That manifesto claimed it wanted "the end of the two-tier health system", yet the Tánaiste denies we have a two-tier system. At the heart of Government, in the biggest spending Department and the most important of our public services, is a fundamental disagreement about the basis on which services are being provided.

This Estimates process is essentially a charade, as I described it this afternoon. From the figures we can discern some of the Government's intentions. The increase for child benefit is inadequate and unless it is revised upwards between now and

budget day, the budget will be a severe disappointment for low-income families with children. Yesterday the Taoiseach attempted to dampen expectations on child care in the forthcoming budget. Child care will be the litmus test of the budget and the Government has so far failed on that score. It was the biggest omission from last December's budget. It must not fail again.

Let it be clear that we do not want a repeat of the pre-election national health strategy of 2001, a bundle of promises which remain largely unfulfilled. We must await the budget to see whether the Government will deliver the comprehensive child care package it has promised. This would include measures to increase the supply of quality child care, which is accessible to all who need it and support for those using existing child care services. I hope both Ministers will heed these important points and use their influence during the remaining weeks to budget day.

Mr. McHugh: It is difficult to take an overall view of the situation presented to us in the Estimates published last week because the picture is incomplete. While we have an outline of gross current and capital spending, we are at a loss due to the absence of information on tax and other receipts. Until we have the complete picture we will not know if we are dealing with a surplus or a deficit as we face the budgetary cycle.

While the Minister for Finance was dealing with spending the Tánaiste and Minister for Health and Children took the opportunity to announce a 9% rise in the cost of accident and emergency visits and short-term stays, rising from €55 to €60, raising approximately €25 million. This is a revenue-raising measure, which it was hoped would be overshadowed by the publication of the Estimates.

Not only is the picture incomplete, it is further muddled by the inclusion of a number of factors that would be more appropriate in the budget, such as €400 million for the nursing homes refund at a time when this House has not been informed of the details of this measure. Although there was a monumental cock-up, the blame has not stopped at anyone's desk. There is no shortage of desks at which it might stop, as this situation continued for 29 years, during which time seven Ministers with responsibility for health from the Fianna Fáil Party, the Fine Gael Party and the Labour Party held office.

The increase in overseas development aid to 0.47% of GDP was another issue that landed the Government in controversy. The Taoiseach's commitment to increase overseas aid to 0.7% of GDP by 2007 was ill-advised. That the commitment was given at a time when Ireland sought a favour from the developing countries smacks of dishonesty.

The Estimates show an increase of 4.5% in capital spending. After the fanfare surrounding the announcement of Transport 21, it is bewildering to see how such an increase will fund the

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grandiose notions contained in that plan. In my view it cannot be done. I make a plea regarding Transport 21 and I am pleased the Minister for Community, Gaeltacht and Rural Affairs, Deputy Éamon Ó Cuív, is present to hear it. The western rail corridor was included in Transport 21 but phase one will not be completed for five years. This smacks of procrastination of the highest order as this project could proceed immediately. In contrast with other transportation programmes, there is no lead-in time and no planning permission, environmental impact study or public hearing and no land acquisition is required. Those experienced in rail building state that phase one, as far as Claremorris, could be completed in one year. There is no reason for the further five year wait after we have fought for 30 years. I urge the Minister to make funding available so that this vital infrastructure is made available to serve the west so the benefits can help the region develop.

The overall figures in this debate are enormous, all funded by the taxpayer. In the past and in recent times there has been a dreadful record on accountability for the expenditure and waste of public funds. It is disappointing the Minister has not brought forward proposals to regulate and safeguard the expenditure of public funds. The taxpayer is the donor of the funds and is entitled to expect the maximum safeguards to be put in place by Government. It is unacceptable that money continues to be wasted in the manner we have seen highlighted by the recent programme, "Rip-Off Ireland", featuring Eddie Hobbs.

We need accountability for investment in infrastructure and services. The health service is a case in point. In the past four years the cost of running the health services has grown from €7.7 billion to €12.5 billion. There is no obvious improvement in the service. Accident and emergency units are still in a shocking state and much more than a lack of funding is wrong with the health services. The Government should ensure audits are carried out so that value for money is obtained for all investments in the State.

I remind the Minister that Tuam town council awaits his return with clarification on the status of the Tuam hospital project. The people of north-east Galway await the announcement that finance to facilitate its commencement is being provided.

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Mar is eol don Teachta, agus mar a dúirt mé go poiblí cheana, níl aon cinneadh déanta maidir leis an teach altránais i dTuam. Ní raibh an t-eolas a tugadh ar an raidió cruinn. I will revert to the Deputy on the last matter but no decision has been made on the health facility in Tuam.

It is amazing how eaten bread is soon forgotten. When the Labour Party and Fine Gael left

Government the spend on national roads was €250 million or €270 million per year. Next year we will spend €1.375 billion. The Opposition accepts the Government is spending money but claims it does not get value for money. I refer to the road from Galway to Dublin, which Deputy McHugh and I know very well. I have been a Member of the House since 1989, when half of the bypass of Athlone was built. Since that time, until two years ago, only the road from the M50 to Kilcock was added.

Ms Enright: The Minister's party was in power for most of those years.

Éamon Ó Cuív: Let us consider what is happening now. The road to Kinnegad will open next month, the road from Kinnegad to Kilbeggan is under construction, the road from Kilbeggan to Athlone is to start next year and the road from Deoch Uisce in Galway to Athlone is due to commence in 2007 at the latest. That road will be completed in five years — Deputies can check the NRA website if they do not believe me. That is how far we have moved on that road.

Ms Enright: In 15 years.

Éamon Ó Cuív: In the first ten years, including the years the current Opposition was in government, only small improvements were made.

Ms Enright: The Opposition was only in government for two of those years.

Éamon Ó Cuív: By getting the economy right, we managed to accelerate to such a rate that the rest of the road will be completed in the next five years. Let us take another road, from Limerick to Letterkenny—

Ms Burton: Why does the Minister not take the M50?

Éamon Ó Cuív: I often take the M50, as I did last night. It is a fine road and we would like some of those in the west.

Ms Enright: It is not a fine road at 6 o'clock.

Ms Burton: Did the Minister go through the toll bridge or does the ministerial car not have to pay?

Éamon Ó Cuív: I do not own the car so I would not pay.

Dr. Twomey: Flash the badge.

Éamon Ó Cuív: I arrived at the bridge last night coming from Galway to the south of the city. I often go through the toll bridge and when I am obliged to pay a toll, I pay like every other citizen. I pay all my taxes and tolls. If I do not own the car, I do not pay the toll.

Ms Burton: Does the Minister not have a State car?

Éamon Ó Cuív: The car I am driven in is registered to the Garda Síochána, as it was when the Labour Minister was driven in it. I have no control over whatever arrangement the Garda Síochána has made. The driver is a member of the Garda Síochána and I do not interfere with his business, which is a good principle. It would be wrong of me to interfere with his professional competence in driving the car.

Consider the road from Limerick to Letterkenny, recalling the spend in 1997 and the fact that €100 million is being spent on that road in this calendar year. Those two roads
9 o'clock give Deputies some idea of how, not only in terms of money, but also in terms of delivery, investment in capital projects has accelerated. It is also a fact that major investment is taking place in rail. Not so many years ago we were trying to bring the rail network up to a safe standard. Next year we will spend €435 million on capital investment in rail. That means that with national roads, not excluding county roads, and what we will spend on rail, the total investment is €1.8 billion. That is not to mention private investment on top of that figure, which brings in another amount of money.

What are we getting for that? Again, we are getting results. We will be getting a train to Galway every hour at busy times of the day and every two hours at other times, something that those of us who live in the west have dreamt about and worked towards for a long time. We are also getting the western rail corridor. I had a meeting with Iarnród Éireann regarding the section north of Claremorris. We discussed the fencing and clearing of the line to protect the valuable right of way all the way to Collooney.

The timescales in the transport plan will be adhered to. The process is slightly more complicated than, as some have facetiously suggested, simply ripping up the old track and replacing it with new track. Deputy McHugh knows this. He is not a simple man. He knows that the railway line has not been able to carry trains travelling at 50 mph for many years. In upgrading the track from Ennis to Athenry, the permanent track must be replaced, including sleepers and rails, and continuously welded track will have to be put in its place. It will be a far cry from what was there and to put the track back the way it was would be of no use to either Deputy McHugh or to me.

Another issue to be dealt with is the fact that there were a large number of accommodation crossings on that line. As we speed up the trains, that issue must be dealt with properly. The Deputy knows this, because he knows the line and all the small roads around Tubber in south Galway. He knows that there were a number of level crossings on the line, some of which are on the major road. There is a crossing in Craughwell, two near Ardahan and a number of crossings on

the minor roads, all of which must be upgraded and replaced. As well as that, the stations must be improved in such a way to ensure they can handle the passengers.

The idea that we just go along the line, rip up the track and put down new track is a gross oversimplification of what must be done. This reminds me of what catches many people out when they build their own homes. They are told that the blocks will be laid and the roof put up within six or eight weeks and they think they will have the house completed in six months, but as Deputy McHugh knows, between one thing and another and all the finishing work, it invariably takes longer.

We have set realistic timescales and have also had to spread the money over many projects. The development will be completed in stages in 2008, 2011 and 2014. In 2014, the railway line will be open all the way to Claremorris and then we will look at the section north of that point which will in the meantime be preserved, fenced and remain available for further development. It is the largest railway re-opening ever to take place in this State.

I was a little taken aback by Deputy Ó Caoláin who said that the child benefit rise in the Book of Estimates is very small. The rise is zero because social welfare increases, and I would have thought Opposition Deputies would know this by now, are always announced on budget day and always have been, no matter who is in Government. All that the small increase in the Book of Estimates accounts for is the increase in the number of children in the country and, therefore, the number of recipients of the payments.

If we are going to debate issues in this House, we should base the debate on reasonable knowledge and an understanding of what the Book of Estimates is about. I accept that it is complicated. One sees a figure falling in one year — I had the same problem when I was in Opposition until it was explained to me — and one presumes there has been a decrease in funding. However, sometimes the previous year's figures contained an exceptional item and sometimes a figure increases from year to year for the same reason. When we try to explain these things in detail, people often do not want to know because it gets in the way of a good story.

I would like to see a much more detailed debate on the Estimates. It is disappointing that it will be next June before we go through them line by line. I would like to see that happen much earlier in the year and it should happen after the budget and publication of the Revised Estimates Volume. At that stage, we should sit down and go through the Estimates line by line with all relevant information provided and discuss in detail the financing of the country for the year.

For my part, I have always been willing to engage in full and open debate and to explain exactly where every figure in my Estimate comes from. I have explained that the large increase in

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the Estimate for my Department is partly accounted for by the proposed increase in the number of participants in the rural social scheme from the current 1,900 to the projected 2,500.

I would love to have had more time to contribute to this debate and I thank the Acting Chairman for his indulgence. Tá go leor le plé agus go leor eolais agus ceisteanna polasaí ann. Tá súil agam go ndéanfar plé dáiríre air seo seachas plé polaitiúil. Tá deá-scéal agus dúshláin ann agus ba cheart dúinn breathnú ar an dá rud.

Mr. Carey: I welcome the opportunity to contribute to this debate. With the permission of the House, I wish to share time with Deputy O'Connor.

I wish to begin by commenting on the vote for the Department of Foreign Affairs. It is probable that not many people will refer to it but I am very please that we will see record expenditure on official development assistance in 2006. The allocation this year puts us firmly on the road to reaching the 0.5% interim target that the Government set for 2007 spending. We are well on our way to meeting the UN target of spending 0.7% of gross national product on aid by 2012, with an interim target of 0.6% in 2010. It is well realised that the Irish people are extremely generous in their support for official development assistance.

The Joint Committee on Foreign Affairs, of which I have the honour of being a member, has worked very hard to ensure an all-party consensus on the issue of overseas development assistance. I know that the contribution the committee made fed into the contribution which the Taoiseach and the Minister for Foreign Affairs have made at the UN and at other forums.

I welcome the contribution this year of €12 million to support our emigrants. That is spent substantially on frontline services and emigrant organisations that do extremely valuable work with emigrants who left Ireland in the 1940s, 1950s and 1960s, many of whom are in their older years now and have enormous personal problems. I pay tribute to organisations such as DION and the Federation of Irish Societies, which I met in my capacity as co-chairman of the British-Irish Interparliamentary Body, and I look forward to hearing from them again at the plenary session of the body next week in Edinburgh.

I compliment the Minister for Foreign Affairs on pursuing the idea of setting up a volunteer corps. Such a corps, similar to the peace corps in the United States, will provide a very useful avenue for young professionals and those not yet trained to contribute to development projects in Africa, Asia and elsewhere. Lest I be accused of being ungrateful, I also thank the Minister for Foreign Affairs in my capacity as vice chairman of the European Movement — members will be aware that Deputy Quinn is the chairman — for the very significant increase in grant aid to the movement. It will enable the organisation to

engage in wide-ranging awareness programmes within civil society over the next few years, especially during the so-called period of reflection leading to the next stage of the debate on the European constitution.

On the education sector, my own pet area, record increases have been announced for 2006 with €570 million extra for the Department this year, bringing the total spend to €7.2 billion. I am pleased that the commitment in the programme for Government to reducing the pupil-teacher ratio in primary schools will be adhered to with a reduction of one point in the coming academic year and further point in the following year.

Fourth level education, which is research and development, needs particular assistance. Ireland has traditionally been weak in that area but we are now finding our feet and I am pleased a figure for that purpose is embedded in the Book of Estimates. I hope further allocations will follow at a later stage.

By child care we mean early childhood care and education. Much investment has been made in child care and early education but it is not possible to roll out a whole new sector of education in one or even two years so it should not be promised. I was a member of the National Economic and Social Council working group, with Deputies English and Penrose from the Opposition benches, which recommended that the whole sector be rolled out over a ten-year period with a five-year review ranging across parental leave, maternity leave, tax breaks, addressing the supply side and providing early education. I look forward to the Government building on a solid supply side foundation and I look forward to a burgeoning sector of early education and child care over the next ten years or so.

Mr. O'Connor: I thank Deputy Carey for his speech, which was interesting. I welcome the Book of Estimates and look forward to the budget in 15 days' time. I acknowledge the Minister of State at the Department of Health and Children, Deputy Tim O'Malley, whose work I admire. I am confident a Fianna Fáil-led administration, with our colleagues in the Progressive Democrats, will deliver what people want in this budget.

Colleagues have highlighted the increases in the Estimates for the Departments of Justice, Equality and Law Reform, Education and Science and Social and Family Affairs. With regard to the last, we must understand there are people in all communities who need an extra lift and I have always had a strong commitment to social inclusion, following as I do Chris Flood whom I succeeded as Tallaght-based Fianna Fáil Deputy for Dublin South-West. He pioneered many things evident in my constituency and throughout the country and it is important to continue that work. I have described the Minister for Social and Family Affairs, Deputy Brennan, as revolutionising the Department and he has an

opportunity this year to make a real difference with the money available to him. The need to examine fuel costs further and the consequent challenges for many families will be apparent to all Deputies and I am confident the Minister will do so.

Like Deputy Carey I have a strong interest in education, not only in Dublin. I hope the Minister for Education and Science, apart from dealing with other necessary and worthwhile programmes, will use the money available to her to enhance the building programme for our schools. I told the Minister I had visited St. Dominic's school in my constituency which was established 35 years ago and does a great job for the people of Tallaght. The building, however, is beginning to deteriorate. I can talk proudly about progress made in many schools in my constituency in recent years such as the new extension in Bohernabreena in Glenasmole and many projects in Killinarden, but there are still schools that need special attention, a point which is made to me when I visit them. It is not satisfactory to have schools that still need that level of attention and I hope the Minister will consider it.

I am also impressed by progress on programmes such as Early Start, one of which exists in Killinarden in Tallaght, where youngsters from disadvantaged families are given an opportunity to get used to school at an early age. We should support that strongly.

I will not be able to say much on health matters in a few minutes and I am aware Deputy Twomey is present who has many views on the health services. I live in a major population centre with a major hospital which was built seven years ago. Six years ago I had my own health challenges which I was able to overcome with the help of the local hospital. This year the Estimates provide €12.6 billion for health which is reasonable for health services. People say management is just as important as money but even tonight I received calls about people in another general hospital in Dublin so funding challenges remain. I look forward to supporting the debate on 7 December.

Ms Enright: I am amazed to hear the Minister for Community, Rural and Gaeltacht Affairs speaking as if all roads lead out of Dublin to another capital city in the country. He is a patient man and has waited 15 years into his political career to see improvements in the road from Dublin to Galway so he obviously thinks that is a reasonable timetable. He described in great detail how fantastic that road now is. When the new bypass opens at Enfield, I suggest the Minister gets off at the first roundabout to drive 18 km to Edenderry and then tell me what he thinks of the transport system.

Deputy O'Connor said that the Minister for Social and Family Affairs would revolutionise the social welfare system. He did not revolutionise

the transport system in County Offaly when he was Minister for Transport. It is not what I wanted to speak about but the Minister has forced me to do so. The road from Edenderry to Enfield is a disaster. I received a puncture on it a few months ago and virtually everybody living in that area has raised the issue with all the public representatives but nothing has been done. In consideration of the Estimates we are told it is an issue for the National Roads Authority but it is an issue the Government has failed to address. It is very difficult to get responses on it in this House because I am repeatedly told it is a matter for the local authorities concerned. I advise the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, the Minister for Transport and the Minister for the Environment, Heritage and Local Government to drive to the first interchange at Enfield to see what the transport infrastructure is like in other parts of the country because it leaves a lot to be desired.

The Minister also talks about the largest ever reopening of our rail system but it is not reopened yet. We might be able to call it the largest ever when something happens but at present it is a promise that was only made four weeks ago. The public will be sceptical about the completion date. When he is revolutionising the rail system, the Minister might go to Tullamore and see a person in a wheelchair having wooden planks put on the track so that they can cross over to get a train to Galway or Dublin. They wait for staff at the station to bring out a piece of wood and put it across the tracks, which would be illegal for anybody else to do, and they are wheeled across the railway line. I do not think that amounts to revolutionising the railway system and if we cannot address basic issues like this, we are in serious trouble.

I want to speak principally on the Estimate for the Department of Education and Science which shows an increase of €530 million in expenditure for next year.

As this is a considerable amount of money, resources should be improved significantly in schools and colleges as a result of this expenditure. I must examine what an extra €530 million will do and where taxpayers' money will be allocated in the education system. First, the national educational and psychological service is being allocated an extra €2,000 for 2006. In real terms, when considered against inflation, this is a sharp cut precisely at a time when education spending is being increased. Allocating an additional €2,000 to NEPS is derisory, given the crucial service it provides. Already over the course of 2005, access to the service by NEPS has narrowed. At the beginning of the year, 1,522, or 46% of all primary schools in the State had no NEPS psychologist assigned to them. Last month, I discovered that this figure has increased to 1,663, or 51% of all primary schools. These fig-

[Ms Enright.]

ures can only increase over the coming year, with the predictable negative consequences for children.

The NEPS service is important because it undertakes vital psychological evaluations of children with special educational needs or those experiencing difficulties at school. However, access to psychological services for these children will be curtailed over the coming year. Over the course of 2006, fewer children will be assessed and fewer schools will be covered by the service. It is an economical way to do things, because if a child does not get the assessment he or she needs, the service cannot be provided for him or her afterwards. I question the Minister about her motives in that regard.

Taking into account the extra €2,000 the service has been allocated, we should move on with the remaining €529,998,000 additional expenditure. The national educational welfare board has been allocated an additional €312,000 towards its operating costs for 2006. This fractional increase in funding fails to recognise the important work of the NEWB or the fact that since its establishment, it has existed on a skeleton staff.

Under Fianna Fáil and the Progressive Democrats, the number of children failing to make the transition from primary to secondary education since 1997 has increased by 36%, now standing at more than 1,000 children per annum. The Government's report on early school leaving indicates that up to 60% of second level students in some areas leave school before the leaving certificate. It is clear that the Government is failing to tackle the problem of early school drop-out. Children who leave school early can suffer negative consequences for the rest of their lives, yet the Government continues to underfund the national educational welfare board whose responsibility it is to encourage and support regular school attendance.

The NEWB has estimated that up to 330 educational welfare officers are required so that a full service can be offered to all schools in the State. However, two years since its inception and launch, funding has been allocated for the recruitment of just 63 educational welfare officers. At the end of June this year, the NEWB had 11,653 cases on its books. This means that each welfare officer has an average of 185 cases with which to deal. One officer cannot be expected to deal effectively with 185 children and their parents in different schools in trying to get to the root causes of poor school attendance.

Children who are allowed to fall through the cracks in our education system often never again engage with formal education. The Government's response is just to allocate a small amount of additional funding, which may just about keep services at their current level, but allows for no

increase. There will be no greater intervention in 2006 to help children at risk of early school leaving. NEPS and NEWB are both crucial services provided by the Department of Education and Science, yet funding for these services is at a standstill. Of the additional €530 million being allocated to the Department of Education and Science for 2006, there is still more than €529,686,000 outstanding after the tiny additional awards to these agencies. Where is the remaining money going? It is not going towards the alleviation of disadvantage at third level. It is getting just an extra €18,000 for 2006 in the Estimates as published. It is not going towards the schools building programme, which is static and receiving no increase. Neither is it going towards funding centres for young offenders, which is being cut by 8%.

In 2005, the Minister wasted €12 million of taxpayers' money on temporary accommodation because her Department had not delivered on new suitable and permanent school buildings. Next year, temporary accommodation will take another big chunk of additional funding due to the lack of planning and forward thinking in the provision of new school buildings. In our examination of the additional funding allocated to the Department, there is still more than €500 million remaining. The further education sector will see none of this.

The Government continues to fail to recognise the potential offered by the further education sector and it has not implemented any of the recommendations of the McIver report which has simply gathered dust in the Department for the past two years. Further education plays an important role, bringing educational opportunities to thousands each year in all parts of the country. A higher percentage of mature students return to education through the VEC and PLC route, gaining valuable qualifications that enable them to return to the workplace or change employment. In addition, the further education sector can devise new courses at short notice, providing training for people in business-related skills that are constantly changing and required in their communities. However, to do this properly, the sector needs greater flexibility, funding, autonomy and support, and 2006 will see none of these improvements in Government support for the further education sector.

In regard to class sizes, despite the Minister's claims to the contrary, the Estimates indicate that seriously overcrowded classrooms at primary level will continue for 2006 and beyond. The extra teaching posts announced are merely a small step in addressing the national problem of overcrowding in our schools. With more than 73,000 primary school children in classes of more than 30, and almost 5,000 children in classes of more than 35, Fianna Fáil and the Progressive Democrats are years away from making good on

their 2002 election promises. Some 250 teachers for 2006 across more than 3,000 primary schools nationally is a drop in the ocean. From where will the classrooms for these teachers come?

The 2006 Estimates signal an increase in funding under the heading of other grants and services. However, this funding is spread so widely over so many important areas that I am concerned it will not be adequate. I welcome the increase in capitation fees. However, the Minister has once more ignored the issue of physical education because the amount of money provided will not allow schools without physical education facilities to develop these facilities. This funding covers everything from the provision of equipment for special education, special assistance for schools in disadvantaged areas, the grants to primary school management bodies, aids towards the education of children of migrant workers and refugees and the substance abuse programme. All these vital services have been overlooked.

I am particularly concerned about the low level of investment in the training of management boards, especially in light of the publication of the damning Ferns Report. In 2004, the total amount of money invested in primary management was the equivalent of an average investment of €13.60 per board member. School boards of management have important responsibilities to children enrolled in each school. Training is needed and should be provided in meeting these responsibilities.

I would like to refer to the youth work sector, which is understandably frustrated by the Estimates. It has resorted to describing itself as the Cinderella of the education sector. The amount of money provided this year is derisory and will not allow it to implement the youth work development plan as it had hoped. While representatives from the Department were involved in drawing up the plan, it cannot fulfil its potential without the necessary funding.

Dr. Twomey: The saddest aspect of the health services throughout 2005 and continuing into 2006 is that Fianna Fáil has finally thrown in the towel on providing any form of health service. It is allowing the Progressive Democrats to privatise everything in the health service, including out-of-hours services and home help services, and public hospitals are on the road to being privatised. If the Minister had bothered to carry out a cost benefit analysis of the ongoing running costs of these facilities, he would understand it is not a great way to spend public money.

The best way to develop private medicine is to let the new private hospitals compete with each other and with the public service. Supersizing the present uncompetitive private system by band-aiding it on to an inefficient public system will not work in the long term. It will be disastrous in the short term as far as taxpayers are concerned.

Neither patients nor taxpayers will benefit from this system. The €200 million which will be forgone in tax concessions to provide 1,000 beds will be a drop in the ocean compared to the ongoing running costs of these hospitals. It amazes me that Fianna Fáil, which claims to be so socialist-minded, is allowing this development to go ahead without a major public debate. It surprises me that it has disregarded the importance of the health service to the people of this country. It also amazes me that senior civil servants in the Department of Finance, who should know better, are putting their names to these types of proposals and allowing the Minister, Deputy Cowen, to just rubber-stamp the proposals. This is a huge amount of money and what could happen in the future is of serious concern to taxpayers.

Debate adjourned.

Adjournment Debate.

Nursing Home Subventions.

Mr. Sherlock: I am calling for the Minister for Health and Children to amend the nursing home subvention scheme under sections 22 and 23 of the Nursing Homes (Subvention) Regulations 1993 and to increase the subvention in view of the large number of families forced to avail of private nursing homes for elderly parents due to a lack of public nursing home places.

Owing to the shortage of beds in community hospitals, elderly people who need full-time care and attention must accept beds in private nursing homes. Elderly people are compelled to accept this situation without reference to means, although I am aware of the health liaison officer who organises admission to private nursing homes for people who are fit to be discharged from general hospitals.

In the Cork-Kerry area, 489 people are waiting for enhanced subvention. One can imagine their plight. Their families cannot afford to pay the nursing home fees while other elderly people in the community hospital benefit from free care. We accept that in our community hospitals, but there are private nursing homes in almost every parish and no extra beds have been placed in the community hospitals. People are forced to accept beds in private facilities that are not being paid for by the State. The Ombudsman has stated that if elderly people are entitled to medical care in a hospital, they are entitled to free care. Elderly people should have that long-stay care.

On the Nursing Homes (Subvention) Regulations 1993, the circumstances that are assessed for the purpose of these regulations includes the capacity of a son or daughter aged 21 or over residing in the jurisdiction. The 1993 regulations include assessing the ability of a person in respect

[Mr. Sherlock.]

of whom subvention is being sought to carry out tasks of daily living on the basis of his or her degree of mobility, ability to dress unaided, ability to feed unaided, ability to communicate, extent of orientation, level of co-operation, ability to bathe unaided and quality of memory and degree of continence. That is outrageous in this day and age when such a major percentage of the population is elderly and requires long-stay care in private nursing homes because there are no extra public beds. I call for the amendment of the Nursing Homes (Subvention) Regulations 1993.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I will take the Adjournment on behalf of my colleague, the Tánaiste and Minister for Health and Children, Deputy Harney. I thank the Deputy for raising the question as it provides me with an opportunity to outline to this House the current situation with the nursing home subvention scheme.

A nursing home subvention may be paid towards the cost of private nursing home care where a person is unable to meet the cost, where he or she has been assessed as needing nursing home care by the Health Service Executive and where the person has satisfied a means test. The amount of subvention granted will depend on the degree of nursing home care required — medium, high or maximum — and the amount of the person's assets, including property, stocks and shares and savings. The rates of subvention payable are for medium dependency €114.30 per week, high dependency €152.40 per week and maximum dependency €190.50 per week.

The nursing home subvention scheme was introduced to assist with the cost of private nursing home charges and was not intended to cover the entire cost of nursing home care. Under article 22.3 of the Nursing Homes (Subvention) Regulations 1993, the HSE may enter into an arrangement with a registered private nursing home to provide inpatient services under section 52 of the Health Act 1970. In making an arrangement with a private nursing home under article 22.3, the HSE may pay more than the maximum rate of subvention, as mentioned already, relative to an individual's level of dependency, for example in cases where personal funds are exhausted in accordance with article 22.4 of the Nursing Homes (Subvention) (Amendment) Regulations 1996.

The application of these provisions, however, is a matter for the HSE in the context of meeting increasing demands for subventions. The average rate of subvention paid by the HSE generally exceeds the current approved basic rates mentioned above. Spending on the nursing home subvention scheme has increased from €5 million in

1993 when it was introduced to a figure in the region of €140 million in 2005. The Department is working on changes to the regulations to, *inter alia*, update the assessment thresholds that are used when determining a person's eligibility for subvention to more appropriate up-to-date levels.

A working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established following the publication of the Mercer report entitled Study to Examine the Future Financing of Long-Term Care in Ireland. The objective of this group is to identify the policy options for a financially sustainable system of long-term care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. The report of the group will be submitted to Government shortly.

Job Losses.

Mr. Perry: Which Minister is taking this matter?

Mr. T. O'Malley: I am.

Mr. Howlin: Is the Minister of State taking all matters tonight?

Mr. T. O'Malley: Yes.

Mr. Perry: With respect to the Minister of State, I am astonished. Where is the Minister for Enterprise, Trade and Employment, Deputy Martin, or the Minister of State, Deputy Killeen? Deputy Tim O'Malley holds a health portfolio. It demonstrates the arrogance of the Government that it sends a Minister of State at the Department of Health and Children in to answer on an issue where 120 jobs are being lost in Sligo. It is not good enough, it is absolutely appalling. Where are the Ministers of State, Deputies Killeen and Michael Ahern, and the Minister, Deputy Martin? This is the arrogance and intoxication by power of this Government when the people of Sligo are losing 120 jobs. I have nothing personal against the Minister of State, Deputy Tim O'Malley, but he is a Minister of State at the Department of Health and Children, not the Department of Enterprise, Trade and Employment. How can he answer me about the jobs being lost in Sligo? That is how arrogant the Government has become.

At total of 122 jobs have been lost with 60 days notice, meaning workers and their families will find themselves out of work before Christmas. It is never good to hear an employer is leaving the country but it is particularly difficult so close to Christmas. This is compounded by a Minister of State at the Department of Health and Children

coming into the House to deal with an issue that falls under the remit of the Department of Enterprise, Trade and Employment.

Tractech has been based at the Finisklin industrial estate since 1984, where it manufactures mechanical parts. Employees of that plant have worked diligently. Tractech is an important employer in Sligo and yesterday's decision is a major blow to the area. It is worse that the company was bought by another company, Eaton Corporation, 12 weeks ago. Did the Minister have talks with Eaton when it acquired Tractech — I am certain he did not — and were there any conditions attached to the sale? This is a highly profitable company where the staff have been there for 20 years but the company that bought it 12 weeks ago is now pulling out. Is that allowed? This is a major employer. Perhaps the Minister for Enterprise, Trade and Employment is over with the American parent company, although I doubt it. Did he have any talks with Eaton Corporation? I doubt it.

Everything must be done to stop Tractech leaving Sligo. I am very disappointed that the Government attaches such importance to this issue that it sends in a Minister of State at the Department of Health and Children to deal with it. That says it all. It is a damning indictment of the Government's attitude to the north west and to Sligo if this continues. The Minister for Enterprise, Trade and Employment must travel to Ohio to meet Tractech's parent company, Eaton Corporation. I demand to know what he is doing about this. We were informed a task force would be set up but we do not want it. We will not be fobbed off in Sligo about this. A total of 120 jobs will be lost and this is on top of the loss of 560 jobs in Hospira, a sister company of Abbot Ireland. The Government is only able to push companies out of Ireland instead of encouraging them to stay. The Government states this is inevitable because of stacked-up costs but this is the rip-off Government. Every employer in the State is being ripped off by the Government and that is why companies are leaving.

I hope the Minister of State will tell the Minister for Enterprise, Trade and Employment that I want him in Sligo. He has a job to do because giving workers 60 days' notice is not good enough. I guarantee this issue will be raised in the House again and the Minister will have to deal with this issue. His attitude towards the House is appalling and I am not surprised these jobs are moving from Sligo given his attitude.

Ms Harkin: I thank the Ceann Comhairle for giving me the opportunity to raise the loss of 120 jobs at Tractech in Sligo town. Unfortunately, the relevant Minister is not present and I agree with Deputy Perry that it is a scandal. This has come as a shock to the workers at Tractech and, while we all sympathise with them, they have a right to

expect a great deal more than sympathy from their public representatives. The workers are not members of a union and their immediate major concern is a redundancy package. I seek a commitment from the Minister that every effort will be made to ensure workers receive their entitlements.

However, that is only the first step. What arrangements will the Minister put in place for the workers? Will a retraining package be put in place to ensure they can upskill to enable them to secure alternative employment? Has the Minister contacted Eaton Corporation, Tractech's parent company? Is he working to ensure there will no further job losses in the north west, particularly in Manorhamilton, County Leitrim?

While each job lost at Tractech impacts negatively on the lives of the workers and their families and every effort must be made to support them, it is essential to understand that this closure is happening in the wider context of globalisation. Companies can relocate anywhere in search of cheaper labour and lower costs. Parts of County Donegal have been decimated by such job losses and, unfortunately, this phenomenon is spreading nationwide. The challenge for Sligo, the north west and Ireland is to compete in the global market and this can only be met if competitive infrastructure is in place. Unfortunately, the recent transport plan gives us little cause to rejoice.

However, it is critical that the State should invest in research and development and promote innovation if we are to maintain jobs and attract new ones. I recently tabled a parliamentary question on research and development investment by the Government. Six Departments replied that only 14% of their research and development spend was devoted to the Border, midlands and west region. This is a major threat to future employment opportunities in Sligo.

We as politicians have a responsibility to bring about the conditions in which employment can be created and maintained. There is no point in complaining about companies relocating because we cannot stop them. However, the Government can invest in research and development and innovation so that Ireland can compete with India, China, eastern Europe, the US and Japan. The EU is behind the US and Japan in investment in research and development while Ireland is behind many of its European counterparts in this regard. Meanwhile, investment in the BMW region is minuscule compared with the rest of the country.

In the medium to long term, the Government has a responsibility to invest in our region and safeguard our jobs while in the immediate future it has a responsibility to support the Tractech workers. Every effort must be made to secure alternative employment.

Dr. Devins: I thank the Ceann Comhairle for the opportunity to contribute to the debate. Yesterday the workforce in Tractech was informed that a so-called review of the factory was ongoing and that in 60 days a decision would be made on whether the company would maintain a manufacturing base in Sligo. While no decision has been made and everybody in the town is hoping against hope that the factory will remain open, the more realistic interpretation of the announcement is that the new owners intend to move the manufacturing process from Sligo to a low cost country.

Our thoughts in the first instance must be with the employees who have this dreadful news hanging over them as we enter the Christmas period. To be put in a potential redundancy scenario at any time of the year is bad news but it is appalling when the news is received a few weeks prior to Christmas. This company was successful financially over recent years and last year it recorded a profit in excess of €3 million. However, the problem is that the company, which has operated successfully since 1983, was taken over by Eaton Corporation of America in August 2005. The company and the employees have encountered the unpalatable and unacceptable face of globalisation.

I know many of the employees and I ask the Minister for Enterprise, Trade and Employment to use his good offices to ensure every State apparatus is used to protect them. I refer to two issues in this regard. I would like the Minister to ensure IDA Ireland, in conjunction with the company, will put in place the best redundancy package should the Sligo factory close. I also ask that outplacement services should be made available to all employees, including career guidance, interview skills and business start-up advice, and that a co-ordinated effort should be put in place involving FÁS, Sligo Institute of Technology, Enterprise Ireland and the county enterprise board so that employees can be reskilled and retrained as soon as possible. It is also important that IDA Ireland should work with the company during the consultation period to ensure the impact of the closure on local suppliers and subcontractors is kept to a minimum.

Eaton Corporation has a subsidiary in Manorhamilton, County Leitrim. It is important that these jobs should be protected and secured. IDA Ireland must monitor the company and liaise with the Minister and the workforce. Enterprise Ireland must redouble its efforts to establish a high-tech cluster of businesses in Sligo with the benefit of Sligo IT's facilities, staff and graduates. Given the proximity of Sligo and Leitrim to Northern Ireland, greater focus must be put on cross-Border trade. I acknowledge new jobs were created in Sligo recently, including 300 jobs in Tucon and a similar number in Abbot Ireland. However, our thoughts must be with the employees of Tractech and the positive steps the

Minister, the Government and the State agencies could take to help them at this difficult time.

Mr. T. O'Malley: I thank the Deputies for raising this matter. I am concerned that Tractech Ireland Limited has announced that it intends to close its Sligo operation by the end of 2006. I am conscious of the effect these job losses will have on the workers, their families and community. The company has commenced a staff consultation process and the outcome of this process will be a phased transfer of the operation outside of Ireland in 2006 with the loss of all 120 jobs in Sligo.

Tractech manufactures centrifugal clutches and traction enhancing differentials for heavy duty equipment and off-road vehicles and was established in Sligo in 1983. The company has been a steady employer of skilled fitters and engineers and has delivered consistent growth and profits. The Eaton Corporation acquired Tractech earlier this year and, while local management saw opportunities for growth arising from the new relationship, they were awaiting a clear statement from the new parent company on the strategy and direction the Sligo operation would take. Eaton considers that there is a need to consolidate operations, as there is not enough business to support the operation of multiple facilities that build similar product.

Mr. Perry: Why did Eaton buy the company?

Mr. T. O'Malley: The company conducted a review of its operations at its Sligo plant, which led it to the conclusion that the business should be relocated with the resultant loss of jobs for all employees. The review was the direct result of the competitive pressure being experienced by its customers and the requirement for Tractech to continue reducing its manufacturing costs. The most likely scenario will be a phased shutdown of the Sligo operation beginning in spring 2006 with final closure by the end of the year.

FÁS will contact the company shortly and the full range of its services will be offered to the workers to retrain and upskill them if they wish. Job losses in the region are of ongoing concern and the Government is doing all in its power to create structures through its enterprise, development and training agencies which will facilitate those who have lost jobs to gain new ones that offer greater opportunity both in terms of skills and permanence. Job losses in the region are of ongoing concern and the Government is doing all in its power to create structures through its enterprise development and training agencies, which will facilitate those who have lost jobs to gain new ones, particularly ones that offer more opportunity both in terms of skills and permanence.

Ireland has a predominantly modern manufacturing base which competes in a range of growth

sectors. However, as with most other European countries, there are areas of activity in which Ireland's competitiveness is seriously challenged. In the main, these are in areas where the availability of lower cost locations is making cost the primary driver behind business decision making.

It is inevitable that the investment decisions of some companies will be influenced by the competitive attractions of alternative geographic locations. Our focus is firmly concentrated on managing the current transition with the best possible blend of policies to strengthen both national and firm level competitiveness.

Manufacturing has been a key driver of prosperity across the economy for many years and enterprise policies will continue to emphasise the strategic importance of the sector to future economic growth. Indeed the enterprise strategy group recognised the importance of the sector in providing a foundation of skills and technologies in which to build a high performance, high value added and technologically orientated manufacturing sector into the future.

Our objective is to ensure that our economy remains a globally competitive, profitable and secure location for business. We can best help enterprise, including the manufacturing sector, by continuing to implement policies that are pro business and by implementing the right balance of enterprise supports and at the right time to help business. When provided with the best supporting and competitive environment, business and industry will develop to capitalise on investment and growth opportunities. It is the Government's intention to enable enterprise growth by policies tailored to address the competitive pressures transforming the global economy.

A key element of the Government's strategy to help enterprise is to encourage increased levels of investment in research, business related technological development and innovation across all enterprise sectors. These increased levels will assist firms to produce improved products and services with added value. In the longer term, this approach will provide more sustainable and higher quality jobs.

Mr. Howlin: This is an Ard-Fheis speech.

Mr. T. O'Malley: The industrial development agencies will be making every effort to secure alternative employment for the area.

Mr. Perry: On a point of order——

Mr. T. O'Malley: Is the Deputy interested in alternative employment in Sligo? I did not interrupt Deputy Perry.

Mr. Perry: What has this got to do with Sligo?

An Leas-Cheann Comhairle: The Minister of State is allowed to speak.

Mr. T. O'Malley: If the Deputy is interested in alternative employment in Sligo, I am coming to that.

Mr. Perry: There is nothing in this speech about it. How can Deputy Devins take this?

Mr. T. O'Malley: IDA Ireland is promoting County Sligo and the north west to potential investors on an ongoing basis and every effort is being made to secure further industry for the north west, including County Sligo, by progressing the development of a knowledge economy in order that the region can compete nationally and internationally for foreign direct investment. The agency is also working with its existing client base to expand its presence in the county.

To support this strategy of moving to a more knowledge based economy, IDA Ireland is working closely with educational institutions in the Sligo region in developing the skill sets necessary to attract high value added employment to the county. As part of the transition to repositioning the county to a more knowledge based economy, IDA Ireland is marketing Sligo as a key location for investment in the pharmaceuticals, chemicals, medical technologies, engineering, consumer product and financial services sectors. IDA Ireland is also working with FÁS to provide guidance in developing the skill sets needed by those in the workforce who are interested in upskilling.

The location that IDA Ireland focuses on is the national spatial strategy gateway town of Sligo and the linked gateway of Letterkenny-Derry. In addition, IDA Ireland is actively promoting the county towns of Donegal and Carrick-on-Shannon. Over the past five years, IDA Ireland's focused strategy for Sligo has been to promote the county as part of an integrated north-west region with access to a population base of more than 220,000 people.

Recent job announcements for Sligo include Abbott Ireland, which is to add 350 new jobs to its existing diagnostics facility——

Mr. Perry: When are they coming?

Mr. T. O'Malley: ——and the consumer telecommunications company IDT Toucan, which will create 300 new jobs at its customer service centre in Sligo. Enterprise Ireland's policy objectives for balanced regional development are reflected in the structure of its funding offers whereby funding for existing company expansion and start-up business is biased towards the regions. The maximum grant level is higher than in Dublin and the mid-east and a higher proportion of this funding is also non-repayable.

Since the beginning of 2002, Enterprise Ireland approved over €3.4 million in support to its client companies in County Sligo and made payments of over €2.4 million. In the same period EI has

[Mr. T. O'Malley.]

approved support of over €1.2 million for third level-industry partnerships with the Sligo Institute of Technology to encourage the adoption of new technologies by industry,

In terms of job creation, Enterprise Ireland activity is focused on the creation of new jobs through supporting entrepreneurs setting up new high potential start-up companies, the retention and creation of new jobs in existing companies and enhancing innovation capability through support of research in companies and third level institutions.

Enterprise Ireland's future activities are outlined in its new strategic plan Transforming Irish Industry 2005-2007 which was launched by the Minister for Enterprise, Trade and Employment in May 2005.

Mr. Perry: This speech is totally irrelevant. It does not answer the problems of Sligo. I can take no more of this speech. It does not deal with the issues of Sligo. It is totally out of order. I cannot take any more of this tripe.

Dr. Devins: That is not parliamentary language.

Mr. T. O'Malley: The strategy sets out the role Enterprise Ireland will play in transforming Irish companies into market-focused and innovation driven businesses that have the ability to compete successfully on world markets. In July 2005, Enterprise Ireland organised a briefing on the new Enterprise Ireland strategy to companies from across the north west in Sligo. I assure the Deputies that the State development agencies, including the local county enterprise boards, under the auspices of the Department of Enterprise, Trade and Employment, will continue to work closely together and with local interests in promoting Sligo and the north west for further job creation and investment.

Mr. Perry: They sold out to an American company 12 weeks ago.

Mr. T. O'Malley: I know far more about employing people than Deputy Perry ever did.

Mr. Perry: The Minister of State should come to Ballymote and see how many people he can employ.

School Transport.

Mr. Howlin: I am grateful for the opportunity to raise an important issue which affects my constituency. Like the previous speaker, I regret that no Minister of State from the relevant Department is available. It is no disrespect to the Minister of State who is present to say he is producing a script. I welcome him, he has the answer pre-

pared, but what is the point in my saying anything? He knows nothing about the issue, and cannot since it is not his responsibility, yet he is dispatched to disrespect Members of the House — I am not talking of the Minister of State but the Government——

Mr. T. O'Malley: Did the Deputy never do that when he was a Minister?

Mr. Howlin: One Minister of State from the Department of Health and Children handling a cross-departmental range of issues and reading out a prepared script is a disrespect.

I will give the last minute of my time to Deputy Kehoe. This is a very important issue, one of the most intractable and frustrating issues I have dealt with in my time in this House. The pupils in the growing village of Blackwater in County Wexford have traditionally, by and large, gone to secondary schools in Wexford town. Some have gone to Kilmuckridge but, by and large, the pattern over decades has seen the majority going to secondary school in Wexford town, a pattern which continues to this day.

For some inexplicable reason, the catchment boundary for the provision of school transport to these pupils became an issue some years ago and the facility to provide transport for these pupils was withdrawn. The result is that there are now 49 young people from the Blackwater area literally left on the side of the road. After much agitation it was finally decided and agreed on 13 October last by Wexford VEC, the school transport office and Bus Éireann that at least 23 of these pupils were eligible, properly and legitimately, for school transport as they resided in the catchment boundary for Wexford town. No tickets have issued to these pupils. No transport has been provided despite the fact they were notified formally by the school liaison officer and moneys were accepted. The latest twist in the tail of this ongoing disgraceful saga was on 9 November when parents were informed by the transport liaison officer that when she, the transport liaison officer properly authorised to deal with these matters, requested transport for these pupils, the Department of Education and Science was not in a position to sanction transport for these 23 pupils because of a mapping discrepancy.

I ask the Minister of State, Deputy Tim O'Malley, to convey to the Minister for Education and Science the real and palpable anger in County Wexford, especially in the Blackwater area, on this issue. There is a deliberate frustration of the

rights of these pupils and their parents by the Minister for Education and Science in this matter. Sight unseen the Department has declared them ineligible even though they are within the revised boundary submitted in what is described and accepted in Wexford as a gerrymandered map which I have and which the Department has

10 o'clock

belatedly produced. It could not be the original map because it has references on it to areas that did not exist at the time the original map was drawn up.

The frustration needs to be brought to an end. I ask the Minister of State present — unfortunately it is not the Minister responsible for these matters — to explain how this pattern of abuse has continued for these children and their parents and when it will end. When will these pupils be given the proper transport to carry on their education like every other citizen in the State?

Mr. Kehoe: I thank Deputy Howlin for sharing time. I am disappointed the Minister for Education and Science is not present to take this Adjournment matter. I will spell out what could make a difference in this case. A 52-seater bus put on this route would solve the problem. While the Government wastes millions of euro in each Department, it is unable to put a 52-seater bus on this route. What grieves me is that other areas in a similar position to Blackwater have been sorted out. However, Blackwater is left in a position where it has no school transport for its children.

Some seven or eight children are already in receipt of school transport from Bus Éireann, yet their siblings are unable to gain access to school transport. That is a scandal. I have a happy letter and a sad letter. The happy one, which is from County Wexford Vocational Education Committee and which states that only 23 students from Blackwater will be categorised as eligible, was received on 13 October. On 21 October I received a letter to the effect that once the forms are processed through Bus Éireann they would receive their tickets. On 21 November the Department of Education and Science wrote to the County Wexford VEC stating that the students are not within the catchment area and will not receive school transport from Bus Éireann. That is a scandal. I am disappointed the Minister is not present to hear our plea.

Mr. T. O'Malley: I welcome this opportunity to outline to the House the Department's position regarding school transport for children residing——

Mr. Howlin: The normal courtesy is to explain where the Minister is and if she is on official business. Is there a reason neither the Minister nor the Minister of State is present?

Mr. T. O'Malley: All I know is that I was asked——

Mr. Howlin: I am not blaming the Minister of State.

Mr. T. O'Malley: I understand that. To answer the Deputy's question, I have no reason. I welcome the opportunity to outline to the House the Department's position on school transport for

children residing in the Blackwater area of County Wexford.

One of the main objects of the school transport scheme is to provide a basic level of service for children who live long distances from schools and who might otherwise experience difficulty in attending regularly. More than 135,000 primary and post-primary pupils use the school transport scheme on a regular basis. The expenditure for school transport in 2005 will be more than €120 million which is an increase of approximately 10% on last year's outturn. This includes the cost of a comprehensive package of measures which the Minister announced earlier in the year to address the phasing out of the three for two seating arrangement on school buses. Transport costs and grant aid for children with special needs will account for approximately 33% of the expenditure in 2005. These children represent approximately 6% of the overall number of children carried each day.

I wish to focus on the specific issue of transport provision for children attending post-primary schools. For the purposes of post-primary education provision, the country is divided into catchment areas, each of which has its own post-primary centre. Under the terms of the post-primary school transport scheme, a pupil is eligible for school transport if he or she resides 4.8 km, three miles, or more from the post-primary centre in the catchment area in which he or she lives.

Eligible pupils who wish to attend post-primary schools in another catchment area may be allowed transport on school services from within the catchment boundary of the centre being attended subject to there being seats available on the school transport service and at no additional cost to the State. The pupils are responsible for getting to the catchment boundary or to the nearest school bus service within that catchment area.

An eligible pupil who is approved for catchment boundary transport is not guaranteed school transport for the duration of his or her education at that centre. As a concessionary measure, continued transport will depend on the availability of seats on the school service to that centre each school term.

Children living in the Blackwater area of County Wexford are in the Kilmuckridge catchment area. Parents who choose to send their children to the Wexford post-primary centre——

Mr. Howlin: Some 23 pupils were notified by the school transport officer that is not the case.

Mr. T. O'Malley: ——can only be facilitated with school transport to that centre after all other eligible pupils from within the Wexford catchment area have been accommodated and provided there are spare seats on the bus to that centre. I understand from Bus Éireann, which operates the school transport services on behalf of the Department that a number of pupils resid-

[Mr. T. O'Malley.]

ing in the Kilmuckridge catchment area have in the past been accommodated with catchment boundary transport.

This year an issue appears to have arisen locally about the catchment boundary line. I assure the Deputy the Department is satisfied, based on the map held within the Department that children—

Mr. Kehoe: That is not acceptable.

Mr. T. O'Malley: —residing in the Blackwater area are within the Kilmuckridge catchment area. The school authorities in the Kilmuckridge post-primary centre have confirmed that between 30 and 40 additional children can be accommodated in that centre.

The Dáil adjourned at 10.10 p.m. until 10.30 a.m. on Wednesday, 23 November 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 30, inclusive, answered orally.

Questions Nos. 31 to 77, inclusive, resubmitted.

Questions Nos. 78 to 86, inclusive, answered orally.

Hospital Accommodation.

87. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children her plans for the provision of adequate surgical and medical beds in the future with particular reference to increased requirements during the winter months; and if she will make a statement on the matter. [35453/05]

128. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the number of the 3,000 promised beds which have been delivered; the time line for the delivery of beds; and if she will make a statement on the matter. [35446/05]

165. **Ms Burton** asked the Tánaiste and Minister for Health and Children the position in view of the Government's stated commitment to providing an extra 3,000 beds and of Professor Drumm's statements on the lack of need for extra beds in the health service; and if she will make a statement on the matter. [35457/05]

168. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children the progress to date on the 1,000 bed plan; and if she will make a statement on the matter. [35389/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 87, 128, 165 and 168 together.

The Health Service Executive, HSE, is advancing the implementation of a series of measures to improve the delivery of accident and emergency services. These measures take a wide-ranging approach and are aimed at improving access to accident and emergency services, improving patient flows through accident and emergency departments, freeing up acute beds and providing appropriate longer-term care for patients outside of the acute hospital setting.

A particular focus has been placed on those patients in acute hospitals who have completed their acute phase of treatment and are ready for discharge to a more appropriate setting. The HSE is making sustained efforts to arrange for the discharge of these patients in order to have more

acute beds available in hospital for emergency patients.

New and extended units have been funded through the ten point accident and emergency plan. The following initiatives have been taken with regard to care of the elderly: 48 high dependency beds have been contracted in private nursing homes for those patients with more demanding care needs; 427 patients have been discharged through 100 intermediate care beds for six to eight weeks stays since contracts with private providers commenced in May; 70 long-term patients in St. Mary's, Phoenix Park, have been transferred to private nursing homes. The beds freed up has allowed for the discharge from the Mater Hospital and Beaumont Hospital of 35 high dependency patients each; 45 public long stay beds in nursing facilities on the southside of Dublin have re-opened; additional home care packages and enhanced subventions have facilitated the discharge of 429 patients in the Dublin area.

An Agreed Programme for Government includes a commitment to expand public hospital beds in line with the health strategy commitment to increase total acute hospital bed capacity by 3,000 by 2011. Substantial investment in additional bed capacity in acute hospitals has already taken place. Funding has been provided to open an additional 900 inpatient beds-day places in public acute hospitals throughout the country. The HSE has informed my Department that as of 14 October 2005, 806 of these beds-day places were in place and the remaining 94 beds-day places will come on stream over the coming months.

In addition, a further 450 acute bed-day places are in various stages of planning and development under the capital investment framework 2005-09. The recently published Estimates include €60 million to open new acute hospital facilities some of which will provide additional beds. I announced in July this year an initiative which will provide up to 1,000 additional beds for public patients in public hospitals over the next five years. These additional beds-day places will go most of the way to achieving our commitment in the programme for Government to increase total acute hospital capacity.

Hospital Staff.

88. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children when a consultant urologist will be appointed; when a urology unit will be established at Mayo General Hospital; if her attention has been drawn to the situation where patients have to wait in excess of three years for assessment; and if she will make a statement on the matter. [35129/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of hospital services

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which is the responsibility of the Health Service Executive, HSE. The HSE has informed me that there are three consultant urologists based at University College Hospital, Galway who provide a urology service for the region. These consultants provide outpatient clinics at Mayo General and at the County Hospital, Roscommon.

The National Treatment Purchase Fund, as part of its outpatient waiting list initiative has taken 250 patients off the urology outpatient waiting list in the region since the beginning of October this year. It has also provided inpatient treatment for 286 urology patients from the region this year. The National Treatment Purchase Fund will continue to source inpatient and outpatient services for urology patients on waiting lists at Mayo General Hospital.

I also understand that the National Hospitals Office-Comhairle is examining the existing arrangement for the provision of consultant urological services nationally with a view to making recommendations on the future organisation and development of urological services.

Health Services.

89. **Ms Shortall** asked the Tánaiste and Minister for Health and Children her views on the situation regarding cardiology services in County Kerry where the national cardiovascular strategy recommended a full-time cardiology appointment to Kerry General Hospital as a matter of priority in 2003; if her attention has been drawn to the fact that there is 0.4 cardiologist in Kerry for a population of 126,000; and if she will make a statement on the matter. [35461/05]

Minister of State at the Department of Health and Children (Mr. S. Power): In April 2004 funding of €500,000 was allocated to the former Southern Health Board under the cardiovascular health strategy. The funding enabled the board to establish a consultant-led cardiology service for patients in Kerry for the first time. A consultant cardiologist was appointed in March 2005 by way of a sessional partnership between Bon Secours Hospital Tralee and Kerry General Hospital. I understand that an application has been forwarded to the National Hospitals Office-Comhairle na nOspidéal to seek approval and funding for a full time consultant cardiologist post for Kerry General Hospital.

Hospital Accommodation.

90. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the way in which she reconciles the fact that public hospitals have extra capacity for elective surgery when the surgery comes under the National Treatment Purchase Fund; and if she will make a statement on the matter. [35414/05]

101. **Mr. Crawford** asked the Tánaiste and Minister for Health and Children her views on the recent report from the Comptroller and Auditor General regarding the National Treatment Purchase Fund; and if she will make a statement on the matter. [35378/05]

108. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to the report of the Comptroller and Auditor General the way in which a hospital with a long waiting list for operations can have the spare capacity to do private work; if these hospitals, if funded properly, could do the same work; and if she will make a statement on the matter. [35410/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 90, 101 and 108 together.

In the context of his examination of my Department's appropriation account for 2004, the Comptroller and Auditor General carried out a review of the operation of the National Treatment Purchase Fund, NTPF, in 2004. The responses from the fund and my Department to the issues raised in the Comptroller and Auditor General's report have been fully recorded in the text of the report and are a matter of public record.

The NTPF was established as one of the key actions for dealing with public hospital waiting lists arising from the 2001 health strategy. The strategy envisaged that the NTPF might also make use of any capacity within public hospitals to arrange treatment for public patients. It was recognised that during the start-up phase of the fund, the use of public capacity could account for 30% of total NTPF activity, once public core service planned activity was not compromised. The Department has recently advised NTPF that use by the fund of public facilities should be limited to 10% of its total referrals for treatment.

Elective activity in hospitals does not take place 24 hours per day and seven days a week. Therefore, using theatres and beds outside of normal working hours is one way of creating extra elective capacity in the public system. There are several reasons it was imperative for the fund to use public capacity for shortening waiting times for surgery. It is acknowledged that minimal paediatrics capacity exists in the private sector. In order to offer the benefits of NTPF to children there may be no other option but to utilise spare capacity.

Other situations that compelled the use of public or in-house capacity were cases where, for reasons of clinical or patient complexity, it was clearly best practice to have certain patients treated by their own consultant in the hospital where they were on the waiting list. Not to have used this facility would have effectively barred this cohort of patients from accessing the NTPF scheme.

Health Services.

91. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if figures can be provided to explain the discrepancy between Parliamentary Question No. 27 of 7 April 2004 and the Health Service Executive's business plan 2005 which shows a cutback of 2 million hours of home help in 2004 and to date in 2005; and if she will make a statement on the matter. [35392/05]

Minister of State at the Department of Health and Children (Mr. S. Power): With reference to Parliamentary Question No. 27, note the 2004 figure of 8.9 million home help hours relates to projected figures for year end 2004. In some cases due to different recording mechanisms in different HSE areas some home help figures also incorporated home help hours inclusive of all disciplines, that is, mental health, disabilities, children and families.

The 6.9 million home help hours figure in the 2005 national service plan section for older people, which referred to activity for last year and this year, relates only to older persons and, therefore, that figure and the 8.9 million are not comparable. Also, the HSE on examining the figures in the national service plan 2005 realised that the 6.9 million was understated by 665,821 hours and the national figure should be more than 7.5 million for this year for older persons.

Given that there have been difficulties in collating information nationally the necessary revisions are being made to systems and procedures by the HSE to ensure that routine information can be produced which verifies for the purposes of public accountability and management decision-making the level of home help service delivered on an ongoing basis.

Health Service Staff.

92. **Mr. Coveney** asked the Tánaiste and Minister for Health and Children the number of staff that have been recruited under the 2001 primary care strategy; and if she will make a statement on the matter. [35375/05]

Tánaiste and Minister for Health and Children (Ms Harney): Employment information is collected by my Department every quarter on the basis of grade and employing agency and does not include any data on a programme by programme basis as requested by the Deputy. The latest available verified data is in respect of end-June 2005, when employment levels stood at 100,934 personnel in whole-time equivalent terms. The Deputy may wish to note that, since end-2001 there has been an increase in the level of employment in the health services generally of 10,632, or 11.8%, excluding home helps.

The implementation of the primary care strategy is first and foremost about developing new ways of working and of reorganising the resources already in the system in line with the

service model described in the strategy. It is in that context that additional staffing resources can be deployed to best effect. The whole-system nature of the approach to implementation is such that change will be required in many sectors in the health service, and not solely within primary care itself. It is therefore neither feasible nor appropriate to attribute particular appointments to the primary care strategy.

To support the continued development of primary care services in line with the principles of the strategy, the Government is providing an additional €16 million in 2006. Among the developments this funding will permit is the appointment of some 300 additional front-line personnel to work alongside general practitioners in the improved delivery of community primary care services. The additional resources will be invested to ensure that they are focused on meaningful developments with maximum front-line impact.

93. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children further to the review of the ambulance command and control centre in central Dublin which called for the establishment of a joint ambulance control in Dublin staffed by the Dublin fire brigade and Health Service Executive staff if this report has been dismissed; the report which she expects to receive from the Health Service Executive on this matter; the levels of involvement of staff in any report on this subject; the interim measures which are to be put in place to ensure that the concerns from the Devine report are addressed; and if she will make a statement on the matter. [35475/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive, HSE, under the Health Act 2004. As part of the reform of the health service a national ambulance office has been established under the auspices of the National Hospitals Office within the HSE. The office has responsibility for the provision of pre-hospital emergency care nationally.

Ambulance services in the eastern region are provided by the HSE and Dublin City Council through Dublin fire brigade, DFB. The HSE eastern regional area provides services in Counties Dublin, Kildare and Wicklow, while the DFB largely operates in Dublin city under an arrangement with the executive. The HSE has overall responsibility for the provision of ambulance services and allocates funding annually to Dublin City Council.

In 2004, the former Eastern Regional Health Authority commissioned an external review of an integration agreement relating to the operation of the ambulance command and control centre at Townsend Street, Dublin. The centre is staffed by ambulance personnel from the HSE and the DFB. The review was commissioned arising from

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difficulties which had arisen in operating the centre in a fully integrated fashion. The review was conducted by an independent management consultant and was completed earlier this year.

The principal recommendation arising from the review was that discussions should take place at senior management level between Dublin City Council and the Health Service Executive. Among the issues recommended for consideration were: the need to establish a fully integrated joint ambulance control based in Townsend Street, staffed jointly by the HSE and DFB; the need to ensure that previously agreed protocols on the dispatch of emergency ambulance services are implemented and monitored; and the need for a single information and communication technology system to be introduced for the dispatch of emergency ambulances.

The review further recommended that, in the absence of agreement to the resolution of difficulties which have arisen in the operation of a fully integrated centre, the HSE should commission a risk management audit to assess the risks to patients arising from a continuation of the existing arrangements at Townsend Street.

My Department is advised that the National Hospitals Office and Dublin City Council have met to discuss the implications of the report and have recently established a senior management group as recommended. The executive has advised that the findings of the external review will be considered, in conjunction with other relevant reports, by the senior management group. The executive has further advised that ambulance personnel will be given the opportunity to make submissions to the group in advance of any recommendations being finalised and that they will also be asked to participate in the development of any implementation plans resulting from the work of the group.

I hope any difficulties which have arisen in delivering a fully integrated response by the ambulance service in the eastern region can be resolved quickly by the HSE in conjunction with Dublin City Council and other relevant parties. I also consider that risk management-audit should form an integral part of any future arrangements governing the provision of ambulance services both in the eastern region and nationally. I will continue to seek reassurance from the HSE that any current difficulties are not compromising in any way the provision of a timely and quality response by the ambulance service to persons in the eastern region.

Hospital Waiting Lists.

94. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children her plans to reduce the waiting lists for neuroservices in Beaumont Hospital; and if she will make a statement on the matter. [35399/05]

129. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of beds dedicated to neuroservices in Beaumont Hospital; and if she will make a statement on the matter. [35401/05]

146. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children the level of investment that her Department has given to neuroservices in Beaumont Hospital since 1997; and if she will make a statement on the matter. [35400/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 94, 129, and 146 together.

The Deputies' questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. My Department is advised by the HSE that in the period 1997 to 2004 the total expenditure on inpatient and outpatient neuroscience services at Beaumont Hospital was almost €194 million. The HSE has also advised that there are currently 30 beds allocated to neurology and 90 beds allocated to neurosurgery at Beaumont.

There are currently six consultant neurosurgeons in the department of neurosurgery at Beaumont. The HSE is currently in discussions with the hospital in relation to a seventh consultant neurosurgery post on the basis of increasing demands and workload.

So far this year, the National Treatment Purchase Fund, NTPF, has arranged treatment for some 234 patients who had been awaiting neurosurgical procedures at Beaumont. Comhairle na nOspidéal is currently finalising its review of neurosurgical services to assess the future national requirements for this service. As part of this review, it is examining future resource requirements in terms of consultant and support staffing, inpatient, adult and paediatric beds and specialised services, including ICU. The findings from this report will inform future investment decisions in the service.

The Comhairle report on neurology and neurophysiology services, published in April 2003, recommended significant enhancement of these services, including increases in consultant staffing. Since the publication of the report, two additional consultant neurology posts have been approved bringing the total to 16. Two consultant neurophysiology posts have also been approved, one of which is a new post shared between Beaumont Hospital and Connolly Hospital, Blanchardstown.

Additional funding was made available in 2005 to support the development of neurology-neurophysiology services in the eastern, the north western, the mid-western and the southern regions, having regard to agreed priorities. In 2006, additional funding of €3 million is being allocated specifically for the further development of neurology and neurophysiology services. The

additional funding will allow the Health Service Executive to further progress the implementation of the Comhairle recommendations in respect of this service.

Hospital Staff.

95. **Mr. Gilmore** asked the Tánaiste and Minister for Health and Children her views on a report that Irish hospital consultants earn five times the average income here compared with just twice the average income in Norway and just under three times in Germany; if her attention has been drawn to the fact that this does not include additional income from private practice which can be higher again; and if she will make a statement on the matter. [35464/05]

Tánaiste and Minister for Health and Children (Ms Harney): The OECD report, *Health at a Glance*, to which the Deputy refers, states that data gathering and calculation methods vary across countries and therefore warns that “cross-country variations in remuneration levels should be interpreted with a lot of caution”. In Ireland, hospital consultants’ salaries are determined by the review body on higher remuneration in the public sector. This is an independent body established in 1969 to act as a standing body whose primary function is to advise the Government from time to time on the general levels of remuneration appropriate to hospital consultants and other high level public sector posts. The Government is committed to implementing pay increases as recommended by this review body. The most recent report of this review body is Report No. 40, O’Brien report, which recommended a 7.5% increase to consultant salaries. Consultant salaries also receive general pay round increases in line with other public sector posts.

The basic salary for consultants holding the 1997 common contract ranges from €129,000 to €168,000, excluding allowances. Consultants with contracts which substantially restrict access to private fees — geographical whole-time without fees and category I contracts — receive higher public salaries but earn less from private practice. Consultants with greater access to private fees hold the category II contract and receive lower public salaries.

The Deputy will be aware that negotiations will commence very shortly on a new consultant contract. One of the objectives of a new contract will be to achieve a much greater degree of precision in the contractual arrangements between health service employers and this valued, highly skilled and highly paid group of employees and, in particular, agreement to changes in consultants’ work practices for the benefit of patients. This should also cover integral involvement of consultants in governance, management and accountability frameworks in acute public hospitals.

Health Services.

96. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that more than 250 new clients have contacted the support organisation One in Four since the Ferns Report; if her attention has further been drawn to the fact that the Rape Crisis Centre has seen a 50% increase in calls across the country seeking help; and if she will make a statement on the matter. [35472/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I am aware that since the publication of the Ferns Report a significant number of additional clients have contacted One In Four and the Rape Crisis Centre. The Taoiseach and I met One in Four on Thursday last. My Department has been in contact with the HSE concerning its response to these issues. These contacts will continue including monitoring that the necessary services are provided effectively and appropriately to those who need them.

The Government responded positively to the publication of the Ferns Report and accepted all of its recommendations. The Minister for Justice, Equality and Law Reform and I jointly announced the setting up of a commission of investigation which will examine these issues in the Dublin Archdiocese and as appropriate in other dioceses in the State.

The publication of the Ferns Report and associated media coverage has been a distressing experience for many individuals, both those directly affected and their immediate family members. At a time of raised public awareness many individuals feel especially vulnerable and reach out for assistance.

In each region the HSE provides a professional counselling service within the framework of the national counselling service. This service provides expert counselling and psychotherapeutic support for individuals who are victims of previous abuse. The HSE also supports the work of a number of partner agencies with a specialist skill in this area, including the Rape Crisis Centre and One in Four. The HSE provide funding for these services in the context of service level agreements. The level of service demand and usage is monitored and reviewed on a regular basis. The national counselling service is a community based service for adults who were hurt by childhood abuse in Ireland. The NCS is a free, confidential service.

All counsellors employed by the national counselling service are health care professionals from clinical backgrounds such as medicine, nursing, social work and psychology. All counsellors are accredited and are committed to providing an excellent quality service. They have considerable experience in dealing with a broad range of issues including, child abuse, sexual, physical, emotional and neglect, substance abuse, depression, anxiety, panic attacks, guilt and shame, post traumatic stress disorder, relationship difficulties, suicidal

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feelings, fear, eating disorders and mental health problems. The national counselling service offers individual counselling, couple counselling, counselling for family members, group therapy and information about other services within the community.

MRSA Incidence.

97. **Mr. Boyle** asked the Tánaiste and Minister for Health and Children if MRSA will become a notifiable disease; and if she will make a statement on the matter. [35447/05]

208. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if MRSA will become a notifiable disease; and if she will make a statement on the matter. [35665/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 97 and 208 together.

MRSA, methicillin-resistant staphylococcus aureus, is a resistant form of staphylococcus aureus. The Health Protection Surveillance Centre, HPSC, formerly known as the National Disease Surveillance Centre collects data on MRSA bacteraemia also known as blood stream infection or blood poisoning as part of the European antimicrobial resistance surveillance system, EARSS. Since 1 January 2004, MRSA bacteraemia is now included in the revised list of notifiable diseases under the infectious diseases regulations. The reporting process for MRSA bacteraemia remains the same for now, that is, direct reporting to the HPSC via the EARSS protocol which is done on a quarterly basis.

National Treatment Purchase Fund.

98. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if she will clarify that the waiting times for procedures under the National Treatment Purchase Fund is three months; and if she will make a statement on the matter. [35413/05]

Tánaiste and Minister for Health and Children (Ms Harney): The National Treatment Purchase Fund has reported that in most instances anyone waiting more than three months for a routine surgical procedure will be facilitated by the fund. A patient may contact the fund directly or through his or her general practitioner, hospital or consultant to have his or her treatment arranged. The fund has pointed out, however, that in certain cases, for reasons of clinical or patient complexity, it may not be possible for the fund to arrange treatment immediately.

Up to the end of October, 36,300 patients have had treatment arranged for them by the National Treatment Purchase Fund. The fund has made significant progress in reducing waiting times for patients.

I launched the NTPF new patient treatment register, PTR, in early September. The PTR is a new national database of patients waiting for admission to hospital for treatment. The register will allow for more accurate identification of waiting lists, and more importantly, waiting times. The first phase of the register was implemented in September 2005. Phase 1 of the project includes data from seven hospitals which, under the previous waiting list system, accounted for approximately 40% of the total number of patients waiting nationally. The published data for the seven hospitals showed that, on average, patients are waiting between two to four months for their operation for 17 out of the 20 most common surgical procedures.

Departmental Funding.

99. **Mr. Eamon Ryan** asked the Tánaiste and Minister for Health and Children the nature of the relationship between her Department and the Nutrition and Health Foundation; if taxpayers' money is going to this organisation; if her Department fully endorsed this new organisation; and if she will make a statement on the matter. [35442/05]

Minister of State at the Department of Health and Children (Mr. S. Power): There is no formal relationship between my Department and the Nutrition and Health Foundation. My Department has not given money to this organisation and has not endorsed it.

Hospital Transfer.

100. **Mr. Costello** asked the Tánaiste and Minister for Health and Children if she proposes to transfer the Central Mental Hospital to the Thornton Hall site; and if she will make a statement on the matter. [29766/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In 2003, the Minister for Health and Children established a project team, chaired by the former East Coast Area Health Board, to progress the re-development of the Central Mental Hospital. The team reported to the Department of Health and Children via the former Eastern Regional Health Authority in May 2004 and recommended that the Central Mental Hospital be relocated to a new purpose built facility in the greater Dublin area, as this was judged to be the most appropriate option for delivery of patient care. In November 2004, the Government decided in principle to develop the new Central Mental Hospital adjacent to the new Mountjoy Prison replacement complex.

I emphasise that the new Central Mental Hospital will be a health facility, providing a therapeutic forensic psychiatric service to the highest international standards in a state-of-the-art-building. The hospital will remain under the

aegis of the Department of Health and Children and will be owned and managed by the Health Service Executive. Furthermore, I have asked my officials to examine the option of providing a separate governance structure for the hospital, by way of its own board, reflecting its importance as a national, tertiary psychiatric service. It is intended to develop the Central Mental Hospital, independently of the prison complex, by means of a separate capital development project, managed and directed by the Health Service Executive. A new Central Mental Hospital on the 150 acre site would have its own grounds with a separate entrance, access road and address.

My Department is preparing detailed proposals for Government in relation to the development of the new hospital and the disposal of the property at Dundrum. It is my intention that the proceeds from the sale of the existing site will go towards the provision of the new hospital in the first instance, with the balance of funds to be invested in health facilities, in particular community mental health facilities.

Question No. 101 answered with Question No. 90.

Health Services.

102. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children the mechanisms which have been put in place between her Department and the Health Service Executive to ensure equality of service is achieved between different parts of the country; and if she will make a statement on the matter. [35107/05]

Tánaiste and Minister for Health and Children (Ms Harney): The delivery of health services is an operational matter and is the responsibility of the Health Service Executive. Under section 31 of the Health Act 2004, the executive must prepare and submit to me its service plan for the coming year and must, among other things, indicate the type and volume of health and personal social services to be provided by the executive for the duration of the plan on a national basis. A dedicated unit has been established in my Department to monitor and evaluate the provision of services, including performance, monitoring of the financial position and evaluating efficiency and effectiveness. This role includes regular meetings between my Department and the executive to review progress at a national level. The issue of the provision of services on a regional basis is addressed through regular meetings between the line units of my Department and their counterparts in the executive.

Hospital Accommodation.

103. **Mr. M. Higgins** asked the Tánaiste and Minister for Health and Children the measures she will take following the revelations by the OECD that Ireland is sixth from the bottom in

the ratio of acute care beds to 1,000 population as it states that Ireland has only three beds per 1,000 population compared with 12.3 in Germany; and if she will make a statement on the matter. [35466/05]

193. **Mr. M. Higgins** asked the Tánaiste and Minister for Health and Children the measures she will take following the revelations by the OECD that Ireland is among the worst rates for hospital overcrowding in Europe; and if she will make a statement on the matter. [35465/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 103 and 193 together.

The recently published OECD report, *Health at a Glance 2005*, stated that the number of acute care beds in Ireland in 2002 was three per 1,000 population and that the average occupancy rate for acute hospital beds was 84%. The average number of beds per 1,000 population in the OECD countries in 2002 was 4.2 and the average occupancy rate was 75%.

However, it should be noted that the OECD advises caution in the interpretation of the cross-country data provided in the report. Health care systems differ significantly across the range of OECD countries. The Irish data on the number of acute beds do not include acute beds located in private hospitals. Some other countries include acute beds in private hospitals and beds which may be used for long-term care.

The report points out that the number of acute hospital beds does not provide a comprehensive measure of capacity — for example, it does not capture the capacity of hospitals to provide services on a day basis. Day activity is now a significant component of hospital-based care. There has been a rapid movement in the last few years towards day case work where a variety of routine and complex treatments, surgery and diagnostic tests can now be performed with the patient being admitted and discharged from hospital on the same day. Evidence shows that much of the growth is the result of technological and medical innovations, such as less invasive surgery and advances in anaesthetics.

An Agreed Programme for Government includes a commitment to expand public hospital beds in line with the health strategy commitment to increase total acute hospital bed capacity by 3,000 by 2011. Substantial investment in additional bed capacity in acute hospitals has already taken place. Funding has been provided to open an additional 900 inpatient beds-day places in public acute hospitals throughout the country. The Health Service Executive has informed my Department that as of 14 October 2005, 806 of these beds-day places were in place and the remaining 94 beds-day places will come on stream over the coming months.

In addition, a further 450 acute beds-day places are in various stages of planning and develop-

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ment under the capital investment framework 2005-09. The recently published Estimates for the health services in 2006 includes provision for €60 million revenue funding to open new beds and treatment facilities throughout the country.

I announced in July this year an initiative which will provide up to 1,000 additional beds for public patients in public hospitals over the next five years. The HSE has been asked to develop an implementation plan and to prioritise proposals with reference to the public hospitals' requirement for additional bed capacity. My Department, in conjunction with the HSE, intends to review public capacity requirements in the acute hospital sector in the light of developments since the health strategy was published and the progress of the initiative I announced in July.

This Government has provided additional capacity and has plans in place to deliver an additional 2,350 inpatient beds-day places over the period of the health strategy. We will continue to advance proposals to increase capacity in the acute hospital sector to cater for the needs of the population.

Hospital Waiting Lists.

104. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children when the Government's failure to develop a coherent strategy for outpatient waiting lists with special regard to rheumatology, neurology, urology, orthopaedic and dermatology waiting lists will be addressed; her views on whether this urgently needs to be addressed; and if she will make a statement on the matter. [35128/05]

Tánaiste and Minister for Health and Children (Ms Harney): The management of outpatient waiting lists is, in the first instance, a matter for the National Hospitals Office and the individual hospitals concerned. However, earlier this year I asked the National Treatment Purchase Fund, NTPF, to examine the position with a view to further assessing the needs of patients waiting longest on outpatient waiting lists and the most appropriate clinical pathways and protocols required for their care.

As a result the NTPF set up a number of pilot projects around the country. The intention is that the longest waiters in a number of specialties will receive consultations at outpatient level in private hospitals. It is envisaged that between 4,000 to 5,000 patients will have outpatient appointments arranged for them. Monitoring and evaluation arrangements will be put in place by the NTPF in order to assess the outcome of the out-patient pilot projects. I understand that the pilot projects are well under way and I expect to receive a report from the NTPF in due course.

105. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of

people awaiting neurosurgery in Beaumont Hospital; and if she will make a statement on the matter. [35402/05]

Tánaiste and Minister for Health and Children (Ms Harney): Responsibility for the collection and reporting of waiting lists and waiting times now falls within the remit of the National Treatment Purchase Fund, NTPF. My Department has, therefore, asked the chief executive of the NTPF to reply to the Deputy directly with the information requested.

Ministerial Correspondence.

106. **Mr. Eamon Ryan** asked the Tánaiste and Minister for Health and Children if she has received correspondence from the Irish Heart Foundation or National Heart Alliance regarding the Nutrition and Health Foundation; if the letter was critical of this new organisation; and if she will make a statement on the matter. [35441/05]

Minister of State at the Department of Health and Children (Mr. S. Power): Correspondence has been received from the Irish Heart Foundation and the National Heart Alliance regarding the Nutrition and Health Foundation. In the light of the publication of the report of the National Taskforce on Obesity, my Department is currently developing an implementation plan which will involve participation of all relevant stakeholders, including the food industry.

Hospital Services.

107. **Mr. Morgan** asked the Tánaiste and Minister for Health and Children the action she will take to address the under-resourcing of Louth County Hospital, including the need for a CT scanner; and if she will make a statement on the matter. [35434/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has again requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 108 answered with Question No. 90.

Hospital Staff.

109. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children her views on whether it is fair that Irish trained nurses are failing to have their part-time contracts increased into full-time contracts at Wexford General Hospital while at the same time, foreign nurses have been brought in on short term full-time con-

tracts; if this is happening in other hospitals; and if she will make a statement on the matter. [35394/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

110. **Mr. English** asked the Tánaiste and Minister for Health and Children her plans for improved respite care here; and if she will make a statement on the matter. [35383/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care. Following on the publication of this report, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. The group will comment on respite care for older people in this report. It is expected that the report of the group will be submitted to Government in the near future.

Primary Care Strategy.

111. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children if she intends abandoning the primary care strategy unless funding will be received from the private sector; and if she will make a statement on the matter. [35390/05]

155. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the number of fully operational primary care centres that have been established under the 2001 primary care strategy; and if she will make a statement on the matter. [35373/05]

179. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of primary care centres that have been established under the 2001 primary care strategy; and if she will make a statement on the matter. [35372/05]

189. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if the primary health care strategy is still Government policy; and if she will make a statement on the matter. [35371/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 111, 155, 179 and 189 together.

The Government remains fully committed to the implementation of the principles in the primary care strategy. The strategy provides a template for the reform and development of primary care services over a period of ten to 15 years. The chief executive officer of the Health Service Executive has also emphasised the importance of developing our primary care services, both as the appropriate service for the delivery of the majority of people's health and social care needs and to complement services provided by our acute hospitals. This is an important priority of the executive which has my full endorsement.

Implementation of the primary care strategy will require sustained investment, over a period, to expand capacity and enable primary care to become the cornerstone of our health system. Three broad approaches will be taken to enable this to happen, namely, the substantial reorganisation of existing resources; further revenue and capital investment by the State; and a structured role for the private sector in the development of facilities and possibly also the delivery of integrated primary care services in line with national policy.

The deployment of additional resources in primary care must take place in the context of developing new ways of working and of reorganising the resources already in the system in line with the service model described in the strategy. In order to support the continued development of primary care services in line with these principles, the Government is providing an additional €16 million in 2006. The additional resources will be invested to ensure that they are focused on meaningful developments with maximum front-line impact. The extra funding will permit the appointment of some 300 additional frontline personnel to work alongside GPs in approximately 75 to 100 teams in the improved delivery of community primary care services, the establishment of an additional 22 GP training places and the further development of general practitioner out-of-hours co-operatives to enable an estimated 350,000 additional persons to benefit from such services.

Beginning in 2002, work was undertaken by the health boards, and continued by the HSE, to establish an initial group of ten primary care teams, with funding to enable existing staff resources within the public system to be augmented. These teams, which are already in operation, enable the primary care model to be demonstrated in action and also allow practical experience to be gained of the process involved

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in developing a primary care team and providing an expanded range of services in the community. The HSE will build on the experience gained in these ten projects as it develops team-based primary care services on a wider scale.

General Practitioner Co-operatives.

112. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the stage of the tender process for out-of-hours general practitioner services in north county Dublin; and if she will make a statement on the matter. [35374/05]

127. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children her plans to put out-of-hours services in other areas out to tender following from her decision to put the out of hours services in north Dublin out to tender; and if she will make a statement on the matter. [35380/05]

134. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if tenders for the out-of-hours services in north Dublin are at an advanced stage; and if she will make a statement on the matter. [35409/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 112, 127 and 134 together.

The provision of quality, responsive, accessible and patient centred general practitioner out-of-hours services is a key priority objective within the primary care strategy. Between 2000 and 2005 almost €105 million has been allocated to the Health Service Executive, HSE, to allow for the development of out-of-hours co-operatives. This does not include the fees of the participating general practitioners. As part of the 2006 Estimates, I was pleased to provide an additional €16 million for further primary care services developments, including out of hours co-operatives which will mean that approximately 2.7 million people will have access to such services.

Decisions on the geographical areas to be covered by out-of-hours co-operatives and any expansion are decisions for the Health Service Executive to make, having regard to the strategic, financial and other issues involved. In advancing the primary care strategy objective for out-of-hours services consideration will be given by the HSE to all options which will meet service needs appropriately and effectively, including competitive tendering.

The provision of more general practitioner out-of-hours services is an important element of the ten point plan for accident and emergency services. The decision of the HSE to engage in a competitive public procurement process to put in place arrangements, intended to complement and enhance existing out-of-hours general prac-

itioner services for the North Dublin area has my support. The HSE has advised that tenders have been received and are currently being evaluated.

Hospital Staff.

113. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children her plans to introduce public only contracts for consultants in public hospitals; and if she will make a statement on the matter. [35420/05]

Tánaiste and Minister for Health and Children (Ms Harney): The report of the Commission on Financial Management and Control Systems in the Health Service, the Brennan report, recommended that the health service should “recruit a substantial proportion of Consultants on a public-only contract”. The issue of the public-private mix will be one of the priority issues addressed in the impending consultant contract negotiations. In this context the recommendations of the Brennan report will inform the management position in the negotiations.

Care of the Elderly.

114. **Mr. Penrose** asked the Tánaiste and Minister for Health and Children her position with regard to residential care for the elderly, on the establishment of a statutory independent complaints and appeals procedure within the health and social services and the development of independent advocacy services for older people in residential care; the provision of more public long-term residential care facilities; and if she will make a statement on the matter. [35477/05]

Minister of State at the Department of Health and Children (Mr. S. Power): It is the intention of the Department to put in place a more robust regulatory system as quickly as possible to protect vulnerable older people and to provide for the highest possible standards of care for older people in long-stay facilities.

The process has begun to review the current system with a view to strengthening the powers available to those involved in inspecting facilities and to extend a strengthened inspection system to public facilities. It is intended that the Health Bill 2005 will establish both the health information and quality authority, HIQA, and the social services inspectorate, SSI, on a statutory basis and will contain provisions to underpin a more robust inspectorial system.

It is also intended that the Bill will provide for the setting and monitoring of standards for residential facilities for older people. To this end, the Department has commenced a review of the Nursing Homes (Care and Welfare) Regulations 1993 and will work in conjunction with the Health Service Executive, HSE, the SSI and other relevant bodies with the intention of developing a new set of standards that would apply to all residential services for older people.

The provisions of Part 9 of the Health Act 2004 provides for the establishment of a statutory complaints framework to apply to complaints about the actions of the Health Service Executive or a service provider. Under the statutory framework provided for in the 2004 Act, an action is defined as “anything done or omitted to be done” by the HSE or by a service provider with whom it has an agreement for the provision of services. This framework initially seeks to resolve the complaint at local level but provides for access to independent review if the complainant is dissatisfied with the outcome of the complaint. It also provides for access to the Office of the Ombudsman or the Office of the Ombudsman for Children if the complainant is still dissatisfied following the outcome of the review.

The provisions of the statutory framework will apply to the HSE and all service providers providing services on its behalf. There is also provision that where a person is unable to make a complaint because of illness or age or disability, a complaint may be made on his or her behalf by certain specified persons. Complaints must be made within 12 months of the actions giving rise to the complaint.

The provisions of the 2004 Act require the making of regulations to give effect to the provisions of the statutory framework. A consultation process on the handling of complaints made to the HSE was undertaken and a draft report of its findings has been received in this Department. The Tánaiste expects the final report to be available shortly. The report will greatly assist this Department in the drafting of the regulations.

The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care. Following on the publication of this report, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, including improvements in community care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O’Shea. It is expected that the report of the group will be submitted to Government in the near future. The group will comment on residential care for older people in this report.

Hospital Services.

115. **Mr. McCormack** asked the Tánaiste and Minister for Health and Children when Comhairle na nOspidéal will report on the review of

neurosurgery services; and if she will make a statement on the matter. [35398/05]

Tánaiste and Minister for Health and Children (Ms Harney): At the request of the Department of Health and Children, a committee was established by Comhairle na nOspidéal to review the existing arrangements for the provision of neurosurgical services and consultant staffing nationally and, following consultation with the interests concerned, to make recommendations on the future organisation and development of neurosurgical services. My Department has been informed that National Hospitals Office-Comhairle is in the process of completing its report.

Hospital Waiting Lists.

116. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the progress to date in 2005 in reducing the waiting lists for diabetes consultants; and if she will make a statement on the matter. [35369/05]

Tánaiste and Minister for Health and Children (Ms Harney): The management of outpatient waiting lists is, in the first instance, a matter for the National Hospitals Office-Health Service Executive, HSE, and the individual hospitals concerned. My Department has, therefore, asked the parliamentary affairs division of the HSE to reply to the Deputy directly in relation to this matter.

Hospitals Building Programme.

117. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she supports the retention and development of Our Lady’s Hospital for Sick Children in Crumlin; and if she will make a statement on the matter. [35436/05]

265. **Ms McManus** asked the Tánaiste and Minister for Health and Children the proposed plan for Crumlin Children’s Hospital; the provision for a new hospital; the timeframe for a new hospital; the location of the new hospital; and if she will make a statement on the matter. [35539/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 117 and 265 together.

It has been accepted that the current infrastructure at Our Lady’s Hospital for Sick Children does not generally meet the standards required for a modern paediatric hospital. The available facilities do not satisfactorily accommodate the range and extent of current clinical and associated activity. In recognition of this, a project team was established to plan for the overall future development of Our Lady’s Hospital, either on the existing hospital site or at an alternative green field location.

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The project team has undertaken a detailed examination of the potential to redevelop the hospital on its present site. The project team concluded that the existing clinical services could be retained and developed on the present site but also set out the implications of such an approach in terms of time, cost and disruption to services. As a consequence, it is likely that the new hospital will be located at an alternative site.

I have asked the Health Service Executive to arrange for a review to be undertaken of highly specialised paediatric services to ensure that they are provided in the most efficient and effective manner. The outcome of this review will help to inform the decision in the range of services to be provided at the new Crumlin hospital. I expect this review to be completed as a matter of urgency.

It is proposed, when the review has been completed, that a site option appraisal study will be carried out, the focus of which will be to evaluate the options for the relocation of the hospital, leading to the acquisition of an alternative site, if such is recommended by the process. The study will be subject to public tendering procedures.

Pending final decisions with regard to the future location of the hospital, three clinical departments have been identified as requiring urgent upgrade or expansion. The three departments are haematology-oncology, radiology, including MRI, and cardiology. The haematology-oncology project consists of the provision of new accommodation for day and outpatient services. The radiology project will provide new MRI facilities in Crumlin. The cardiology project will provide dedicated inpatient cardiac beds, together with diagnostic, outpatient and administration facilities. Additional revenue funding is required in 2006 to commission the MRI facilities and I confirm that this funding is available to the Health Service Executive.

Health Service Executive.

118. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the widespread unease within the Health Service Executive at the repeated changes in administrative structures that have dogged the Health Service Executive; her views on whether it was foolhardy to establish the Health Service Executive without a CEO in place; the measures she is taking to ensure no industrial action will take place; and if she will make a statement on the matter. [35485/05]

185. **Mr. Allen** asked the Tánaiste and Minister for Health and Children her views on the restructuring of top level positions in the Health Service Executive, its impact on staff and service delivery; and if she will make a statement on the matter. [35367/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 118 and 185 together.

I decided to proceed with the establishment of the Health Service Executive, HSE, with effect from 1 January 2005 to ensure that the momentum of the health service reform programme was maintained. Arrangements were put in place to underpin this. The chairman of the interim HSE was appointed as interim chief executive officer until such time as a CEO was appointed. In addition the chief executive officers of the former health boards played a lead role in facilitating the transfer of accountability and ensuring a safe passage to the new structures. Those CEOs who had not taken up other positions in the HSE agreed to remain in post until 15 June 2005 as chief officers for their respective areas. Professor Brendan Drumm took up appointment as chief executive officer on 15 August 2005.

An agreement was reached in December 2004 between the HSE and IMPACT, the union representing senior managers in the health boards, to assist co-operation with the new structures and the reforms generally and to provide for a genuine working partnership between IMPACT and the HSE in the interests of the users of services and the staff who ensure their provision.

I am advised that processes aimed at resolving any emerging difficulties are in place across the range of functional areas which form part of the HSE. In addition the HSE intends to have a communications and organisational development strategy in place from the start of next year and will seek to approach this in a participative fashion with IMPACT and other trade unions.

Significant progress has been made in bringing the HSE organisational structure to life and some restructuring has been necessary as the organisation bedded down and the health reform process took root. Decisions on the organisational structure are designed to: accelerate the pace of change within the HSE; involve clinical practitioners and patients in the development and monitoring of healthcare strategies; quickly deliver more relevant services to patients and clients; promote full and seamless integration between the main service-delivery units, National Hospitals Office and primary, community and continuing care, ensuring that patients can access services easily and that service-delivery is simplified; and provide greater job satisfaction to staff.

In this context, an assessment has been made by the HSE in relation to the organisation of acute hospital services on the basis of ten networks and all other health services on the basis of four regions. Reconfiguring the administrative regions in relation to acute hospitals has been identified as one of the revisions needed.

Reform of this magnitude will not be without some initial teething problems. However, we are already beginning to see the value of this fundamental reform in terms of accountability and decision-making with the HSE having both man-

agement and financial responsibility for our health service operations. I am determined that the pace of health reform matches the pace of funding increases. This is the key to ensuring better services, better value for money and taxpayers' support for further health spending increases.

Hospital Waiting Lists.

119. **Mr. Deenihan** asked the Tánaiste and Minister for Health and Children the number of patients in County Kerry waiting for orthodontic treatment; and if she will make a statement on the matter. [35451/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have a reply in relation to this matter issued directly to him.

Departmental Expenditure.

120. **Mr. Cuffe** asked the Tánaiste and Minister for Health and Children the cost to date of the Lorenzo system; the amount consultants have been paid to introduce this system to date; if consultants have been retained to work on this system; when it is expected to be in place; and if she will make a statement on the matter. [35438/05]

Tánaiste and Minister for Health and Children (Ms Harney): I have been informed by the HSE that iSOFT is a major international supplier of IT systems to health care. It has a substantial portfolio of products and it has a product development programme known as Lorenzo. I am informed that under the terms of the HSE's contract with iSOFT, the company has already delivered its current version of the software and the implementation of this suite is under way for sites that must urgently replace their existing systems. However, the contract also provides for the HSE to have access to the new version of the system produced under the Lorenzo programme and I understand that work will begin on its implementation in St. Luke's Hospital in Kilkenny in January 2006 with an expected go live date in early 2007.

The HSE has informed me that the cost to date of the iSOFT project is €5.6 million. Of this, €4.3 million has been paid to iSOFT for software licences, implementation services and support. The remainder of the cost was principally for computer hardware and the internal implementation costs in the HSE areas and that none of this cost is in respect of consultants employed to introduce or to assist in introducing the system in 2005. The HSE has further advised that around

€60,000 of this cost refers to consultancy and legal fees associated with the final stages of the procurement and contract process, including the cost of a financial due diligence of iSOFT in advance of entering into the contract.

The HSE has informed me that iSOFT personnel are providing the necessary technical services associated with deployment of their system and there are no other consultants involved. The cost of these services in 2005 is included in the above figure. Similarly the cost of these services is included in the overall ten year contract price of €56 million. The HSE's proposal is to deploy a standard version of the iSOFT system across all its hospitals over the next five years and to develop and enhance this over the full ten year term of the contract.

Hospital Services.

121. **Mr. Noonan** asked the Tánaiste and Minister for Health and Children her views on recent reports that more than 10,000 surgical operations were cancelled in the first half of 2005 due to a shortage of beds and staff; and if she will make a statement on the matter. [35411/05]

162. **Ms McManus** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that more than 80 operations and other scheduled procedures are cancelled every day in hospitals around the country due to shortages of beds and staff; the measures she intends to take following the figures that reveal that 10,368 treatments have been postponed or cancelled in the period between January and June in 2005; and if she will make a statement on the matter. [35455/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 121 and 162 together.

It is regrettable that some patients have had their operations postponed as this can cause inconvenience and stress for some of those patients. Due to the nature of the demands on the acute hospital system, in some instances, it is necessary to reschedule planned treatment when priority has to be given to emergency cases or for a variety of other reasons such as infection control.

The figure of 10,368 postponed cases should also be considered in the context of overall acute hospital activity in the first six months of this year. The number of treatments postponed represents 2% of the total number of patients treated in acute hospitals in the first six months of this year — 527,000 provisional.

Eating Disorders.

122. **Mr. Howlin** asked the Tánaiste and Minister for Health and Children the steps she will take to combat obesity in view of growing concerns of obesity in children; if her attention has

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been drawn to the fact that one in five children here aged between five and 12 is obese or overweight; and if she will make a statement on the matter. [35467/05]

Minister of State at the Department of Health and Children (Mr. S. Power): Results from the national children's food survey were recently presented by the Irish Universities Nutrition Alliance. The results showed that 11% of boys and 12% of girls aged five to 12 years are overweight; and 9% of boys and 13% of girls are obese, according to the UK 1990 criteria.

An implementation plan for the report of the National Taskforce on Obesity is currently being developed by my Department and additional funding of €3 million has been made available to the Health Service Executive, in the Book of Estimates, to support the implementation of the reports' recommendations.

Accident and Emergency Services.

123. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children the progress to date on the ten point plan for the accident and emergency crisis; and if she will make a statement on the matter. [35379/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Service Executive is advancing the implementation of a series of measures to improve the delivery of accident and emergency services. These measures take a wide ranging approach and are aimed at improving access to accident and emergency services, improving patient flows through accident and emergency departments, freeing up of acute beds and providing appropriate longer-term care for patients outside of the acute hospital setting.

A particular focus has been placed on those patients in acute hospitals who have completed their acute phase of treatment and are ready for discharge to a more appropriate setting. The HSE is making sustained efforts to arrange for the discharge of these patients in order to have more acute beds available in hospital for emergency patients.

The following new and extended units have been funded through the ten point plan: completion of a new accident and emergency unit at Portlaoise General Hospital; commissioning of the new accident and emergency unit at St. James's Hospital, Dublin; minor injury unit at St. John's Hospital, Limerick; a chest pain unit and a minor injury unit at Waterford Regional Hospital; paediatric emergency services in Limerick; medical assessment unit and soft tissue trauma clinic for Cork University Hospital; and new 25 bed unit at the Mater Hospital.

The following initiatives have been taken with regard to care of the elderly: 48 high dependency beds have been contracted in private nursing homes for those patients with more demanding

care needs; 427 patients have been discharged through 100 intermediate care beds for six to eight weeks stays since contracts with private providers commenced in May; 70 patients in St. Mary's in the Phoenix Park were identified as suitable for transfer to private nursing homes. The beds freed up has allowed for the discharge from the Mater Hospital and Beaumont Hospital of 35 high dependency patients each; 45 public long-stay beds in nursing facilities on the south-side of Dublin have reopened; and additional homecare packages and enhanced subventions have facilitated the discharge of 429 patients in the Dublin area.

The results of the national hygiene audit will form the basis for the changes that are required in both work environments and work practices so as to meet the highest possible standards of cleanliness in hospital settings. The HSE is making an initial capital grant of €20 million available to hospitals to implement the recommendations of the audit.

The HSE will also publish national infection control standards and national cleaning standards — a consistent and robust set of hygiene standards for hospitals. Where previously standards may have depended on the approach of a particular hospital or health board, the HSE can now ensure every hospital will share and meet the same high standards of cleanliness and infection control. The national hygiene audit of acute hospitals will be repeated in early 2006 in order to assess the extent of the improvements made at hospital level since the publication of the first audit report.

The assessment and analysis of clinical and organisational processes has been completed in the ten hospitals nationally. A draft overview report on the findings from the ten hospitals is being prepared at present for the Health Service Executive. In 2006 the National Hospitals Office will prioritise the implementation of the findings and recommendations of this report. An additional six palliative care beds have been commissioned in Blackrock hospital and recruitment of staff is complete. They are fully operational and the day hospice is also in operation. My Department and the Health Service Executive will continue to work closely to maintain a focus on the implementation of system-wide measures to improve the delivery of accident and emergency services.

Health Services.

124. **Mr. Penrose** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the Age Action Ireland recommendation that the distinction between services for the elderly who are 65 and over and services for persons with disabilities who are under 65 should be reviewed as it puts limits on what could be provided for those over 65 with a disability or younger disabled persons ageing with a disability;

and if she will make a statement on the matter. [35478/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): From a policy view point, my Department will give consideration to the matter in consultation with the Health Service Executive, having regard to issues relating to equity. There are genuine issues of need which will need to be discussed further between my Department and the HSE in regard to individuals who may not easily fit the normal categories of dependency. These are worth exploring perhaps in the context of the HSE service plan for 2006.

Hanly Report.

125. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children if the implementation of the Hanly report is still Government policy; and if she will make a statement on the matter. [35381/05]

Tánaiste and Minister for Health and Children (Ms Harney): The report of the National Task Force on Medical Staffing, the Hanly report, made a series of important recommendations about the development of hospital services. These covered issues such as: the changes needed in NCHD work patterns; reform of medical education and training; the need for a significantly revised contract for medical consultants and an increase in the number of consultants; and the reorganisation of acute hospital services.

My Department is working closely with the HSE to build on, and progress, these recommendations. I am very pleased that the IMO and IHCA have now agreed to enter into negotiations on a new contract for consultants. It is important that a new contract be put in place as soon as possible. I also want the discussions which have been under way for some time now about the work patterns of NCHDs to be brought to a successful conclusion at an early date. I am currently considering a report from the medical education and training group in relation to post-graduate medical education and training. I hope to bring proposals in this regard to the Government soon in conjunction with my colleague the Minister for Education and Science who is considering the recommendations of the Fottrel report.

These measures, combined with ongoing investment in acute hospital facilities, extra consultant posts and the organisation of services around hospital networks, are designed to provide patients with faster access to high-quality consultant provided services.

Hospital Services.

126. **Mr. G. Murphy** asked the Tánaiste and Minister for Health and Children if hospitals are to be reconfigured into four hospital networks;

and if she will make a statement on the matter. [35408/05]

132. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children her views on the establishment of four hospital networks as opposed to the ten previously announced; and if she will make a statement on the matter. [35370/05]

145. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children if she has received a proposal from the Health Service Executive to establish four hospital networks; and if she will make a statement on the matter. [35406/05]

161. **Mr. G. Murphy** asked the Tánaiste and Minister for Health and Children if she will release the proposals from the Health Service Executive to establish four hospital networks to the Oireachtas Joint Committee on Health and Children; and if she will make a statement on the matter. [35407/05]

197. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children her views on the establishment of four hospital networks; and if she will make a statement on the matter. [35395/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 126, 132, 145, 161 and 197 together.

The Health Service Executive is currently considering a proposal to put in place, as part of the National Hospitals Office, four administrative regions for hospital services, namely, the western region, Dublin-north east region, southern region and Dublin-mid-Leinster region.

My understanding is that this proposal, if implemented, would not necessarily mean a reduction in the existing ten hospital networks. The proposed administrative regions for acute hospital services would be the same as the existing four regional structures for delivering primary, community and continuing care.

The main aim of the proposal, under consideration by the HSE, is to achieve far greater co-ordination of service delivery at regional level. This thinking comes from a recognition of the problems to date with lack of co-ordination between the acute services and the community services. The aim, as I understand it, is to achieve a seamless delivery of services in meeting patient needs and requirements while at the same time avoiding situations where people access services in inappropriate settings. Responsiveness and appropriate delivery are key components in the spectrum of healthcare provision.

It is a matter for the board of the HSE to decide how best to organise the management and delivery of health and personal social services.

[Ms Harney.]

Any measures which impact positively on patients will have my support.

Question No. 127 answered with Question No. 112.

Question No. 128 answered with Question No. 87.

Question No. 129 answered with Question No. 94.

MRSA Incidence.

130. **Mr. Boyle** asked the Tánaiste and Minister for Health and Children her views on whether the outsourcing of cleaning contracts should be reconsidered in view of the rising MRSA figures; and if she will make a statement on the matter. [35448/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy will be aware that responsibility for the management and delivery of health services is now a matter for the Health Service Executive. This includes responsibility for acute hospital services. The HSE has reported that the results of the national hygiene audit showed that good or bad hygiene was not dependent of whether the cleaning was carried out by staff in-house or by contract cleaners. The results of the hygiene audit will form the basis for the changes that are required in both work environments and work practices so as to meet the highest possible standards of cleanliness in hospital settings. The HSE is making an initial capital grant of €20 million available to hospitals to implement the recommendations of the audit.

The HSE will also publish national infection control standards and national cleaning standards — a consistent and robust set of hygiene standards for hospitals. Where previously standards may have depended on the approach of a particular hospital or health board, the HSE can now ensure every hospital will share and meet the same high standards of cleanliness and infection control. The national hygiene audit of acute hospitals will be repeated in early 2006 in order to assess the extent of the improvements made at hospital level since the publication of the first audit report.

Nursing Home Subventions.

131. **Mr. Crawford** asked the Tánaiste and Minister for Health and Children her plans to introduce home subventions for elderly persons who wish to remain in their own home; and if she will make a statement on the matter. [35377/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I see as a priority supporting people to stay in their own homes and communities and moving away from the practice

of placing people in residential care as a first option. This is the expressed wish of the majority of our older people.

The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care. Following on the publication of this report, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, including improvements in community care, such as home care packages, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. It is expected that the report of the group will be submitted to Government in the near future.

Question No. 132 answered with Question No. 126.

Health Services.

133. **Mr. Deenihan** asked the Tánaiste and Minister for Health and Children the position regarding the implementation of the national cardiovascular strategy; and if she will make a statement on the matter. [35452/05]

Minister of State at the Department of Health and Children (Mr. S. Power): Since the launch of Building Healthier Hearts in 1999 the Government has committed more than €60 million towards implementing its recommendations. The most recent report on its implementation, Ireland's Changing Heart was published in March 2003. At present, my Department, with the assistance of the Health Service Executive, is preparing a paper for the advisory forum on cardiovascular health to report on progress in implementing the cardiovascular health strategy and to inform future policy in this area.

Question No. 134 answered with Question No. 112.

Hospital Services.

135. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children her plans to introduce more MRI scanners to the public health system; if so, the number of same; and if she will make a statement on the matter. [35405/05]

159. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children the number of MRI scanners which exist in the public health service; the number in use in the public health

system; and if she will make a statement on the matter. [35403/05]

190. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children the number of MRI scanners in the public service which are in use 24 hours a day seven days a week; and if she will make a statement on the matter. [35404/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 135, 159 and 190 together.

The Deputies' questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. My Department is advised by the HSE that there are 12 MRI scanners in the public hospital service around the country. Each hospital network has at least one MRI scanner which is available from Monday to Friday from 9 a.m. to 5 p.m. In addition, hospitals have on-call arrangements in place to allow for the management of emergency cases outside of these hours. The introduction of additional MRI scanners to the public health system is a matter for the HSE in the context of its management of the health capital programme.

Care of the Elderly.

136. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children her plans for improving community services for the elderly; and if she will make a statement on the matter. [35393/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I see as a priority supporting people to stay in their own homes and communities and moving away from the practice of placing people in residential care as a first option. This is the expressed wish of the majority of our older people.

The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care. Following on the publication of this report, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, including improvements in community care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. It is expected that the report of the group will be submitted to Government in the near future.

Eating Disorders.

137. **Mr. Noonan** asked the Tánaiste and Minister for Health and Children the progress to date in 2005 on the implementation of the National Taskforce on Obesity; and if she will make a statement on the matter. [35412/05]

154. **Mr. Sargent** asked the Tánaiste and Minister for Health and Children the progress made to date in 2005 on the implementation of the taskforce on obesity; and if she will make a statement on the matter. [35444/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 137 and 154 together.

An implementation plan for the report of the National Taskforce on Obesity is currently being developed by my Department and additional funding of €3 million has been made available to the Health Service Executive, in the Book of Estimates, to support the implementation of the reports' recommendations. It is envisaged that this plan will involve the participation of all relevant stakeholders.

Medical Cards.

138. **Mr. Ring** asked the Tánaiste and Minister for Health and Children her views on the fact that home helps might give up their jobs due to the fact that they could lose their medical cards because the proviso that allowed them to work up to ten hours per week was removed on 1 January 2005; and if she will make a statement on the matter. [35417/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

MRSA Incidence.

139. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children the action she proposes to take in response to the Health Service Executive's hospitals hygiene audit, in particular with regard to the widespread incidence of MRSA in hospitals here; and if she will make a statement on the matter. [35431/05]

166. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the action she proposes to take in response to the Health Service Executive's hospitals hygiene audit, in particular with regard to the widespread incidence of MRSA in hospitals here. [35352/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 139 and 166 together.

The Deputies will be aware that responsibility for the management and delivery of health services is now a matter for the Health Service Executive. This includes responsibility for acute hospital services. The results of the national hygiene audit will form the basis for the changes that are required in both work environments and work practices so as to meet the highest possible standards of cleanliness in hospital settings. The HSE is making an initial capital grant of €20 million available to hospitals to implement the recommendations of the audit.

The prevention and control of health care associated infections, HCAs, is a priority issue for the Health Service Executive. Effective infection control measures, including environmental cleanliness and hand hygiene, are central to the control of HCAs, including drug-resistant organisms such as MRSA.

The HSE will also publish national infection control standards and national cleaning standards — a consistent and robust set of hygiene standards for hospitals. Where previously standards may have depended on the approach of a particular hospital or health board, the HSE can now ensure every hospital will share and meet the same high standards of cleanliness and infection control. The national hygiene audit of acute hospitals will be repeated in early 2006 in order to assess the extent of the improvements made at hospital level since the publication of the first audit report.

My Department is continuing to engage with the HSE to agree on a series of actions over the next period of time so that MRSA can be effectively dealt with so as to see a reduction in the incidence and effects of these infections.

Mental Health Services.

140. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children the steps she will take to combat the severe shortage of child appropriate care settings within the community and hospitals; if her attention has been drawn to the fact that more than 2,650 children and teenagers were admitted to adult psychiatric hospitals and units in general hospitals between 1998 and 2000 and that more than 200 of these were aged 15 and under; and if she will make a statement on the matter. [35479/05]

144. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the steps she intends to take to improve mental health service to the young, following a study that up to 26% of teenagers have mental health issues; if her attention has been drawn to the fact that mental health problems is higher among children from lower socio-economic groups; and if she will make a statement on the matter. [35471/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 140 and 144 together.

The development of child and adolescent psychiatric services has been a priority for my Department in recent years. Since 1997, additional funding of more than €20 million has been provided to allow for the appointment of additional consultants in child and adolescent psychiatry, for the enhancement of existing consultant-led multi-disciplinary teams and towards the establishment of further teams. This has resulted in the funding of a further 23 child and adolescent consultant psychiatrists. Nationally, there are now 56 such psychiatrists employed.

The first report of the working group on child and adolescent psychiatry, published in February 2001, recommended that a total of seven child and adolescent inpatient psychiatric units for children ranging from six to 16 years should be developed throughout the country. Project teams have been established to develop child and adolescent inpatient psychiatric units in Cork, Limerick, Galway and one in the former Eastern Regional Health Authority area at St. Vincent's Hospital, Fairview. Design teams are in the process of being appointed for the units in Cork, Limerick and Galway. At present, inpatient services for children and adolescents are provided at Warrenstown House, Dublin and at St. Anne's in Galway.

The second report of the working group on child and adolescent psychiatry, published in June 2003, contained proposals for the development of psychiatric services for 16 to 18 year olds. It recommends that, in the further development of child and adolescent psychiatric service, priority should be given to the recruitment in each health board area of a consultant child and adolescent psychiatrist with a special interest in the psychiatric disorders of later adolescence. The report emphasises the importance of co-operation and close liaison between child and adolescent mental health services and suggests that the current arrangements, whereby the adult services provide a service to the population of their catchment area, including the 16 to 18 age cohort, should continue on an interim basis, pending the development of the specialist services referred to earlier.

I am aware of concerns expressed regarding the practice of admitting children to adult psychiatric units. While there has been a significant decline in the numbers of children and adolescents admitted to adult psychiatric units in the period since 2000, I accept that the placement of any child with mental health problems in an adult facility is inappropriate. I am also aware that there is evidence to indicate that, as is the case with adults, the level of mental health problems is higher among children from lower socio-economic groups.

The future direction and delivery of all aspects of our mental health services, including child and

adolescent psychiatry, will be considered in the context of the work of the expert group on mental health policy which is due to complete its work shortly.

Accident and Emergency Services.

141. **Mr. Crowe** asked the Tánaiste and Minister for Health and Children the action she proposes to take to address overcrowding in the accident and emergency department in Tallaght Hospital; and if she will make a statement on the matter. [35432/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

142. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children when the radiotherapy unit for Waterford General Hospital will be up and running; and if she will make a statement on the matter. [35388/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have this matter investigated and to have a reply issued directly to the Deputy.

MRSA Incidence.

143. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children the exact figures for MRSA in each hospital; the measures which are being taken to ensure that the levels of MRSA is recorded; the measures she is taking to combat the spread of infection; and if she will make a statement on the matter. [35476/05]

308. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of incidents of MRSA reported or suspected to date; her plans to improve the situation from a patients health view point; and if she will make a statement on the matter. [35676/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 143 and 308 together.

Methicillin resistant staphylococcus aureus, MRSA, is one of the most well known antimicrobial infections, which are present in

hospitals here and internationally. It is also increasingly seen in community health care units such as nursing homes.

MRSA can exist without affecting peoples health and information on the prevalence of such asymptomatic carriage is not routinely reported. For the purposes of the surveillance, prevention and control of this infection, however, the Health Protection Surveillance Centre collects data on MRSA bacteraemia, also known as bloodstream infection or blood poisoning, as part of the European antimicrobial resistance surveillance system, EARSS. EARSS collects data on the first episode of blood stream infection per patient per quarter. EARSS was designed to allow comparison of antimicrobial resistance data between countries and possibly regions but not between hospitals. In the first six months of 2005 there was 314 reported cases of MRSA blood-stream infection.

I have asked the Health Service Executive, HSE, to develop systems and methodologies of reporting of MRSA infections by hospital so that we may have a fuller picture of the location and extent of these infections. My Department continues to engage with the HSE to agree on a series of actions over the next period of time so that MRSA can be effectively dealt with so as to see a reduction in the incidence and effects of these infections. My Department has asked the parliamentary affairs division of the HSE to reply directly to the Deputy in relation to the request for data on MRSA in each hospital.

Question No. 144 answered with Question No. 140.

Question No. 145 answered with Question No. 126.

Question No. 146 answered with Question No. 94.

Private Health Care.

147. **Mr. McCormack** asked the Tánaiste and Minister for Health and Children her plans to publish a comprehensive review of private health care in the Irish health care system, which includes looking at cost benefit analysis, value for money, tax incentives, tax concessions and its influence on the cost of private health insurance; and if she will make a statement on the matter. [35397/05]

186. **Mr. Rabbitte** asked the Tánaiste and Minister for Health and Children her health policy position on increased private sector involvement in health care here in view of comments made by the CEO of the Health Service Executive, Professor Drumm on his belief that health care services should be provided by the public system as much as possible and that it would be disastrous if it was not. [35483/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 147 and 186 together.

Private health care is a long established feature of the system of health care provision in Ireland and acts as a strong complement to the publically funded system. Private health care provision spans from general practitioner services through private beds in public hospitals and private hospitals to private nursing homes.

This Government is committed to exploring fully the scope for the private sector to provide additional capacity in the health system. The key objective is to provide the required extra capacity, whether this is in the public or private sector. A number of Government policies/initiatives support the co-existence of public and private health care such as: the designation of private and semi-private beds in public hospitals; income tax relief on private health insurance premiums; income tax relief on medical-dental expenses; National Treatment Purchase Fund sources capacity in private hospitals for public patients; and my initiatives to build private hospitals on public sites thereby freeing up beds for public patients.

Health Service Executive.

148. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children if there are guidelines in place as to the timeframe within which the parliamentary affairs division of the Health Service Executive must reply to parliamentary questions referred to them by her Department in view of the fact that there are strict deadline protocols in place for parliamentary questions themselves; if such guidelines do not exist she will introduce a system in order to ensure that the accountability of the Health Service Executive to Dáil Éireann is not compromised; and if she will make a statement on the matter. [35108/05]

300. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the way in which it is proposed to achieve accountability to Dáil Éireann by her Department in view of the fact that parliamentary questions put to her and her Department are referred to the Health Service Executive for reply; if it is intended that the chief executive of the Health Service Executive will come into Dáil Éireann to reply to such questions; and if she will make a statement on the matter. [35668/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 148 and 300.

Prior to the establishment of the Health Service Executive, parliamentary questions concerning access to services, by individuals or in specific geographic areas, were referred to the chief executive officer of the relevant health board ERHA for direct reply.

Pursuant to the Health Act 2004, the functions of the health boards-ERHA were transferred to the HSE. Under the Act, the HSE has responsibility to manage and deliver, or arrange to have delivered on its behalf, health and personal social services. The establishment of the HSE brought into being a new unitary system for the delivery and management of health services at local, regional and national level. The move to the new structure presented an opportunity for an improved service for providing information to Oireachtas members. Last April the HSE established a parliamentary affairs division which provides a central contact for all Oireachtas requests for information relating to matters within the statutory remit of the executive.

The executive has guidelines in place as to the timeframe within which final replies should issue direct to Deputies in relation to queries raised in parliamentary questions. In that connection, the executive aims to operate within a timeframe of twenty working days from the date of answer of a parliamentary question. This timeframe reflects the arrangements which the former health boards-ERHA had adopted prior to the HSE's establishment. This is a starting point and the HSE is committed to reducing this period as it develops its organisational and information capacity going forward. The HSE endeavours to provide more immediate responses in instances where the information sought in the question is of a routine nature or is readily available.

The Health Act 2004 provides that the chief executive officer shall, at the written request of an Oireachtas committee, attend before it to give an account of the general administration of the executive. Since its establishment on 1 January 2005, HSE senior management personnel have attended before Oireachtas committees on five occasions and the chief executive is due to attend the Oireachtas Joint Committee on Health and Children on 24 November.

I am satisfied that, in the organisational arrangements currently being made to complete the transition to the unitary system, due importance and attention is being given by the HSE's parliamentary affairs division to enhancing that organisation's capacity to respond in an efficient and timely manner to parliamentary questions from Members of the Oireachtas.

Hospital Services.

149. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the many cancer patients who either endure long bus journeys for treatment or who are unable to travel for treatment; if her attention has further been drawn to the fact that one cancer patient who was transferred from St. Vincent's Hospital in Dublin by bus to Letterkenny General Hospital after having a lung removed; if her attention has further been drawn to the fact that one elderly person stopped travel-

ling to the capital for chemotherapy due to the fact that they could no longer endure the trauma of the bus journey has since died; the steps taken to ensure equality of access and equitable transport to patients; and if she will make a statement on the matter. [35474/05]

Tánaiste and Minister for Health and Children (Ms Harney): There is a significant responsibility on our health services to ensure that patients, particularly cancer patients, are adequately supported clinically and, where necessary, in relation to proper transport arrangements. As I have previously indicated, I consider that appropriate transport arrangements for oncology patients should be made available, where necessary, by the Health Service Executive, HSE. My Department has raised this matter with the HSE to ensure that appropriate transport arrangements are put in place on a national basis for patients who are required to travel. Transport solutions are already a feature of the current provision of oncology services. My Department has asked the HSE to advise the Deputy directly in relation to current and proposed transport arrangements for oncology patients nationally, including patients in the north west.

Patients should not be referred unnecessarily to Dublin for chemotherapy. All major hospitals providing cancer care are supported by consultant medical oncologists, the experts involved in prescribing chemotherapy. In recent years we have seen a significant increase in the number of appointments of medical oncologists at major hospitals throughout the country. This is in line with my policy to ensure that cancer care is delivered appropriately and effectively at regional level in line with best international standards.

Last July I announced the Government's plan for a national network of radiation oncology services to be put in place by 2011 and commencing in 2008. The network will consist of four large centres in Dublin, Cork and Galway and two integrated satellite centres at Waterford Regional Hospital and Limerick Regional Hospital.

The Government considers that the best option in terms of improving geographic access for patients in the north western area is to facilitate access for those patients to radiation oncology services as part of North-South co-operation on cancer. Last Tuesday I met the Minister for Health for Northern Ireland, Mr. Shaun Woodward, MP. We agreed that the new Belfast cancer centre, which is to open next March, will treat patients from Donegal. Details of the arrangements will be finalised in discussions involving the Health Service Executive, Belfast City Hospital and our respective Departments. This will involve assessment of the specific radiotherapy needs of cancer patients in Donegal and the development of clinical treatment protocols,

including appropriate transport arrangements, to ensure best patient care. Discussions will also be necessary on the funding arrangements involving the hospital and the HSE.

Health Service Staff.

150. **Mr. Sherlock** asked the Tánaiste and Minister for Health and Children the number of employees retained in the health service since it was announced there would be a reduction of 500 persons in the health services; and if she will make a statement on the matter. [35490/05]

Tánaiste and Minister for Health and Children (Ms Harney): Employment information for the health service is collected on a quarterly basis and the latest available verified data is in respect of end-June 2005, when employment levels stood at 100,934 personnel in whole-time equivalent terms. Employment information in respect of year-end 2002 to end-June 2005 is as set out in the following table.

The Deputy may wish to note that there has been no alteration to Government policy on employment ceilings in the public sector, including the health service. Approved employment levels for the health service have been adjusted since 2002 in line with Government policy on public sector employment and also to take account of specific policy measures aimed at increasing service levels for patients. The employment ceiling for the health service currently stands at 97,550, in whole-time equivalent terms. This ceiling reflects not only the 600 post adjustment required by the Government decision on public sector numbers but also includes an increase of 1,200 posts in respect of the opening of new units in 2005. Further increases in the employment ceiling for the health service in 2005 are being finalised by my Department and the Department of Finance in respect of both the accident and emergency initiative and the Disabilities Act 2005.

I have repeatedly stressed the need for compliance with approved employment levels consistent with safeguarding and indeed enhancing the delivery of front line services and achieving an appropriate balance between clinical and non-clinical employment levels in the health service. The proper management of employment levels and skill mix together with the prioritisation of front line services is of course central to the organisation of human resources and is the most effective mechanism for ensuring the best use of resources overall within the health service. This has been underlined by my Department in direct discussions with the HSE's senior management team and in the context of the finalisation of the executive's national service plan for 2005. There is a general consensus that the organisation of human resources is critical to good service delivery. My Department will continue to work closely with the HSE in this matter.

[Ms Harney.]

Health Service Employment¹

	Date			
Health Service Employment	31/12/2002	31/12/2003	31/12/2004	30/06/2005
Total	95,679	96,499	98,723	100,934

Source: Health Service Personnel Census.

Note 1: Excludes Home Helps.

Care of the Elderly.

151. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children the progress to date in 2005 on improving the inspection regimes for all residential nursing homes for the elderly in all health regions; and if she will make a statement on the matter. [35382/05]

Minister of State at the Department of Health and Children (Mr. S. Power): It is the intention of the Department to put in place a more robust regulatory system as quickly as possible to protect vulnerable older people and to provide for the highest possible standards of care for older people in long-stay facilities.

It is intended that the Health Bill 2005 will establish both the HIQA and the SSI on a statutory basis and will contain provisions to underpin a more robust inspectorial system. The Nursing Homes (Care and Welfare) Regulations 1993 made under the Health (Nursing Homes) Act 1990 set out the standards to which private nursing homes must adhere. The Health Service Executive currently carries out inspections in private nursing homes. In the context of the Health Bill 2005, the process has begun to review the current system with a view to strengthening the powers available to those involved in inspecting facilities and to extend a strengthened inspection system to public facilities.

It is also intended that the Bill will provide for the setting and monitoring of standards for residential facilities for older people. To this end, the Department has commenced a review of the Nursing Homes (Care and Welfare) Regulations 1993, and will work in conjunction with the HSE, the SSI and other relevant bodies, with the intention of developing a new set of standards that would apply to all residential services for older people.

In response to the progress to date on improving the inspection regime in 2005 for all residential nursing homes for the elderly in the HSE areas, the Department has requested the parliamentary affairs division of the Health Service Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Organ Retention.

152. **Mr. Wall** asked the Tánaiste and Minister for Health and Children if she will extend the organ retention inquiry's remit to include all ages and stillborn children in view of concerns from Parents for Justice; and if she will make a statement on the matter. [35481/05]

Tánaiste and Minister for Health and Children (Ms Harney): On 3 May 2005, the Government decided to appoint Dr. Deirdre Madden, BL, to prepare a report on key issues relating to post mortem practice and procedures and to present her report to me by 21 December 2005. Dr. Madden's terms of reference reflect the practicality of her completing her report by that date.

Under her terms of reference, Dr. Madden's report will deal with children under 12 years who were born alive. However, it is envisaged that some of her findings will have general application. While I will not prejudge the content or the outcome of her report I understand Dr. Madden will meet her deadline and I intend that, subject to legal advice, her report will be made public.

Legislative Programme.

153. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children when she intends to publish the new Medical Practitioners Bill; and if she will make a statement on the matter. [35396/05]

Tánaiste and Minister for Health and Children (Ms Harney): Work on the drafting of the new Medical Practitioners Bill is ongoing. Consultations are taking place between my Department and the Medical Council on a number of issues to be incorporated in the new Bill. Following these consultations, it is envisaged that the heads of Bill will be prepared by early next year.

Question No. 154 answered with Question No. 137.

Question No. 155 answered with Question No. 111.

Hospital Services.

156. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the terms

of reference of the independent review of events surrounding the death of a person (details supplied) in Monaghan General Hospital on 14 October 2005, which is to be carried out; and if she will make a statement on the matter. [35351/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy will be aware that the Health Service Executive has commissioned an external review into the circumstances surrounding the tragic death of Mr. Walsh. I met the family of the deceased on 25 October last, following which the executive consulted the family on a number of issues that were raised regarding the review. My Department is advised by the executive that the terms of reference for the review have been prepared and are being finalised in discussion with the family.

Care of the Elderly.

157. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the steps and funding she has provided to tackle abuse of the elderly; and if she will make a statement on the matter. [35391/05]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy may be aware, the report of the working group on elder abuse, entitled “Protecting Our Future”, was launched on 11 November 2002. One of the recommendations in the report was the establishment of a national implementation group which was established in December 2003. Earlier this year, the Department appointed a senior policy advisor and a secretary to assist the group in its work and more recently the Health Service Executive appointed a senior officer to assist the group with implementation issues.

The Government is fully committed to developing the services needed to tackle elder abuse and in 2003 provided funding of €0.8 million to commence the implementation of the elder abuse programme. In 2004, an additional €75,000 was allocated to each health board for its continued implementation of the programme and this year an additional €0.9 million has been allocated for the elder abuse programme.

The Health Service Executive advised that it has implemented a number of recommendations included in the elder abuse report. These include the establishment of steering groups in each former health board area to provide a common response to elder abuse throughout the State. Steering groups comprise representatives from the public sector, private organisations and voluntary organisations including groups for older people. Steering groups are in the process of developing clear policies and guidelines for the protection of vulnerable adults following wide consultations with staff and progress their work

through sub-groups on legal aspects, policy and procedures and training.

The report recommends that a senior case worker be appointed to each former community care area and it is anticipated that the Health Service Executive will shortly recruit a senior case worker for each local health office area. Among the responsibilities of the senior case worker, in conjunction with the appropriate health service providers, will be the assessment of suspected cases of elder abuse referred to the local health office area.

The Health Service Executive has also advised that awareness training for Health Service Executive staff has been provided in line with paragraph 2.20 of the report and that it has been involved in awareness training with volunteer staff including the national senior citizens helpline. The issue of elder abuse is being incorporated into professional training courses including gerontology courses. In addition, a number of research projects have been undertaken including the examination and review of medication in older persons in continuing care settings.

Statutory Retirement Age.

158. **Ms Lynch** asked the Tánaiste and Minister for Health and Children the steps she will take in relation to the OECD recommendations on scrapping the current statutory retirement ages; and if she will make a statement on the matter. [35469/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware of the OECD recommendations on retirement ages. My Department will take into consideration recommendations on all aspects of pensions policy. The Public Service Superannuation (Miscellaneous Provisions) Act 2004 removed the compulsory retirement age provision for new entrants to the public sector. However, with regard to existing public health sector staff, not covered by the 2004 Act, no revisions to retirement age provisions, which allow for retirement between the ages of 60 and 65, are planned.

Question No. 159 answered with Question No. 135.

General Practitioner Co-operatives.

160. **Ms Enright** asked the Tánaiste and Minister for Health and Children her views on supporting general practitioners to build their own primary care units; and if she will make a statement on the matter. [35386/05]

Tánaiste and Minister for Health and Children (Ms Harney): There has historically been a mix of private and public facilities provision in general practice. In many cases general practitioners fund their own practice premises, while in others they practise from State-owned health centres, from

[Ms Harney.]

which other health professionals also provide services.

The strategy *Primary Care: A New Direction* recognises that the provision of modern, well-equipped, accessible premises will be central to the effective functioning of primary care teams and networks. Therefore, one of the key objectives is to facilitate and encourage the development, where appropriate, of modern, well-equipped, user-friendly buildings in which the broad range of primary care services, including general practice, can be delivered.

The Government is committed to developing policy in such a way as to encourage innovative approaches to the provision of facilities and services to support the development and operation of primary care teams and networks in accordance with the objectives of the primary care strategy.

The indicative drug target scheme aims to encourage rational prescribing practices on the part of GPs in return for access to funds for approved practice developments, research and education and additional primary care expertise at practice level. In view of concerns raised regarding the liability to the Exchequer arising from the operation of the scheme in its present form, and in line with my commitment to the ongoing review of the operation of the GMS and community drugs schemes, my Department and the Health Service Executive have recently agreed terms of reference with the Irish Medical Organisation for a full review of the scheme. This review will encompass all aspects of the scheme and will consider the most appropriate future arrangements to encourage rational and cost-effective prescribing in general practice.

The nature and means of providing the physical facilities required to support the delivery of modern, high-quality general practitioner services in line with national policy on primary care will, it is expected, be among the matters to be considered in the review of publicly-funded primary care services involving general practitioners, which is currently taking place under the auspices of the Labour Relations Commission.

Question No. 161 answered with Question No. 126.

Question No. 162 answered with Question No. 121.

Care of the Elderly.

163. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children her plans for improved rehabilitation services for the elderly; and if she will make a statement on the matter. [35387/05]

Minister of State at the Department of Health and Children (Mr. S. Power): An inter-

departmental group on the funding of long-term care for older persons was established earlier this year by the Tánaiste and by the Minister for Social and Family Affairs, Deputy Brennan. This group is chaired by the Taoiseach's Department and is currently examining a range of issues surrounding the care of older persons in Ireland. The report of the group is expected to be submitted to Government in the near future.

Pharmacy Regulations.

164. **Ms Enright** asked the Tánaiste and Minister for Health and Children her views on having a pharmacist and general practitioner working from the same premises; and if she will make a statement on the matter. [35385/05]

188. **Mr. English** asked the Tánaiste and Minister for Health and Children her views on primary care centres having a pharmacy and general practitioner surgery in the one unit; and if she will make a statement on the matter. [35384/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 164 and 188 together.

The opening or establishment of all new pharmacies is governed by the Pharmacy Acts, subject to restrictions imposed by non-pharmacy legislation such as the Planning Act. There is no statutory prohibition on the provision of pharmacy and general practitioner services from collocated facilities. However, a community pharmacy contract may not be awarded to a pharmacy in which a GP practicing in the area has a beneficial interest.

The Government has accepted the recommendation of the pharmacy review group that there be no beneficial interest between prescribing and dispensing.

In June 2005 the Government approved the drafting of two pieces of pharmacy legislation. It is proposed to deal with most of the recommendations of the pharmacy review group in the second pharmacy Bill, dealing with pharmacy practice and the delivery of pharmaceutical services.

Question No. 165 answered with Question No. 87.

Question No. 166 answered with Question No. 139.

Health Services.

167. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the number of places to be provided for disturbed young persons as a result of the Judge Peter Kelly judgment; the location of these centres; the number of beds in use; the number of beds vacant; when the regions will be published following the promise made by

her in Dáil Éireann to promise regional fora; when these fora will be published; and if she will make a statement on the matter. [35482/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I assume the first part of the Deputy's question refers to the judgment of the High Court in the TD case, which, I should inform the Deputy, was overturned by the Supreme Court in December 2001.

Since 1997, €198 million has been provided to the former health boards and the Health Service Executive for the development of child protection and family support services by this Government and the previous Government. An additional €8 million is being provided to the HSE to develop children and family support services in 2006.

The provision of high support and special care services and the community-based alternatives for non-offending children in need of special care and protection under the provisions of the Health Act 2004 and the Child Care Act 1991, as amended, is the responsibility of the Health Services Executive. I have therefore asked the parliamentary affairs division of the executive to arrange to have the detailed information sought by the Deputy compiled and to communicate it directly to him.

As regards the second part of the Deputy's question, section 42 of the Health Act 2004 provides for the establishment of not more than four regional health forums. Membership of the forums will be based on nominations from city and county councils within the functional area of each forum.

My Department was engaged in a consultation process with the HSE and has now received the HSE's formal observations on the draft regulations. My Department is now finalising the regulations and the Tánaiste and Minister for Health and Children will be consulting with the Minister for the Environment, Heritage and Local Government, as required under the provisions of section 42(1) of the Health Act 2004, prior to making the regulations.

On completion of this consultation, the Tánaiste will make the regulations and have them laid before both Houses of the Oireachtas with a view to establishing the forums as soon as possible.

Question No. 168 answered with Question No. 87.

Departmental Properties.

169. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the land and property sold off by the Health Service Executive in 2002, 2003, 2004 and to date 2005 and future plans to sell off land and property; and if she will make a statement on the matter. [35419/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Amendment (No. 3) Act 1996 enabled the former health boards to acquire or dispose of assets without the consent of the Minister for Health and Children, which was not previously the case. This situation continued until the latter part of 2004 when, in the context of preparatory arrangements for the establishment of the Health Service Executive, boards were required to obtain approval from my Department for the sale of lands and property.

The question of the sale of land and property is now the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department is requesting the parliamentary affairs division of the executive to arrange to have this matter investigated and furnish a reply direct to the Deputy.

Mental Health Services.

170. **Mr. Gilmore** asked the Tánaiste and Minister for Health and Children if, in relation to the mental health tribunals provided for in the Mental Health Act 2001, her attention has been drawn to the fact that the position of her role in appointing, directly or indirectly, tribunal members who decide if someone should be detained in a mental hospital may be in breach of the principle of natural justice and also of Article 5 of the European Convention of Human Rights; and if she will make a statement on the matter. [35463/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy appears to be referring to a legal opinion reported recently in the media. I am advised that the provisions of the Mental Health Act 2001 are fully in conformity with this country's obligations under international law, including the provisions of the European Convention on Human Rights and Fundamental Freedoms.

Medical Cards.

171. **Mr. Broughan** asked the Tánaiste and Minister for Health and Children the number of general practitioner only cards that have been issued; the numbers of general practitioner cards waiting to be issued; and if she will make a statement on the matter. [35459/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Information provided to me by the HSE's primary care reimbursement service indicates that 1,021 GP visit cards have been issued to date.

Report of Inquiry.

172. **Ms McManus** asked the Tánaiste and

[Ms McManus.]

Minister for Health and Children the action she will take to look into the fact that it is six and a half years since an inquiry was established into alleged abuse (details supplied) in County Galway and still awaiting results; the steps which are being taken to review this inquiry process; when this review will be completed; and when the report will be published; and if she will make a statement on the matter. [35456/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I understand from the Health Service Executive that, following a review of the inquiry process, a number of actions are being taken with the aim of having the report of the inquiry completed at the earliest possible date.

Drugs Payment Scheme.

173. **Mr. Rabbitte** asked the Tánaiste and Minister for Health and Children her position on the cost of drugs in the general medical scheme; if she intends to encourage the use of prescribing generic drugs; when the negotiations with the pharmaceutical industry begins and when she expects to have an agreement; and if she will make a statement on the matter. [35484/05]

Tánaiste and Minister for Health and Children (Ms Harney): I have expressed concern previously regarding the increasing cost of the State drug schemes and the need to ensure better value for money for this expenditure. All aspects of the drug delivery system, from the manufacturer to the patient, are under review. A number of issues, including access to generic drugs and supply chain costs, such as pharmacy mark-ups, are being considered with a view to addressing the rapidly rising costs in medicines expenditure both by the State and by private individuals. I must stress that no single measure will achieve this by itself. International experience has shown that this is a difficult task, as the sophistication and range of treatments continue to increase along with quite justifiably increased expectations on the part of patients.

As regards increased use of generic medicines, it is my intention to give patients, and ultimately the taxpayer as the biggest buyer of drugs, better access to generic drugs where this is possible and appropriate. My Department has begun preparatory work for the introduction of structures appropriate to the Irish drug schemes. In addition, negotiations will shortly commence for a new national pricing and supply agreement with the Irish Pharmaceutical Healthcare Association, IPHA, and the Association of Pharmaceutical Manufacturers of Ireland, APMI, for supply of medicines to the health services. It is intended to address this issue within that agreement.

Alcohol Products Bill.

174. **Mr. Gogarty** asked the Tánaiste and Minister for Health and Children the length of time she intends to allow the voluntary code for advertising to continue before she will introduce the alcohol products Bill; and if she will make a statement on the matter. [35440/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The monitoring body to oversee the implementation of the voluntary code of practice on alcohol advertising will be established shortly. This body will report to the Minister for Health and Children on an annual basis. I will await receipt of the first annual report in 2006 before deciding if the alcohol products Bill should be introduced.

Hospital Accommodation.

175. **Mr. Ring** asked the Tánaiste and Minister for Health and Children her views regarding the high occupancy levels in hospitals following her comments that high occupancy levels in hospitals do not affect cleanliness and hygiene; and if she will make a statement on the matter. [35418/05]

Tánaiste and Minister for Health and Children (Ms Harney): The review of acute hospital bed capacity examined bed occupancy levels nationally and this review helped to inform the Government's decision in the health strategy to expand acute bed capacity by 3,000 in the period to 2011.

Responsibility for the management and delivery of health services is now a matter for the Health Service Executive. This includes responsibility for acute hospital services. The HSE has reported that the results of the national hygiene audit showed that the high occupancy levels did not in themselves mean poor hygiene standards. For example, of the top ten performing hospitals, seven had occupancy rates in excess of 85%, including five that were in excess of 90%. The results of the hygiene audit will form the basis for changes that are required both in work environments and work practices so as to meet the highest possible standards of cleanliness in hospital settings. The HSE is making an initial capital grant of €20 million available to hospitals to implement the recommendations of the audit.

Medical Cards.

176. **Mr. Broughan** asked the Tánaiste and Minister for Health and Children the number of full medical cards which have been issued since the eligibility for such cards has been increased; the number of full medical cards to be issued; and if she will make a statement on the matter. [35460/05]

Tánaiste and Minister for Health and Children (Ms Harney): Information provided by the HSE

to my Department, on a monthly basis, indicates that on 1 November 2005, some 1,150,551 people were covered by medical cards. This is an increase of 1,133 on the number at 1 October 2005 and an increase of 5,468 on the 1 January 2005 figure. The HSE has also indicated that, in the period from January to November 2005, over 187,000 new medical cards have been issued, while almost 182,000 have been withdrawn for various reasons, including deaths, income changes and data updates.

Many people have benefited by getting a medical card for the first time in 2005. The HSE has also indicated that approximately 48,000 of these cards are in respect of clients who have not previously held a medical card.

Funding of €60 million was provided to the Health Service Executive in 2005 to meet the cost of providing an additional 30,000 people with medical cards and a further 200,000 people with GP visit cards. These initiatives were taken to assist people, particularly those on low incomes, in overcoming barriers to accessing GP services, and to help in removing poverty traps and disincentives to people taking up work or progressing to better paid work.

Taking into account both of these initiatives, an additional 230,000 people will be able to access their general practitioner free-of-charge. People who hold GP visit cards are entitled to avail of the drugs payment scheme, which provides that no person or family unit pays in excess of €85 per calendar month towards the cost of approved prescribed drugs and medicines.

In January 2005, I increased the income guidelines used in the assessment of medical card applications by 7.5%. In June, it was apparent that the effect of rising income in our successful economy meant that the target of 30,000 additional medical cards was not going to be achieved. At this time, I simplified the means test for both medical cards and GP visit cards. It is now based on an applicant's and spouse's income after tax and PRSI, and takes account of reasonable expenses incurred in respect of rent or mortgage payments, child care and travel to work. This is much fairer to applicants. On 13 October 2005, I announced that the income guidelines for both medical cards and GP visit cards would be increased by an additional 20%. This means the income guidelines are now 29% higher than this time last year.

My Department and the HSE will continue to monitor the number of medical cards and GP visit cards issued to identify any further changes which may be required.

Hospital Staff.

177. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the steps she has taken to protect staff in hospital accident and emergency departments; and if she will make a statement on the matter. [35368/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Ambulance Service.

178. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if Ireland will be without a medically equipped helicopter that can fly in bad weather for most of 2006; and if she will make a statement on the matter. [35416/05]

Tánaiste and Minister for Health and Children (Ms Harney): My Department has had detailed discussions with the Department of Defence regarding the future provision of air ambulance services by the Air Corps. Arising from these discussions, a detailed service level agreement has recently been prepared and signed. The agreement sets out the range services to be provided by the Air Corps, specifically: inter-hospital transfer for spinal and serious injury and illness; air transport of neonates requiring immediate medical intervention in Ireland; air transport of patients requiring emergency organ transplant in the UK; air transport of organ harvest teams within Ireland; and air transport of patients from offshore islands to mainland hospitals where the coast guard service is not available.

The new fleet replacement programme currently being put in place by the Air Corps will have a specific air ambulance capability and the new fleet will have a far greater flying capacity, which will augment the current service. The flying capability of the helicopter fleet in adverse weather conditions is a matter for the Air Corps to determine.

Question No. 179 answered with Question No. 111.

Departmental Contracts.

180. **Ms Burton** asked the Tánaiste and Minister for Health and Children the safeguards that have been instituted in view of the issues raised over the iSoft Project in relation to contracts such as these to protect public interest against waste; the steps she is taking to ensure value for money; and if she will make a statement on the matter. [35458/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Government recently introduced initiatives to ensure major capital projects, including ICT enabled change programmes, delivered value for money and were completed within budget, scope and timelines.

[Ms Harney.]

A peer review process of major ICT projects will be undertaken by the Department of Finance's CMOD. All major ICT projects currently under way within the HSE will be subjected to this process.

In early October, the Secretary General of my Department wrote to the CEO of the HSE setting out a number of governance principles which, I understand, are being adopted by the HSE. These new governance arrangements within the HSE will ensure that there is one central source of decision-making on implementing ICT strategies, plans and projects. In future, there will be one central management point under the control of the HSE's national director of ICT for all purchases of hardware, software, telecommunications, ICT development or advisory services, including all hiring decisions concerning ICT contractors and consultants.

The iSOFT contract covers software licences, implementation and support services over a ten-year term for an overall contract price of €56 million. The contract was negotiated with a specific focus on fixing costs to the greatest possible extent and on providing the best possible protection for the HSE in the event of poor performance by iSOFT.

While the HSE is obliged to maintain the confidentiality of the detailed commercial terms, I have been informed that the following provisions illustrate the type of safeguards in place: 1. There is a fixed price for software licences which entitles all publicly-funded healthcare agencies in Ireland to unlimited use of the iSOFT iEPR product suite covering a wide range of administrative and clinical support areas. No matter how extensively the software is used there will be no additional charges; 2. There is a fixed price for software maintenance and support payable over ten years, with an annual instalment payable every year. This provides for 24 x 365 cover and the price charged is well within industry norms; 3. The licence fee and support fee components are fixed for the entire term of the agreement and there will be no annual revisions for inflation or for any other reason; 4. The daily rate for implementation services, which is a very competitive rate, is fixed for an agreed volume of service days that are to be provided over the first five years, i.e. the anticipated number of service days required during the main roll-out period. In the event that any additional service days will be required the daily rates for such days is fixed for the first three years of the contract and increases thereafter are strictly limited to the rate of inflation from year 4 onwards; 5. iSOFT must use its best endeavours to transfer implementation skills to health service staff so that roll-out of the system can be as self-sufficient a process as possible; 6. There is a cap on expenses for iSOFT personnel and a range of measures have been agreed to ensure minimisation of expenses; 7. All deliverables by iSOFT

are linked to financial remedies payable to the HSE in the event of missed deadlines; 8. All services by iSOFT are subject to formal quality review and stated performance levels and financial remedies are payable to the HSE in the event of inadequate performance; and 9. To protect against any non-payment by iSOFT of any remedies due, iSOFT is obliged to lodge a substantial sum of money in an escrow bank account for direct withdrawal by the HSE.

The HSE has informed me that it is satisfied that best value for money is being obtained in this case.

Cancer Screening Programme.

181. **Ms Shortall** asked the Tánaiste and Minister for Health and Children if she has satisfied herself that BreastCheck is to be rolled out within the target set out; and if she has further satisfied herself that BreastCheck will meet the full population of women eligible; and if she will make a statement on the matter. [35489/05]

Tánaiste and Minister for Health and Children (Ms Harney): The roll-out of the national breast screening programme to the remaining regions in the country is a major priority in the development of cancer services. BreastCheck has advertised for lead consultant radiologists and radiographers for the two new clinical units, one at the South Infirmary-Victoria Hospital, Cork, and one at University College Hospital, Galway. The recruitment of other key clinical posts will commence early in 2006. A design team has been appointed to work up detailed plans for the new units. It is anticipated that, subject to obtaining satisfactory planning approval, the design process, including the preparation of the tender documentation, will be completed by mid 2006.

There are approximately 130,000 women in the target population for screening in the remaining regions. BreastCheck is confident that the target date of 2007 for commencement of the roll-out will be met. This will ensure that all women in the 50 to 64 age group in every county have access to breast screening and follow up treatment where appropriate.

Mental Health Services.

182. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the steps she will take following the revelation that only one in five persons here diagnosed with mental health problems have a job, even though 90% want to work; and if she will make a statement on the matter. [35473/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am aware that there are many barriers to employment for people with mental health problems in particular social and personal barriers. Social barriers exist

mainly due to the lack of understanding of severe mental illness in our society. This impacts not only on accessing employment but also on job retention for people in employment who may become unwell. Barriers to employment on a personal level will depend on the limitations of the individuals in question and the demands of the work environment.

As the Deputy may be aware, the mental health employment and training consultative forum is examining the provision of training and employment for people with mental health problems. This group includes representatives from the Health Service Executive, FÁS, Eastern Vocational Enterprises Limited, the national learning network and various voluntary organisations. I am informed the group is in the process of finalising its discussions.

While employment and training are not the responsibility of the mental health service providers, specialist rehabilitation mental health services liaise with the agencies which have statu-

tory responsibility in this area. The development of specialist rehabilitation mental health services is being considered in the context of the work of the expert group on mental health policy which is due to complete its work shortly.

Care of the Elderly.

183. **Ms Lynch** asked the Tánaiste and Minister for Health and Children the recommendations which will be followed in view of the recent report by Mr. Martin Hynes into the death of Mr. Peter McKenna in Leas Cross nursing home; the lessons which have been learnt; and if she will make a statement on the matter. [35470/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I understand the Health Service Executive has considered the report from Mr. Hynes and that a number of conclusions and recommendations are being implemented. The following table outlines the current status of the HSE's response.

Action on Recommendations	Progress to date
1. That the HSE should advocate on behalf of the McKenna family to ensure that they have all their outstanding questions answered.	This option is available to the family with immediate effect.
2. That there should be available within the HSE an integrated system for complaints so that complaints coming from a number of sources can be linked and dealt with effectively. Complaints of a complex nature should be examined thoroughly so as to decide the best approach	The HSE has developed a national complaints management framework, which is being rolled out nationally and would ensure that reviews of this type would be managed effectively
3. That the HSE devise a client based procedure to assist decision making regarding the appropriate use of nursing homes. This should include a mechanism for the review of placement decisions in conjunction with the changing needs of clients. This process should centre on the needs and wishes of clients and their families	This is under consideration by the HSE.
4. The HSE should draw up and support the implementation of a code of governance for all its services and those agencies that are contracted with to supply services on behalf of the HSE.	The HSE eastern region has in place a corporate governance manual for health agencies which can be used as the basis for this national programme
5. St. Michael's House to work with the HSE in reviewing its governance arrangements, to provide reassurance that it meets best practice	This process has commenced and will form an integral part of the service level agreement between St. Michael's House and the HSE in 2006.
6. In carrying out reviews of this nature, the HSE will ensure that an expert team is appointed, which will include access to a range of specialists appropriate to the case.	This is now HSE policy
7. That the HSE should in conjunction with relevant agencies develop a standardised mechanism for communicating written information between referring and receiving agencies, thereby assuring the quality of the continuum of care.	This has been initially communicated to all health agencies and will be followed up in the coming weeks.

Hospital Services.

184. **Mr. Perry** asked the Tánaiste and Minister for Health and Children the reason haemochromatosis testing can be done in Tralee general hospital but the same tests from Cork University Hospital and Waterford Regional Hospital are being sent abroad; and if she will make a statement on the matter. [35415/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and per-

sonal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Question No. 185 answered with Question No. 118.

Question No. 186 answered with Question No. 147.

Hospital Procedures.

187. **Mr. Howlin** asked the Tánaiste and Minister for Health and Children the steps she will take in view of the revelation that Kerry General Hospital, ranked one of the lowest of the hospitals in the national hygiene audit, spent more than €2 million on cleaning in 2004; and if she will make a statement on the matter. [35468/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy.

Question No. 188 answered with Question No. 164.

Question No. 189 answered with Question No. 111.

Question No. 190 answered with Question No. 135.

Hospital Staff.

191. **Mr. S. Ryan** asked the Tánaiste and Minister for Health and Children the measures being taken to fill the 1,100 nursing vacancies in hospitals and health care facilities; if figures will be provided on the costs involved in filling these vacancies day to day by agency staff and staff nurses working overtime; the steps she intends to take to combat the fact that 1,500 Irish trained nurses leave here every year; and if she will make a statement on the matter. [35488/05]

Tánaiste and Minister for Health and Children (Ms Harney): The management and delivery of health and personal social services are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for recruitment of staff and expenditure of resources on overtime and the employment of agency nurses. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these aspects of the Deputy's question investigated and a reply issued directly to the Deputy.

On the issue of Irish trained nurse leaving to work abroad, my understanding is that the figure of 1,500 is an over-estimation of the true figure. Irish nurses and midwives who wish to work abroad are required by the authorities in the host country to obtain a verification of their nursing registration from An Bord Altranais. Figures supplied by An Bord Altranais show that an average

of 763 Irish nurses have received verifications over the past three years. The data from An Bord Altranais shows that Australia is the most popular destination for Irish nurses. However, it should be noted that Australia is a popular destination for Irish people generally in their 20s and 30s. It is my understanding that many of the Irish nurses who work abroad return to Ireland having gained valuable experience in overseas health systems.

Consultancy Contracts.

192. **Mr. Cuffe** asked the Tánaiste and Minister for Health and Children the reason, in answering a previous parliamentary question on consultants appointed by her Department, no reference was made to the consultants for the Lorenzo computer programme or is it the case that all work by consultants has been completed on same; and if she will make a statement on the matter. [35449/05]

Tánaiste and Minister for Health and Children (Ms Harney): No reference was made to the Lorenzo ICT project in my reply to Question No. 115 on 18 October 2005 because my Department does not have any consultancy assistance engaged on this project.

Question No. 193 answered with Question No. 103.

Hospital Waiting Lists.

194. **Mr. S. Ryan** asked the Tánaiste and Minister for Health and Children the steps she will take to aid St. Columcille's Hospital in view of the warning from the hospital, Ireland's only obesity clinic, that there are 500 persons on waiting lists and that it is estimated that 30 persons will die while on the waiting lists; the measures she is taking to combat obesity here; and if she will make a statement on the matter. [35487/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and a reply issued directly to the Deputy.

A national task force on obesity was established in March 2004 to address the growing levels of obesity in Ireland. It was set up in response to the Slán survey results which were published in 2003 and comprised key stakeholders. The report from the task force, Obesity — the Policy Challenges, was published on 16 May 2005 and makes 93 recommendations aimed at tackling overweight and obesity. An implementation plan for

the report is being developed by my Department to progress its recommendations and additional funding of €3 million has been made available to the Health Service Executive in the Book of Estimates to support the implementation of the report's recommendations. It is envisaged this plan will involve the participation of all relevant stakeholders.

Hospital Services.

195. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children her preferred options for the provision of an adequate hospital network throughout the country; if this is in line with any, all or none of the various reports commissioned by her Department; and if she will make a statement on the matter. [35454/05]

Tánaiste and Minister for Health and Children (Ms Harney): It is a matter for the board of the Health Service Executive to decide how best to organise the management and delivery of health and personal social services. I have been advised that the Health Service Executive is considering a proposal to put in place, as part of its National Hospitals Office, four administrative regions for hospital services. Any measures which impact positively on patients will have my support.

General Medical Services Scheme.

196. **Mr. Costello** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that the general practitioner only cards do not cover a patient wishing to obtain the services of the Irish Family Planning Association; if it is her intention to include this service to the general practitioner only medical cards to those who may not afford it otherwise; and if she will make a statement on the matter. [35462/05]

Tánaiste and Minister for Health and Children (Ms Harney): The general medical services scheme is largely a treatment based scheme which provides medical and other services for eligible persons from primary care contractors in the community who hold contracts with the Health Service Executive. The services provided by the Irish Family Planning Association are not covered under the scheme. However, family planning services are available for medical card holders from the majority of GMS contract holding general practitioners. If a general practitioner does not provide family planning services, he or she is obliged to refer a patient to a GP who will provide the service.

Question No. 197 answered with Question No. 126.

Hospital Services.

198. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if there were 10,368 cancer patients in the first six months of 2005 in hospital for operations and other scheduled procedures; her views on whether this is contributing to the bed shortages; and if she will make a statement on the matter. [35445/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and a reply issued directly to the Deputy.

EU Directives.

199. **Mr. Boyle** asked the Taoiseach, further to Question No. 177 of 2 November 2005, the position regarding the costs of payments to European Union and European Court of Justice counsel; and the administrative costs to his Department in contesting the court actions. [35109/05]

The Taoiseach: The fees referred to in the reply to Question No. 177 of 2 November 2005 are the only costs paid to counsel to date by the Office of the Chief State Solicitor. As regards administrative costs, the relevant cases were assigned to legal staff in the Chief State Solicitor's office as part of their overall caseload and, accordingly, it is not possible to determine the precise costs in individual cases. As the Department of the Taoiseach was not involved in any of the cases, the question of administrative costs for my Department does not arise.

Motor Vehicle Registration.

200. **Mr. Bruton** asked the Taoiseach his estimate of the total vehicle fleet distinguishing private vehicles from commercial vehicles and indicating his estimate of aggregate distance travelled by the different segments, private, public service vehicles, commercial vehicles and haulage vehicles. [35110/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The Department of the Environment, Heritage and Local Government provides a breakdown of all mechanically propelled vehicles under current licence in its annual publication, Irish Bulletin of Vehicle and Driver Statistics. The latest data available from the Department, which is for the reference year 2004, is given in Table 1.

[Mr. Kitt.]

Table 1: Vehicles under current licence 2004.

Vehicle Type	2004
Private Cars	1,582,833
Motor Cycles	34,854
Goods Vehicles	268,082
Tractors, Excavators, Dumpers etc.	76,697
Public Service Vehicles Small	20,744
Public Service Vehicles Large	7,430
Exempt Vehicles	18,847
Others	26,820
Total	2,036,307

An estimate of the aggregate distance travelled for all categories is not available. The Central Statistic Office's road freight transport survey provides statistics on all Irish registered vehicles belonging to the motor tax class "goods vehicles

with an unladen weight of 2 tonnes or over" which are engaged in the carriage of goods on public roads. The latest results on vehicle kilometres travelled by weight and body type of goods vehicles are set out in Tables 2 and 3:

Table 2: Average Number of Vehicles and Total Vehicle Kilometres classified by Unladen Weight and Main Use of Vehicle 2004.

Unladen Weight (kg)	Average No. of vehicles on Register			Total Vehicles Kilometres (million)		
	Own Account	Hire or Reward	Total	Own Account	Hire or Reward	Total
2,000-5,000	35,037	3,567	38,604	333	116	449
5,001-7,500	7,704	2,648	10,352	128	131	259
7,501-10,000	7,827	4,674	12,501	168	256	424
10,001-12,500	6,444	7,672	14,116	189	511	700
Over 12,500	4,977	4,198	9,175	210	300	510
Total	61,989	22,759	84,748	1,028	1,314	2,342

Table 3: Average Number of Vehicles and Total Vehicle Kilometres classified by Body Type and Main Use of Vehicle 2004.

Body Type of Vehicle	Average No. of vehicles on Register			Total Vehicles Kilometres (million)		
	Own Account	Hire or Reward	Total	Own Account	Hire or Reward	Total
Platform or sided	7,312	3,492	10,804	134	212	346
Tipper	7,160	3,651	10,811	176	209	385
Tanker or other bulk carrier	3,287	1,346	4,633	106	104	210
Insulated or refrigerated box	2,745	1,831	4,576	115	174	289
Box or van body	14,768	4,711	19,479	257	238	495
Livestock Carrier	1,723	419	2,142	13	15	28
Other	24,994	7,309	32,303	227	362	589
Total	61,989	22,759	84,748	1,028	1,314	2,342

Departmental Staff.

201. **Mr. P. McGrath** asked the Taoiseach the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35136/05]

202. **Mr. P. McGrath** asked the Taoiseach the number of civil servants and other staff employed

on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35151/05]

The Taoiseach: I propose to take Questions Nos. 201 and 202 together.

None of the Ministers of State in my Department has a press office or press officer working

for him or staff engaged in public relations on his behalf. Communications with the media are managed through the Government press secretariat and Government Information Service. One staff officer is employed in the Government Chief Whip's constituency office at a current annual salary of €37,290.

Departmental Expenditure.

203. **Mr. Quinn** asked the Taoiseach the number of capital projects within his Department which in 2004 and in 2005 had an estimated cost of between €30 million and €50 million, and which would have been subject to cost benefit analysis if the newly announced criteria for such evaluations then been in force; and the total cost of such projects in each year. [35255/05]

The Taoiseach: My Department had no capital projects in 2004 or 2005.

Departmental Staff.

204. **Mr. Gilmore** asked the Taoiseach the number of staff broken down by grade employed within the private office and constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35298/05]

The Taoiseach: The number of staff employed in my private and constituency offices, their grade, salary, overtime and expenses paid are detailed in the following tables.

Taoiseach's Private Office.

Grade	Current annual salary (including allowances)	Annual Overtime (Estimate)	Annual Expenses (Estimate) Expenses Received (Nov 04-Oct 05)
	€	€	€
Private Secretary, Assistant Principal	96,203	Nil	1,104
Assistant Principal	71,859	Nil	Nil
Higher Executive Officer — Assistant Private Secretary	71,206	Nil	Nil
Higher Executive Officer — Assistant Private Secretary	68,867	Nil	157
Personal Assistant — Higher Executive Officer	53,191	Nil	1,154
Staff Officer	39,510	12,166	Nil
Staff Officer	37,290	821	Nil
Clerical Officer	25,210	7,086	Nil
Clerical Officer	26,203	7,219	Nil
Clerical Officer	32,200		Nil
Clerical Officer	26,203	6,933	Nil
Clerical Officer	23,226	5,948	Nil
Personal Usher	34,921	Nil	Nil
Total	606,089	40,173	2,328

Taoiseach's Constituency Office.

Grade	Current annual salary (including allowances)	Annual Overtime (Estimate)	Annual Expenses (Estimate)
	€	€	€
Personal Assistant	46,691	4,399	Nil
Personal Assistant	47,921	5,988	Nil
Personal Secretary (non Civil Servant)	33,270	520	Nil
Executive Officer	26,618	506	Nil
Staff Officer (Work-sharing)	18,098	Nil	Nil
Clerical Officer	26,203	1,372	Nil
Clerical Officer	21,245	1,221	Nil
Clerical Officer	21,245		Nil
Total	241,291	13,500	

EU Directives.

205. **Mr. Quinn** asked the Taoiseach if a list of the implemented, unimplemented and overdue EU directives and regulations and a list of the warnings received from the EU regarding directives and regulations which are overdue for implementation will be published before the end of 2005 and undertake to publish at least every six months in future. [35545/05]

The Taoiseach: Each Department is responsible for providing information, reasoned opinions and letters of formal notice concerning the implementation of EU directives. With regard to the Department of the Taoiseach, no directives or regulations are overdue for implementation which fall within the responsibility of this Department. This Department is not dealing with any warnings or any other such notifications from the European Commission. The Minister of State with responsibility for European affairs chairs the interdepartmental committee on European affairs which monitors the transposition of EU directives. In this context, he continues to take action to improve the effectiveness of our national efforts to implement EU legislation.

Health Services.

206. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children when a decision will be made in the case of a person (details supplied) in County Tipperary. [35113/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

207. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children if she will increase the funding allocated to rape crisis centres which has remained the same since 2002, due to the increased demand on services particularly in the aftermath of the Ferns Report; and if she will make a statement on the matter. [35427/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department does not directly fund or co-ordinate health and personal social services to victims of abuse. Moneys are made available each year, formerly through the health boards, and now through the Health Service Executive, for the provision of services to women victims of violence. In recent years there has been a substantial increase in funding so that now more than €12 million is pro-

vided annually for the provision of such services. The distribution of this funding is now a matter for the Health Service Executive.

The Tánaiste asked the Health Service Executive to carry out an analysis of the current level of service provision in this area and to report back to her. The Tánaiste has recently received this report and it is under review in the Department.

Question No. 208 answered with Question No. 97.

Hospital Services.

209. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the steps which are being taken to improve hygiene in Our Lady of Lourdes Hospital, Drogheda, and Louth County Hospital, Dundalk, following the recent hygiene audit; and if she will make a statement on the matter. [35112/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

210. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the aggregate number of home help hours delivered here in each year from 2000 to 2004 and the projection for 2005; the breakdown of these hours between special home care packages associated with hospital discharge and the normal service; the cost of securing a 10% increase in home help hours in 2006. [35114/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Housing Aid for the Elderly.

211. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason for the delay in approving a grant under the housing aid for the elderly scheme in the name of persons (details supplied) in County Carlow; if the funding is available for 2005; the amount of funds allo-

cated to the Health Service Executive in Carlow for this scheme in 2005; the number of applicants waiting for approval; and if she will make a statement on the matter. [35121/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid scheme for the elderly on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

212. **Mr. Healy-Rae** asked the Tánaiste and Minister for Health and Children if funds will be made available for Kerry General Hospital (details supplied); and if she will make a statement on the matter. [35134/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Departmental Staff.

213. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of civil servants and other staff employed in the press office for each of her Ministers of State; and the grade and remuneration of each of these members of staff. [35137/05]

Tánaiste and Minister for Health and Children (Ms Harney): There is one press office in my Department which deals with all queries on behalf of the Department including my office and the offices of the Ministers of State. Details of staff numbers, grade and remuneration for this office were detailed in a reply to the Deputy's Question No. 253 of 2 November 2005.

214. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of civil servants and other staff employed on constituency and public relations work for each of her Ministers of State; and the grade and remuneration of each of these members of staff. [35152/05]

Tánaiste and Minister for Health and Children (Ms Harney): The tables detail the numbers, grade and remuneration of staff employed in the constituency offices of the Ministers of State. All staff are civil servants except for personal assistants and personal secretaries.

Minister of State, Deputy B. Lenihan.

Grade	Number of Officers	Remuneration
		€
Personal Assistant	1	45,457
Personal Secretary	1	40,435
Clerical Officer	1	33,436
Clerical Officer	1	31,152
Clerical Officer	1	25,210

Minister of State, Deputy T. O'Malley.

Grade	Number of Officers	Remuneration
		€
Personal Assistant	1	47,921
Personal Secretary	1	41,894
Executive Officer	1	36,166
Staff Officer	1	36,196
Clerical Officer	1	32,686

Minister of State, Deputy S. Power.

Grade	Number of Officers	Remuneration
		€
Personal Secretary	1	40,878
Executive Officer	1	39,126
Clerical Officer	1	33,436
Clerical Officer	1	24,218

Health Services.

215. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children, further to Question No. 126 of 30 June 2005, when the post of speech and language therapist will be replaced for a school (details supplied) in County Clare; and if she will make a statement on the matter. [35208/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): My Department made enquiries on the Deputy's behalf and has been advised by the Health Service Executive that the post in question was advertised last month.

216. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will

[Mr. F. McGrath.]

be given to a person (details supplied) in Dublin 11; if the maximum support and advice will be given in accessing funding and services; and if she will work with the Department of Social and Family Affairs on this matter. [35213/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

217. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) in County Waterford who has been awaiting a cranoplast operation since 1999 and cannot be dealt with under the national treatment purchase fund owing to their medical history; if she will intervene with the Health Service Executive to ensure that a bed is obtained for this person. [35219/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Hospital Services.

218. **Dr. Upton** asked the Tánaiste and Minister for Health and Children if there are arrangements in place to carry out double lung transplants at the Mater Hospital, following the successful single lung transplants; the timeframe which applies to the commencement of such organ transplants at the Mater Hospital; if there is sufficient staffing capacity for such procedures; if there is sufficient operating theatre capacity for such procedures; and if she will make a statement on the matter. [35221/05]

238. **Dr. Upton** asked the Tánaiste and Minister for Health and Children the arrangements which are in place between Newcastle Hospital and the Mater Hospital for organ donations, specifically lungs, following the successful commencement of single lung transplant at the Mater Hospital; and if she will make a statement on the matter. [35241/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 218 and 238 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

219. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of staff employed at Coovagh House; the position of each member of staff; the length of time each member of staff has been employed; and the remuneration paid to staff since establishment of Coovagh House. [35222/05]

220. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the amount spent on training staff in Coovagh House since its establishment. [35223/05]

221. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of foreign staff employed in Coovagh House; the estimated remuneration for each foreign member of staff; the estimated remuneration for each member of Irish staff; and the cost involved in recruiting staff from abroad and within Ireland. [35224/05]

222. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the cost of work (details supplied) carried out at Coovagh House during summer 2005; the extent of this work; and the reason for the work. [35225/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 219 to 222, inclusive, together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

223. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the amount paid to recruitment companies for child care staff at high support units annually since 1998. [35226/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive

under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

224. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children, further to Question No. 244 of 25 October 2005, if members of the Special Residential Services Board serve on a part-time basis as they are not remunerated; the amount of expenses allowable to each member of the board; the staff attached to the board; and the amount of funding given to the board annually since its establishment. [35227/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The membership of the Special Residential Services Board is set out in section 230(3) of the Children Act 2001, and individual members are appointed by the Minister for Health and Children. At present all board members act on a part-time basis in accordance with section 230(6). The board meets bi-monthly and sub-committees of the board meet on alternate months. Each member normally attends at least one meeting per month.

Where expenses appropriate to the board are incurred by members in the discharge of their responsibilities, travel and subsistence allowances are paid in accordance with Department of Finance circulars. The Special Residential Services Board employs 12 staff members. The board was established on a statutory basis on 7 November 2003 and the funding provided to the board is: 2003, €147,149, net expenditure; 2004, €1,262,352, net expenditure and 2005, €2,141,000, original allocation.

Health Services.

225. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of occasions on which she or her predecessor has met the Special Residential Services Board since its establishment in 2003. [35228/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Since the establishment of the Special Residential Services Board on a statutory basis in November 2003, I as Minister of State at the Department of Health and Children and at the Department of Education and Science with responsibility for children's matters have met the board or representatives of the board on nine occasions. Neither the Tánaiste and Minister for Health and Children nor her predecessor have met the board or any representatives of the board regarding its work.

226. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the closure of high support beds in favour of private accommodation costing the

State from €8,000 per week per child; the reason for this change in policy; and if the Special Residential Services Board advised her on this policy change. [35229/05]

227. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if she has been informed by the Special Residential Services Board of best practice and coordination in special residential care; and what this best practice consists of. [35230/05]

230. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the person who has the overall responsibility for the care of children placed in special residential care; the person who has responsibility for funding this care; and the person responsible for co-ordinating and creating the policy for special residential care here. [35233/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 226, 227 and 230 together.

As Minister of State at the Departments of Health and Children and Education and Science with delegated responsibility for children I am responsible on behalf of the respective Ministers and the Government for formulating overall policy on child welfare and protection issues including special residential care in the health sector and on children detention schools for offenders, which come under the aegis of the Department of Education and Science.

I have had the benefit of the views of the Special Residential Services Board in accordance with the provisions of Part 11 of the Children Act 2001 on a range of issues, including co-ordination of policy concerning special care and children detention schools. The type of issues involved including best practice are set out in the board's annual report for 2004 published last month. The board also provides assistance and advice on best practice to the children detention schools, to the Health Service Executive and advice on placements to the courts in respect of individual cases. Including the €8 million additional funding in the 2006 estimate, by next year well over €200 million in ongoing revenue funding will have been provided by this and the previous Government for the development of child welfare and protection services.

The operation, management and delivery of child welfare and protection services including the provision of high support, special care and other services to a small number of individual children, such as the use of accommodation services by private providers raised by the Deputy, is a matter for the Health Service Executive under the Health Act 2004 and the Child Care Act 1991 as amended. I have therefore asked the parliamentary affairs division of the health service executive to examine this part-

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icular issue and to reply directly to the Deputy as soon as possible. I have also asked the Health Service Executive for a report on the matter.

228. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of children being cared for in special residential settings outside of the State distinguishing between short and long term. [35231/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy

229. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of children being cared for in special residential settings, distinguishing between short and long term; and the locations of these settings. [35232/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 230 answered with Question No. 226.

Child Care Services.

231. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the duties of child care staff when children in special residential care are in school each day. [35234/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subvention.

232. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the reason the Health Service Executive has not instructed

the health boards to reverse the punitive rise in charges for users of Cara Cheshire Home in Dublin's Phoenix Park, from €165 to €389 a month effective from August 2005. [35235/05]

233. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the justification for penalising some of the most vulnerable in society, namely, the users of the Cara Cheshire Home in Dublin's Phoenix Park by increasing the fees they must pay from €165 to €389 a month effective from August 2005. [35236/05]

234. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the steps which are being taken to remove the charges faced by the users of the Cara Cheshire Home in Dublin's Phoenix Park to help them in their preparation to lead independent lives in the future in view of the passage of the Disability Act 2005. [35237/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 232 to 234, inclusive, together.

The charging for long-stay care under the Health (Amendment) Act 2005 is being implemented by way of the Health (Charges for In-Patient Services) Regulations 2005. These regulations were signed on 14 June 2005 and reinstated charges for inpatient services. The regulations were prepared following extensive consultation with the Health Service Executive and others.

The regulations provide for the levying of a charge in respect of the maintenance of persons in receipt of inpatient services. Section 51 of the Health Act 1970 defines inpatient services as meaning "institutional services provided for persons while maintained in a hospital, convalescent home or home for persons suffering from physical or mental disability or in accommodation ancillary thereto".

Section 53 of the Health Act 1970, as amended by the Health (Amendment) Act 2005, provides, *inter alia*, for the levying of a charge where inpatient services have been provided for a period of not less than 30 days or for periods aggregating not less than 30 days within the previous 12 months. The regulations, in keeping with section 53 of the Health Act 1970, as amended, have provided for two different classes of persons on whom charges can be levied.

Class 1 refers to people in receipt of inpatient services on premises where nursing care is provided on a 24-hour basis on those premises. In this case, a weekly charge can be levied of €120 or the weekly income of that person less €35, whichever is the lesser. Class 2 refers to people in receipt of inpatient services on premises where nursing care is not provided on a 24-hour basis on those premises. In this situation, a weekly charge can be levied of €90, or the weekly income

of that person less €55 or 60% of the weekly income of that person, whichever is the lesser.

These regulations provide for the maximum charge to be levied on either class of person. Under the regulations, only the Health Service Executive has the power to levy a charge. The executive has the power to reduce or waive a charge on the grounds of “undue hardship”. Under section 1(b) of the Health (Amendment) Act 2005, the Health Service Executive can examine a person’s overall financial situation in view of the person’s reasonable expenditure on themselves or their dependants, if any. It is a matter for the Health Service Executive, based on its own legal advice and taking into account the individual circumstances as well as the service being provided, to make a decision on charges levied.

On the specific issues raised by the Deputy, the management and delivery of health and personal social services are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

235. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an application for a medical card which was refused in the name of persons (details supplied) in County Kilkenny can be appealed; if the financial circumstances of these persons will be examined under the new guidelines; if their medical circumstances will be considered; if a card will be issued on this basis; and if the case will be expedited. [35238/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Housing Aid for the Elderly.

236. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children, further to Question No. 212 of 28 June 2005 regarding a person (details supplied) in County Kilkenny, if the additional funding from the Government has now cleared the backlog; and if the grant in question will be awarded. [35239/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy’s question relates to the management and delivery of health and personal social services, which are the

responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid scheme for the elderly on behalf of the Department of Environment, Heritage and Local Government. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

237. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in Mayo General Hospital will be transferred to the Mater Hospital, Dublin. [35240/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 238 answered with Question No. 218.

Health Services.

239. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason a proper transport arrangement with a helper has not been put in place in the case of a person (details supplied) in County Kilkenny; if proper transport cannot be provided will her Department or the Health Service Executive approve a grant for these persons to purchase a suitable vehicle to transport their child; if the concerns of the National Educational Welfare Board will be considered; and if she will make a statement on the matter. [35243/05]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

240. **Mr. O’Dowd** asked the Tánaiste and Minister for Health and Children the number of beds at Our Lady of Lourdes Hospital, Drogheda, and Louth County Hospital, Dundalk; if all beds are

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occupied; and if she will make a statement on the matter. [35269/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

241. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the number of beds in older people services in County Louth, St. Oliver Plunkett Hospital, Dundalk, St. Mary's Hospital, Drogheda, Cottage Hospital, Drogheda, and St. Joseph's Hospital, Ardee; if all are occupied; and if she will make a statement on the matter. [35270/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Garda Investigations.

242. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the death of a person (details supplied) in County Dublin on 3 November 2005; if there have been similar deaths or illnesses as a result of products bought at this shop in the past; and if she will make a statement on the matter. [35272/05]

Tánaiste and Minister for Health and Children (Ms Harney): I understand from the Minister for Justice, Equality and Law Reform that the Garda attended an incident on 30 October 2005 involving the death of a person. I am informed that this incident is under investigation. In the circumstances I therefore believe that it is inappropriate for me to make any further comment on the matter.

Health Services.

243. **Mr. Aylward** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the waiting list for community speech and language therapy at Waterford Regional Hospital; and if she will ask the Health

Service Executive to examine the case of a person (details supplied) in County Waterford who was placed 179 on a waiting list in May 2005 and is still at that place on the list. [35286/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Staff.

244. **Mr. Gilmore** asked the Tánaiste and Minister for Health and Children the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if she will make a statement on the matter. [35299/05]

Tánaiste and Minister for Health and Children (Ms Harney): The following tables detail the numbers and grade of staff employed in my private and constituency offices and the annual cost of each office in terms of salary, overtime and expenses. All staff are permanent civil servants except for special advisers, personal assistants and personal secretary.

Private Office.

Grade	Number of Officers (Wholetime Equivalents)
Special Advisers	3
Personal Assistant	1
Higher Executive Officer (Private Secretary)	1
Executive Officer	2
Staff Officer	1
Clerical Officer	6

Constituency Office.

Grade	Number of Officers (Wholetime Equivalent)
Personal Assistant	1
Personal Secretary	1
Clerical Officer	2.5

Annual Cost.

	Private Office	Constituency Office
	€	€
Salary excluding PRSI ER and Pension Contributions	759,387.22	178,179.35
Overtime	11,608.31	
Expenses	1,354.56	

In addition to the three special advisers listed above a senior manager is on loan from the Health Service Executive and works as part of my advisory team but is not contracted by the Department and continues to be an employee of the executive.

Health Services.

245. **Mr. Fleming** asked the Tánaiste and Minister for Health and Children the amount of funding provided to an organisation (details supplied) from funds voted to her Department in 2005; the funding level which will be made available to this organisation in 2006; and if she will make a statement on the matter. [35324/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

246. **Mr. Cregan** asked the Tánaiste and Minister for Health and Children if, further to her announcement of capital funding for the provision of an Alzheimer's unit for St. Ita's Hospital, Newcastle West, County Limerick she can confirm when tenders will be invited by the Health Service Executive for same; and if she will make a statement on the matter. [35335/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

247. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children the number of persons waiting for a mammogram at the breast clinic at the Mid-West Regional Hospital; the

average waiting time for a mammogram at this clinic; and if she will make a statement on the matter. [35426/05]

261. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children if she will take remedial action to facilitate breast screening for women in the south, west and north west many of whom have been referred by their general practitioners for a mammogram and are still waiting; her views on whether this is acceptable; and if she will make a statement on the matter. [35526/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 247 and 261 together.

The Deputies' questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputies.

Task Force on Alcohol.

248. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the progress made to date in 2005 on implementing the recommendations of the task force on alcohol; and if she will make a statement on the matter. [35495/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The strategic task force on alcohol was established in January 2002 by the then Minister for the Health and Children. It produced an interim report in May 2002 and published its second report in September 2004. Government approval has been granted to the Tánaiste and Minister for Health and Children to implement the recommendations of the task force which come within her remit and other Ministers have been asked to implement the recommendations appropriate to their Departments.

Progress has been made in several areas since the publication of the interim report. The Intoxicating Liquor Act 2003 includes measures to combat drunkenness and disorderly conduct, binge drinking and under age drinking. The Road Traffic Act 2003 extended the grounds for requesting a breath test to detect alcohol. The Minister for Transport is committed to the introduction of random breath testing. A voluntary code has been agreed with the advertising, broadcasting and drinks industries to reduce the exposure of young people to alcohol advertising. A monitoring body to oversee the implementation of the code will be established presently.

A three-year alcohol awareness campaign, Less is More, implemented by the health promotion unit of the Department of Health and Children, raised awareness of alcohol related harm and

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stimulated public debate. Two new alcohol advertisements targeted at under age drinkers have been developed and are being transmitted. A training programme in responsible serving practices for the drinks trade has been developed and is now provided by Fáilte Ireland. Social, personal and health education is now mandatory on the school curriculum and support services have increased. The GAA has recently appointed a national co-ordinator to implement an alcohol and drug misuse policy. The project is supported by the health promotion unit of the Department of Health and Children.

Several research projects have been undertaken to monitor and inform alcohol policy decision making. The research projects published since 2002 include lifestyle surveys, a European comparative study on drinking patterns, a survey on public attitudes to proposed alcohol policy changes and the Irish College of General Practitioners alcohol aware project. A research study on alcohol and injuries in accident and emergency departments will be published presently.

A working group on alcohol was recently established to help mobilise the stakeholders through social partnership to achieve a targeted and measurable reduction in alcohol misuse. The group operates in the context of the special initiative on alcohol and drug misuse under Sustaining Progress. The group comprises the social partners, the relevant Departments, the Garda, the national drugs strategy team and the Health Service Executive. The group is seeking to agree a programme of actions which can deliver targeted results in relation to under age drinking, binge drinking and drink driving. It is expected to produce a set of recommendations in late 2005.

Air Pollution.

249. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the figures for the deaths due to poor air quality from exhaust emissions particularly PM10s and PM2.5s; and if she will make a statement on the matter. [35496/05]

Tánaiste and Minister for Health and Children (Ms Harney): Data on mortality are compiled by the Central Statistics Office and published in the annual and quarterly reports on vital statistics. Deaths are classified by principal medical cause of death, for example, diseases of the respiratory system. It is not possible to identify the number of deaths due to poor air quality from exhaust emissions.

Health Services.

250. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the position relating to an organisation (details supplied) in County Kildare following Health Service Executive northern area inspection; if funding will be re-

instated and backdated in this regard; and if she will make a statement on the matter. [35497/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

251. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will be awarded in the case of persons (details supplied) in County Kildare; and if she will make a statement on the matter. [35498/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

252. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will issue to a person (details supplied) in County Roscommon; if an early decision will be made in this regard; and if she will make a statement on the matter. [35499/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Programmes.

253. **Mr. English** asked the Tánaiste and Minister for Health and Children when her Department plans to conduct a large-scale public awareness and education programme on violence against women, to carry out training for public officials, the Judiciary and health professionals; and if she will make a statement on the matter. [35505/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of

health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

254. **Mr. English** asked the Tánaiste and Minister for Health and Children her plans to extend the maternity and infant scheme to include visits to the doctor on-call service; and if she will make a statement on the matter. [35510/05]

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 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. Care can be obtained from any general practitioner who has a contract for the provision of services under the scheme.

The scheme provides for 12 ante-natal visits, six of which are to the general practitioner and six to the chosen maternity unit or hospital in the case of a first pregnancy. In subsequent pregnancies, there are seven visits to the general practitioner and five to the maternity unit or hospital. There are also two post-natal visits to the general practitioner, at two weeks for the baby and at six weeks for mother and baby. The visits to the general practitioner would be scheduled in the normal way during normal surgery hours and I am not aware of any difficulty in this context.

Health Service Staff.

255. **Mr. English** asked the Tánaiste and Minister for Health and Children the position regarding the planned removal of five surgical training posts from Our Lady's Hospital in Navan as of 1 January 2006; the action which will be taken by her Department to reinstate these posts; and if she will make a statement on the matter. [35511/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Substance Misuse.

256. **Mr. Crowe** asked the Tánaiste and Minister for Health and Children if she has satisfied herself with the level of provision for addiction counselling and aftercare throughout the State and if she has further satisfied herself that the Government is doing enough in this area. [30974/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

257. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children the progress which has been made to date in 2005 in her discussions with the North regarding sharing radiation oncology facilities with Donegal; and if she will make a statement on the matter. [35522/05]

295. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children the discussions she has had with the Northern Ireland Minister for Health regarding the provision of radiotherapy for cancer patients from the north west and Donegal; and if she will make a statement on the matter. [35655/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 257 and 295 together.

I had a very positive meeting last Tuesday with the Minister for Health for Northern Ireland, Mr. Shaun Woodward, MP, during which we agreed that the new Belfast Cancer Centre, which is to open next March, will treat patients from Donegal. Details of the arrangements will be finalised in discussions involving the Health Service Executive, Belfast City Hospital and our respective Departments. These discussions will involve assessment of the specific radiotherapy needs of cancer patients in Donegal and the development of clinical treatment protocols, including appropriate transport arrangements, to ensure best patient care. Discussions will also be necessary on the funding arrangements involving the hospital and the Health Service Executive.

This initiative is a further and very practical example of North-South co-operation on health and will be of significant benefit to patients who will be treated at what I consider to be one of the best cancer facilities in Europe. This agreement also progresses the Government's plan on radiotherapy which I announced last July. Both the Minister, Mr. Woodward, and I are committed to

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developing additional co-operative initiatives for the benefit of our respective health services.

As regards access to cancer patients in other Border counties, I am sure the Deputy will appreciate that we need to ensure that access by Donegal patients to the Belfast services is working effectively and is properly grounded in effective clinical referral protocols involving the relevant clinicians both North and South. This is essential before I could realistically consider the question of additional access. Such access will critically depend on capacity at the Belfast centre and as the Deputy is aware, the first priority of the Belfast Cancer Centre is to the population in Northern Ireland.

Ambulance Service.

258. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children if she will secure designated funding to assist patients and their families who must travel for cancer treatments; and if some of this funding could be extracted from the €35 billion allocated to the new transport plan; and if she will make a statement on the matter. [35523/05]

Tánaiste and Minister for Health and Children (Ms Harney): There is a significant responsibility on our health services to ensure that patients, particularly cancer patients, are adequately supported clinically and, where necessary, with regard to proper transport arrangements. As I have previously indicated to the House, I consider that appropriate transport arrangements for oncology patients should be made available, where necessary, by the Health Service Executive. My Department has raised this matter with the executive to ensure that appropriate transport arrangements are put in place on a national basis for patients who are required to travel. Transport solutions are already a feature of the current provision of oncology services. My Department has asked the Health Service Executive to advise the Deputy directly with regard to funding for the provision of transport arrangements for oncology patients nationally.

Hospital Accommodation.

259. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children the progress which has been made to date in 2005 regarding Letterkenny General Hospital receiving capital funding for 70 new public beds; and if she will make a statement on the matter. [35524/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has

requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Cancer Screening Programme.

260. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children if she has benefited from BreastCheck available in the east; the number of women's lives which are being threatened by lack of similar screening in the south, west and north west; and if she will make a statement on the matter. [35525/05]

Tánaiste and Minister for Health and Children (Ms Harney): The national breast screening programme commenced in 2000 and covers the eastern, midland, north-eastern and parts of the south-eastern regions of the country. Screening is being offered free of charge, every two years to approximately 160,000 women in those areas in the target age group 50 to 64 years of age.

The roll-out of the national breast screening programme to the remaining regions in the country is a major priority in the development of cancer services. BreastCheck has advertised for lead consultant radiologists and radiographers for the two new clinical units, one at the South Infirmary — Victoria Hospital, Cork, and one at University College Hospital, Galway. The recruitment of other key clinical posts will commence early in 2006. A design team has been appointed to work up detailed plans for the new units. It is anticipated that, subject to obtaining satisfactory planning approval, the design process including the preparation of the tender documentation will be completed by mid-2006.

There are approximately 130,000 women in the target population for screening in the remaining regions. BreastCheck is confident that the target date of 2007 for commencement of the roll-out will be met. This will ensure that all women in the 50 to 64 age group in every county have access to breast screening and follow-up treatment, where appropriate.

Question No. 261 answered with Question No. 247.

Hospital Services.

262. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children the progress which has been made to date in 2005 regarding Letterkenny General Hospital retaining its specialist breast unit status; when the permanent breast surgeon will be appointed; and if she will make a statement on the matter. [35527/05]

263. **Mr. Blaney** asked the Tánaiste and Minister for Health and Children if the cancer services in Letterkenny will be retained and developed;

and if she will make a statement on the matter. [35528/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 262 and 263 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

264. **Ms McManus** asked the Tánaiste and Minister for Health and Children the position regarding plans for building on the site of the Mater for the development of a new hospital; the timeframe for same; the plans to transfer Temple Street Children's Hospital to the Mater; and if she will make a statement on the matter. [35529/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Mater and Children's Hospital development is the largest single capital development project in the health programme. The project involves the redevelopment of the Mater campus to include considerably expanded and improved facilities for the Mater itself, and the construction of new, purpose-built accommodation which will replace the Children's University Hospital, Temple Street. The project has full planning permission and will be ready to go to tender when the revenue costs and scope of the project have been agreed. These issues are being examined by the Health Service Executive.

Question No. 265 answered with Question No. 117.

Health Services.

266. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason a person, details supplied, in County Mayo has been deemed ineligible for orthodontic treatment; her views on whether her Department 1985 guidelines are causing problems for families; and if she will make a statement on the matter. [35540/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

The aim of my Department is to promote the development of the treatment capacity of orthodontics in a sustainable way over the longer term. Given the potential level of demand for orthodontic services, the provision of those services will continue to be based on prioritisation of cases based on treatment need — as happens under the existing guidelines. These guidelines were issued in 1985 and are intended to enable the Health Service Executive to identify in a consistent way those in greatest need and to commence timely treatment for them.

In recent years, there have been several reviews of the orthodontic service. Formed at the invitation of the Department, a group representative of health board management and consultant orthodontists reviewed the orthodontic service and produced a report in 1998 called the Moran report. The objective of this review was to ensure equity in the provision of orthodontic treatment throughout the health boards. Furthermore, the Oireachtas Joint Committee on Health and Children also carried out a review of orthodontic services which culminated in the publication of its report, *The Orthodontic Service in Ireland*, in 2002. This was followed by a further review by the health board chief executive officers of the orthodontic service to consider the joint committee's report and assess progress with implementing the Moran report. This report confirmed that the shortage of trained orthodontists restricts the use of the index of treatment need. Finally, the joint committee published a follow-up to its 2002 report on the orthodontic service in Ireland.

I am pleased to advise the Deputy that a number of measures have been adopted to improve orthodontic services on a national basis. The grade of specialist in orthodontics has been created in the orthodontic service. My Department and the Health Service Executive has funded 19 dentists from various Health Service Executive areas for specialist in orthodontics qualifications at training programmes in Ireland and at three separate universities in the UK. These measures will complement the other structural changes being introduced into the orthodontic service, including the creation of an auxiliary grade of orthodontic therapist to work in the orthodontic area.

Furthermore, the commitment of the Department to training development is manifested in the funding provided to both the training of specialist clinical staff and the recruitment of a professor in orthodontics for the Cork Dental School. This appointment at the school will facilitate the development of an approved training programme leading to specialist qualification in orthodontics. My Department has given approval in principle to a proposal to further substantially improve training facilities for orthodontics at the school, which will ultimately support an enhanced teaching and treatment service to the wider region

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under the leadership of the professor of orthodontics.

My Department has been informed by the Health Service Executive that at the end of the June 2005 quarter, there were 23,216 patients receiving orthodontic treatment in the public orthodontic service. This means that there are more than twice as many patients getting orthodontic treatment as there are waiting to be treated and more than 7,000 extra patients are getting treatment from the Health Service Executive since the end of the June 2001 quarter.

267. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an application from a group, details supplied, in County Kilkenny for funding to purchase a new headquarters will be fast tracked in view of the availability of suitable property; the funds available for same; and if she will make a statement on the matter. [35550/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

268. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if an increase in funding for the rape crisis centres around the country will be considered; if her attention has been drawn to the fact that since the publishing of the Ferns Report on 25 October 2005, the rape crisis centre have seen a dramatic increase in demand on their services with an average of 50% increase in most centres; and if she will make a statement on the matter. [35552/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department does not directly fund or co-ordinate health and personal social services to victims of abuse. Moneys are made available each year, formerly through the health boards and now through the Health Service Executive, for the provision of services to women victims of violence. In recent years, there has been a substantial increase in funding so that now more than €12 million is provided annually for the provision of such services. The distribution of this funding is now a matter for the Health Service Executive. The Tánaiste asked the Health Service Executive to carry out an analysis of the current level of service provision in this area and to report back to her. The Tánaiste has recently received this report and it is under review in the Department.

Consultancy Contracts.

269. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the role played by her Department in relation to the conclusion of a contract between the Health Service Executive and iSOFT; and if she will make a statement on the matter. [35553/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Health Act 2004, expenditure on ICT is included in the Vote of the Health Service Executive, Vote 40. Such expenditure must be approved by the Department of Finance. The Health Service Executive approached the Department of Finance for approval with regard to an electronic patient information system earlier this year. As the original proposal for such a system had been made some years previously to my Department for a number of health boards and the proposal in 2005 was for the whole health system, my Department sought the advice of the Attorney General to ensure that the contract conformed to EU procurement rules and would withstand any legal challenge. The Attorney General was satisfied that the proposal conformed with EU procurement rules and had a sound legal basis.

This information was conveyed to the Department of Finance by my Department on 29 Friday April and I am advised that the Department of Finance gave oral approval to the proposed contract, subject to a number of conditions. I understand that the contract was signed the following day. The Department of the Taoiseach had no substantive involvement in the process. That Department, on request, did ask the Office of the Attorney General if the provision of the legal advice awaited by the Health Service Executive could be expedited. At the time of making that request, it was not briefed on the specifics of the advice being sought or on any other aspects of the transaction. It only knew that a legal advice was required urgently.

270. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the reason her Department confined the implementation of the iSOFT contract to the areas previously covered by the North Eastern Health Board and the North Western Health Board even though the supplier was selected on the basis of a national deployment; and if she will make a statement on the matter. [35558/05]

Tánaiste and Minister for Health and Children (Ms Harney): My Department did not confine implementation of the iSOFT contract to the areas previously covered by the North Eastern and North Western Health Boards. The Health Service Executive designated the north-eastern and north-western areas as the priority sites for deployment of new IT systems because support contracts on their existing systems were coming

to an end and could not be extended. If urgent action was not taken by the Health Service Executive, it would have resulted in significant additional expenditure and would have put the ability of the hospitals to function at risk as the admission, discharge or transfer of patients would have to be done manually. When the Health Service Executive submitted its proposals regarding the iSOFT contract to the Department of Finance, CMOD, it flagged these two areas as needing special urgent attention, involving the deployment of the current version of iSOFT on time before the existing support contracts expired.

The Health Service Executive's proposal is to deploy a standard version of the iSOFT system across all its hospitals. It took delivery of iSOFT's current version of the software in May 2005 for deployment in the north-eastern and north-western areas. The Health Service Executive has received approval from the Department of Finance for the current version to be implemented in Tullamore General Hospital. These projects are under way and the system will go live in those areas by mid-2006. In January 2006, the Health Service Executive will take delivery of the version of the iSOFT system that will be used as the national standard, incorporating developments that iSOFT has contractually committed to provide. This new version of the system — Lorenzo — is based on developments made to the existing versions of the system currently being used. This system will be deployed on a pilot basis in St. Luke's Hospital, Kilkenny, with an expected go-live date in early 2007. This standard system will then be rolled out across all hospitals and, in due course, will replace the interim systems supplied to the north-eastern and north-western areas.

Hospital Staff.

271. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of crisis nurses at accident and emergency departments in the health service. [35559/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

272. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of persons working in the individual suicide resource

offices in each Health Service Executive region. [35560/05]

273. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of permanent suicide resource officers and temporary suicide officers by secondment from areas of the health service. [35561/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 272 and 273 together.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the employment of suicide resource officers. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

274. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an application for a medical card will be expedited in the name of a person, details supplied, in County Kilkenny. [35562/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

275. **Mr. Rabbitte** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the plan to transfer the dermatology clinic in Tallaght Hospital to St. James's Hospital owing to lack of funding for the Tallaght service from the Health Service Executive; if her attention has further been drawn to the inconvenience that this will cause to the many patients attending this clinic in the Tallaght catchment area. [35564/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

276. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason for the delay in arranging a further appointment with a consultant for a person, details supplied, in County Carlow; if their treatment will be fast-tracked; and if she will make a statement on the matter. [35571/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Health Services.

277. **Ms McManus** asked the Tánaiste and Minister for Health and Children if, in view of the decision by the Health Service Executive to refuse an application from a person, details supplied, for an additional room in a health centre in County Wicklow, she will ensure this decision is reversed. [35587/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Care Workers.

278. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on whether there should be a work-life balance for carers allowing more flexible working arrangements which would accommodate real life caring situations; and if she will make a statement on the matter. [35599/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy may be interested to know that under the Health Act 2004, the Health Service Executive provides funding for carers' groups, some of whom provide training, information and support to family carers. Responsibility for carer's allowance and benefit rests with my colleague, the Minister for Social and Family Affairs. His Department has informed that the carer's allowance is a payment for carers on low incomes who live with and look after certain people in need of full-time care and attention. Carers who are providing care to more than one person may be entitled to up to 50%

extra of the maximum rate of carer's allowance each week, depending on the weekly means assessed. Carer's benefit is a payment made to insured persons who leave the workforce to care for a person or persons in need of full-time care and attention.

Responsibility for the Carer's Leave Act 2001 rests with my colleague, the Minister for Enterprise, Trade and Employment. His Department has informed me that the Carer's Leave Act 2001, which commenced on 2 July 2001, delivered on the undertaking by the previous Government in the programme for prosperity and fairness. The Act allows employees to leave their employment temporarily to provide full-time care for a period of up to 65 weeks — 15 months — and have their employment rights protected during the absence.

The introduction of the Carer's Leave Act is recognition of the important role played by carers in our society. It is important that support and practical assistance continues to be given to these carers. The Act makes it possible for employees to make the temporary choice of becoming a carer without loss of employment and where possible care, recipients may be cared for in the home.

The Act complements the carer's benefit scheme administered by the Department of Social and Family Affairs, which provides financial support for 15 months to an employee who leaves employment temporarily to care for someone medically certified by the Department of Social and Family Affairs as needing full-time care and attention. As the carer's benefit scheme is based on an employee's PRSI contributions, there is no means test.

The Act is a unique and innovative social policy that seeks to support people during a difficult period. One of the main provisions in the Act allows carers to work for up to ten hours per week, under regulations made by the Minister for Social and Family Affairs. This allows employers to avail of the services of valued employees on a part-time basis while, at the same time, recognising the sensitivities of individual situations.

Care Workers Training.

279. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on whether training should be provided for all family carers in caring skills; and if she will make a statement on the matter. [35600/05]

Minister of State at the Department of Health and Children (Mr. S. Power): An inter-departmental group on the funding of long-term care for older persons was established earlier this year by the Tánaiste and Minister for Health and Children and the Minister for Social and Family Affairs, Deputy Brennan. This group is chaired by the Department of the Taoiseach and is examining a range of issues surrounding the care of older persons in Ireland, including carers. The

report of the group is expected to be submitted to Government in the near future.

The Deputy may be interested to know that under the Health Act 2004, the Health Service Executive provides funding for carers' groups, some of whom provide training to family carers. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange for information to be supplied to the Deputy regarding funding these groups.

280. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if she will consider the implementation of the comprehensive needs assessment protocol for family carers to consider health and social issues; and if she will make a statement on the matter. [35603/05]

Minister of State at the Department of Health and Children (Mr. S. Power): An inter-departmental group on the funding of long-term care for older persons set up by the Tánaiste and Minister for Health and Children and the Minister for Social and Family Affairs, Deputy Brennan, and chaired by the Department of the Taoiseach, is examining a range of issues surrounding the care of older persons in Ireland, including the question of standardised needs assessment for services. The report of the group will be submitted to Government in the near future.

Medical Cards.

281. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if medical cards will be provided to all full-time family carers, with one annual health check; and if she will make a statement on the matter. [35604/05]

Tánaiste and Minister for Health and Children (Ms Harney): Eligibility for health services in Ireland is primarily based on residency and means. Under the Health Act 1970, determination of eligibility for medical cards is the responsibility of the Health Service Executive, other than for persons over seventy who are automatically entitled to a medical card.

Medical cards are issued to persons who in the opinion of the HSE are unable to provide general practitioner, medical and surgical services for themselves and their dependants without undue hardship. It is open to all persons to apply to the chief officer of the relevant HSE area for health services if they are unable to provide these services for themselves or their dependents without hardship. The setting of income guidelines for medical cards is a matter for the HSE which has discretion over the issuing of medical cards. In cases where a person has income in excess of the guidelines, a medical card may still be awarded if the HSE considers his or her needs or other circumstances justify this.

My Department is currently reviewing all legislation concerning eligibility for health and personal social services with a view to making the system as fair and transparent as possible. I have no plans to provide for the granting of medical cards to any group as a whole. I anticipate continuing with the arrangement whereby medical cards are granted primarily on the basis of means and individual circumstances.

Health Services.

282. **Mr. Crawford** asked the Tánaiste and Minister for Health and Children the position regarding the funding and staffing of a centre (details supplied); her views on whether it is unsatisfactory and unacceptable that capital funding has been spent and yet services are not available; and if she will make a statement on the matter. [35609/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Residential Institutions Redress Scheme.

283. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children if the Morning Star Mother and Baby Home was included under the definition of a maternity home in the terms of the registration of Maternity Homes Act 1934; if so, whether there was a power to inspect and regulate same by a public body; if so, whether this information will be conveyed to the Department of Education and Science so that it can be considered for inclusion under the terms of the Residential Institutions Redress Act 2002; and if she will make a statement on the matter. [35629/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): There is no available evidence for the inclusion of a Morning Star Mother and Baby Home under the definition of a maternity home within the Registration of Maternity Homes Act 1934 and, therefore, no evidence exists of inspection or regulation in that regard.

The criteria for inclusion of an entity under the Residential Institution Redress Act 2002 are set out under section 4 of that Act, which states that the Minister for Education and Science may provide by order for the insertion in the Schedule of any "industrial school, reformatory school, orphanage, children's home, special school which was established for the purpose of providing educational services to children with a physical or

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intellectual disability or a hospital providing medical or psychiatric services to people with a physical or mental disability or mental illness in which children were placed and resident and in respect of which a public body had a regulatory or inspection function.”

Violence Against Women.

284. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if funding for voluntary organisations that deal with violence against women services have seen their budgets remain fixed at 2003 levels (details supplied); and if she will make a statement on the matter. [35633/05]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department does not directly fund or co-ordinate health and personal social services to victims of abuse. Monies are made available each year, formerly through the health boards and now through the Health Services Executive, for the provision of services to women victims of violence. In recent years, there has been a substantial increase in funding so that now over €12 million is provided annually for the provision of such services. The distribution of this funding is now a matter for the HSE. The Tánaiste asked the HSE to carry out an analysis of the current level of service provision in this area and to report back to her. The Tánaiste recently received this report and it is under review in the Department.

Health Services.

285. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children her views on a recent publication by the Health Service Executive western area on dementia services in County Clare; and if she will make a statement on the matter. [35634/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy may be aware that the development of services for people with Alzheimer’s disease is based on the action plan for dementia published by the National Council on Ageing and Older People in 1999. Considerable progress has been made in service development since the publication of the report and, in each of the years since 1999, my Department has provided additional funding of more than €65 million to psychiatry of old age and more than €2 million to the Alzheimer Society of Ireland for services delivered. In addition, carers for Alzheimer sufferers have benefitted from the €5 million we have made available in the same period specifically for the support of carers. The Health Service Executive is also making progress in the provision of dementia units on a gradual basis. For example, the Estimates for 2006

include the provision of a new dementia unit for Carndonagh.

While I welcome the Health Service Executive western area’s plan for the development of dementia services in County Clare, which was launched in October 2005, the development of the services and implementation of the proposal for the development of dementia services in County Clare is a matter for the Health Service Executive under the Health Act 2004.

Water Fluoridation.

286. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children her views on an article in a journal (details supplied) on water fluoridation; and if she will make a statement on the matter. [35635/05]

Tánaiste and Minister for Health and Children (Ms Harney): Fluoridation of public water supplies as a public health measure is accepted as being one of the most effective methods of ensuring against tooth decay. The World Health Organisation, WHO, recommends fluoridation of public water supplies and has stated that fluoridation of water supplies, where possible, is the most effective public health measure for the prevention of dental decay. WHO has also stated that people of all ages, including the elderly, benefit from community water fluoridation.

The recently completed survey of oral health, covering the whole island of Ireland, shows that fluoridation of public water supplies continues to be a highly effective public health measure. It has contributed significantly to a major reduction in the incidence of dental decay in the Republic of Ireland. As the Deputy will be aware, the Irish expert body on fluorides and health was established in 2004 by the Minister for Health and Children. The expert body held its inaugural meeting in April 2004 and its terms of reference are: to oversee the implementation of the recommendations of the forum on fluoridation; to advise the Minister and evaluate ongoing research, including emerging issues, on all aspects of fluoride and its delivery methods as an established health technology and as required; and to report to the Minister on matters of concern on request or on its own initiative. I have asked my officials to refer the article in question to the expert body for its consideration. The expert body will advise me on the outcome of its considerations.

Vaccination Programme.

287. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if the Hib booster campaign to protect two to four year old children from diseases, including meningitis, has commenced; if not, the reason thereof; and if she will make a statement on the matter. [35640/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Hib catch-up booster campaign organised by the Health Service Executive began on Monday, 21 November 2005. The HSE began planning for the current booster campaign following a recommendation from the National Immunisation Advisory Committee. The campaign is designed to offer the Hib catch-up booster vaccine to further protect children aged between one and four years against haemophilus influenza type b, Hib, infection.

The booster is available free of charge from general practitioners to all 220,000 children in the appropriate age groups, who will be called to receive it between now and the middle of next May. The campaign is being run in three phases. Children who are one year-old are now being called and parents of these children will receive information telling them when and how their child can get the booster. Children aged two and three years will be offered the vaccine in January and February and their parents will be contacted at that time. All children reaching one year of age during the campaign will also be offered the Hib booster vaccine. I urge all parents who have children in this age group to get the Hib catch-up booster vaccine.

Hospital Staff.

288. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the circumstances surrounding the termination of a consultant orthopaedic surgeon contract at Cork University Hospital (details supplied); and if she will make a statement on the matter. [35641/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Hospital Services.

289. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if a warfarin clinic could be established at Galway Regional Hospital; her views on community project for testing INRs in the general practitioner surgery; and if she will make a statement on the matter. [35642/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has

requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

General Medical Services Scheme.

290. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if the State, by providing different payments to service providers based purely on the economic means of the recipients of the service, is in keeping with the Equal Status Act 2000 and the Constitution; and if she will make a statement on the matter. [35643/05]

Tánaiste and Minister for Health and Children (Ms Harney): I understand that the Deputy is referring to the fees and allowances paid to general practitioners in respect of services provided under the general medical services scheme. The level of these fees and allowances reflect the agreed outcome of negotiations between the Department of Health and Children, the Health Service Executive and the GP representative body, the Irish Medical Organisation. Such arrangements do not come within the scope of the Equal Status Act 2000.

National Treatment Purchase Fund.

291. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if the National Treatment Purchase Fund will give priority in budget 2006 to patients who were refused treatment in 2005; if the National Treatment Purchase Fund will recall their directive which requested acute hospitals not to refer patients to the fund; and if she will make a statement on the matter. [35644/05]

Tánaiste and Minister for Health and Children (Ms Harney): By the end of October 2005, more than 13,000 patients have had treatment arranged for them by the National Treatment Purchase Fund. The fund has now treated more than 36,300 patients since it commenced in 2002. It is now the case that, in most instances, anyone waiting more than three months for an operation will be facilitated by the fund.

The health strategy envisaged that the NTPF might also make use of any capacity within public hospitals to arrange treatment for public patients. It was recognised that, during the start-up phase of the fund, the use of public capacity could account for 30% of total NTPF activity, provided that public core service planned activity was not compromised. The Department has recently advised the NTPF that use by the fund of public facilities should be limited to 10% of its total referrals for treatment.

The fund is continuing to work closely with hospitals to identify and locate the necessary capacity to have patients treated and to reach its

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target for 2005. My Department has been informed by the NTPF that patients have not been denied access to treatment. All surgery planned before the end of the year is set to proceed.

A new patient treatment register, PTR, has been developed by the NTPF. The PTR is a new national database of patients waiting for admission to hospital for treatment. The register will allow for more accurate identification of waiting lists and waiting times. The first phase of the register was implemented in September 2005. The PTR will also enable the NTPF to contact patients directly and offer them treatment.

Vaccination Programme.

292. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the cost of the influenza vaccine per person; and if she will make a statement on the matter. [35649/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the administration of the influenza vaccines. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

293. **Ms Lynch** asked the Tánaiste and Minister for Health and Children her proposals to implement a cost of disability payment to persons with disabilities; if her attention has been drawn to the fact that all groups dealing with disability concur with the view that a cost of disability payment is essential for promoting independent living; if her attention has further been drawn to the fact that such a payment is recommended by the Commission on the Status of People with Disabilities; her views on whether the net effect of not having such a payment coupled with the restrictive means testing of the mobility allowance makes it economically unviable for persons with significant disabilities to participate in paid employment; and if she will make a statement on the matter. [35650/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Under the Programme for Prosperity and Fairness, an inter-departmental working group chaired by the Department of Health and Children was established to examine the feasibility of introducing a cost of disability payment. The National Disability Authority, on behalf of the working group and according to its own remit, commissioned

research into the feasibility of a cost of disability payment in Ireland. The purpose of this research was to advise on the additional costs incurred by people with disabilities owing specifically to the direct or indirect costs of the disability and the appropriate mechanisms or instruments by which to address identified additional costs. The resultant report, *Disability and the Cost of Living*, was published by the NDA early in 2004.

In March, the working group produced a position paper, which gave an overview of the work they have undertaken to date. It outlined the group's current thinking and gave an indication of the next steps the working group intend taking. The working group recommends that urgent steps be taken to improve the quality of data relating to disability in Ireland. This might include, for example, adjustment of existing data gathering exercises undertaken by the Central Statistics Office or other relevant bodies to include questions on the numbers per household with disabilities, the nature of the disability and severity of impairment. The working group considers it vital that comprehensive data is available on which to base consideration of the feasibility of a cost of disability payment. Given its advisory and research remit, the working group considers that the National Disability Authority has an important role to play in addressing these data gaps along with other relevant bodies.

The working group acknowledges that a number of Departments and agencies have previously carried out reviews of the various supports and payments for people with disabilities. However, these reviews have tended to focus solely on the operation of individual schemes without taking a broader overview of how these measures fit into the overall system of disability supports. The working group proposes to examine the scope for rationalising and streamlining the various disability supports measures, with a particular focus on mitigating the additional costs of disability for a greater number of people with disabilities, particularly in the case of those who wish to move from a position of total welfare dependence to one of greater economic independence. The working group is now following up on these matters, which include issues arising from the transport for people with disabilities.

Hospital Accommodation.

294. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the serious shortage of beds in Letterkenny General Hospital; and her plans to provide the necessary 70 beds. [35654/05]

296. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children when the promised 70 beds will be delivered to Letterkenny General Hospital; the approximate cost of same; and if she will make a statement on the matter. [35660/05]

297. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if the delivery suite at Letterkenny General Hospital is being used; and if she will make a statement on the matter. [35661/05]

298. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she accepts that, if the private hospital opens on the campus of Letterkenny hospital, it may result in staffing problems for public patients; and if she will make a statement on the matter. [35662/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 294 and 296 to 298, inclusive, together.

The Deputies' questions concern the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputies.

Question No. 295 answered with Question No. 257.

Questions Nos. 296 to 298, inclusive, answered with Question No. 294.

Health Service Strategy.

299. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if policy and direction in respect of health services generally derives from her Department or from the Health Service Executive; and if she will make a statement on the matter. [35667/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Prospectus and Brennan reports identified the need for significant change in the role of the Department of Health and Children as part of a fundamental reform of the health service. The overall recommendations of the two reports with regard to functions were accepted by the Government and it was agreed that the Department should be reorganised. The legal framework for this reform was put in place with the Health Act 2004. Under the Act, my Department has responsibility for policy analysis, development and prioritisation. This responsibility also includes performance measurement, the monitoring of financial positions and service provisions and the evaluation of efficiency and effectiveness in service delivery.

The functions of the executive are outlined in section 7 of the Health Act 2004. These include the management and delivery of health and personal social services, the education and training of health professionals and employees and the provision of advice to the Minister with regard to its functions. The overall objective of the execu-

tive is to use the resources available to it in the most beneficial, effective and efficient manner in order to improve, promote and protect the health and welfare of the public.

Question No. 300 answered with Question No. 148.

Parliamentary Accountability.

301. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the way in which it is proposed to achieve a degree of accountability to Dáil Éireann in respect of budget, administration and delivery of health services in view of the dearth of information available to Dáil Éireann and the fashion in which such information, if available, is made by way of delayed reply; and if she will make a statement on the matter. [35669/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Health Act 2004, the Health Service Executive is responsible for the delivery of health services. Section 21 of that Act states that "the chief executive officer shall, at the written request of an Oireachtas Committee, attend before it". The executive must also submit a service plan which, when approved by me, is laid before both Houses of the Oireachtas. This plan must, among other things, indicate the type and volume of health and personal social services to be provided by the executive for the duration of the plan. My Department has a role in performance management and measurement, monitoring financial positions and service provisions and the evaluation of the efficiency and effectiveness of service delivery. Under the legislation, the executive has to submit a corporate plan for approval. The corporate plan was recently approved and laid before the Houses of the Oireachtas. This outlines the key objectives for the period 2005 to 2008, how the achievement of these objectives will be measured and the use of its resources.

With regard to parliamentary questions, which can differ substantially in complexity and detail required, the executive aims to operate within a timeframe of 20 working days from the date of answer to the issue of a final reply and a protocol has been adopted to that effect. This reflects the arrangement previously in place with health boards. The executive is committed to reducing this period as it develops its organisational and information capacity.

Health Services.

302. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children her plans to provide primary or hospital care to the population in the event of an epidemic; and if she will make a statement on the matter. [35670/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of primary or hospital care to the population in the event of an influenza pandemic. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

303. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the directives she has given in respect of the provision of respiratory and tuberculosis facilities previously available at Peamount Hospital; the number and category of patients currently at the hospital; the location of patients who had previously received ongoing treatment there; and if she will make a statement on the matter. [35671/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

I have not issued a policy directive on the provision of respiratory and tuberculosis facilities previously available at Peamount Hospital. The Deputy will be aware that this issue has been examined in considerable detail in recent years by Comhairle na nOspidéal and by the former Eastern Regional Health Authority. Decisions regarding the future configuration of services at Peamount Hospital are a matter for the HSE.

Hospital Accommodation.

304. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number and location of hospital beds available for isolation in the event of an outbreak of infectious disease; the areas where such beds are located in view of their previous availability at Peamount Hospital; and if she will make a statement on the matter. [35672/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter inves-

tigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

305. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if and when she proposes to make the necessary budgetary allocations to facilitate the implementation of the next phase of the Naas Hospital development programme; and if she will make a statement on the matter. [35673/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question concerns the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Ambulance Service.

306. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she has given any direction in respect of the provision of ambulance services with particular reference to call out times throughout the country; if she has made any comparisons with the best or worst case scenarios; and if she will make a statement on the matter. [35674/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

As part of the reform of the health service a national ambulance office, NAO, has been established under the auspices of the national hospitals office within the HSE. The office has responsibility for the provision of pre-hospital emergency care nationally and is working closely with the Pre-Hospital Emergency Care Council, PHECC, which is the statutory body responsible for the development of standards in pre-hospital emergency care and the accreditation of institutions providing training for ambulance personnel.

The HSE has advised that ambulance service response times are regularly monitored and that the PHECC is formulating national response time targets. I am fully committed to the development of our emergency ambulance service and my Department has recently approved funding of €2m to be provided in 2006 for the development

of pre-hospital emergency care services nationally.

Hospital Hygiene.

307. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she has issued any policy directives to the various hospitals throughout the country following the publication of the recent hygiene audit with particular reference to institutions in which patients might be at greater risk from MRSA; and if she will make a statement on the matter. [35675/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy will be aware that responsibility for the management and delivery of health services is now a matter for the Health Service Executive. This includes responsibility for acute hospital services. The prevention and control of health care associated infections, HCAs, is a priority issue for the Health Service Executive. Effective infection control measures, including environmental cleanliness and hand hygiene, are central to the control of HCAs, including drug-resistant organisms such as MRSA.

The results of the national hygiene audit will form the basis for the changes that are required in both work environments and work practices so as to meet the highest possible standards of cleanliness in hospital settings. The HSE is making an initial capital grant of €20 million available to hospitals to implement the recommendations of the audit. The HSE will also publish national infection control standards and national cleaning standards — a consistent and robust set of hygiene standards for hospitals. Where previously standards may have depended on the approach of a particular hospital or health board, the HSE can now ensure every hospital will share and meet the same high standards of cleanliness and infection control.

The national hygiene audit of acute hospitals will be repeated in early 2006 in order to assess the extent of the improvements made at hospital level since the publication of the first audit report. My Department is continuing to engage with the HSE to agree on a series of actions over the next period of time so that MRSA can be effectively dealt with so as to see a reduction in the incidence and effects of these infections.

Question No. 308 answered with Question No. 143.

National Treatment Purchase Fund.

309. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the cost to date in 2005 of the treatment purchase scheme; the number of patients treated; the nature of the specialties involved; the locations at which treatment was received; and if she will make a statement on the matter. [35677/05]

Tánaiste and Minister for Health and Children (Ms Harney): As the Deputy's question relates to the operation of the National Treatment Purchase Fund, NTPF, my Department has asked the chief executive of the NTPF to reply directly to the Deputy in relation to the detailed information requested.

Accident and Emergency Services.

310. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she will report on the availability of adequate accident and emergency staff at all hospitals throughout the country; and if she will make a statement on the matter. [35678/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Services for People with Disabilities.

311. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the relatively high incidents of autism here; if she proposes to dedicate any specific funding for research in this area; and if she will make a statement on the matter. [35679/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): According to the latest report of the national intellectual disability database, which was published on 29 September 2005, there are 24,917 people registered on the database. This would include people with autism. However, information pertaining to diagnosis is specifically excluded, as the database is not designed as a medical epidemiological tool. The data held in any individual record represents the information available for that person at a specific point in time only. The record is updated whenever there are changes in the person's circumstances or during the annual review process in the spring of each year.

The national intellectual disability database enables those involved with the planning and delivery of service to people with an intellectual disability and those with autism to identify not only the level or need among those awaiting placement in services but also the service changes required by those already in receipt of services. In addition, my Department has committed €5 million in funding to an Irish research project participating in an international genetics project designed to map the human genome in the search for autism susceptibility genes.

Cancer Incidence.

312. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the extent to which she had studied the number of incidents of the various forms of cancer on a county basis throughout the country; if she has reached any conclusions with particular reference to the cause or causes in respect of those counties or regions with the highest incidents; and if she will make a statement on the matter. [35680/05]

Tánaiste and Minister for Health and Children (Ms Harney): The National Cancer Registry has routinely collected data on county of residence for all incidences of cancer since 1994. These data have been published in a number of reports, including Cancer in Ireland 1994-2000 and two all-Ireland cancer reports, All-Ireland Cancer Statistics for 1994-96 and 1998-2000. Up-to-date tables describing cancer incidence by site, sex and county of residence are also available to the public on the registry website *www.ncri.ie*. In addition to this routine analysis, the registry has carried out a number of analyses of cancer incidence for single counties in response to specific local issues.

The most recent detailed analysis of the relationship between cancer incidence and county of residence was carried out for the second All-Ireland cancer report for the period 1998-2000, which was published in 2004. While this report showed some relationship between region of residence and cancer incidence, there was few instances where this relationship could be shown at county level. In general, the number of cancer cases diagnosed at county level were too few, and the variation in incidence between counties too small for any meaningful conclusions to be drawn. The only clear exception to this was for lung cancer, where incidences and mortality was significantly higher in Dublin than elsewhere. This variation in lung cancer incidence between urban and rural setting was also found in Belfast and Derry and is consistent with the pattern of incidence of lung cancer in other countries.

Health Services.

313. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she has received recommendations from the Health Service Executive working group relating to the Pollock report; if and when same will be implemented; and if she will make a statement on the matter. [35681/05]

Tánaiste and Minister for Health and Children (Ms Harney): As part of the overall funding for health services in 2006, additional funding of €4.78 million is being allocated specifically for the development of cystic fibrosis services. I wish to see significant improvement next year in the level of services available to persons with cystic fibrosis. The current service deficits in this area

are widely acknowledged and have been identified most notably in the Pollock report, and by the Health Service executive working group which is looking at this issue.

My Department is advised that the working group, which is due to report shortly, will be making specific recommendations in relation to a range of service improvements required for persons with CF, in particular the need to increase the level of clinical, nursing and allied health professional staffing in CF units around the country. As part of the implementation process I would like to see a particular focus on addressing the identified deficits at the national adult referral centre at St. Vincent's University Hospital in Dublin.

314. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she has satisfied herself regarding the adequacy and quality of the various health centres throughout County Kildare with particular reference to the need for expansion of services and facilities in line with population requirements; and if she will make a statement on the matter. [35682/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

315. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she has satisfied herself regarding the standard and quality of services and facilities in all nursing homes throughout the country; the degree to which up-to-date inspections and reports are available; and if she will make a statement on the matter. [35683/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I wish to advise the Deputy that with regard to the standard and quality of services and facilities in nursing homes the Nursing Homes (Care and Welfare) Regulations 1993, made under the Health (Nursing Homes) Act 1990, set out the standards which private nursing homes must adhere to. The Health Service Executive currently carries out inspections in private nursing homes. In the context of the Health Bill 2005, the process has begun to review the current system with a view to strengthening the powers available to those involved in inspecting facilities and to extend a strengthened inspection system to public facilities.

It is also intended that the Bill will provide for the setting and monitoring of standards for residential facilities for older people. To this end, the

Department has commenced a review of the Nursing Homes (Care and Welfare) Regulations 1993, and will be working in conjunction with the HSE, the SSI and other relevant bodies, with the intention of developing a new set of standards that would apply to all residential services for older people. In response to the degree to which up-to-date inspections and reports are available, the Department has requested the parliamentary affairs division of the Health Service Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

316. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of vacant positions in respect of various categories of health works with particular reference to public health nurses, social workers, child psychologists in the various health boards throughout the country; her plans to address shortages in this area at an early date; and if she will make a statement on the matter. [35684/05]

Tánaiste and Minister for Health and Children (Ms Harney): Employment information for the health service is collected through the health services personnel census on a quarterly basis and the latest available verified data is in respect of end of June 2005, when employment levels stood at 100,934 personnel in whole-time equivalent terms. The census collects data in respect of actual employment and does not include information on vacancies.

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 health service staffing. Accordingly, my Department has requested the national director of human resources to investigate the matter raised and to reply directly to the Deputy.

Health Services.

317. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of beds provided at Maynooth Community Hospital for the elderly; the number currently occupied; the reason all beds are not offered for occupation; when they are likely to become available; and if she will make a statement on the matter. [35685/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary

affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

318. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the way in which the number of medical cards issued to date in 2005 compares with the commitment given by the Government prior to the 2002 general election; the costing provided at the time and the eventual cost; and if she will make a statement on the matter. [35686/05]

Tánaiste and Minister for Health and Children (Ms Harney): In November 2005, 1,150,511 people hold medical cards. Figures provided by the then health boards indicated that there were 1,207,096 medical card holders in June 2002. A simple comparison of these figures does not take account of the fact that over 104,000 invalid entries have been removed since 2001, following concerns which arose at that time about inaccurate GMS lists. If allowance is made for the effect of this necessary exercise, there has been a significant net increase in the number of medical cards.

Funding of €60 million has been provided in 2005 to the Health Service Executive, HSE, to meet the costs of providing an additional 30,000 people with medical cards and 200,000 people with GP visit cards. These initiatives will assist in overcoming barriers to accessing GP services, particularly for people on low incomes. They will also help in removing poverty traps and disincentives to people taking up work or progressing to better paying work. People who hold GP visit cards are entitled to avail of the drugs payment scheme, which provides that no person or family unit pays in excess of €85 per calendar month towards the cost of approved prescribed drugs and medicines.

In January 2005, I increased the income guidelines used in the assessment of medical card applications by 7.5%. In June, it was apparent that the effect of rising income in our successful economy meant that the target of 30,000 additional medical cards was not going to be achieved. At this time I simplified the means test for both medical cards and GP visit cards. It is now based on an applicant's and spouse's income after tax and PRSI, and takes account of reasonable expenses incurred in respect of rent or mortgage payments, child care and travel to work. This is much fairer to applicants. I announced on 13 October 2005 that the income guidelines for both medical cards and GP visit cards would be increased by an additional 20%. This means the income guidelines are now 29% higher than this time last year. My Department and the HSE will continue to monitor the number of cards issued with the intention of putting in place the required measures to ensure that the coverage targets are achieved.

[Ms Harney.]

Based on data provided to my Department in November 2002 by the GMS payments board, the estimated cost of providing 200,000 medical cards was €150 million. With the additional funding which I have provided in 2005, and the introduction of GP visit cards, a greater number of people will be enabled to gain access to GP services. The question of further improvements will be kept under review in the light of the availability of resources and also the graduated benefits approach introduced with the GP visit card.

Hospital Staff.

319. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of agency nurses employed throughout the health services; and if she will make a statement on the matter. [35687/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

320. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of children awaiting orthodontic treatment; the number who have been forced to seek treatment elsewhere; and if she will make a statement on the matter. [35688/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

321. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of children who have received orthodontic treatment in the past four years; the number on waiting lists who have not yet received treatment; if she will indicate a time by which it is expected those patients now on the waiting lists will receive treatment, if at all; and if she will make a statement on the matter. [35689/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and per-

sonal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

322. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the extent to which she proposes to meet requirements in terms of permanent and respite places for those with physical or sensory disabilities; and if she will make a statement on the matter. [35690/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am pleased to inform the Deputy that in the 2006 Book of Estimates my colleague, the Minister for Finance, under the multi-annual investment programme 2006 to 2009 is providing additional funding amounting to €59m to meet the costs associated with the following services: services for persons with intellectual disability and those with autism; services for persons with physical or sensory disabilities; and mental health services.

In respect of services for persons with a physical or sensory disability, this additional funding is to meet the cost of providing 80 new residential places for persons with significant disabilities who are currently placed in inappropriate settings and 250,000 extra hours of home support and personal assistance.

Health Service Staff.

323. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she is satisfied with the adequacy of numbers of psychologists available through the various health boards; her plans to increase the numbers in line with current demands; and if she will make a statement on the matter. [35691/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

324. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the extent to which she proposes to improve and extend respite care facilities; and if she will make a statement on the matter. [35692/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care. Following the publication of this report, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. The group will comment on respite care for older people in this report. It is expected that the report of the group will be submitted to Government in the near future.

325. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of respite beds available in County Kildare at present; the number required; her plans to expand this service; and if she will make a statement on the matter. [35693/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

326. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children her plans for the delivery of services in primary care, medical and surgical facilities, special hospital needs and community services; and if she will make a statement on the matter. [35694/05]

Tánaiste and Minister for Health and Children (Ms Harney): The delivery of health services is an operational matter and is the responsibility of the Health Service Executive. Under section 31 of the Health Act 2004 the executive must prepare and submit to me its service plan for the coming year within 21 days of the publication by the Government of the Estimates for Supply Services for the financial year. The service plan must, among other things, indicate the type and volume of health and personal social services to be provided by the executive for the duration of the plan. This will include the areas of primary, hospital and community and continuing care. Within 21 days of its submission the service plan

must be either approved by me or subject to amendment requested by me. The approved service plan must be laid before both Houses of the Oireachtas within 21 days of my approval being given.

Health Service Staff.

327. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of speech and language therapists and child psychologists required throughout the country at present; her plans to meet this requirement in full having particular regard to the needs of children; and if she will make a statement on the matter. [35695/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

328. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the position in regard to waiting lists in respect of hip, heart and eye surgery; the way in which this compares with 2001, 2002, 2003 and 2004; and if she will make a statement on the matter. [35696/05]

Tánaiste and Minister for Health and Children (Ms Harney): Responsibility for the collection and reporting of waiting lists and waiting times now falls within the remit of the National Treatment Purchase Fund, NTPF. My Department has, therefore, asked the chief executive of the NTPF to reply to the Deputy directly with the information requested.

Health Services.

329. **Mr. Noonan** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that private patients seeking appointments with consultant neurologists have to endure a waiting time between two and a half and three years; if her attention has further been drawn to the fact that public patients can only access neurological treatment by being admitted to hospital; her plans to appoint sufficient consultant neurologists to ensure a proper service; the hospitals to which the new appointees will be attached; and if she will make a statement on the matter. [35700/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Health Act 2004 the Health Service Executive has responsibility to manage and deliver, or arrange to be delivered

[Ms Harney.]

on its behalf, health and personal social services. This includes responsibility for the provision of neurology services. The Comhairle report on neurology and neurophysiology recommended significant enhancement of these services including the appointment of additional consultants.

As part of the Estimates for health services in 2006, additional funding of €3 million is being allocated specifically for the further development of neurology and neurophysiology services. The additional funding will allow the Health Service Executive to further progress the implementation of the Comhairle recommendations in respect of this service. With regard to the specific issues raised by the Deputy, my Department has requested the parliamentary affairs division of the HSE to have these matters investigated and to reply to the Deputy directly.

330. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children when speech therapy will be arranged for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [35703/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Drugs Payment Scheme.

331. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the cost of medicines paid for by the State, distinguishing that spent under GMS, under the drug refund scheme, in hospitals and in other institutions; and the way in which these costs have changed in each year since 1997. [35757/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

332. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the level of finance allocated to the Mental Health Commission which was not spent in 2005; the areas where these measures were reallocated. [35771/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The final expenditure figures for the Mental Health Commission for 2005 have not yet been determined.

Services for People with Disabilities.

333. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children if the promise of mainstreaming community employment schemes offering services to the disabled will be fulfilled; and if the necessary core funding in the Health Service Executive budget for 2006 will be included. [35776/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Additional funding will be provided in 2006 for the improvement of services for people with disabilities. In allocating the funding, the Health Service Executive will have regard to core staffing issues, including those relating to the proposed mainstreaming of community employment posts.

Health Services.

334. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) in Dublin 5. [35777/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

335. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the position with particular reference to a full and final report in regard to the matters raised by way of Parliamentary Question No. 312 of 21 June 2005; and if she will make a statement on the matter. [35780/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. My Department has been informed by the executive that management representatives from Naas General Hospital met with members of the family of the patient referred to by the Deputy in September 2005 and that a further meeting has been arranged with the family for this week. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have a reply issued directly to the Deputy following this meeting.

Great Blasket Island.

336. **Mr. Gilmore** asked the Minister for Finance the arrangements which he has entered into for the purchase of the Great Blasket Island; if these arrangements relate to the provision or development of commercial building on the island, if so, the details of same; if the arrangements relate to the operation of services to and from the island, if so, in what way; and if he will make a statement on the matter. [35252/05]

Minister of State at the Department of Finance (Mr. Parlon): The Great Blasket Island management plan sets out the proposals for the future of the island and covers the full range of issues involved, including those referred to by the Deputy. I will arrange for a copy of this document to be sent to the Deputy. Arrangements for the purchase of property on the island are in progress in consultation with the Chief State Solicitor's office.

Tax Code.

337. **Dr. Cowley** asked the Minister for Finance if he will introduce tax relief for family carers for pre-determined categories of expenses associated

Staff	Payscale (as at 1 June 2005)	Minimum	Maximum
		€	€
Assistant Principal Officer	APO Scale (pa)	57,630.00	71,859.00
Higher Executive Officer	HEO Scale (pa)	40,543.00	51,463.00
Clerical Officer	CO Scale (pw)	386.75	627.21

339. **Mr. P. McGrath** asked the Minister for Finance the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35153/05]

Minister of State at the Department of Finance (Mr. Parlon): One personal assistant and one personal secretary are employed on constituency and PR work for the Minister of State. Two civilian

Staff	Pay Scale (as at 1 June 2005)	Minimum	Maximum
		€	€
Personal Assistant	HEO Standard Scale (pa)	40,543.00	51,463.00
Personal Secretary	Secretarial Assistants (pw)	386.87	746.41
Civilian Drivers	Civilian Driver (pw)	569.82	N/A
Staff Officer	Staff Officer (pa)	30,428.00	40,628.00

Tax Code.

340. **Mr. Morgan** asked the Minister for Finance if restrictions in VAT law would prevent any reduction in rates for certain products for

with their caring; and if he will make a statement on the matter. [35601/05]

Minister for Finance (Mr. Cowen): I refer the Deputy to the long-standing practice of Ministers for Finance not to comment on what may or may not be contained in upcoming budgets. I do not intend to depart from that approach.

Departmental Staff.

338. **Mr. P. McGrath** asked the Minister for Finance the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35138/05]

Minister of State at the Department of Finance (Mr. Parlon): Three civil servants are employed in the press office in the Office of Public Works. One assistant principal officer, one higher executive officer and one clerical officer. The actual pay of individuals is not given in the normal course as it is deemed to be personal information. Travel and subsistence is payable if appropriate. The grade and payscales of these staff are detailed in the table below:

drivers may, as appropriate, provide services which are constituency related. One staff officer, assigned to administrative duties in the Minister of State's office assists with constituency work. The grade and payscales of these staff are detailed in the table below. The actual pay of individuals is not given in the normal course as it is deemed to be personal information. The pay-scale for the civilian drivers is a one point scale. Travel and subsistence is payable if appropriate. A pension contribution of 11% of salary is payable to an approved pension provider as part of the remuneration of the personal assistant.

environmental reasons; and if so, the restrictions of same. [35182/05]

Minister for Finance (Mr. Cowen): The position is that the VAT rating of goods and services

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is subject to the requirements of EU law with which Irish VAT law must comply. The VAT rate that applies to a particular good or service is determined by a number of criteria.

Member states have the option of retaining the zero VAT rates which were in force on 1 January 1991, but no new zero VAT rates can be introduced. As a transitional arrangement, member states have the option of maintaining, at a reduced rate of not less than 12%, any items not listed in Annexe H of the Sixth VAT Directive, provided such items were at a reduced rate on 1 January 1991. These goods and services are considered to be “parked”. Otherwise, member states may only apply the reduced VAT rate to those goods and services which are listed under Annex H of the EU Sixth VAT Directive.

Under the Sixth VAT Directive member states may set the standard VAT rate not lower than 15%. There is political agreement that the standard rate of VAT applying in each member state does not exceed 25%. Ireland’s standard rate of VAT is 21%. Goods and services at the reduced rate may be moved to the standard rate, but only those listed in Annexe H may be reverted from the standard rate to the reduced rate. All goods or services are VAT rated according to these rules.

State Property.

341. **Mr. P. McGrath** asked the Minister for Finance the cost of relocating the Department of Agriculture and Food offices from Hynes building to Dockgate building in Galway city; the cost of relocating the farm development service offices from Murrough to Dockgate building in Galway city; the annual cost of leasing the Dockgate building offices and the cost of car parking facilities. [35283/05]

Minister of State at the Department of Finance (Mr. Parlon): In line with the requirements of the Department of Agriculture and Food, the Office of Public Works organised the relocation of the Department of Agriculture and Food from the Hynes Building and the farm development services from the Murrough to Dockgate. The annual rent and service charges payable in respect of the lease on the building is €814,091 and includes 65 car spaces. The cost of the fit out of the Dockgate premises to meet the requirements of the Department of Agriculture and Food was €2,342,488.99. A once-off charge of €1,457,244.15 in respect of VAT arose on the creation of the lease, which is payable by the landlord to the Revenue Commissioners.

The consolidation of Department of Agriculture and Food services in Galway into a single location in Dockgate provides a “one-stop shop” facility for the agricultural community. The prop-

erty vacated at the Murrough is State-owned and is being evaluated to determine whether it can be used for alternative public purposes. If no such alternative use is identified, it will be disposed of by the OPW in line with normal practice.

Departmental Staff.

342. **Mr. Gilmore** asked the Minister for Finance the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter.

[35300/05]

Minister for Finance (Mr. Cowen): The staffing of my private office and constituency office is set out below. To date in 2005, overtime, salary-related allowances and allowance payments amount to €50,804. The amount paid in expenses, foreign and domestic travel, official entertainment and miscellaneous for the same period amounts to €48,079. Additional to the staff listed are four clerical officers, two of whom workshare, who provide typing and administrative support services to my private office, the constituency office and to the Department of Finance press office. Their salaries range from €21,245 to €34,448. The personal assistant and personal secretary in my constituency office are employed on an unestablished contract basis for the duration of my tenure as Minister for Finance. All other staff in my private office and constituency office are permanent civil servants and details are set out as follows:

Minister’s Private Office.

Grade	Number	Salary Range
		€
Administrative Officer	1	29,061-51,563
Executive Officer	2	26,618-42,238
Staff Officer	2	30,428-40,628
Clerical Officer	3	21,245-34,448

Minister’s Constituency Office.

Grade	Number	Salary Range
		€
Executive Officer	1	26,618-42,238
Staff Officer	1	30,428-40,628
Personal Assistant	1	40,543-51,463
Personal Secretary	1	20,187-38,948

State Property.

343. **Mr. Quinn** asked the Minister for Finance

the cost to date in 2005 for maintenance, insurance, security, health and safety, renovations and other miscellaneous costs for a property (details supplied) in Dublin 4; the breakdown for each calendar year, including the first partial year and to date in 2005 has been for each category listed; the costs he expected to incur between now and the disposal of said property to the affordable housing partnership; if he will receive any remuneration to his Department from the affordable housing partnership upon transfer of the property or at any stage in the future from this property; the original cost of the property to the State; the cost of the transaction of purchasing the property; and if he will make a statement on the matter. [35494/05]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public

Works acting on behalf of the Reception and Integration Agency of the Department of Justice, Equality and Law Reform purchased Broc House in June 2000 for €9,205,601. The breakdown of costs for security and maintenance for Broc House incurred by the State up to 25 October 2005 is detailed below. The transfer of Broc House to the Affordable Housing Partnership is under way. The terms of the transfer agreement provide that in the event that the local authority realises a surplus, the same should be distributed by the local authority. This means that 65% of the surplus shall be paid to the Minister to be used as part of the affordable housing initiative and 35% of the surplus shall be paid to the transferer. The purchase of the property was handled by the Office of the Chief State Solicitor and no agent's charges were incurred.

Broc House — Yearly Running Cost.

Year	Security	Maintenance/ Renovations	Total
	€	€	€
2000	23,875.03		23,875.03
2001	120,713.93	55,856.79	176,570.72
2002	103,596.24		103,596.24
2003	116,923.15		116,923.15
2004	102,871.52		102,871.52
2005 (up to and including Oct.)	103,713.74		103,713.74
Total			627,550.40

Tax Code.

344. **Mr. Ring** asked the Minister for Finance his views on whether it is fair to persons who have paid their €40 annual stamp duty charge on their credit card that they are then charged €40 again on cancelling the card within the same 12-month period; if he will review this charge; and if he will make a statement on the matter. [35535/05]

Minister for Finance (Mr. Cowen): A person who holds a credit card account with a credit card provider pays stamp duty on that credit card account once for each 12-month period ending on 1 April each year. Where a person cancels a credit card account within a 12-month period he or she pays the charge at the time of cancellation. This means that, in respect of any credit card account, an individual will only pay once for the year ending on the following 1 April. Section 128 of the Finance Act 2005 contained measures to eliminate a double stamp duty charge for the same year on the switching of financial cards. This measure relating to credit cards came into

effect in April of this year. As the Deputy will appreciate, it is not the practice to comment in the lead up to the annual budget and Finance Bill on the intention or otherwise to make changes in taxation.

Departmental Staff.

345. **Mr. Bruton** asked the Minister for Finance the number of persons recruited by the Office of Public Works in specialist trades; the number of general operatives recruited in each of the past two years; and his plans for recruitment in the foreseeable future. [35538/05]

Minister of State at the Department of Finance (Mr. Parlon): The requested details of recruitment are in the following table. Approximately 350 to 360 seasonal guide and information officers will be required to meet the staffing requirements of the office's visitor centres in 2006. In due course the Commissioners of Public Works will also consider any further industrial grade recruitment that may be required for next year.

Non-Established State Industrial Employees.

	2004	2005 to date	Recruitment Currently in Progress
Crafts Persons	2	23	6
General Operatives & Allied Grades	48	71	4

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Guide and Information Officers.

	2004	2005 to date	Recruitment Currently in Progress
Permanent	26	11	4
Seasonal	345	355	0

Consultancy Contracts.

346. **Mr. Kenny** asked the Minister for Finance the role played by his Department in the conclusion of a contract between the Health Service Executive and iSoft; and if he will make a statement on the matter. [35555/05]

347. **Mr. Kenny** asked the Minister for Finance his views on whether it is appropriate that the signing of a contract of over €50 million by a State body be the subject of an oral sanction by his Department; and if he will make a statement on the matter. [35556/05]

348. **Mr. Kenny** asked the Minister for Finance the reason his Department confined the implementation of the iSoft contract to the areas previously covered by the former North Eastern Health Board and North Western Health Board even though the supplier was selected on the basis of a national deployment; and if he will make a statement on the matter. [35557/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 346 to 348, inclusive, together.

The Health Service Executive requested sanction from my Department in April 2005 for the acquisition of a patient management software package. In considering this request my Department examined the proposal and was satisfied that it was sound from an ICT architectural perspective. My Department raised some minor issues regarding the draft contract and also advised, given the passage of time since the proposal was first made, that legal advice on some procurement issues should be obtained prior to signing the contract. Following discussions with the HSE and the Department of Health and Children, my Department indicated that sanction would be granted subject to satisfactory resolution of these issues and to a number of conditions being satisfied.

It is my Department's understanding that in the context of price negotiations for a national system for the HSE, the original pricing proposal would hold provided the contract was signed by 30 April 2005. As soon as these conditions were met, my Department gave sanction for the acquisition of the system and this was conveyed to the HSE initially orally on 29 April. It was subsequently followed up by letter dated 16 May. The decision to limit the roll-out of the existing version of the system to the former North Eastern Health board and North Western Health Board areas was

taken by the HSE. I am satisfied that my Department acted appropriately on the request for sanction by the HSE to acquire the involved system.

Decentralisation Programme.

349. **Mr. Connolly** asked the Minister for Finance the cost to date in 2005 of decentralisation arrangements since the latest proposals were outlined; the projected costs for these proposals and anticipated timescale; the feasibility or otherwise of these proposals; and if he will make a statement on the matter. [35593/05]

Minister for Finance (Mr. Cowen): When the Government's decentralisation programme was first announced, it was stated that the overall objective would be to ensure that property acquired at a regional level is matched as closely as possible, both in time and in cost terms, by the disposal of property held in the Dublin region, whether held on lease or otherwise. In November 2004 the implementation group prepared a report, which was subsequently published, on the procurement methodology and financial assessment of the property aspects of the programme, including a financial model, based on a property finance study carried out by the Office of Public Works. While the prevailing property market conditions in each area will have a bearing on cost, this model indicates that the break even position on property will be reached in approximately 20 years.

In terms of actual outlay to date, the total amount committed in principle by the OPW on site acquisition costs, excluding VAT, is approximately €35.7 million. Expenditure to date this year is €9.9 million. On the non-property costs of the programme I would point out that the decentralisation programme is implemented on a voluntary basis. As on previous occasions, the payment of removal or relocation expenses will not arise. A study was commissioned by the decentralisation implementation group which provides a model for identifying non-property costs and savings that arise both during the relocation phase and in the context of a post-decentralised civil service. Decentralising organisations have been asked to use this model to make periodic reports identifying non-property costs incurred and savings made both since the programme was announced and in its implementation in the future.

The implementation group made recommendations on the sequencing and timing of moves in its November 2004 and June 2005 reports. These

envisage civil service organisations moving at various dates between 2006 and 2009, although some advance moves have already taken place. I am satisfied that good progress continues to be made on this ambitious programme and I look forward to seeing the fruits of this as the programme continues to be rolled out over the next few years.

Flood Relief.

350. **Mr. Ring** asked the Minister for Finance if an official from the Office of Public Works will call to a person (details supplied) in County Mayo regarding the need to clean and maintain drains in their area to alleviate flooding problems. [35606/05]

Minister of State at the Department of Finance (Mr. Parlon): The drains in the Ballycroy area do not form part of any catchment drainage scheme for which the Commissioners of Public Works have responsibility. It would therefore serve no useful purpose for an official of the Office of Public Works to call to the person concerned. If the person concerned considers that the extent of the flooding in the area would give rise to a cost beneficial flood relief scheme, he should provide full details of the problems to the commissioners to enable them to consider whether to include the area on a list of areas being considered for flood relief works.

Decentralisation Programme.

351. **Dr. Twomey** asked the Minister for Finance if the Office of Public Works has identified a site for decentralising the Department of the Environment, Heritage and Local Government staff to New Ross; when he expects the Department of Environment, Heritage and Local Government staff to move to New Ross; and if he will make a statement on the matter. [35645/05]

Minister of State at the Department of Finance (Mr. Parlon): Following the Government decision to decentralise 125 civil servants to New Ross, the OPW assessed a number of proposals to provide a property solution at this location.

A suitable town centre property solution proposal from the local authority has now been identified and negotiations to acquire this site will commence shortly.

The latest decentralisation implementation group report of June 2005 specifies an indicative timeframe of building completion to be early 2009.

Tax Code.

352. **Mr. Wall** asked the Minister for Finance if a club has only limited charitable status; if that club has to pay stamp duty on lands that it seeks to purchase for the benefit of its members and the general public as supporters or users of the facility; his plans to change this position (details

supplied); and if he will make a statement on the matter. [35648/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that an exemption from stamp duty is provided for in the stamp duty code in respect of a conveyance, transfer or lease of land made for charitable purposes to a body of persons established for charitable purposes only. This exemption is confined to bodies of persons which are recognised under law as having been established for charitable purposes only in which case the entirety of the activities carried on by the body in question must be charitable in nature.

I understand that the club referred to by the Deputy is involved in the promotion of amateur sports and a club involved in such activity would not be regarded as having been established for charitable purposes only.

Departmental Expenditure.

353. **Mr. Bruton** asked the Minister for Finance the permitted carry-over of capital spending in 2004 and expected in 2005; the size of the underspend in 2003, 2004 and to date in 2005 in total; and the proportion which could be carried forward under current rules. [35760/05]

Minister for Finance (Mr. Cowen): The carry-over of unspent capital from 2004 into 2005 by Departments and offices was €237 million and the current estimate for capital carry-over into 2006 from 2005, as set out in the recently published Abridged Estimates Volume, AEV, is €286 million.

The total capital underspend in 2003 and 2004 was €165 million and €365 million, equivalent to 3% and 6.6% of total capital allocation respectively. The latest forecast capital underspend from Departments for 2005 is approximately €382 million or 6.3% of the 2005 capital allocation.

Under the rolling multi-annual capital envelopes, Departments are allowed to carry over to the following year unspent capital up to a limit of 10% of their gross voted capital allocation for the current year. The amount of capital carryover by Vote is determined definitively in the annual Appropriation Act.

354. **Mr. Bruton** asked the Minister for Finance the details of the proposed expenditure review initiative to be completed in 2005, 2006 and in 2007; and the new procedures which will apply in relation to this process. [35761/05]

Minister for Finance (Mr. Cowen): Concerning reviews on hand in 2005, I am informed by Departments that 54 reviews have either been completed or are under way in 2005. I will be bringing proposals to Government shortly for approval of topics for review in 2006-08. This will include provision for handling any carry-over

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reviews from 2005. I will also be setting out in my proposals to Government my plans for improving the operation of the expenditure review initiative. A number of changes have already been introduced to the expenditure review initiative process under the current round. These include the establishment of an expenditure reviewers network, the provision of training in expenditure review, the strengthening of the terms of reference and the introduction of external quality assessment of reviews. Departments have also been requested to implement the recommendations of the expenditure review initiative first formal report of October 2004 to the Minister for Finance by the expenditure review central steering committee.

Decentralisation Programme.

355. **Ms O. Mitchell** asked the Minister for Finance if he will clarify and justify the requirement that existing long-term contract staff should be subject to the acceptance of decentralisation prior to any establishment of their positions in view of the fact that the Government has consistently maintained that decentralisation for current staff was voluntary. [35779/05]

Minister for Finance (Mr. Cowen): The Government's decentralisation programme announced in budget 2004 provides for the transfer of 10,300 civil service and public sector posts from Dublin to other locations. Almost all Departments are involved, either wholly or partly. A number of semi-State organisations are also involved in the programme.

The programme is voluntary, that is, staff may opt to decentralise with their post or to another post in a decentralised location, or they may opt to remain in Dublin.

Discussions are under way between the Department of Finance and the Civil Service unions on the procedures which will apply in respect of staff opting to remain in Dublin and some progress has been made.

To ensure the efficient implementation of the programme, my Department has requested other Departments and offices to make every effort to ensure that the filling of decentralising posts is done on the basis that the appointee agrees to decentralise with that post. Interdepartmental promotion competitions are being run on the basis that appointees will agree to relocate with their new post. Where a post is being filled by recruitment, it is particularly important that this relocation condition is applied. The Deputy should be aware that the Public Appointments Service is involved in the recruitment of staff on the basis that they will move with their posts to a new decentralised location.

Regarding long-term contract staff seeking appointment to established posts, this is a matter that is being discussed with relevant trade unions

with a view to reaching an agreement that will balance the interests of staff with the need to ensure that decentralisation posts are filled.

Harbours and Piers.

356. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources if there is a limit on the number of coffee trading licences issued for Howth harbour; the reason, in August 2005, when a coffee trading licence for Howth harbour was put out for tender, the licence was granted to a limited company (details supplied) in preference to a sole trader. [35117/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): No limit has been set on the number of coffee trading licences at Howth fishery harbour centre. Following a public tender process in conformity with public procurement guidelines a licence for coffee trading was awarded to the most economically advantageous tender received.

357. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the criteria for traders seeking to obtain a stall in the new market in Howth harbour; and his decision to refuse the request of a local well-established grocery shop who sought a stall for trading organic vegetables. [35118/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The Department has not set any criteria for traders seeking to obtain a stall in the new market in farmers and fisherman's market at Howth fishery harbour centre. This is solely a matter for the operator of the market who has been licensed to provide such a service. The determination of what stalls should constitute the market is solely a matter for that operator.

No application seeking to obtain a stall in the new market in Howth harbour was received or refused by me or any officials of the Department.

Departmental Staff.

358. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35139/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The number of civil servants and other staff employed in the press office, which covers the Minister, the Minister of State and the Department generally, and information on the grade and remuneration of these staff, is set out in the following table.

Title	Number	Grade/ Grade Equivalent	Remuneration
Press Adviser	1	Principal Officer	PO salary scale €75,036 (min) to €92,813 (2nd long service increment)
Administrative Officer	1	Administrative Officer	AO salary scale (full PRSI) €30,593 (min) to €54,173 p.a. (2nd long service increment)
Executive Officer	1	Executive Officer	EO salary scale (full PRSI) €28,021 (min) to €44,458 (2nd long service increment)
Clerical Officer	1	Clerical Officer	CO salary scale (full PRSI) €21,245 (min) to €34,448 (2nd long service increment)

359. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35154/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The number of civil servants and other staff employed on constituency work for the Minister of State at my Department, Deputy Gallagher, and the grade and remuneration of each of these staff, are as follows:

Title	Grade/ Grade Equivalent	Remuneration
Personal Assistant	Higher Executive Officer	HEO Salary scale — €40,543 (min) to €51,463 (2nd long service increment)
Personal Secretary	Secretarial Assistant	Secretarial Assistant Salary Scale: €20,187 (min) to €38,948 (2nd long service increment)
Clerical Officer	Clerical Officer	Clerical Officer — Salary Scale €20,181(min) to €32,728 (2nd long service increment)

There are no public relations staff employed by the Minister of State.

Industrial Disputes.

360. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the position regarding the postal dispute. [35281/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy is aware, An Post has been through one of the most intensive industrial relations processes imaginable. At this stage, the dispute at An Post has been before every industrial relations body the State has to offer.

Following the 14-day notice of industrial action served on the company by the CWU, which expired on Friday 4 November, the national implementation body, NIB, at my request, engaged with both sides to the dispute in An Post and is aware that there are significant differences of understanding between the parties regarding the cost and implications of amendments proposed by the union to changes in the collection and delivery sector recommendations made by the Labour Court in July this year.

The NIB considered that clarifications of the costs and implications of the proposed union amendments are essential to facilitating a resolution of the dispute. On this basis the NIB has secured the assistance of a firm of accountants to carry out an independent examination into how much it would cost the company to accede to the union's amendments.

In light of the developments in the NIB, the Communications Workers Union agreed to a request by the NIB to defer industrial action until the examination has taken place. The industrial action that took place on Monday 7 November last, the national overtime ban and the strike at the GPO, has been called off. I considered this to be a positive step in the current climate.

On 17 November the NIB requested the Labour Court to assist the parties in reaching an agreed solution over the period immediately ahead, ending on Tuesday 22 November 2005. The NIB agreed to brief the court on the detail of its discussions with the parties over recent weeks. I have taken a very even-handed approach throughout the dispute and have met with all parties including the chairperson, the board, the management and the unions, at key intervals so as to be informed of the critical issues on both sides.

The simple fact is that the company needs to introduce modern work practices if it is to thrive in a competitive environment. I want to see An Post, an Irish company, delivering a high quality postal service to the Irish people. To enable the company to provide this service, the archaic work practices, that the workers themselves have acknowledged are archaic, need to be changed.

I hope that both parties take the opportunity afforded to them through the NIB to resolve outstanding issues. Business and consumers are entitled to the high quality postal service that the company and its employees are well capable of delivering.

Departmental Staff.

361. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35301/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There are ten staff employed in my private office, details as follows: one administrative officer, three executive officers and five clerical officers, all of whom are permanent civil servants, and one special adviser who is a political appointee. The current annual salary cost of my private office is €354,375. In the year to date overtime costs amounted to €1,956 and expenses amounted to €12,096.

There are five people employed in my constituency office as follows: one executive officer and two clerical officers, all of whom are permanent civil servants, and one personal assistant and one personal secretary who are political appointees. The current annual salary cost of my constituency office is €162,171. No overtime or expenses have been paid this year to date in respect of my constituency office.

Harbours and Piers.

362. **Mr. Cregan** asked the Minister for Communications, Marine and Natural Resources his proposals to develop a pier at Parkmore, Kinvara, County Galway; if his attention has been drawn to the fact that the Parkmore pier is deteriorating at an alarming rate and that a breakwater is required on the south side with a slipway; and if he will make a statement on the matter. [35336/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Parkmore Pier, Kinvara is owned by Galway County Council and responsibility for its maintenance and development is a matter for the owner in the first instance. The county council forwarded proposals in December 2001 and again in 2003 to the Department for Exchequer funding under the national fishery harbour development programme for improvement works to the pier, estimated to cost €88,300. There was no funding available for these works.

The question of providing funding for works at Parkmore pier will depend on the amount of Exchequer available for works at fishery harbours generally and overall national priorities. The Department has not received a proposal from Galway County Council on the construction of a breakwater at Parkmore Pier.

Broadcasting Legislation.

363. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources

his proposals to provide more broadcasting time for Irish music or dance artists in the context of the Broadcasting Bill; if he has received submissions requesting an increase in air or broadcasting time for indigenously produced performances; and if he will make a statement on the matter. [35491/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The priority issues to be addressed by the legislative proposals that will form the basis of a new Broadcasting Bill are as follows: the establishment of a single content regulator for commercial, community and public service broadcasters; the establishment of RTE as a company under the Companies Acts 1963 to 2003; the provision of a statutory mechanism for future adjustments to the level of the television licence fee; and the development of the right of reply mechanism, allowing persons whose reputation and good name have been damaged by an assertion of incorrect facts in a television or radio programme to gain redress.

My intention in framing the legislative proposals will be to ensure that the broadcasting regulatory environment continues to encourage the development of high quality broadcasting that best serves the interests of the Irish viewer and listener.

Existing broadcasting legislation provides that RTE is an independent statutory corporation, and that decisions in relation to programming are a matter for RTE itself. Legislation also provides that the Broadcasting Commission of Ireland, an independent statutory body, has responsibility for licensing radio services additional to those provided by RTE. It is a matter for the commission to determine the range and nature of the services to be licensed at any given time.

As a consequence under existing legislation I have no function in relation to programming matters for public service, commercial and community broadcasters. I have no plans to alter this position in the context of the Broadcasting Bill.

Irish Ferries.

364. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources if he has assessed the decision made by Irish Ferries to make its Irish workforce redundant to employ cheaper foreign labour under the flag of convenience arrangement; if specific policy initiatives by Government are under consideration to address this problem; if EU collective action has been considered to ensure the long-term viability of a shipping fleet operated by the nationals of EU member states; and if he will make a statement on the matter. [35492/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I presume the Deputy is referring to the proposal by Irish Ferries Limited, to make certain of its seafarers employed on its ships, the *MV Ulysses*, the *MV Isle of Inishmore* and the *HSC Jonathan Swift*, redundant.

Legal advice provided to the Department of Enterprise, Trade and Employment, indicates that Irish employment rights legislation applies to workers, national and non-national, on board Irish registered ships. In relation to ships that are not Irish registered, the legal advice indicates that as a general rule the flag state has exclusive right to exercise legislative and enforcement jurisdiction over ships on the high seas.

I am informed by the Department of Enterprise Trade and Employment that, as it has not received any communication from Irish Ferries regarding the proposed redundancies which were announced to the media on 19 September 2005, it is not in a position to give a definitive opinion on whether redundancies at this company, should they occur, fall within the provisions of the Redundancy Payments Acts 1967 to 2003.

Based on media reportage of the proposed redundancies, that Department sought and obtained preliminary advice from the Office of the Attorney General to the effect that redundancies as proposed by the company may not fall within the definition of redundancy in the legislation. However, clarity can only be established if and when the company makes a formal application to the Department of Enterprise, Trade and Employment for a statutory redundancy rebate.

The Deputy should note that the movement of merchant ships between different ship registers is not unusual, nor is the operation by a shipping company of different ships registered to different states.

It is a normal commercial practice for merchant ships to move between ship registers in the EU's shipping sector. The focus of the European Commission in the area of ship registration is, *inter alia*, on the elimination of technical barriers to the movement of merchant ships between EU ship registers, and, on the responsible operation of ship registers in relation to safety and environmental matters.

To encourage and to facilitate the growth of community shipping, the Commission has in place unique State aid guidelines for maritime transport. These guidelines allow member states to provide relief in the corporation tax, that is, tonnage tax, income tax and social insurance areas for their ship operators.

The European Commission is also progressing an initiative at present aimed at boosting employment prospects in the community's maritime sector and at attracting young people to the seafaring profession.

The proposal by Irish Ferries Limited to remove ferries off the Irish ship register, and to seek to reflag them to another EU member state's ship register is regrettable. However, provided it is done in accordance with the applicable legal provisions, it cannot be legally prevented, any more than the legitimate movement of businesses or workers between member states, in accordance with applicable law, can be legally prevented.

Departmental Bodies.

365. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the proposed role for Mr. Barry McSweeney with regard to the proposed new energy research council; the proposed structure and function of the new council; the statutory authority, budget, staffing and board structures of the council; and if it is envisaged that Mr. McSweeney's position within the new council will be an administrative or policy-making one. [35748/05]

366. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the reason the work to be carried out by the proposed energy research council has not been incorporated within the remit of either Sustainable Energy Ireland or Science Foundation Ireland both of which have the necessary research expertise and administrative systems and statutory regulations to allow them oversee the work to be undertaken by such a council. [35749/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to answer Questions Nos. 365 and 366 together.

The proposed role and function of the proposed energy research council relates to improving the institutional arrangements for co-ordinating energy research and in particular to see that there is an appropriate balance between short-term and long-term research and between research that responds to known needs and research that may lead to niche opportunities for Ireland. It should also guide Ireland's links to, and participation in, EU research programmes on energy. It should monitor the capacity of the third level education sector to provide the types of skills that will be needed in the new energy paradigm. I have been considering all available options for supporting the work of the council, including those mentioned in the question, for several weeks and I have concluded that it can best be done within my Department.

Barry McSweeney is being appointed as research co-ordinator at my Department to progress the sectoral research and development priority areas of energy, marine, ICT, digital and geoscience. The research co-ordinator will work closely with the Department and its agencies in contributing to the development of appropriate multi-annual strategies across these research and development areas. As part of the Departmental team he will interact as appropriate with the work of the proposed energy research council.

Departmental Appointments.

367. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the policy within his Department regarding the need for open advertising and interviewing for new employment positions under the remit of his Department; if new positions which will be filled in the proposed energy research council will be

[Mr. Eamon Ryan.]

subject to such a competitive process; and the reason the appointment of Mr. Barry McSweeney to work on the establishment of the council was not subject to such an open process. [35750/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department's recruitment procedures are subject to the guidelines and parameters for public service recruitment overseen by the Department of Finance.

The Energy Research Council will be serviced administratively from within my Department. The appointment of Barry McSweeney as research co-ordinator at the Department is not connected with the proposed establishment of the Energy Research Council. It is envisaged that the research co-ordinator as part of his wider remit and as part of the Departmental team will interact as appropriate with the work of the new Council.

International Agreements.

368. **Mr. Carey** asked the Minister for Foreign Affairs the Government's position with regard to the international convention on the rights of all migrant workers and members of their families; if the Government intends to sign and ratify the international convention; and if he will make a statement on the matter. [35349/05]

Minister for Finance (Mr. Cowen): The convention was adopted by the UN General Assembly in December 1990, and it entered into force on 1 July 2003, following ratification by the requisite number of states, 20. The convention has been open for signature and ratification since December 1990. However, to date only 34 states have ratified it. No European Union member state has as yet signed or ratified the convention, nor has any indicated an intention to do so.

The Convention on the Rights of Migrant Workers has been examined by my Department. It would appear that, in order for Ireland to ratify the convention, significant changes would have to be made across a wide range of existing legislation, including legislation addressing employment, social welfare provision, education, tax-

ation and electoral law. These changes would also have implications for our EU commitments. The operation of the common travel area between Ireland and the UK might also possibly be affected. The Government has, therefore, no plans to sign the convention.

It should also be noted that the rights of migrant workers and their families are already protected under existing national legislation and under the Irish Constitution, as well as under EU law. In addition, the rights of migrant workers and their families are also addressed by Ireland's commitments under international human rights instruments to which the State is already a party. These international instruments include, for example, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights.

Departmental Staff.

369. **Mr. P. McGrath** asked the Minister for Foreign Affairs the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35140/05]

370. **Mr. P. McGrath** asked the Minister for Foreign Affairs the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35155/05]

Minister for Finance (Mr. Cowen): I propose to answer Questions Nos. 369 and 370 together.

Neither Minister of State has a press office. One press office serves the whole of the Department of Foreign Affairs. However, there is also a publicity and information officer attached to the Department's development co-operation directorate who manages the development co-operation Ireland public information policy and strategy. This includes responsibility for publications and for media communications.

The following tables set out the number of staff employed in the constituency offices of each Minister of State at the Department of Foreign Affairs, their positions and remuneration:

Minister of State, Deputy Conor Lenihan.

Grade/Position	Number	Remuneration
Personal Secretary (non-established)	1	€40,543
Personal Assistant (non-established)	1	Higher Executive Officer scale €40,543-€51,463
Clerical Officer	2	Clerical Officer scale €21,245-€34,448
Clerical Officer	1	Clerical Officer scale €20,181-€32,728
Total	5	

Minister of State, Deputy Treacy.

Grade/Position	Number	Remuneration
Personal Secretary (non-established)	1	Secretarial Assistant scale €20,187-€38,948 (Plus a 10% attraction allowance)
Executive Officer	1	Executive Officer scale €26,618-€42,238
Clerical Officer	1	Clerical Officer scale €21,245-€34,448
Clerical Officer	2	Clerical Officer scale €20,181-€32,728
Total	5	

Cross-Border Projects.

371. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he intends to pursue the establishment of an Irish passport office in Belfast; if so, when he will raise the matter with the relevant British authority; and if he will make a statement on the matter. [35214/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Government has significantly enhanced the passport service available to citizens in Northern Ireland in recent years. This was achieved through the establishment in March 2003, initially on a pilot basis, of a passport express service operating from five post offices. The service has proved to be very successful and was extended to 40 post offices in April 2003. From January 2006, I expect that it will be available from over 60 post offices throughout Northern Ireland.

Given my particular ministerial responsibility in respect of Northern Ireland, I am naturally very pleased about this development. The effectiveness of the system will be reviewed period-

ically in the future, in consultation with interested parties. Such reviews could also consider the proposal which has been made in the past by the SDLP and Sinn Féin that a passport office might be opened in Northern Ireland.

I wish to confirm that recent newspaper reports of an imminent decision in this regard are erroneous and groundless.

Ministerial Staff.

372. **Mr. Gilmore** asked the Minister for Foreign Affairs the number of staff, by grade, employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35302/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The accompanying tables set out the number of personnel in my private and constituency offices, their grades and remuneration.

Private Office.

Grade/Position	Number	Remuneration
Special Adviser (non-established)	1	Principal Officer scale €75,036-€92,813
Personal Secretary (non-established)	1	Executive Officer (higher) scale €26,618-€43,897
Private Secretary	1	First Secretary scale €57,630-€71,859
Higher Executive Officer	1	Higher Executive Officer scale €40,543-€51,463
Executive Officer	1	Executive Officer scale €26,618-€42,238
Clerical Officer	5	Clerical Officer scale €21,245-€34,448
Total	10	

Constituency Office.

Grade/Position	Number	Remuneration
Personal Assistant (non-established)	1	Higher Executive Officer scale €40,543-€51,463
Executive Officer	1	Executive Officer scale €28,021-€44,458
Clerical Officer	2	Clerical Officer scale €21,245-€34,448
Clerical Officer	1	Clerical Officer scale €20,181-€32,728
Total	5	

[Mr. D. Ahern.]

The employment contracts of the non-established officers referred to in the tables are coterminous with my appointment as Minister for Foreign Affairs. Overtime, travel and subsistence expenses are paid in accordance with normal Civil Service regulations.

International Agreements.

373. **Mr. Allen** asked the Minister for Foreign Affairs the official relationship of Ireland with the Palestinian Authority; if Ireland recognises the Palestinian Authority as an emanation of a sovereign State; and if its representatives here qualify for diplomatic immunity. [35542/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Government and all of its EU partners maintain friendly relations with the Palestinian Authority. We have regular contact with the authority at political and official level. It is the view of the Government that a Palestinian state has not been established under international law.

The Palestinian Authority established a delegation general in Ireland in 1993 and the Government established a representative office in Ramallah in 2000. The delegate general enjoys functional immunity but not diplomatic immunity under the Diplomatic Relations and Immunities Acts of 1967 and 1976.

Military Neutrality.

374. **Mr. J. Higgins** asked the Minister for Foreign Affairs if searches have been carried out on US or CIA planes landing at Shannon Airport to independently ascertain whether they are transporting prisoners en route to detention camps. [35543/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The situation remains as set out in my replies to several previous questions, most recently Nos. 2 and 43 of 10 November 2005.

The Government has, on several occasions, made clear to the US authorities that it would be illegal to transit prisoners for rendition purposes through Irish territory without the express permission of the Irish authorities, acting in accordance with Irish and international law. I will raise this issue again when I meet the US Secretary of State, Ms Condoleezza Rice, in Washington next week. The US authorities, for their part, have confirmed that they have not done so and that they would not do so without seeking the permission of the Irish authorities. No request for such authorisation has been received from the US authorities.

The Government will continue to follow the long-standing practice whereby details supplied to the Department of Foreign Affairs in this area by the US authorities are accepted in good faith as being accurate. However, if anyone has credible evidence that Shannon Airport, or indeed any other Irish airport, has been used for the purposes described by the Deputy, this should, as has been made clear by my colleague, the Minister

for Justice, Equality and Law Reform, be shared with the Garda authorities. Any such development would, I need hardly emphasise, be viewed with the most serious concern by the Government.

Ministerial Responsibilities.

375. **Mr. Quinn** asked the Minister for Foreign Affairs the name of the chairperson of the Interdepartmental Co-ordinating Committee on European Union Affairs; and for which Department this person works. [35621/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The chairperson of the Interdepartmental Co-ordinating Committee on European Union Affairs, ICCEUA, is my colleague Deputy Noel Treacy, Minister of State at the Department of Foreign Affairs and the Department of the Taoiseach, with special responsibility for European affairs.

Human Rights Issues.

376. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding the use of chemical weapons by the US in Iraq; and if he will make a statement on the matter. [35773/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Government strongly opposes the use of chemical weapons and the use of any conventional weapons in a manner which is contrary to international law. In addition, the Government has clearly and forcefully expressed the view that every possible effort must be made to keep to a minimum the use of force in built-up areas and to avoid civilian casualties. Following recent reports that white phosphorus munitions had been used by US forces in Iraq, my Department immediately contacted the US Embassy in Dublin to request clarification of the position.

The Embassy has confirmed that US forces have used white phosphorus munitions in Iraq, as smoke screens and as incendiary weapons against defended positions. The US characterises white phosphorus as a conventional munition and not a chemical weapon in the meaning of the Chemical Weapons Convention, which came into force in 1997 and to which both the US and Ireland are parties. A spokesman for the Organisation for the Prohibition of Chemical Weapons, which monitors implementation of the convention, has been reported as confirming this position. I have asked my Department to seek to confirm the position.

The use of incendiary weapons could be contrary to the CCW Convention, which deals with certain conventional weapons, if the incendiaries were directed against civilians or against combatants located within a concentration of civilians. The US has stated that it has not used incendiaries in this fashion. However, I note that the Government of Iraq has announced that it is sending a team to Falluja to investigate the circumstances in which incendiaries were used in the fighting in the town in November 2004. I look forward to the outcome of its investigation.

Ministerial Staff.

377. **Mr. P. McGrath** asked the Minister for Arts, Sport and Tourism the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35141/05]

378. **Mr. P. McGrath** asked the Minister for Arts, Sport and Tourism the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35156/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 377 and 378 together.

There is no Minister of State at my Department.

Arts Funding.

379. **Mr. Crawford** asked the Minister for Arts, Sport and Tourism if he will provide the necessary funding for a new theatre in Monaghan town; if funding will be made available in 2006; and if he will make a statement on the matter. [35209/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department's arts and culture capital enhancement support scheme, ACCESS, provides capital funding for the development of arts and cultural facilities around the country. Unfortunately all the funds under this scheme are fully allocated at present.

I hope to be in a position to clarify the position regarding a possible successor to the ACCESS scheme shortly. Applications for any successor scheme would be invited by public advertisement.

Ministerial Staff.

380. **Mr. Gilmore** asked the Minister for Arts, Sport and Tourism the number of staff, by grade, employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35303/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): There are currently seven staff employed in my private office, including one special advisor at principal officer level, one private secretary at higher executive officer level, one personal assistant at higher executive officer level, two executive officers and two clerical officers.

There are currently six staff employed in my constituency office, including two executive officers, one personal secretary at Oireachtas secretarial assistant level and three clerical officers.

All of the above are permanent civil servants except my personal assistant and personal sec-

retary. My special adviser is a permanent civil servant on secondment to this position.

All these staff are paid at the appropriate Civil Service rates. In addition, my special advisor and personal secretary are each paid a 10% attraction allowance in respect of their current positions. My private secretary is paid an allowance at the rate of €18,015 per annum for these duties.

Expenses and overtime paid for the year ended 31 December 2004 are as follows:

	Overtime	Expenses
	€	€
Constituency Office	1,269.08	Nil
Private Office	2,112.50	25,159.74

The staffing of both my private and constituency offices is in line with Department of Finance guidelines on this matter.

Sport and Recreational Development.

381. **Ms Burton** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that children from a school (details supplied) in County Dublin are unable to use facilities at the National Aquatic Centre due to structural inadequacies in the design of the building which make it difficult for people with severe disabilities to access its facilities; and if he will make a statement on the matter. [35346/05]

382. **Ms Burton** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that the National Aquatic Centre at Abbotstown is unable to facilitate students with a severe disability from a school (details supplied) in County Dublin; if a disability access audit has been undertaken by Campus and Stadium Ireland Limited; if this report will be published; if his attention has further been drawn to the fact that there is a dispute between Campus and Stadium Ireland Limited and Dublin Waterworld Limited regarding the responsibility for facilitating people with a severe disability; and if he will make a statement on the matter. [35597/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions 381 and 382 together.

The National Aquatic Centre was designed and built in accordance with the prescribed building regulations and to the highest standards. In this regard, Campus and Stadium Ireland Development Limited, CSID, consulted with the National Disability Authority and the Special Olympics during the design and build stages of the project in order to ensure that the new facility would meet the requirements of disabled persons using the facility.

CSID is anxious that the National Aquatic Centre is accessible to everyone and is making every effort to ensure that this target is achieved. Over the past year, in response to the comments of one group of users, CSID sought to have an

[Mr. O'Donoghue.]

improved accessibility at the centre, particularly with regard to people with a severe disability. To this end, an access audit of the centre was undertaken by appropriate experts. This audit has now been completed and found that accessibility to the centre is good. The report of the audit group has been forwarded by CSID to the contract administrators of the centre, as well as to the architects who designed the centre and the Equality Authority. The intention is that a list of improvements would be agreed with the operators and these improvements would be put in place as quickly as possible.

The Deputy is aware that the day-to-day operation of the National Aquatic Centre is the responsibility of Dublin Waterworld Limited, the holders of the lease on the centre and that this contractual arrangement is currently the subject of a court case.

Arts Funding.

383. **Caoimhghín Ó Caoláin** asked the Minister for Arts, Sport and Tourism if he will report on the current status of the proposal to develop a new centre-town theatre in Monaghan; his Department's commitments to this much-needed public facility; and if he will make a statement on the matter. [35622/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department's arts and culture capital enhancement support scheme, ACCESS, provides capital funding for the development of arts and cultural facilities around the country. At present, all of the funds under this scheme are allocated in full.

I hope to be in a position to clarify the position regarding a possible successor to the ACCESS scheme shortly. Applications for any successor scheme would be invited by public advertisement.

Health and Safety Regulations.

384. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment if a person can use his or her own home as a place of employment if his or her employer is paying all the legal payments, that is contributions, PRSI and so on for the person; if this is not permitted, the impediment which prevents same occurring, that is

guidelines, legislation and so on; and if he will make a statement on the matter. [35647/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): There are no restrictions under the safety, health and welfare legislation on a person who uses his or her own home to work from as a place of employment. However, it is important to point out that the employer concerned has a duty under the Safety, Health and Welfare at Work Act 2005 to ensure that the employee has a safe place of work. This duty on the employer applies irrespective of where the employee works from, that is, whether it is from the employee's own home or elsewhere.

Guidelines, information leaflets and advice on the duties of an employer are available from the Health and Safety Authority, 10 Hogan Place, Dublin 2, the telephone helpline for which is (01) 6147000 and website address is www.hsa.ie.

Ministerial Staff.

385. **Mr. P. McGrath** asked the Minister for Enterprise, Trade and Employment the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35142/05]

386. **Mr. P. McGrath** asked the Minister for Enterprise, Trade and Employment the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35157/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 385 and 386 together.

There are five civil servants and one press adviser in the Department's press and media relations office. The grade and remuneration details are outlined in the accompanying table. It should be noted that the principal officer undertakes other duties in addition to his role in the press and media relations office.

The press and media relations office informs the public about the policies, functions and activities of the Department, which includes the offices of the two Ministers of State.

Grade Breakdown	Salary Scale
1 press adviser (non-civil servant)	€78,985-€97,698 Class A PRSI €75,036-€92,813 Class B PRSI
1 principal officer (part-time)	€78,985-€97,698 Class A PRSI €75,036-€92,813 Class B PRSI
1 higher executive officer	€42,676-€54,173 Class A PRSI €40,563-€51,463 Class B PRSI
1 executive officer	€28,021-€44,458 Class A PRSI €26,618-€42,238 Class B PRSI
2 clerical officers	€21,245-€34,448 Class A PRSI €20,181-€32,728 Class B PRSI

It is estimated that the total gross annual remuneration for staff in the press and media relations office for 2005 will be €317,100. There is one civil servant and two other staff employed in the constituency offices of both Ministers of State, Deputies Michael Ahern and Killeen. The three officers in each office undertake constitu-

ency and public relations work on behalf of the relevant office, and in conjunction with the press and media relations office, where appropriate.

Details regarding the grade and remuneration of the six officers concerned is outlined in the following table:

Grade Breakdown	Salary Scale
1 clerical officer in each office	€21,245-€34,448 Class A PRSI €20,181-€32,728 Class B PRSI
1 personal secretary in each office	€20,187-€38,948
1 personal assistant in each office	€21,245-€34,448 Class A PRSI €20,181-€32,728 Class B PRSI

It is estimated that the total annual remuneration for staff employed in the constituency offices for 2005 will be €187,479.

Redundancy Schemes.

387. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the amount which was paid by his Department under the redundancy and insolvency scheme in 2004. [35186/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The amount paid by the Department under the redundancy payments scheme in 2004 was €152,225,616. The amount paid under the insolvency payments scheme in the same period was €5.509 million. The combined total paid by the Department under the redundancy and insolvency payments schemes in 2004 is €157,734,616.

Industrial Disputes.

388. **Mr. Stagg** asked the Minister for Enterprise, Trade and Employment if he has received correspondence from a person (details supplied) regarding breaches of legally binding agreements and labour legislation in the matter of employees of a company at a building site at Clane, County Kildare; the action he has taken or proposes to take in this matter; and if he will make a statement on the matter. [35201/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I have received correspondence from the person concerned regarding alleged breaches of labour legislation by the company concerned.

The wages and employment conditions of workers employed in the construction industry are governed by the Registered Employment Agreement (Construction Industry Wages and Conditions of Employment) Variation Order, which is enforced by the labour inspectorate of my Department. In this regard, I have asked the inspectorate to investigate these allegations in due course.

Ministerial Staff.

389. **Mr. Gilmore** asked the Minister for Enterprise, Trade and Employment the number of staff, by grade, employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35304/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The information in respect of staffing of my office is set out in the following tables.

Staffing of Private Office

Grade	
Higher Executive Officer (Private Secretary)	1
Executive Officers	2
Clerical Officers	5.8
Total	8.8

These staff are civil servants.

Constituency Office.

Grade	
Clerical Officers (Civil Servants)	2
Personal Assistants (non-civil servants)	1.5
Personal Secretary (non-civil servant)	1
Total	4.5

I have also appointed one special adviser, one policy adviser and one press adviser. The individuals concerned transferred with me from the Department of Health and Children on my appointment as Minister for Enterprise, Trade and Employment on 29 September 2004. My special adviser is a civil servant, while my policy adviser and press adviser are non-civil servants.

[Mr. Martin.]

It is estimated that the total cost of running the private and constituency offices for 2005 will amount to €624,816 and €130,893, respectively.

Industrial Development.

390. **Mr. English** asked the Minister for Enterprise, Trade and Employment the number of site visits to Drogheda, Cavan, Dundalk and Mullingar that the industrial promotion agencies have made in each of the years 2002, 2003, 2004 and to date in 2005; the number of such visits planned for the remainder of 2005; and if he will make a statement on the matter. [35509/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Support for job creation and investment is a matter for the industrial development agencies. Under the Industrial Development Acts, I may give general policy directives to IDA Ireland and Enterprise Ireland but I am precluded from giving directives regarding individual undertakings or from giving preference to one area over others. Ultimately, decisions regarding where to locate, including what areas or sites to visit as potential locations, are taken by investors.

IDA Ireland is the agency with statutory responsibility for attracting foreign direct investment to the country and I understand from the agency that from 2002 to date, a total of 182 site visits have been made to the towns listed by the Deputy. A detailed breakdown in respect of each town is given in the attached tabular statement. IDA Ireland does not normally speculate on the number of visits that may occur up to a year-end as these depend on the global climate at the time.

Enterprise Ireland, the agency with prime responsibility for fostering indigenous industry, has informed me that its itineraries for site visits relate to mobile investments, normally from overseas. Enterprise Ireland client companies tend not to be very mobile. Therefore, the number of site visits arranged by Enterprise Ireland only relates to a small number of companies. In the period in question a series of visits to the specified towns or surrounding areas was organised for 15 companies.

Number of IDA Ireland site visits.

	2002	2003	2004	2005 to date
Mullingar	11	12	11	2
Dundalk	17	15	15	34
Drogheda	10	14	8	27
Cavan	1	2	1	2

Competition Policy.

391. **Dr. Cowley** asked the Minister for Enterprise, Trade and Employment if forthcoming changes to the Competition Act 2002 will

prohibit predatory pricing as an anti-competitive activity when carried out by a firm that is not dominant; and if he will make a statement on the matter. [35567/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I have previously advised the House that I consider predatory pricing to be an abusive and anti-competitive practice that acts against the interests of consumers. However, it is a tactic employed by a firm that is dominant in its market and involves the sale of product below cost for a prolonged period of time in order to damage or eliminate a competitor.

Predatory pricing is, therefore, a practice that is considered, both in national and international competition law, to constitute the abuse of a dominant position and is prohibited by both section 5 of the Competition Act 2002 and Article 82 of the EU Treaty.

However, predatory pricing should not be confused with other forms of low cost selling, such as for promotional reasons, to dispose of old stock, or to match a competitor's prices.

The penalties under the Competition Act for any undertaking found to have engaged in predatory pricing, up to €4 million or 10% of the company's turnover, are much greater than those which apply under the groceries order. Further, the Competition Authority has extensive powers and a dedicated division of expert staff to investigate allegations of companies abusing a dominant position.

It is also important to stress that dominance under section 5 of the Competition Act can be measured either in the State or in any part of the State. I believe, therefore, that the Act is sufficiently flexible to allow the Authority and the courts to tackle predatory pricing in all circumstances including, for example, small local market, without the need for additions or amendments to the Competition Act.

Chapter 7 of the Report on the Groceries Order prepared by my Department addresses the issue of predatory pricing in some detail and I urge all parties to read it. It can be found at www.entemp.ie/publications/commerce/2005/groceriesorder/chapter7.pdf.

Semi-State Bodies.

392. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment when the current employment contract for the director general of Science Foundation Ireland is due to expire; if the director general has agreed to a renewal of that contract; and his plans to vacate his position at the end of that contract. [35752/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): As provided for in the Science Foundation Ireland Act 2003, the director general is appointed for a five year term. The director general's contract will expire in

September 2006. SFI announced in September 2005 that the director general will leave the Foundation before September 2006 to take up a new appointment at California Polytechnic State University. I understand that the position will be advertised in the near future.

393. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment when he expects to appoint a new Government chief scientific adviser; and if he intends such a appointment process to be carried out via a process of open advertising and interviewing of candidates. [35753/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The chief science adviser is appointed by Government. As I have stated publicly, the post will be filled by open competition. It is expected that the process will commence in the new year.

Social Welfare Benefits.

394. **Mr. P. Breen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Clare did not qualify for the rent supplement; and if he will make a statement on the matter. [35280/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are payable under the supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive. Neither I nor my Department have any function in determining entitlement in individual cases.

The mid western area of the executive has advised that the person concerned was refused rent supplement as the household income was in excess of the means limits applicable in his family circumstances. He was informed of this decision and advised of his right of appeal to the executive's designated officer, but no appeal has been received to date.

Carers' Entitlements.

395. **Dr. Cowley** asked the Minister for Social and Family Affairs his views on the implementation of legislation to provide carers with constitutional rights to information on their entitlements; and if he will make a statement on the matter. [35598/05]

396. **Dr. Cowley** asked the Minister for Social and Family Affairs his views on whether the rate of the carer's allowance should be increased to equal that of the nursing home subvention grant which is equal to €190 per week; and if he will make a statement on the matter. [35602/05]

397. **Dr. Cowley** asked the Minister for Social and Family Affairs if a national strategy will be developed to clearly outline Government's poli-

cies and future developments for carers; and if he will make a statement on the matter. [35607/05]

398. **Dr. Cowley** asked the Minister for Social and Family Affairs his views on whether there is a need for a national forum; if a national advisory group designated to carers should be established to the various Departments and the Health Services Executive; and if he will make a statement on the matter. [35608/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 395 to 398, inclusive, together.

Supporting carers in our society has been a priority of the Government since 1997. Over that period weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced.

I had the pleasure last May of launching the Carers' Association national strategy document Towards a Family Carer's Strategy. The strategy is a focused document with clear objectives and actions. These objectives and actions cover a range of areas and Departments, including income support and health related issues. The long-term care working group, chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs is due to report to the Tánaiste and to me shortly.

The objective of this group is to identify the policy options for a financially sustainable system of long-term care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme by Eamon O'Shea. The issues raised in the Carers' Association strategy will also be included in the group's deliberations.

With regard to the provision of information, my Department has a comprehensive information policy which is designed to ensure that all citizens are made aware of their entitlements in a timely fashion. It also ensures that customers are kept informed of changes and improvements in schemes and services as they occur.

My Department undertakes specific information campaigns on the introduction of new schemes, changes in entitlements and improvements in services from time to time. In 2005, a number of information campaigns have been undertaken. One of these was a publicity campaign on the extended respite care grant scheme which was conducted in the national and provincial press during April 2005. Information posters were sent to all local social welfare offices and the citizen information centres. Voluntary groups representing carers and public health nurses were advised of the new changes and the grant was featured on several local radio stations.

[Mr. Brennan.]

In addition, my Department plans to run an information campaign later this year to promote the role of the social welfare local offices as a key information contact point in disseminating information on social welfare entitlements across all age groups.

My Department takes a pro-active approach in advertising new schemes and services, together with changes and improvements to existing schemes and services by using an appropriate mix of national and provincial media, and through information leaflets, fact sheets, posters and direct mailshots. In the interests of ensuring that the information campaigns run by my Department, and the agencies attached to it, are structured and targeted in a way that reach the maximum number of customers, I have established a communications liaison group in the Department. I have requested this group to monitor ongoing campaigns and to come forward with proposals and suggestions on how the dissemination of information to customers can be further enhanced. All schemes and services are publicised on the website at *www.welfare.ie*. Selective use is made of freephone telephone services to provide information on new schemes and services and at particular times of the year, such as at budget time and when the extended respite care grant was introduced.

My Department produces a comprehensive range of information booklets explaining entitlements to specific social welfare payments. These are widely available from the network of 130 social welfare local offices and branch offices throughout the country as well as from citizen's information centres and many local organisations.

Information is also available from information officers located in social welfare local offices. In addition, information officers give talks to many groups and organisations and participate in exhibitions and seminars about social welfare matters.

My Department works closely with voluntary and community organisations involved in an information giving role. A number of such organisations receive funding on an annual basis towards the cost of providing welfare rights and information services for their target groups.

Finally, Comhairle, the national information agency comes under the aegis of my Department. It has responsibility for supporting the provision of independent information, advice and other supports to the public. Comhairle supports a network of some 85 citizen's information centres whose role is to provide information to members of the public on all social services.

With regard to the rate of carer's allowance, from January the maximum rate of carer's allowance for a carer under 66 years increased from €139.60 to €153.60 per week while the maximum rate for a carer over age 66 years increased from €157.80 to €169.80 per week. In addition, all recipients of the allowance receive the household benefits package of free schemes and the annual

respite care grant, which increased to €1,000 from June for each care recipient. A person caring for two or more people also receives an additional 50 per cent on their personal payment.

I am always prepared to consider changes to existing arrangements where these are for the benefit of recipients and financially sustainable within the resources available to me. Those recommendations involving additional expenditure will be considered in a budgetary context. I will continue to review the issues raised by the Carers Association and other bodies representing carers.

Free Schemes.

399. **Mr. O'Dowd** asked the Minister for Social and Family Affairs his plans to review the regulations governing the free travel scheme with a view to granting free travel to children with disabilities; and if he will make a statement on the matter. [35127/05]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years or over, to all carers in receipt of carer's allowance and to carers of people in receipt of constant attendance or prescribed relative's allowance.

It is also available to people under age 66 who are in receipt of certain disability type welfare payments, such as disability allowance, invalidity pension and blind person's pension.

Further extensions to the free travel scheme could only be considered in a budgetary context and taking account of the financial and other needs of those not covered by the existing arrangements.

Social Welfare Benefits.

400. **Mr. J. O'Keefe** asked the Minister for Social and Family Affairs his views on whether it is fair that adult family members who happen to reside at home have their application for the unemployment assistance affected and often rejected due to the fact that the income of their parents is taken into account in assessment of means; and the steps he will take to alter the situation. [35194/05]

Minister for Social and Family Affairs (Mr. Brennan): For unemployment assistance purposes, the assessment of means for non-householders resident in the parental home has always taken into account the yearly value of any benefit and privilege enjoyed by him or her by virtue of residing with a parent or step-parent. In practice, this is taken to mean the value of free board and lodging to a claimant and such value is ascribed having regard to the level of parental income.

The Commission on Social Welfare, 1986, examined the then operation of the benefit and privilege arrangements. The Commission recommended the abolition of the concept of benefit

and privilege for those aged 25 years and over. In reaching this conclusion the Commission stated:

The reason for this cut-off point (25) is that by that age young adults would normally have become financially independent of the parental home. The minority, however, unable to obtain employment by that age or those who become unemployed at a later age should also be entitled to financial independence and it can be argued that such persons should, therefore, be entitled to a payment in their own right, irrespective of parental means. Payment at the full basic rate is appropriate in such cases.

In budget 2003, the assessment of benefit and privilege for UA claimants aged 29 years and over was abolished. Budget 2004 abolished the assessment for those aged 27 and 28 years of age. In budget 2005, I further reduced the age above which the assessment of benefit and privilege does not apply to 26 years of age.

Any further change in these arrangements would fall to be considered in a budgetary context.

Anti-Poverty Strategy.

401. **Mr. Morgan** asked the Minister for Social and Family Affairs the number of households here suffering from fuel poverty. [35200/05]

Minister for Social and Family Affairs (Mr. Brennan): The term “fuel poverty” has been described as the inability to afford adequate warmth in a home, or the inability to achieve adequate warmth because of the energy inefficiency of the home. Various studies have been conducted on this issue in recent years, with varying estimates of the numbers and types of households affected by fuel poverty as defined in this way. I am not aware of any definitive number of households in this situation.

The primary contributory factor is the energy efficiency of the private and public housing stock. Problems in this regard relate mainly to older housing, with poor insulation and draught-proofing or inefficient heating systems. All new housing, including social housing, is being built to modern energy efficiency standards. Local housing authorities are undertaking an ongoing programme to upgrade the older social housing stock and provide better living conditions generally for tenants, including draught insulation and energy efficiency.

The role of the social welfare system in this issue is primarily to provide income support. The main focus of Government policy is to increase primary weekly social welfare rates significantly in real terms, to enable pensioners and other vulnerable groups to meet their heating and other basic living needs more adequately throughout the year. This policy will be continued in the forthcoming budget.

In addition, there are a number of social welfare programmes to assist with heating costs

specifically. These programmes are: (1) Fuel allowances payable during the winter heating season for householders who are in receipt of long-term social welfare or health board payments. Some 274,000 customers, 151,000 with basic fuel allowance and 123,000 with smokeless fuel supplement, benefit under the scheme at a cost of €85.4m in 2005; (2) Electricity and gas allowances under the household benefits package, payable throughout the year over 320,000 pensioner, disabled and carer households toward their heating, light and cooking costs at an overall scheme cost of €108.8m in 2005; and (3) Special heating needs facility available through the supplementary welfare allowance scheme to assist people in certain circumstances with specific heating needs due to infirmity or particular medical condition.

While there is no precise measure available, it is realistic to state that only a small proportion of the groups benefiting under these programmes could be considered to be experiencing fuel poverty, and that this is attributable mainly to the energy inefficiency of their homes. In this regard, my Department is co-operating with the Department of the Environment, Heritage and Local Government, Sustainable Energy Ireland and the Combat Poverty Agency in an action research project those agencies are undertaking to improve heating systems and insulation in selected older private dwellings and to monitor the outcomes in terms of improved cost-efficiency and household comfort and health levels. This project is due to commence shortly and should be very informative in formulating future policy on this issue, as well as being of direct benefit to the pilot households involved.

In addition to this project, I am continuing to keep the various social welfare income support programmes in this area, particularly the fuel allowance, under close review to ensure that they assist towards heating needs as efficiently and effectively as possible within the resources available.

Social Welfare Benefits.

402. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if the lowest social welfare payments will be increased by €17 per week; and the position regarding schemes to assist the weaker section of society. [35212/05]

Minister for Social and Family Affairs (Mr. Brennan): The Government’s aim is to increase the lowest rate of social welfare payments to €150, in 2002 terms, by 2007. In Budget 2005, the lowest rates of payment were increased by €14 per week or by 10.4%, which represents an increase of over four times the projected rate of inflation for 2005.

Any further improvements in the lower rates of payment will fall to be considered in a budgetary

[Mr. Brennan.]

context and I look forward to making further progress in this regard in Budget 2006.

403. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of one-parent family payment claimants for which no maintenance is being paid either directly to the claimant or directly to his Department; and if he will make a statement on the matter. [35249/05]

404. **Mr. Stanton** asked the Minister for Social and Family Affairs further to his response to Parliamentary Question No. 196 of 27 October 2005, the number of one-parent family payment recipients who are in receipt of maintenance and still qualify for the maximum rate of one-parent family payment as a result of the provision allowing one-parent family claimants to retain 50% of maintenance received; the reason these claimants still qualify for the maximum rate of one-parent family payment despite receiving maintenance directly from the liable relative; and if he will make a statement on the matter. [35250/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 403 and 404 together.

The one-parent family payment, OPFP, acts as a safety net for people where there is inadequate maintenance, where maintenance payments are irregular, or where efforts to secure maintenance in the first place fail. Applicants for one-parent family payment are required to make ongoing efforts to look for adequate maintenance from their former spouses, or, in the case of unmarried applicants, the other parent of their child. They must satisfy my Department that they have made reasonable attempts to obtain such maintenance. The number of one parent family payment recipients being paid by my Department at the end of September 2005 is 79,937. Included in this figure are 906 payments to widowed persons where maintenance is not an issue. In every case where a one-parent family payment is awarded, the maintenance recovery unit of my Department seeks to trace the other parent, referred to as the liable relative, in order to ascertain whether he or she is in a financial position to contribute towards the cost of one-parent family payment. The follow-up activity takes place within two to three weeks of the award of payment.

All liable relatives assessed with maintenance liability are notified by my Department and they are issued with a determination order setting out the amount of contribution assessed. The amount assessed can be reviewed where new information comes to light about the financial or household circumstances of the liable relative. Decisions on the amounts assessed can be appealed by liable relatives to the social welfare appeals office.

In the period January 2003 to September 2005, maintenance recovery unit has examined 52,810 cases and issued determination orders to 7,697 liable relatives. Currently 2,130 liable relatives contribute directly to my Department as at the end of October 2005, the latest date for which figures are available. There has been an increase of 262 liable relatives contributing directly to my Department in 2005.

My Department's records indicate that approximately 9,600 one-parent family payment recipients are in receipt of maintenance from their spouse or other parent of their child/ren and as a result receive a reduced rate OPFP. Figures are not available for one-parent family payment recipients who receive maintenance payments and still qualify for the maximum rate of payment.

One-parent family payment claimants are allowed to retain 50% of any maintenance received without reduction in their social welfare payment. They also have a disregard of €95.23 in respect of rent or mortgage payments up to a maximum of €95.23 per week. A lone parent with a weekly rent or mortgage payment of €95.00 per week receiving weekly maintenance of €110 per week may be entitled to receive the maximum rate of one-parent family payment. However, a lone parent who does not have any mortgage or rent expenses and receives maintenance of more than €15.20 per week will only qualify for a reduced rate one-parent family payment.

Departmental Staff.

405. **Mr. Gilmore** asked the Minister for Social and Family Affairs the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35305/05]

Minister for Social and Family Affairs (Mr. Brennan): There are ten staff employed in my private office. These include eight administrative staff, a press adviser and a special adviser. The eight administrative staff are all established civil servants, one higher executive officer, 1.5 executive officers and 5.5 clerical officers. The higher executive officer is on a payscale of €40,543 to €51,463 with a private secretary allowance of €15,620 per annum. The executive officers are on a payscale of €26,618 to €42,238, adjusted proportionally in the case of the work sharing officer. Of the clerical officers, 3.5 are on a pay scale of €20,181 to €32,728 (class B rate of PRSI contribution applies) adjusted proportionally in the case of the work sharing officer. The other two clerical officers are on a payscale of €21,245 to €34,448 (class A rate of PRSI contribution applies as they commenced employment after 6 April

1995). The total overtime costs and expenses incurred to date in 2005 for the administrative staff in this office is €12,360 and €6,305 respectively. The press adviser and special adviser were appointed by me on a contract basis for my term of office. The press adviser is on a principal officer higher level payscale of €80,750 to €93,599 together with a private pension contribution of 10% of salary. The special adviser is on a principal officer payscale of €75,036 to €87,247. The total expenses incurred to date by my press adviser and special adviser are €12,200 and €7,099 respectively.

No overtime costs have been incurred by these officers. There are a total of six full-time administrative staff assigned to deal with matters in my constituency office. There are four established civil servants, one executive officer on a payscale of €26,618 to €42,238 and three clerical officers on a payscale of €21,245 to €34,448. I have also appointed, on a contract basis for my term of office, two non-established civil servants, a personal secretary and a personal assistant. The annual salary for my personal secretary is €38,948. My personal assistant is on secondment from the Department of Education and Science. That Department will recoup from my Department on an annual basis the cost of a replacement teacher's salary, allowances, PRSI contributions and superannuation contributions. This will be in the region of €34,400. No overtime or expenses have been incurred to date in 2005 by the administrative staff in my constituency office.

School Meals.

406. **Mr. Carey** asked the Minister for Social and Family Affairs if his Department administers a grant scheme to enable schools to make a payment to an appropriate supervisor to assist with the operation of a school breakfast club; and if he will make a statement on the matter. [35343/05]

Minister for Social and Family Affairs (Mr. Brennan): The school meals programme operated by my Department gives funding towards provision of food services for disadvantaged school children through two schemes. The first is the statutory urban school meals scheme, currently operated by 35 local authorities, which provides food services to primary schools. The Department jointly funds the food costs with these local authorities, who also manage and fund the administration of the scheme.

The second is the school meals local projects scheme. Under this scheme my Department provides funding to participating schools and voluntary community groups in both urban and rural areas for specific school meals projects. This has recently been expanded to include pre-schools that are community based and which operate on a not-for-profit basis.

The school meals programme covers the cost of food only and does not provide funding for any

staff costs. The programme is based on a partnership approach, under which my Department relieves schools and parents' groups of the burden of raising finance. This enables the schools, sometimes with voluntary input from parents, to concentrate their efforts on service provision. Schools in the scheme are reimbursed by my Department at set per-capita rates for breakfasts, light meals or dinners they provide. Participating schools manage to organise a very good meals service for their pupils within the rates payable. A number of new schools have opted into the scheme this year under the existing terms.

My Department is keeping the operation and take-up of the scheme under review, and is developing new measures to promote the scheme at local level particularly for schools in areas designated as disadvantaged.

Adult Education.

407. **Mr. Gormley** asked the Minister for Social and Family Affairs his plans to encourage single parents to go back to further education; his views on whether this would be made easier if assistance were made available for children under the age of five; and if he will make a statement on the matter. [35362/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department administers a range of back to education programmes, under the umbrella of its employment support services, to encourage and facilitate single parents and others to return to work through the acquisition and improvement of skills and academic qualifications which will enable them to compete more successfully for employment. Programmes range from basic literacy courses through to certain post-graduate university courses, and include the back to education allowance scheme, which covers full-time second and third level courses.

The back to education allowance is essentially a social welfare replacement income which is paid at a standard weekly rate equivalent to the maximum rate of the relevant social welfare payment that qualifies the applicant for participation in the scheme. The allowance also has a number of unique features attaching to it. It is payable for the duration of the course of study, which in the case of lone parents includes all holiday periods. The scheme itself is not means tested and, consequently, lone parents may take up part-time employment during the academic year and full-time employment during the summer period without affecting their payment. In addition, participants receive a cost of education allowance of €400 which is payable at the beginning of each academic year. Participants also retain entitlement to any secondary benefits they had while in receipt of the relevant social welfare payment that qualified them for participation in the scheme.

[Mr. Brennan.]

The provision of support to single parents to stay in or return to education is also addressed through the education system. With regard to first chance education, my colleague, the Minister for Education and Science has already in place a range of programmes for single parents wishing to stay in or return to education, including the home tuition scheme, the vocational training opportunities scheme and youthreach.

In addition, the Department of Education and Science provides childcare supports for people participating in certain education programmes funded by VECs. In some cases, people accessing those programmes do so with the support of my Department's back to education allowance scheme. However, since its inception, child care support has never been a feature of the back to education allowance scheme *per se*. The question of such support to participants in receipt of the allowance would have significant cost implications and would have to be considered in the context of other supports such as those funded by the Department of Education and Science.

I am satisfied that, overall, the current arrangements ensure that my Department's back to education allowance scheme continues to support those who are most distant from the labour market including single parents. This scheme is, however, being kept under regular review to ensure that it continues to support those in need.

Free Schemes.

408. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved for the free schemes. [35364/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned has not been awarded the household benefits package because a member of the household is receiving unemployment assistance and is therefore not considered an excepted person for the purpose of the scheme. One of the conditions of the household benefits package for people under 70 years is that the applicant must be residing alone or with excepted people. Excepted people include a qualified adult, dependent child(ren) under age 18 or up to age 22 if in full-time education, a person so incapacitated as to require constant care and attention for at least 12 months, a person who would qualify for the allowance in his/her own right and a person providing full-time care and attention to somebody in the household.

Social Welfare Benefits.

409. **Mr. Stanton** asked the Minister for Social and Family Affairs when he intends to publish the most recent review of the one-parent family payment which was completed in September

2005; and if he will make a statement on the matter. [35428/05]

Minister for Social and Family Affairs (Mr. Brennan): The one parent family payment was introduced in 1997 to provide income support to those parents with insufficient means who are parenting alone as a result of being widowed, or following separation or divorce, or being unmarried.

Poverty rates tend to be higher among larger families and one-parent families, due mainly to the direct costs of rearing children, including child care costs, and the opportunity costs related to the reduced earning capacity of parents, arising from their care responsibilities. This applies particularly to lone parent families as the lone parent has to be the main breadwinner and carer at the same time.

It is generally accepted that for people in working age households, the main route out of poverty is employment. However, employment participation among lone parents in this country is among the lowest in the OECD. This is despite the huge employment growth in recent years, increased female participation in the workforce and the income disregards afforded to lone parents under the one-parent family payment who take up employment.

Entitlement to payments under the current scheme is also contingent on not co-habiting with another adult either in marriage or outside marriage. However, I am aware that reluctance on the part of some parents to forego the income security provided by the one-parent family payment may act as a disincentive to the formation of partnerships and ultimately marriage for recipients.

In addition, recognition of the mother as primary caregiver has meant that where the parents are separated, the mother usually retains custody of the children and, if there is eligibility, full entitlement to the one-parent family payment. The scheme as it currently operates, therefore, may not sufficiently facilitate or promote joint parenting, and to that extent may not be sufficiently father friendly.

One of the key tasks in the Ending Child Poverty initiative under Sustaining Progress is to address obstacles to employment for lone parents. The senior officials group on social inclusion was mandated late last year to examine this issue and report back to the Cabinet committee on social inclusion with specific proposals. A sub-group of the senior officials group has been examining obstacles to employment for lone parent families, with particular emphasis on income supports, employment, education, child care and support programmes and information.

We must also look closely at income supports and at how we can adjust those supports to better address the social problems that can arise for those who receive these payments. In this regard,

a working group established in my Department to review the income support arrangements for lone parents, has looked at issues including the contingency basis of the one parent family payment, co-habitation, maintenance and secondary benefits. A consultation process with social partners and other interested parties was also undertaken to inform the work of the group.

The Cabinet committee on social inclusion has been updated on the progress of both working groups and I will be bringing the final reports to Cabinet early in the new year with a view to publication shortly thereafter. It is my intention that the outcome of these reviews will contribute to the development of proposals designed to better support and encourage lone parents in achieving a better standard of living, employment and education opportunities, a better future for themselves and their children, and a more appropriate social policy in the future.

410. **Mr. Durkan** asked the Minister for Social and Family Affairs if back to school clothing allowance will be awarded in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [35517/05]

Minister for Social and Family Affairs (Mr. Brennan): The Health Service Executive, which administers the back-to-school clothing and footwear allowance scheme on my behalf, has advised that it has no record of an application from the family concerned.

Decentralisation Programme.

411. **Mr. Connolly** asked the Minister for Social and Family Affairs the numbers and grades of personnel employed in the Combat Poverty Agency who have indicated that they wish to transfer to Monaghan under the Government's decentralisation programme; and if he will make a statement on the matter. [35594/05]

Minister for Social and Family Affairs (Mr. Brennan): Under the decentralisation programme announced by the Government in 2003, the Combat Poverty Agency is designated to relocate to Monaghan town. At this time there is no indicative date for the move.

The Combat Poverty Agency has submitted an implementation plan to the decentralisation group and is currently in the process of updating that plan. There are a total of 39 applicants on the Central Applications Facility who have expressed a first preference interest in moving to Monaghan town, including one officer currently employed in the Combat Poverty Agency at clerical officer level. The Central Applications Facility will remain open for applications until the full decentralisation programme announced by Government is complete.

Hospital Staff.

412. **Mr. Noonan** asked the Minister for Social and Family Affairs if his attention has been drawn to the campaign by representatives of persons employed as nurse attendants for a change in their job title and for increased pay; if progress has been made to meet their demands since he previously answered questions on this issue; and if he will make a statement on the matter. [35698/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department arranges sessions at various centres around the country to assess or review the medical condition of people who are claiming a payment from my Department in respect of illness. These sessions are conducted by the Department's medical assessors and a nurse attendant is always present during the examinations. With the exception of a small number of nurse attendants, the majority of those serving in the grade have to date been employed on a sessional basis under a contract for services and as such are not employees of my Department.

Following full consideration by my Department and the Department of Finance of a claim by SIPTU, it has been agreed that each person serving as a sessional nurse attendant will be offered a contract of employment with my Department. The contract being offered incorporates an agreed increased salary scale for the nurse attendant grade, including those already employed by the Department.

The agreed arrangements, including the increased salary scale, are in the process of being implemented. I am satisfied, on the basis of the duties of the post, that the title of nurse attendant is appropriate to the grade.

Road Safety.

413. **Mr. English** asked the Minister for Transport his views on issuing every school going child here with a reflective armband; if the cost of such a programme will be investigated; and if he will make a statement on the matter. [35506/05]

Minister for Transport (Mr. Cullen): I have asked my officials to consider this suggestion, in consultation with the Departments of Education and Science and Finance, and to report to me on the matter.

Driving Tests.

414. **Mr. Connolly** asked the Minister for Transport the extent to which he has outsourced driving tests as recently announced; his views on whether the outsourcing of core work for example testing is in breach of Sustaining Progress; if the driving test backlog can be reduced and eliminated without outsourcing; and if he will make a statement on the matter. [35590/05]

Minister for Transport (Mr. Cullen): To reduce the current unacceptable and exceptional backlog of persons awaiting a driving test, my Department and the Department of Finance developed a package of measure to deal with the problem. The package includes a bonus scheme for driver testers, the recruitment of additional testers as well as the outsourcing of a block of tests. The package has the potential to deliver up to 80,000 additional driving tests with 40,000 tests being delivered by outsourcing.

The driver testers have not taken up the bonus scheme and the issue of outsourcing has been referred to the Labour Relations Commission to facilitate conciliation on the issue under the terms of Sustaining Progress. The first conciliation hearing was held on 21 October 2005 and reconvened on 25 October 2005. The conciliation hearing has been adjourned until 25 November to allow a detailed examination by both parties of the feasibility of having tests carried out by staff redeployed on a short term basis from outside the Department of Transport. In this period, the Department has also explored issues around the outsourcing proposal. A proposal, developed by my Department in consultation with the Department of Finance, has been put to the unions involved.

I hope an agreement can be reached this week that will enable the backlog to be eliminated within 18 months.

415. **Mr. McGinley** asked the Minister for Transport when a suitable safe location for lorry reversing manoeuvres will be identified in relation to the driving test for articulated lorries (licence category EC) which has been suspended since March 2005 in Letterkenny; and if he will make a statement on the matter. [35809/05]

417. **Mr. Eamon Ryan** asked the Minister for Transport the reason behind his decision to suspend the testing of drivers of articulated vehicles in Letterkenny; and when he intends to identify a suitable alternative location in Donegal for reversing manoeuvres in order to restore articulated lorry driving testing in the area. [35123/05]

431. **Mr. McGinley** asked the Minister for Transport when a suitable safe location for lorry reversing manoeuvres will be identified in relation to the driving test for articulated lorries, license category EC, which has been suspended since March 2005 in Letterkenny; and if he will make a statement on the matter. [35297/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 415, 417 and 431 together.

A suitable location has been identified in Letterkenny to facilitate driving tests for articulated vehicles. Final arrangements are being made by the OPW which will allow such testing to resume shortly.

Rail Services.

416. **Mr. O'Dowd** asked the Minister for Transport if Iarnród Éireann will rebalance and restructure rail fares to and from Dublin in favour of Drogheda and Dundalk commuters; and if he will make a statement on the matter. [35111/05]

Minister for Transport (Mr. Cullen): The structure of rail fares is a matter for Iarnród Éireann. As is common internationally, Iarnród Éireann operates two fare structures — a Dublin commuter area, which encompasses Balbriggan, Maynooth, Hazelhatch and Kilcoole, and the national network. With the dramatic growth in longer distance commuting, issues have arisen in regard to fare arrangements between the two areas. These issues are most relevant around the boundary areas of the fare structures.

Iarnród Éireann has informed me that it intends undertaking a thorough review of ticketing and fare practices, which will be wide-ranging, and will encompass this issue amongst others. The review is due to start in early 2006.

Question No. 417 answered with Question No. 415.

Road Safety.

418. **Mr. Eamon Ryan** asked the Minister for Transport when he intends to completely ban the use of mobile phones when driving; and if he intends to make same a specific finable offence. [35125/05]

Minister of State at the Department of Transport (Mr. Callely): Mobile phone use while driving a motor vehicle is under examination in my Department in the overall context of in-vehicle information and communications technologies. Subject to the outcome of that examination, it is my intention to include proposals related to the use of mobile phones by drivers in the next appropriate Road Traffic Bill.

Rail Services.

419. **Mr. O'Dowd** asked the Minister for Transport if he will extend the DART service to Drogheda; and if he will make a statement on the matter. [35126/05]

Minister for Transport (Mr. Cullen): Transport 21 includes provision for the extension of DART services as far as Balbriggan. Iarnród Éireann is also developing a scheme for resignalling the city centre railway section around Connolly-Tara Street and Pearse stations to provide additional capacity for more outer-suburban rail services to be operated from Drogheda to the city centre.

Departmental Staff.

420. **Mr. P. McGrath** asked the Minister for Transport the number of civil servants and other

staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35144/05]

Minister for Transport (Mr. Cullen): The Minister of State does not have a press office. The services of the Department's press office are available to his office when necessary.

421. **Mr. P. McGrath** asked the Minister for Transport the number of civil servants and other

Office	Number of Staff	Grade/Job title	Salary scale. Cost per Annum
			€
Constituency	1	Personal Secretary	20,187-38,948
Constituency	1	Staff Officer	32,028-42,761
Constituency	1	Clerical officer	21,121-33,436
Constituency	1	Personal Assistant	42,676-54,173

Road Traffic Offences.

422. **Mr. Bruton** asked the Minister for Transport the top ten areas in the country where penalty points have been accumulated since the introduction of the system by the Garda Síochána; the number of points attributed to each location; and if he will make a statement on the matter. [35167/05]

Number of penalty points attributed by county since introduction of penalty points system to 18 November 2005.

County	Total number of points attributed	Number of drivers attributed points	Top ten
Dublin City and County	176,967	88,091	1st
Cork City and County	55,941	27,909	2nd
Kildare	31,301	15,618	3rd
Meath	25,135	12,538	4th
Limerick City and County	23,250	11,659	5th
Galway	22,263	11,124	6th
Wicklow	19,769	9,863	7th
Wexford	18,989	9,404	8th
Tipperary North and South	18,422	9,226	9th
Louth	15,832	7,904	10th

Air Services.

423. **Ms O. Mitchell** asked the Minister for Transport when he will nominate the three US airport destinations to which Ireland will have access from November 2006; and the factors which will be considered in their selection. [35173/05]

Minister for Transport (Mr. Cullen): As the agreement has just been made and the transitional arrangements do not come into operation until November 2006 it is too early at this stage to determine when the three new destinations will be nominated and where they will be. The destinations will be nominated when possible new

staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35159/05]

Minister for Transport (Mr. Cullen): The following table provides the information required by the Deputy. The salary costs are based on current salary scales. Public relations work, when required, is carried out by a higher executive officer in the Department's press office.

Minister for Transport (Mr. Cullen): The information requested by the deputy is set out in the following table. This information is supplied by the Department of Environment, Heritage and Local Government who are responsible for the national vehicle and driver file, which contains the driver records on which penalty points are recorded.

markets have been studied and the airlines have indicated which destinations they wish to serve.

424. **Ms O. Mitchell** asked the Minister for Transport if, in relation to the recent revised bilateral agreement, concluded with the US Government he has relevant information on the volume of freight which currently passes through Shannon airport, both to and from the US; his views on whether there is sufficient current freight business passing through Shannon airport to sustain the existing level of service; and if he will make a statement on the matter. [35178/05]

Minister for Transport (Mr. Cullen): The following are the latest statistics available from Shannon Airport Management:

[Mr. Cullen.]

		tonnes
2004	Total Transatlantic Cargo	11,988
	Total embarking	4,952
	Total disembarking	7,036
	Total cargo carried on passenger flights	9,521
	Total cargo carried on cargo only flights	2,467
2005 (to 31/10/05)	Total Transatlantic Cargo	8,364
	Total embarking	2,876
	Total disembarking	5,488
	Total cargo carried on passenger flights	6,238
	Total cargo carried on cargo only flights	2,036

As approximately 80% of freight is currently carried on passenger flights, the level of freight service is primarily determined by passenger requirements.

With the advent of open skies between the EU and the USA, the existing restrictions on US destinations will be lifted for cargo only services with effect from November 2006. This provides a major opportunity for Shannon to develop its freight business.

Public Transport.

425. **Ms Shortall** asked the Minister for Transport further to Parliamentary Question No. 136 of 19 October 2005 if he will grant consent to the Dublin Transportation Office to publish the traffic modelling work accompanying the Transport 21 plan; and if a copy of same will be made available to the Oireachtas library; and if he will make a statement on the matter. [35181/05]

Minister for Transport (Mr. Cullen): My Department asked the Dublin Transportation Office to carry out transportation modelling work in the context of the preparation of Transport 21.

I intend to publish a more detailed document on Transport 21 in due course and this will outline the results of the modelling work carried out by the DTO.

Road Network.

426. **Ms O. Mitchell** asked the Minister for Transport his views on the fact that the Dublin Port tunnel will not open until December 2006, as articulated by the Minister for Finance; and if he will make a statement on the matter. [35189/05]

Minister for Transport (Mr. Cullen): The planning, design and implementation of national road improvement projects, including the Dublin Port tunnel, is a matter for the National Roads Authority, NRA, and the relevant local authorities. I understand from the NRA that the primary construction work on the tunnel is expected to be completed in December 2005 and that the tunnel

will be open to traffic by mid 2006, following the testing and commissioning of its operational and safety features.

I am not aware of any statement by the Minister for Finance in regard to the completion of the Dublin Port tunnel.

Air Services.

427. **Ms O. Mitchell** asked the Minister for Transport the moneys paid by the Exchequer to City of Derry Airport in regard to the provision of air services operated by the airport or airline firms; the areas to which such moneys are allocated; and if he will make a statement on the matter. [35197/05]

Minister for Transport (Mr. Cullen): My Department has a long-standing policy of supporting City of Derry Airport, in the interests of North-South co-operation and in recognition that the catchment area served by the airport includes east Donegal. In 1999, my Department provided Derry City Council, the owners of the airport, with capital funding of approximately €1.9 million towards runway improvements, under a co-funding arrangement with the Department of the Environment for Northern Ireland.

In March 2005, the Government approved a decision, in principle, to co-fund safety works and essential infrastructure at the airport with the British Government, with a total contribution from the Irish Government of €7.55 million. The agreement is subject to a number of conditions and the proposals are being examined by the EU Commission in the light of state aid rules. Exchequer subvention is paid directly by my Department to the Scottish regional carrier, Loganair, for the operation of scheduled daily air services on the Derry-Dublin route, under the public service obligation, PSO, essential air services programme.

PSO services on the Derry-Dublin route commenced in 2001 and a new three-year contract with Loganair was announced earlier this year, following an EU procurement process. Subven-

tion payable for services on the route amounts to approximately €2.5 million per annum.

National Spatial Strategy.

428. **Ms O. Mitchell** asked the Minister for Transport if Transport 21 is consistent with the recommendations set out for the northwest in the national spatial strategy; and if he will make a statement on the matter. [35198/05]

Minister for Transport (Mr. Cullen): Transport 21 has been developed with a view to supporting implementation of the national spatial strategy, NSS, for 2002-2020, the purpose of which is to promote more balanced regional development.

In this regard, Transport 21 will deliver significant improvements in transport links both within the north-west and between it and other regions, including: improved connectivity along the western seaboard as a result of the development of the Atlantic road corridor — a strategic linking corridor identified in the NSS — linking Letterkenny, Sligo, Galway, Limerick, Cork and Waterford; upgraded NSS strategic radial corridors and other strategic roads from Dublin to the north west, including the upgrading of the N2, N3 and N4; targeted improvement of a number of national secondary routes that are particularly important for regional development, including the N56 Donegal coastal route and the N59 coastal route from Sligo via Westport to Galway; improved rail services on NSS strategic radial corridors between Dublin and Sligo-Westport; phased re-opening of the western rail corridor between Ennis and Claremorris and protection of the alignment from Claremorris to Collooney, which will facilitate balanced regional development and improve links between NSS gateways; enhanced regional and local bus services; and enhanced rural transport services due to the expansion of the rural transport initiative.

Road Network.

429. **Ms O. Mitchell** asked the Minister for Transport if he remains satisfied that he is correct in his view, as expressed in a parliamentary question of 2 November 2005, that the Dublin Port tunnel can be completed at the cost of €751 million; if this figure includes compensation sought by the construction company involved in the tunnel's construction; if not, if his attention has been drawn to the amount sought by this contractor; and if he will make a statement on the matter. [35199/05]

Minister for Transport (Mr. Cullen): The planning, design and implementation of national road improvement projects, including the Dublin Port tunnel, is a matter for the National Roads Authority, NRA, and the local authorities concerned. Claims submitted by the contractor in this case are a matter for Dublin City Council in the first

instance. The making of a claim by a contractor does not inevitably lead to additional payments.

I understand from the NRA that the estimated cost of the Dublin Port tunnel remains at €751 million.

State Airports.

430. **Ms O. Mitchell** asked the Minister for Transport if he has received draft business plans from any of the three State airports; and if he will make a statement on the matter. [35295/05]

443. **Dr. Twomey** asked the Minister for Transport if his attention has been drawn to any change to the future management of the Great Southern Hotel group; his plans to sell off the Great Southern Hotel, Rosslare Harbour; and if he will make a statement on the matter. [35639/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 430 and 443 together.

The three State airport authorities continue to work on preparing their business plans, with the Dublin Airport Authority, DAA, co-ordinating the process. In this context, there is a range of issues, including the unsustainable cost base at Shannon Airport, the recent airport charges determination for Dublin Airport by the Commission for Aviation Regulation and the optimum mechanisms for the financing of the new terminal in Cork, that must be considered. These are complex issues which the airport authorities must consider carefully and, as I have indicated previously, I have not imposed any artificial deadlines on the business planning process.

As I have also previously indicated, the Dublin Airport Authority will, as part of its business plan, address the position of its principal subsidiaries, including the future of the Great Southern Hotels, GSH, group. I will consider the DAA's proposals in consultation with the Minister for Finance and it would not be appropriate to comment about the future of the group or any particular hotel at this stage.

Question No. 431 answered with Question No. 415.

Ministerial Staff.

432. **Mr. Gilmore** asked the Minister for Transport the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35306/05]

Minister for Transport (Mr. Cullen): The tables provide the information requested by the Deputy on salary. The salary costs are based on current salary scales. The overall expenses including

[Mr. Cullen.]

overtime incurred by the Minister's office over the past year — November 2004 to November

2005 — is approximately €160,000. This includes travel and subsistence costs for staff and all other associated office costs.

Office	Total staff	Grade/Job Title	Status Permanent or Political	Salary scale. Cost per Annum
				€
Constituency	1	Personal Assistant	Political appointee	40,543-51,463
Constituency	1	Personal Administrative Assistant	Political appointee	40,543-51,463
Constituency	1	Personal Secretary	Political appointee	20,187-38,948
Constituency	1	Staff Officer	Permanent	32,028-42,761
	4			
Private Office	1	Private Secretary	Permanent	42,676-54,173 plus allowance of 18,962
Private Office	1	Special Adviser	Political appointee	142,108
Private Office	1	Press Officer	Political appointee	75,036-92,813
Private Office	1	Executive Officer	Permanent	28,021-44,458
Private Office	1	Executive Officer	Permanent	26,618-42,238
Private Office	6	Clerical Officer	Permanent	21,245-34,448
	11			

Public Transport.

433. **Mr. Carey** asked the Minister for Transport the next step in the planning of the metro north line; the stage and the way in which the public consultation will take place; and if he will make a statement on the matter. [35344/05]

434. **Mr. Carey** asked the Minister for Transport when he expects the plans for the metro north to be progressed; when he expects to have information on the location of stops on this route; if all of this line will be underground; and if he will make a statement on the matter. [35345/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 433 and 434 together.

The Railway Procurement Agency, RPA, is currently preparing a detailed implementation plan for the metro north line. This will include public consultation which will commence in early 2006. The final location of stops will be defined through the public consultation and statutory approval process. RPA's current proposal for metro north includes a mix of underground, at-grade and elevated alignments.

Planning Issues.

435. **Mr. P. Breen** asked the Minister for Transport further to Parliamentary Question No. 351 of 15 February 2005 which confirmed that a scheme showing restrictions that were considered necessary for the purposes of air safety at Shannon Airport was forwarded by his Department to Clare County Council, the reason his Department has failed to provide copies of such a scheme to a number of affected landowners who sought details of the origins of the massive invas-

ive red zone over their lands; the further reason there is a culture of secrecy within his Department and associated agencies in relation to the red zones; if in future all details will be provided on request to affected landowners; and if he will make a statement on the matter. [35355/05]

Minister for Transport (Mr. Cullen): As I have indicated in answer to several previous questions about red zones, the responsibility for including such areas in local development plans, and for taking those areas into consideration in planning applications, is, and has always been, a matter for the planning authorities. It is normal practice for the planning authorities to consult the public about changes to development plans.

Because the schemes were an input to the normal planning process there was no legal requirement for the Department of Transport to carry out consultations or notifications of the type mentioned by the Deputy. The Department would have relied on the public consultation requirements of the planning system to take account of public concerns. The Department of Transport did not then, and does not now, have the power to compel planning authorities to apply its recommendations on red zones.

Driving Tests.

436. **Ms O. Mitchell** asked the Minister for Transport if the driving tester recruitment examinations will be carried out in a number of centres around the country. [35520/05]

Minister for Transport (Mr. Cullen): The competition in question is being managed by the Public Appointments Service and I would refer

the Deputy to the PAS for more detail. The Department has been informed by the PAS that it will be holding the stage one tests of its short-listing process on 16 and 17 December in the RDS in Dublin.

Rail Network.

437. **Mr. P. Breen** asked the Minister for Transport the provisions made for the cost of each phase of the western rail corridor project under the Transport 21 plan; and if he will make a statement on the matter. [35586/05]

Minister for Transport (Mr. Cullen): Transport 21 provides for the phased development of the western rail corridor from Ennis to Claremorris. The project will be the subject of a procurement process. In view of this process it is not possible to give details of the costings included in Transport 21 in advance of receipt of tenders.

Driving Tests.

438. **Ms Shortall** asked the Minister for Transport the reason a test was cancelled with no prior notification to a person (details supplied) in County Kerry; the further reason a substitute driver tester could not be found; and if an alternative date has been arranged. [35595/05]

Minister for Transport (Mr. Cullen): The person concerned was scheduled for a driving test in Tralee for 9.15 a.m. on Tuesday 15 November. Unfortunately, the driver tester scheduled to conduct the test was absent due to illness on the day. As the test concerned was the first test of the day it was not possible, given the short time span involved, to put alternative measures in place. A new driving test appointment has been arranged for the person concerned.

British Irish Council.

439. **Ms Shortall** asked the Minister for Transport the dates of each of the British-Irish Council transport sectoral group meetings since 2002; the matters discussed at each meeting; the actions arising from each meeting; the actions his Department has taken arising from such meetings; the papers and publications presented or arising from each meeting; the scheduled dates for future meetings; and if he will make a statement on the matter. [35624/05]

440. **Ms Shortall** asked the Minister for Transport the dates of workshops organised under the British-Irish Council that involved transport issues; the matters discussed at each workshop; the actions arising from each workshop; the actions his Department has taken arising from such workshops; the papers and publications presented or arising from each workshop; the scheduled dates for future workshops; and if he will make a statement on the matter. [35625/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 439 and 440 together.

Under the structures of the British-Irish Council, Northern Ireland is the lead administration for organisation and co-ordination of issues arising in the transport sector. The work of the transport group is focused on road safety and transport links between BIC members.

The BIC transport group has met on five occasions and a ministerial meeting was held in December 2000. The next meeting of officials takes place in Belfast on Friday 25 November and a ministerial meeting is scheduled to take place in February 2006.

A workshop on driving and misuse of drugs was held in London on 8 March 2004. The main purpose of the workshop was to share information about action required to deal with the problem of drug driving within BIC administrations, from the enforcement, legislative, toxicology, publicity and research perspectives. A further workshop focusing on research will be arranged in the new year.

Port Development.

441. **Dr. Twomey** asked the Minister for Transport when he expects legislation to go through Dáil Éireann regarding Rosslare Port; and if he has had any recent contact with his counterpart in the British Department of Transport. [35637/05]

442. **Dr. Twomey** asked the Minister for Transport when he expects legislation to go through Dáil Éireann regarding Rosslare Port; if he has been in contact with his British counterpart to see if progress has been made on equally important legislation going through Westminster. [35638/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 441 and 442 together.

Rosslare Port is currently owned by the Fishguard and Rosslare Railways and Harbours Company, which is a British registered statutory company, jointly owned by CIE and Stena Line. The legal status of Rosslare Port is governed by various pieces of legislation which date back to 1894. The Department has been reviewing this legislation with a view to drafting new legislation to give the port a modern legislative framework. This will require legislation in Britain in addition to a Bill to be enacted by the Oireachtas. The Department intends to resume discussions with Irish Rail and Stena Line on this matter in 2006. Pending further discussions with Irish Rail and Stena, it would be premature to hold discussions on the matter with the Department for Transport in Britain.

It is too early at this point to say when the legislation will be put to the Oireachtas.

Question No. 443 answered with Question No. 430.

Roads Network.

444. **Mr. Bruton** asked the Minister for Transport the road projects, costing over €20 million which have been completed in the past five years; the road specification and the distance of roadway provided; the final cost of each project and the way in which it compared to the original estimate at the time of approval; and the way in which it compared with the original tender price. [35759/05]

Minister for Transport (Mr. Cullen): As the planning, design and implementation of national road projects is a matter for the National Roads Authority, the detailed information being sought by the Deputy is held by the NRA. To facilitate the Deputy, the Department has asked the NRA to forward the requested data directly to him.

Eagraíocht na Scoileanna Gaeltachta.

445. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil tuarascáil an athbhreithnithe a rinneadh ar Eagraíocht na Scoileanna Gaeltachta faighte ag an Aire agus cathain atá sé i gceist aige í a sheoladh nó a fhoilsiú, i dtreo is gur féidir í a phlé san atheagrú atá tosnaithe chun an eagraíocht a neartú ar mhaithe leis an oideachas Gaeltachta agus an ndéanfaidh sé ráiteas ina taobh. [35116/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Faoi mar is eol don Teachta, rinneadh athbhreithniú neamhspléach ar Eagraíocht na Scoileanna Gaeltachta thar ceann mo Roinne i 2004. Níl i gceist an tuarascáil a d'eascair ón athbhreithniú sin a fhoilsiú ach tá cóip di curtha ar fáil agam don Teachta.

Idir an dá linn, i gcomhráite idir mo Roinne agus Eagraíocht na Scoileanna Gaeltachta, aontaíodh go bhfuil gá le hatheagrú mar atá molta sa tuarascáil. Tá an t-ábhar seo á phlé ag an eagraíocht faoi láthair le cúnaimh ón gComhairle um Oideachas Gaeltachta agus Gaelscolaíochta agus go dtiocfar ar ais chuig mo Roinne le moltaí nuair a bheidh an próiseas sin curtha i gcrích.

Ministerial Staff.

446. **Mr. P. McGrath** asked the Minister for Community, Rural and Gaeltacht Affairs the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [34145/05]

447. **Mr. P. McGrath** asked the Minister for Community, Rural and Gaeltacht Affairs the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35160/05]

448. **Mr. Gilmore** asked the Minister for Community, Rural and Gaeltacht Affairs the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35307/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I propose to answer Questions Nos. 446 to 448, inclusive, together.

My Department's press and information office provides a bilingual information service to public, media, internal and professional customers on behalf of the Department, the Minister and the Minister of State. Details of the grade and remuneration of staff in this office are outlined in a Dáil reply to Question No. 428 of 2 November.

The constituency office of the Minister of State at my Department is located in and staffed by the Department of the Environment, Heritage and Local Government.

As a Minister, I am entitled to nine staff members in my private office — a personal secretary and eight civil servants. At present a personal secretary, a higher executive officer, an executive officer and four clerical officers are employed in my private office. There are currently four staff members in my constituency office, a personal assistant and three civil servants: one executive officer, and two clerical officers.

The annual payments for salaries including overtime and expenses for staff in 2004, the last complete year for which figures are available, was as follows:

2004.		
	2004	2005*
	€	€
<i>Private Office</i>		
Salaries (including overtime)	240,148	275,390
Expenses	3,298	6,329
<i>Constituency Office</i>		
Salaries (including overtime)	127,954	132,998
Expenses	311	None

*Salaries figure above is for the period to 1 and 2 December 2005. Expenses are those received to 22 November 2005.

I have also a special adviser who is paid a Civil Service principal officer salary. The staffing of my private office is in compliance with the Department of Finance guidelines regarding the staffing of ministerial offices.

My private office deals primarily with my role in parliamentary matters, legislative issues, Government business, internal memoranda, official correspondence, correspondence from

public — non-constituency work — telephone queries and comments, ministerial travel arrangements and diary appointments, co-ordinating speeches and briefing material for diary events, processing Dáil questions and queries from public representatives.

Grant Applications.

449. **Mr. Carey** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department has received an application from an organisation (details supplied) in Dublin 11; if so, when he expects to be in a position to make a decision on their application; and if he will make a statement on the matter. [35339/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): An application has been received by the Department from the group in question under the 2005 programme of grants for locally based community and voluntary organisations. I expect to be deciding on qualifying applications shortly.

450. **Mr. Carey** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department administers a grant scheme to enable schools to make a payment to an appropriate supervisor to assist with the operation of a school breakfast club; and if he will make a statement on the matter. [35342/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Breakfast clubs in schools are among the activities that are supported by partnership companies under the local development social inclusion programme, which is funded by the Department. This programme is managed by Area Development Management Limited on behalf of the Department and delivered at local level by area and community partnerships.

Departmental Correspondence.

451. **Mr. Carey** asked the Minister for Community, Rural and Gaeltacht Affairs when he expects to make a decision on a submission from an organisation (details supplied); and if he will make a statement on the matter. [35350/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): An application for substantial funding from the organisation in question is being considered in my Department and I expect that a decision will be made on the application over the coming weeks.

Harbours and Piers.

452. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs further to Parliamentary Question No. 426 of 15 November

2005, the estimated cost for the development work on the piers on the Great Blasket Island and at Dún Chaoin on the mainland in accordance with the development plan; and if he will make a statement on the matter. [35353/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Committal of the funding for the piers on An Blascaod Mór and at Dún Chaoin will be contingent on the completion of the arrangements for the purchase of the island by the State. Subject to this, Kerry County Council is in the process of selecting a contractor through public procurement procedures to carry out the proposed development works to the piers in question. The Deputy will appreciate that it would not be appropriate at this time to make cost estimates for those works public. However, as soon as a contractor has been selected, I will be glad to make the requisite information available to the Deputy.

Cúrsaí Meánscolaíochta sa Ghaeltacht.

453. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta maidir le Ceist Parlaiminte 551 den 15 Samhain 2005, cathain a sheolfaidh sé iarratas chun an Aire Oideachais agus Eolaíochta chun dul i mbun cainte léi maidir le haicmiú na scoileanna sna limistéir Gaeltachta agus an ndéanfaidh sé ráiteas ina leith. [35354/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Mar is eol don Teachta is í an tAire Oideachais agus Eolaíochta atá freagrach as cúrsaí oideachais ar a n-áirítear cúrsaí meánscolaíochta sa Ghaeltacht. I gcomhthéacs na freagrachta atá ormsa agus ar mo Roinn i ndáil leis an nGaeilge agus leis an nGaeltacht, bíonn cruinnithe leis an Aire Oideachais & Eolaíochta agus le hoifigigh na Roinne sin chun saincheistanna ábhartha a phlé. Bheinn ag súil leis go ndéanfar plé ar chúrsaí oideachais sa Ghaeltacht leis an Roinn Oideachais agus Eolaíochta mar chuid den phróiseas seo amach anseo freisin. Tá ionadaí freisin ag an Roinn Oideachais agus Eolaíochta ar Fhóram na Gaeilge, ag a bpléitear nithe a bhaineann le cur chun cinn na Gaeilge i ngach gné den sochaí.

Planning Issues.

454. **Mr. P. Breen** asked the Minister for Community, Rural and Gaeltacht Affairs if there are existing or proposed restrictions relating to development on private lands on the approaches to any airport runway in the Gaeltacht or the islands; if so, if such restrictions have been designated by his Department; and if he will make a statement on the matter. [35356/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department has no function in regard to the placing of restrictions on

[Éamon Ó Cuív.]

developments on private lands on the approaches to airport runways. As the Deputy will be aware, the granting or otherwise of planning permission for the development of lands is a matter for the planning authorities. I understand, however, that, under the Planning and Development Regulations 2001, S.I. No. 600, section 28, the planning authorities are obliged to seek the views of the Irish Aviation Authority prior to making a decision on a planning application, the granting of which may have an impact on the safety of the approach to an airport runway.

Care of the Elderly.

455. **Mr. McGuinness** asked the Minister for Community, Rural and Gaeltacht Affairs when a decision will be made on an application for funding from the Carer's Association for persons (details supplied) in County Kilkenny regarding personal and social monitored alarms; and if he will make a statement on the matter. [35574/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for

older people is administered by community and voluntary organisations on an annual basis with support provided by my Department. An application was received in May of this year from the Carer's Association, Kilkenny, under the scheme. The scheme guidelines outline that applicant organisations, when submitting their application, must provide certain documentation including accounts for expenditure of previous grants received under the scheme. Once the information required by my Department is received from the Carer's Association, the application, which includes the address in question, will be processed.

Ministerial Staff.

456. **Mr. P. McGrath** asked the Minister for Agriculture and Food the number of civil servants and other staff employed on constituency and public relations work for each of her Ministers of State; and the grade and remuneration of each of these members of staff. [35161/05]

Minister for Agriculture and Food (Mary Coughlan): The following tables break down the staff in my two Minister of State's offices working on constituency matters:

Office of the Minister of State, Deputy Brendan Smith.

Grade	Number	Salary Scale
		€
Personal Assistant	1	20,186-38,948 Secretarial Assistant Salary Scale + 10% Allowance
Personal Secretary	1	20,186-38,948 Secretarial Assistant Salary Scale + 10% Allowance
Clerical Officers	2	21,245-34,448 Clerical Officer Salary Scale
Total	4	

Office of the Minister of State, Deputy Browne.

Grade	Number	Salary Scale
		€
Personal Secretary	1	20,186-38,948 Secretarial Assistant Salary Scale + 10% Allowance
Clerical Officer	2	21,245-34,448 Clerical Officer Salary Scale
Temporary Clerical Officer	1	20,181-32,728 Full PRSI Clerical Officer Salary Scale
Total	4	

Public relations work in these offices relating to the Department is dealt with by my Department's press office.

Disadvantaged Areas Scheme.

457. **Mr. Perry** asked the Minister for Agriculture and Food if she will intervene on a person's behalf (details supplied) and have the penalties waived or reduced on their single payment scheme; if she will make a decision on the case; and if she will make a statement on the matter. [35183/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the disadvantaged areas scheme on 8 June 2005. As the closing date for receipt of applications under this scheme was 16 May 2005, the person named was advised that this application would attract a late penalty of 16%. Under the scheme, an applicant is required to have a minimum stocking level of 0.15 livestock units per forage hectare. My Department will shortly contact the person named with a view to establishing what stock he has on the holding in

2005. If the person named has the required stocking density level and is entitled to payment under the scheme, then, given the circumstances surrounding the late lodgment of the application, no penalties will apply on the grounds of *force majeure*- exceptional circumstances.

Milk Quota.

458. **Mr. P. Breen** asked the Minister for Agriculture and Food the status of an application under the surrender of dormant milk quota for a person (details supplied) in County Clare; and if she will make a statement on the matter. [35202/05]

Minister for Agriculture and Food (Mary Coughlan): The European Communities (Milk Quota) Regulations 2000, as amended, provide that, where a quota holder delivers less than 70% of his or her milk quota for two successive years, some or all of the unused part of the quota may be taken into the national reserve. Where the low level of deliveries is due to *force majeure*, or in other duly justified cases, temporarily affecting production, no quota is taken into the reserve. The named person supplied 21.5% of his quota in 2003-04 and 7.5% in 2004-05 and, having considered the circumstances of his low deliveries, 30% of his milk quota was added to the national reserve with effect from 1 April 2005. Should the named person or his successor increase milk production to the extent that he requires the part of the quota in the reserve, it will be restored to him or his successor, on application.

Grant Payments.

459. **Mr. P. Breen** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Clare has an overpayment in their area aid compensation allowance scheme; and if she will make a statement on the matter. [35207/05]

Minister for Agriculture and Food (Mary Coughlan): The person named was paid €1,494.07 under the 2004 disadvantaged areas compensa-

tory allowance scheme. To be eligible for the scheme, applicants must have a minimum stocking density of 0.15 livestock units per forage hectare. A subsequent check on the animals on the holding of the person named showed that the minimum stocking density was not satisfied in his case and the overpayment of €1,494.07 must be refunded. My Department is willing to come to an arrangement with the person named to offset the overpayment against any future payments, which may be due to him or to have the moneys refunded directly by way of instalment.

460. **Ms B. Moynihan-Cronin** asked the Minister for Agriculture and Food the reason for the delay in the processing of a disadvantaged payment for a person (details supplied) in County Kerry; if this application will be cleared for payment and when payment will issue. [35288/05]

Minister for Agriculture and Food (Mary Coughlan): An application under the single payment scheme-disadvantaged areas scheme was received from the person named on 5 May 2005. The case was selected for a ground inspection, which has been completed. The processing of the findings of the inspection will result in some alterations to the area claimed. The file is being further processed, with a view to payment under the disadvantaged areas scheme at an early date. Payments under the single payment scheme are scheduled to commence on 1 December 2005.

Ministerial Staff.

461. **Mr. Gilmore** asked the Minister for Agriculture and Food the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if she will make a statement on the matter. [35308/05]

Minister for Agriculture and Food (Mary Coughlan): The following table breaks down the numbers in my private and constituency office:

Grade	Number of Posts	Salary Scale
		€
Special Adviser	1	57,630-71,859 — Assistant Principal Officer scale + 10% allowance
Private Secretary	1	40,543-51,463 — Higher Executive Officer scale + 18,015 allowance
Personal Assistant	1	43,000-53,191 — Higher Executive Officer Scale
Personal Secretary	1	20,186-38,948 — Secretarial Assistants salary scale + 10% allowance
Executive Officers	2	26,618-42,238 — Executive Officer scale
Clerical Officers	8	21,245-34,448 — Clerical Officer Salary Scale
Temporary Clerical Officer	2	20,181-32,728 — Full PRSI Clerical Officer Salary Scale
Total	16	

[Mary Coughlan.]

Three staff members — a personal assistant, a personal secretary and clerical officer — are non-civil servants employed on a contract basis. Expenses relating to my office since January, 2005 total €6,755.69. Overtime relating to my office since January 2005 totals €23,108.68.

Local Authority Payments.

462. **Mr. Fleming** asked the Minister for Agriculture and Food the payments to Laois County Council in 2004 for the operation of Control of Horses Act 1996 and the neighbourwood scheme. [35318/05]

Minister for Agriculture and Food (Mary Coughlan): No payments issued to Laois County Council in 2004 from my Department relating to the operation of the Control of Horses Act. Costs arising in that year were offset against receipts generated by the council in this area with the result that no payment was due under the arrangements operated by Department. There were no payments made under the neighbourwood scheme in 2004 to Laois County Council.

Local Authority	Total Paid	Product	Number of Schools
	€		
Dublin City Council	4,788	Cheese	193
South Dublin County Council	1,804	Cheese	25
Fingal County Council	686	Cheese	9
Navan UDC	1,077	Milk	4
Kells UDC	128	Milk	1
Total	8,483		232

A total of 2,360 schools participated in the school milk scheme in 2004.

Grant Payments.

464. **Mr. Ring** asked the Minister for Agriculture and Food if all payments made under every scheme to a person (details supplied) in County Mayo will be scheduled for 2004 and 2005; and the date of payment and the amount. [35579/05]

Minister for Agriculture and Food (Mary Coughlan): An application under the 2004 suckler cow premium scheme in respect of three animals was received from the person named on 12 January 2004. The advance payment of €403.47 issued on 18 October 2004 and the balancing payment of €268.98 issued on 31 March 2005. One animal was submitted for slaughter premium in 2004. The advance payment of €48.00 issued on 1 December 2004 while balancing payments of €30.40 and €11.19 issued on 4 April 2005 and 7 April 2005, respectively. An amount of €240 in

School Milk Scheme.

463. **Mr. Fleming** asked the Minister for Agriculture and Food the amount of money paid to each local authority in 2004 by her Department in respect of the operation of the school milk scheme and the number of schools in each local authority to participate in this scheme; and if she will make a statement on the matter. [35323/05]

Minister for Agriculture and Food (Mary Coughlan): My Department has responsibility for the administration of the school milk scheme, which is co-funded by the Exchequer and the European Commission. The scheme is operated in the main by dairies that supply the schools directly with milk and are subsequently reimbursed by my Department. Five local authorities participated in the scheme in 2004 and three of these — Dublin City Council, Fingal County Council and South Dublin County Council — were grant aided €7,278 for cheese which was used in sandwiches provided to disadvantaged children in 227 schools. In addition, Kells Urban District Council and Navan Urban District Council were grant aided €1,205 in 2004 for the supply of milk to five schools.

respect of the extensification scheme 2004 for three suckler cows issued on 26 May 2005.

Under the 2004 disadvantaged areas scheme, payment of €1,010.72 issued to the person named on 13 October 2004. Under the 2005 disadvantaged areas scheme, payment of €1,033.58 issued to the person named on 23 September 2005. However, the person named subsequently contacted my Department to state that this cheque had not been received. The person named then completed a form of declaration and the original cheque was cancelled. A replacement cheque has been processed and will issue in the next few days.

465. **Mr. Ring** asked the Minister for Agriculture and Food if a decision has been made on the application for entitlements for the national reserve for a person (details supplied) in Co. Mayo. [35583/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from

the single payment national reserve under category B, which caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under livestock premia and-or arable aid schemes would have been payable during the reference period 2000 to 2002. More than 23,000 applications for an allocation of entitlements from the national reserve were received when account is taken of farmers who applied under more than one category. Processing of these applications is continuing and the intention is to make allocations to successful applicants early in 2006. The Department will be in touch with individual applicants as soon as their applications are fully processed.

466. **Mr. McGuinness** asked the Minister for Agriculture and Food if she will reconsider the decision taken in the case of a person (details supplied) in County Kilkenny who applied to her Department for grant aid but was refused; if, in view of the circumstances of the case she will reverse the decision; and if she will make a statement on the matter. [35651/05]

Minister for Agriculture and Food (Mary Coughlan): The person concerned was refused a grant under the farm waste management scheme, as the item concerned was purchased prior to the lodgment of his application for aid. It is a strict condition of the scheme that aid will not be given for equipment purchased before written approval has been conveyed to the farmer. As my Department's decision has been upheld by the agriculture appeals office, I regret I am not in a position to make a payment in this case.

Citizenship Applications.

467. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform the status of the application for naturalisation for a person (details supplied) in Dublin 15. [35115/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that I have recently approved the application for a certificate of naturalisation by the person named. The person concerned was informed of my decision by letter on 9 November 2005, as well as the procedures that must be finalised before a certificate of naturalisation can issue. Once these procedures are completed, a certificate of naturalisation will issue as soon as possible thereafter. I will inform the Deputy when the matter is finalised.

Registration of Title.

468. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing in the Land Registry office will be completed for a per-

son (details supplied) in County Mayo; and if he will make a statement on the matter. [35130/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested the Land Registry to contact him directly concerning the current position of the application in question.

Visa Applications.

469. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform if a visa will be granted to a person (details supplied); and if he will make a statement on the matter. [35131/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application referred to by the Deputy was lodged with the Department of Foreign Affairs on 11 November 2005 and received in my Department on 14 November 2005. The application will be examined and considered by a visa officer in my Department. Visa applications are dealt with in strict date received order so as to guarantee fairness for all our customers. Applications are taking between three to four weeks on average to process and the applicant will be notified of the decision at that time.

Ministerial Staff.

470. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35147/05]

471. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35162/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 470 and 471 together.

No staff in the press office are specifically assigned to the Ministers of State in my Department. The press office staff handle all public relations matters for both myself and the Ministers of State. Staff within the Minister of State's constituency office are not employed specifically on public relations matters. With regard to the number of civil servants and other staff employed on constituency work for the Minister of State, Deputy Fahey, and the grade and remuneration of each of these members of staff, the information sought by the Deputy is set out in the following table:

[Mr. McDowell.]

Staffing of Minister of State's Office.

	€
2 Clerical Officers	21,245-34,448 p.a.
1 Personal Secretary	40,543-51,463 p.a.
1 Personal Assistant	40,543-51,463 p.a.
1 Secretarial Assistant (Temp)	373.68-720.98 p.w.

The Department of Health and Children will answer in respect of Minister of State, Deputy Brian Lenihan.

Crime Levels.

472. **Mr. Hayes** asked the Minister for Justice, Equality and Law Reform the crime statistics for the towns of Cashel, Cahir, Clonmel, Fethard, Carrick-on-Suir and Tipperary town for each of the years 2000, 2001, 2002, 2003 and 2004 (details supplied). [35169/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the attached tables provide the total offences for the ten headline offences groups recorded and detected in the Garda districts of Cahir, Clonmel and Tipperary town for years 2000 to 2004. Cahir Garda district includes Cashel, and Clonmel Garda district includes Fethard and Carrick-on-Suir.

The figures provided for 2004 are provisional-operational and liable to change. In interpreting these figures, account has also to be taken of the introduction of the new PULSE computer system by the Garda Síochána in 1999, which led to more complete and comprehensive recording of crimes reported than was previously the case. These new groups are more comprehensive and not comparable to the four crime groups previously used. For this reason the figures for 1997 are not comparable to statistics provided for the years 2000 onwards.

Table 1

Headline Offences Recorded and Detected for Garda District of Cahir for Years 2000 to 2004.

District: Cahir	2004*		2003		2002		2001		2000	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Homicide	0	0	0	0	0	0	0	0	0	0
Assault	20	17	20	15	27	24	7	3	12	10
Sexual Offences	6	5	9	7	10	9	8	5	5	5
Arson	2	1	3	1	5	2	5	1	2	1
Drugs	9	9	17	17	7	7	3	3	5	5
Thefts	138	42	110	28	86	30	65	23	48	17
Burglary	79	11	72	5	82	8	82	12	74	17
Robbery	2	2	6	5	2	1	1	1	1	1
Fraud	13	8	12	7	11	7	14	12	20	14
Other	6	3	6	2	7	4	1	1	4	4
Total	275	98	255	87	237	92	186	61	171	74

Table 2

Headline Offences Recorded and Detected for Garda District of Clonmel for Years 2000 to 2004.

District: Clonmel	2004*		2003		2002		2001		2000	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Homicide	1	0	0	0	2	2	2	2	0	0
Assault	42	37	42	35	37	30	35	26	28	20
Sexual Offences	18	5	13	5	24	14	37	17	17	9
Arson	15	1	12	0	10	1	13	6	15	6
Drugs	12	12	28	28	25	25	25	25	13	13
Thefts	263	128	205	100	202	97	135	56	130	73
Burglary	124	19	141	41	189	73	160	40	180	59
Robbery	9	4	4	1	9	6	13	8	6	4
Fraud	17	13	32	23	24	19	21	18	20	15
Other	22	18	20	15	18	15	7	7	1	1
Total	523	237	497	248	540	282	448	205	410	200

Table 3

Headline Offences Recorded and Detected for Garda District of Tipperary Town for Years 2000 to 2004.

District: Tipperary	2004*		2003		2002		2001		2000	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Homicide	0	0	0	0	0	0	0	0	0	0
Assault	22	15	19	17	22	21	14	14	16	11
Sexual Offences	6	4	4	1	1	0	6	6	1	1
Arson	4	2	1	0	1	0	5	3	1	1
Drugs	5	5	4	4	7	7	4	4	5	5
Thefts	121	43	120	35	113	43	102	41	87	48
Burglary	69	19	58	11	92	14	125	33	92	37
Robbery	2	0	4	2	2	2	1	0	0	0
Fraud	15	11	13	10	13	8	6	5	17	17
Other	1	1	7	7	1	1	0	0	1	1
Total	245	100	230	87	252	96	263	106	220	121

Asylum Applications.

473. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if persons (details supplied) who are in full-time secondary education will be granted leave to remain here; and if he will make a statement on the matter. [35174/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons concerned arrived in the State on 30 April 2003 and made their applications for asylum on 15 May 2003. Their applications were refused following consideration of their cases by the Office of the Refugee Applications Commissioner and on appeal by the Office of the Refugee Appeals Tribunal.

A notification under Section 3(3)(a) of the Immigration Act 1999 issued to the persons concerned on 29 June 2004, 8 November, 2004 and 25 November 2004 respectively, advising them of the decision to refuse them a declaration of refugee status and setting out the options open to them at that point; either to leave the State voluntarily, to consent to the making of a deportation order or to make written representations within 15 working days to the Minister for Justice, Equality and Law Reform setting out the reasons as to why they should not be deported.

Representations setting out reasons why the persons concerned should not be deported have been received. A decision will be taken after consideration of a number of factors which are specified in section 3(6) of the Immigration Act 1999, as amended. These factors include considerations relating to the common good, the persons' individual family and domestic circumstances and humanitarian considerations. Consideration will also be given to the prohibition on refoulement which is contained in section 5 of the Refugee Act, 1996, as amended.

The details of the Deputy's question refer to persons who have been involved in the Irish education system for some time. I have asked the

House before on several occasions, and ask it again, to consider what the consequences would be of a policy not to deport persons involved in the education process and, by implication, their families. In 2003, of the almost 8,000 asylum applicants who arrived in the State, over 1,000 were accompanied minors between the ages of four and 18. Similarly, in 2004, of the almost 5,000 asylum applicants, over 700 were accompanied minors between the ages of four and 18. By adopting a policy of non-deportation in such circumstances, Ireland would be sending out a message to the world that it is assuming an obligation to provide education to those who having been found not to be in need of international protection have otherwise no right to be in the State.

Garda Equipment.

474. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform when the audio-visual equipment was installed in each of the Garda stations in County Wexford; if any interview rooms in Wexford Garda stations had audio-visual equipment installed on 10 October 2002; and if he will make a statement on the matter. [35175/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda authorities that audio/video equipment for the recording of interviews of detained persons is installed in four Garda stations in County Wexford. The details requested by the Deputy are set out below.

Garda Station	Date equipment installed
Enniscorthy	24 August, 2001
Wexford	16 October, 2002
New Ross	27 November, 2002
Gorey	20 February, 2003

Station	1997	1998	1999	2000	2001	2002	2003	2004	18/11/05
Liscarroll	1	1	1	1	1	1	1	1	1
Bandon	54	57	59	57	68	69	63	65	64
Ballineen	2	2	2	2	2	2	2	2	2
Ballinhassig	2	2	2	2	2	2	1	2	2
Ballinspittle	0	1	1	1	0	1	1	1	1
Ballyfeard	1	1	1	1	1	1	1	1	1
Innishannon	1	1	1	0	1	1	1	1	1
Kilbrittain	1	1	1	1	1	1	1	1	1
Kinsale	11	12	11	12	12	10	13	14	14
Timoleague	0	1	1	1	1	1	1	1	1
Bantry	20	23	23	26	24	24	23	24	25
Adrigole	0	1	1	1	1	1	1	1	1
Ballydehob	1	1	1	1	1	1	1	1	1
Castletownbere	4	3	5	5	5	5	5	1	4
Drimoleague	1	1	1	1	1	2	1	1	1
Durrus	1	1	1	1	1	1	1	1	1
Glengarrif	3	2	2	2	2	2	2	2	2
Goleen	1	1	1	1	1	0	1	1	1
Kealkil	1	1	1	1	1	1	1	1	1
Schull	4	4	4	4	4	4	4	4	3
Clonakilty	21	23	22	22	21	21	22	23	23
Ballygurteen	1	1	1	1	1	1	0	0	0
Baltimore	1	1	1	1	1	1	1	1	0
Castletownsend	1	1	1	1	1	1	1	1	1
Drinagh	1	1	1	1	1	1	1	0	0
Dunmanway	4	5	5	6	4	6	5	7	7
Roscarbery	2	2	2	2	2	2	2	2	2
Skibereen	10	9	9	8	9	9	10	10	10
Kanturk	19	19	20	23	25	24	22	24	23
Ballydesmond	1	1	1	1	1	1	1	1	1
Boherbue	2	2	2	1	1	1	1	1	1
Knocknagree	1	1	1	1	1	1	1	1	1
Meelin	1	1	1	1	1	1	1	1	1
Millstreet	8	8	8	6	6	7	7	8	8
Newmarket	3	3	3	3	4	3	3	3	4
Rathmore	2	2	2	2	2	2	2	1	1
Macroom	24	25	23	24	25	22	23	26	25
Ballingeary	1	1	1	1	1	1	1	1	1
Ballyvourney	2	2	2	2	2	2	2	2	2
Coachford	2	2	3	3	2	3	3	2	2
Crookstown	4	5	5	4	4	4	5	5	5
Inchigeela	1	1	1	1	1	1	1	1	1
Stuake	2	2	2	2	2	1	1	1	1
Tarelton	1	0	0	0	1	1	1	1	1

The information sought in respect of the strength of each Garda station in Cork City and County in 1995 and 1996 is not readily available and can only be obtained by the disproportionate expenditure of Garda time and resources relative to the information sought.

Regarding Garda resources generally, the accelerated recruitment campaign to reach a record force strength of 14,000, in line with the

commitment in An Agreed Programme for Government, is fully on target. This will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of 2006. The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of Cork City and County will be fully considered within the overall context of the needs of Garda areas throughout the country.

Game Shooting Licences.

476. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if he will review the decision of his Department to terminate the long held shooting rights of a gun club (details supplied); and if he will make a statement on the matter. [35191/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Irish Prison Service has commissioned various surveys and others studies on the lands referred to. These studies and surveys are underway at present and are due to continue for some time to come. The decision to terminate the shooting rights of the gun club referred to by the Deputy was, therefore, an operational one by the Irish Prison Service, taken for security and safety reasons. While it is not likely that it will be possible to reverse this decision, the matter will be kept under review.

Control of Explosives.

477. **Ms F. O'Malley** asked the Minister for Justice, Equality and Law Reform the number of convictions which have been secured in relation to fireworks in the past two years under the Explosives Act 1875. [35203/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The number of convictions secured in the past two years under the Explosives Act, 1875 is currently being compiled by the Garda authorities. The figure will be forwarded to the Deputy as soon as it is available.

478. **Ms F. O'Malley** asked the Minister for Justice, Equality and Law Reform his plans for the review of the Explosives Act 1875; if he intends to increase penalties in relation to the illegal use and importation of fireworks; and if he will make a statement on the matter. [35204/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Explosives Act 1875 provides for the control of the importation, manufacture, storage and sale of fireworks and, under the Act, any person wishing to import fireworks into the State must first obtain an importation license from me. It is long-standing policy to only grant importation licences for organised fireworks displays conducted by professional and experienced operators and not to allow the importation of fireworks for sale to the general public.

Last February, I published a fireworks policy consultation document and initiated a process of consultation with a view to bringing forward proposals for amending and strengthening the provisions in the 1875 Act. I also commissioned research into the public's attitude to fireworks. From both the consultation process and the research it is clear that the public supports the thrust of current policy. It is also clear that there is a general acknowledgement of the need to

strengthen the enforcement provisions in the 1875 Act. Accordingly, I now propose to take the opportunity presented by the Criminal Justice Bill, 2004, which is currently before the House, to bring forward, on Committee Stage of that Bill, amendments which will provide for new offences governing the misuse of fireworks in public places and an offence of possession of illegally imported fireworks with intent to supply. I also propose to significantly increase penalties governing the illegal importation, sale and use of fireworks.

Crime Prevention.

479. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform if the closed circuit television cameras promised to residents in Upper Erne Street have been installed; and if he will make a statement on the matter. [35246/05]

480. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform when the closed circuit television cameras promised to residents in New Street Gardens will be installed; and if he will make a statement on the matter. [35247/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 479 and 480 together.

I am informed by the Garda authorities that 69 Garda CCTV cameras currently provide coverage of areas of high usage in Dublin city centre. It is proposed to extend Garda CCTV coverage of Dublin city centre into the Camden Street, Temple Bar and Pearse Street areas by installing a further 9 CCTV cameras in the coming weeks, as follows:

1. Cuffe Street/ Wexford Street;
2. Camden Street Lower/ Camden Place/ Pleasants Street;
3. Camden Street (on the island in front of the "Bleeding Horse" public house);
4. Harcourt Street/ Upper Hatch Street;
5. Merrion Street Lower/ Merrion Square;
6. Pearse Street/ Upper Erne Street;
7. Cows Lane / Lord Edward Street;
8. Fishamble Street / Essex Street;
9. Eustace Street / Wellington Quay.

I am advised that the CCTV camera to be installed at Pearse Street/Erne Street will be located on a traffic island at the junction of Pearse Street where it intersects with Erne Street Upper and Erne Street Lower. I am informed by the Garda authorities that all applications for Garda CCTV systems must be prepared in co-operation with the local Garda district and divisional officers and must receive their full sup-

port. The application is then considered by the CCTV advisory committee which makes a recommendation, through the Garda Commissioner, to myself. This committee was established by the Garda Commissioner to advise on all matters related to CCTV. Applications are assessed by the committee on the basis of Garda operational needs against the following objective criteria: crime-public order statistics in an area; population and level of activity there; the recommendation of local Garda management; any special circumstances or needs that exist; and the likely impact of a Garda CCTV system on the area.

I am further informed by the Garda authorities that no application for the installation of Garda CCTV cameras in the immediate vicinity of New Street Gardens has been received by the CCTV advisory committee to date.

Drug Seizures.

481. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the death of a person (details supplied) in County Dublin on 3 November 2005; if there have been similar deaths or illnesses as a result of products bought at this shop in the past; the steps the gardaí have taken to ensure that illegal drugs are not for sale; and if he will make a statement on the matter. [35273/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that on 30 October, 2005, gardaí attended an incident involving the death of the person referred to by the Deputy and that the incident is currently under investigation. In the circumstances, the Deputy will appreciate that it would be inappropriate of me to make any further comment in relation to this specific case.

The Garda authorities also state that no similar incidents concerning the outlet in question have been reported to gardaí. However, I have been assured that this premises and other similar premises are regularly monitored by local gardaí and district drugs units. Divisional and district drug units are actively involved in detecting and preventing the sale and supply of illegal drugs and numerous arrests have been made under misuse of drugs legislation.

Extradition Arrangements.

482. **Mr. J. Breen** asked the Minister for Justice, Equality and Law Reform the delay in processing the necessary paper work for the extradition of a person (details supplied) from the UK; and if he will make a statement on the matter. [35279/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Parliamentary Question No. 368 of 16 November last. There has been no delay on the part of any of the relevant Irish authorities in relation to the request for the surrender of the person in question to Ireland.

Garda Deaths.

483. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform if he will respond to Parliamentary Question No. 369 of 11 October 2005 in respect of a proposed research project into the causes of death among An Garda Síochána. [35289/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will be aware that the information sought in Parliamentary Question No. 369 of 11 October 2005 was not fully available at that time. I have since been informed by the Garda authorities that the Garda Commissioner received a request from the Association of Garda, Sergeants and Inspectors, AGSI, regarding funding for the research project referred to by the Deputy. I am informed that Garda management is willing to part-fund the project on a tripartite basis with the relevant staff associations and that this proposal is currently under consideration by them.

Computerisation Programme.

484. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the information technology companies or other consultants who are presently engaged in connection with the operation of the PULSE system; the details of the contracts involved, their duration and the estimated monthly payments involved. [35290/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the following table.

Company Name	Contract Details	Average Monthly Payment
Computer Associates	*The upgrade and maintenance of PULSE workstations and servers.	€ 68,300
Maintenance Team (Accenture)	*Project to maintain and stabilise PULSE system — commenced March 2005. This team is working on PULSE stabilisation and maintenance, GNIB maintenance, Document Management System, Castlebar data entry and quality assurance project and Thurles decentralisation project. Work is carried out as extension of GNIB project.	500,000

[Mr. McDowell.]

Company Name	Contract Details	Average Monthly Payment
		€
Fujitsu	Maintenance of database servers and preparation of FCPS to a state of readiness for integration with PULSE. Maintenance will expire by April 2006.	117,000
Vantage Technology Group	*Software/Hardware Maintenance on PULSE system and other niche systems.	303,300
Microsoft Ireland	*Support for developers for migration process and implementation of additional technologies.	14,400
Oracle	*Provision of technical services to advise on configuration and architectural platform for PULSE for performance testing, backup and recovery.	6,455
Quest Software	PULSE software maintenance.	9,340

The costs detailed relate in some instances to the overall support of the Garda IT systems, PULSE being one of the major systems supported. The Garda authorities plan to consolidate their support arrangements going forward and to this end propose to issue a tender to the market shortly to put in place a single support arrangement to cover the areas asterisked in the table.

Grant Payments.

485. **Ms Lynch** asked the Minister for Justice, Equality and Law Reform if funding will be made available for the creche facility at a centre (details supplied) in County Cork. [35294/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I recently announced the approval of €587,900 in capital grant assistance, under the equal opportunities childcare programme, EOCP, 2000-06, in respect of an application from the group in question. This approval is subject to the group's satisfactory compliance with a number of conditions regarding the development and completion of the project. I understand that the group has been advised of the decision by the childcare directorate of my Department.

Area Development Management Ltd., which is engaged to administer the EOCP on behalf of my Department, will be in contact directly with the group regarding the conclusion of a contractual agreement necessary in order to draw down the grant.

Departmental Staff.

486. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35309/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out as follows: Constituency Office. Civil Servants: 2 Executive Officers, 2 Clerical Officers. Political Appointees: 1 Personal Secretary, 1 Personal Assistant. Total Cost 2005 (to date including salary, expenses and overtime): €205,719.83. Private Office. Civil Servants: 1 Private Secretary, 2 Executive Officers, 1 Clerical Officer. Political Appointees: 1 Special Adviser. Total Cost 2005 (to date including salary, expenses and overtime): €233,800.20.

Citizenship Applications.

487. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the reason for the delay in processing an application for naturalisation in respect of a person (details supplied). [35316/05]

491. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation for a person (details supplied) in Dublin 11 will be approved; and if he will make a statement on the matter. [35337/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 487 and 491 together.

I have been informed by officials in the citizenship section of my Department that processing of the application of the person referred to by the Deputies is almost finalised and that it will be referred to me for a decision in the next few weeks. I will inform both the applicant and the Deputies as soon as I have reached a decision in the matter.

Garda Stations.

488. **Mr. Fleming** asked the Minister for Justice, Equality and Law Reform the number and location of Garda stations throughout County Laois that are open on a full time basis, on a part time basis and if so the extent of same; the

number closed; and if he will make a statement on the matter. [35319/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the Garda stations listed as follows in County Laois are open during the following hours, seven days a week:

Station	Opening Hours
Abbeyleix	24 Hour
Arles	10 a.m.-1 p.m.
Ballacolla	10 a.m.-1 p.m.
Ballinakill	10 a.m.-11 a.m.
Ballylinan	10 a.m.-1 p.m.
Borris-in-Ossory	10 a.m.-1 p.m.
Clonaslee	10 a.m.-1 p.m.
Durrow	10 a.m.-1 p.m.
Mountmellick	10 a.m.-1 p.m.
Mountrath	10 a.m.-1 p.m.
Portarlinton	10 a.m.-1 p.m.
Portlaoise	24 Hour
Rathdowney	10 a.m.-1 p.m.
Stradbally	10 a.m.-1 p.m.

Regarding Garda resources generally, the accelerated recruitment campaign to reach a record force strength of 14,000, in line with the commitment in the Agreed Programme for Government, is fully on target. This will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of 2006. The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the Laois-Offaly division will be fully considered within the overall context of the needs of Garda divisions throughout the country.

489. **Mr. Fleming** asked the Minister for Justice, Equality and Law Reform the number of gardaí of all ranks and the number of patrol cars available to or operating out of the Garda stations in County Laois on a station basis; if this service is adequate having regard to the crime and demographic trends; and if he will make a statement on the matter. [35325/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities who are responsible for the detailed allocation of resources, including personnel, that the personnel strength — all ranks — of each Garda station in County Laois as at 18 November 2005 was as set out as follows:

Station	Strength
Abbeyleix	25
Arles	1
Ballacolla	1
Ballinakill	1
Ballylinan	4
Borris-in-Ossory	2
Clonaslee	3
Durrow	2
Mountmellick	6
Mountrath	3
Portarlinton	10
Portlaoise	99
Rathdowney	3
Stradbally	2

The numbers of Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and that the best possible policing service is provided to the general public.

The number of vehicles available to or operating from Garda Stations in County Laois is as set out as follows:

Station	Vehicles
Abbeyleix	2
Ballylinan	1
Durrow	1
Rathdowney	1
Clonaslee	1
Mountmellick	1
Mountrath	1
Portarlinton	1
Portlaoise	16
Stradbally	1
Total	26

Regarding Garda resources generally, the accelerated recruitment campaign to reach a record force strength of 14,000, in line with the commitment in An Agreed Programme for Government, is fully on target. This will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of 2006. The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the Laois-Offaly division will be fully considered within the overall context of the needs of Garda divisions throughout the country.

Visa Applications.

490. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the reason a visa has not issued to a person (details supplied); and if he will make a statement on the matter. [35334/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was approved on 10 November, 2005.

Question No. 491 answered with Question No. 487.

Anti-Racism Measures.

492. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if the effectiveness of the Government's programme on racism in the workplace has been evaluated; and if he will make a statement on the matter. [35338/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Government policy on racism in the workplace is reflected in the Employment Equality Act 1998 and the Equal Status Act 2000. This legislation prohibits both direct and indirect discrimination in the areas of employment and access to goods and services on nine grounds, including race. Further amendments to both these Acts were made in the Equality Act 2004 which gives effect in domestic law to Ireland's obligations as a member of the European Union to implement Community initiatives provided for under Council Directives 2000/43/EC, 2000/78/EC and 2002/73/EC. The directives, commonly known as the equality directives, provide for equal treatment on a number of grounds, including race.

The Equality Authority established under the Act of 1998 and whose mandate was extended in the Equal Status Act 2000 and the Equality Act 2004 provides information on the Acts and in certain cases provides legal aid and/or advice for those making claims of discrimination under the equality legislation. The authority supports planned and systematic approaches to equality, develops codes of practice and engages in joint initiatives with employer organisations to tackle grounds of discrimination, including race.

At nearly one third, the ground of race remains the largest category among the case files of the Equality Authority.

The authority has issued a number of policy and research publications addressing racism in the workplace, including, for example, Building an Inclusive Workplace; Promoting Equality in Intercultural Workplaces; an anti-racism resource pack suggesting measures to combat workplace racism; a series of related guidelines for enterprises; studies of migrant workers and their experiences and accommodating diversity in labour market programme.

The second arm of the equality infrastructure established under the 1998 Act is the Equality Tribunal. The tribunal is an impartial forum to hear or mediate complaints of alleged discrimination under equality legislation. It is independent and quasi-judicial and its decisions and mediated settlements are legally binding.

Government policy is also reflected in its national action plan against racism which the Taoiseach and I launched in January 2005. A strategic monitoring group, SMG, has been established to drive the plan forward: it comprises representatives of the social partners, Government and relevant NGOs and is chaired by Ms Lucy Gaffney. One of the key objectives of the plan is concerned with economic inclusion and the equality of opportunity for cultural and ethnic minorities, including a focus on employment, the workplace and poverty. The SMG is looking at how it can assist in developing initiatives for migrant workers designed to raise awareness and compliance with employment rights. The SMG recently hosted a corporate breakfast to engage with the corporate sector to promote the aims of the national action plan against racism and promote the business case for diversity. A good representation of CEOs and senior human resources executives from Irish business attended the event at which I spoke.

The sixth Anti-Racist Workplace Week, organised by the Equality Authority, has just taken place, from 7 to 13 November. The purpose of the week is to raise awareness of the need to combat racism in organisations and promote support for the accommodation of diversity in the workplace. I had the pleasure to launch the week again this year. The week brings together a wide range of organisations, including IBEC, ICTU, the Construction Industry Federation, the Small Firms Association, The Chambers of Commerce of Ireland and the Irish Farmers Association. The week is but one element of the national action plan against racism.

The theme for this year is "communication" and organisations are encouraged to promote equality and cultural diversity through communication initiatives involving employers, trade unions, migrant workers and other workers. Anti-Racist Workplace Week is reviewed annually by the organising partners where its impact is evaluated and plans made for its further development. The next such review will take place in December. The further development of Anti-Racist Workplace Week is a priority under the strategic plan of the Equality Authority for 2006 to 2008.

The operation of Government policy in the area of racism continues to be actively reviewed by my Department in consultation with, among others the Equality Authority, the strategic monitoring group for the national action plan against racism and the national consultative committee on racism and interculturalism, NCCRI — an

independent expert body that brings together Government and non-government bodies to develop initiatives to combat racism and create a more inclusive society.

Prisoner Transfers.

493. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) will be transferred to this jurisdiction to serve the remainder of their sentence under the Transfer of Sentenced Persons Acts 1995 and 1997; and if he will make a statement on the matter. [35348/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I confirm that I have given my consent to this transfer. My Department has also received consent for the transfer from both the United Kingdom authorities and the person referred to by the Deputy.

Our transfer legislation requires that an application be made to the High Court for a warrant authorising both the transfer into the country of a prisoner and for his or her continued detention in this jurisdiction.

The State's legal officers are preparing an application to the High Court for the necessary warrant. On receipt of a warrant, final arrangements for the transfer will be made.

Prisoner Releases.

494. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 481 of 15 November 2005, if the Garda authorities were consulted on the temporary release for the person to attend the 16 week training programme referred to; if the location of the training centre close to the area where this person had organised drug supply was considered; and if he will make a statement on the matter. [35359/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As I previously indicated in my answer to Parliamentary Question No. 481 of 15 November 2005, contact between the prison authorities and the Garda took place on several occasions in relation to this case. However, the Garda was not consulted by the Prison Service on the specific application for temporary release for the purpose of attending the training programme.

As stated in my previous answer, the decision to approve tightly controlled daily release to a

work and training course was taken following consideration of this case by the local prison review management team which was chaired by the prison governor and whose membership includes staff from the probation and welfare service, the education service, the chaplaincy service, other senior prison officers and a senior official from Prison Service headquarters. All of these persons have considerable experience and expertise in this area and have kept this person's case under close review since her committal to prison. The particular college was chosen because the course and qualifications offered were relevant to the person concerned in the context of her pursuit of employment options post release.

By way of further information, the precise timetable of the course being taken is known to the prison authorities, the prisoner is accorded the minimum time to get to and from the course and each period of release is closely monitored. Procedures are also in place whereby the prison authorities will be notified of any non-attendance and any breach would have significant consequences for the person involved.

Tribunals of Inquiry.

495. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform when a full and comprehensive reply will be received in relation to Parliamentary Questions Nos. 486 and 488 of 21 June 2005; the reason for the delay in furnishing same; and if he will make a statement on the matter. [35500/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): On the day in question I responded collectively to Questions Nos. 486 to 488, inclusive. Question No. 486 related to the details of the members of the Garda Síochána represented by the legal team for the Commissioner and the Garda Síochána at the Morris tribunal. A full and comprehensive list of the members so represented was given in my reply to that question.

In the response that day I promised to revert to the Deputy with details of payments made to members of the legal teams representing the Commissioner and the Garda Síochána, Question No. 487, and also the Department and Minister for Justice, Equality and Law Reform, Question No. 488. The information sought by the Deputy is set out in the following tables. This information has been updated to include any payments up to the end of October.

Garda Legal Team	2002	2003	2004	2005
	€	€	€	€
Mr. Patrick Marrinan SC	142,027	549,943	552,304	375,850
Mr. Michael Durack SC	—	207,817	554,098	416,542
Ms Tara Burns BL	—	122,815	355,740	255,969
Mr. Paul Gormley BL	—	93,926	107,561	94,167
Mr. Eamon Leahy SC	138,393	254,553	63,978	—

[Mr. McDowell.]

Garda Legal Team	2002	2003	2004	2005
	€	€	€	€
Ms Nuala Butler SC	—	243,815	60,802	—

Department Legal Team	2002	2003	2004	2005
Mr. Paul O'Higgins S.C.	41,460	36,780	77,611	30,492
Mr. Fergal Foley BL	26,015	25,908	51,280	59,969
Ms Mary Kerrigan BL	—	46,224	3,575	—

Because Questions Nos. 486 to 488, inclusive, were taken together on 21 June and Question No. 486 was answered in its entirety the necessity to provide the additional information in regard to Question No. 488 was overlooked due to an administrative oversight. The additional information sought is contained in this reply. I regret any inconvenience caused to the Deputy.

Asylum Applications.

496. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application by a person (details supplied) in Dublin 22 to remain here on humanitarian grounds. [35501/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Nigerian national, arrived in the State on 28 April 2003 and applied for asylum. Her claim was refused by the Refugee Applications Commissioner and she was informed of that recommendation on 12 February 2004. The person concerned appealed this recommendation to the Refugee Appeals Tribunal. The appeal was rejected and she was informed of this decision by letter dated 22 April 2004.

Subsequently, in accordance with section 3 of the Immigration Act 1999, as amended, the person concerned was informed by letter dated 25 May 2004 that the Minister proposed to make a deportation order in respect of her. She was in accordance with the Act, given the options to be exercised within 15 working days of, making representations to the Minister setting out the reasons she should be allowed to remain temporarily in the State; leaving the State before a deportation order was made; consenting to the making of a deportation order. Representations have been made to my Department requesting that the person concerned be allowed to remain in the State. I expect the file to be submitted to me for decision in due course.

Road Safety.

497. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform the number of speed cameras presently operable under the road safety strategy; and if he will make a statement on the matter. [35502/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I am informed by the Garda authorities that there are 20 fixed camera installation posts at various locations in the Dublin area and Louth-Meath division. There are three cameras rotated between these fixed camera installation posts. I am also informed by the Garda that there is a range of mobile speed detection equipment, including six Gatso vans, a mobile unit with on board cameras, radar, and computer system, in operation throughout the State. There is also in use by the Garda Síochána laser speed detection equipment, including hand held speed detection devices and car-motor cycle systems.

The Government road safety strategy for the period 2004 to 2006 proposes that 11.1 million vehicle speeding checks be carried out per year by the end of the strategy. In order to enable this target to be achieved, the strategy proposes that the Garda Síochána enter into arrangements for the engagement of a private sector concern for the purpose of the provision and operation of a nationwide programme for the detection of speeding offences.

A working group chaired by my Department and representing the Department of Transport, the Garda Síochána and other relevant agencies, carried out an in-depth examination into the engagement of private sector interests in the provision and operation of speed cameras. On the basis of the group's report, my colleague the Minister for Transport and I presented proposals to Government in July for the outsourcing to the private sector of the provision and operation of speed cameras under the supervision and direction of the Garda Síochána. Our proposals were accepted by Government and work has commenced on their implementation.

The proposals will require the introduction of changes to the Road Traffic Acts. The Department of Transport is preparing legislative provisions necessary to support those recommendations, and on the completion of that work my colleague the Minister for Transport will bring proposals to Government, with a view to having provisions included in an appropriate Bill for the consideration of the House. The Garda Síochána, as the traffic law enforcement agency in the State, will be responsible for the outsourcing project and have commenced work in preparation for the

necessary tendering process. My Department and the Department of Transport are participating in this work.

Garda Investigations.

498. **Mr. Wilkinson** asked the Minister for Justice, Equality and Law Reform the cost to date in 2005 of the Garda investigation into alleged planning irregularities in Waterford County Council; the expected completion date for the investigation; the number of gardaí who have been involved in the investigation; and if he will make a statement on the matter. [35503/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to compile the information requested by the Deputy. I will contact the Deputy again when the information is to hand.

Violence Against Women.

499. **Mr. English** asked the Minister for Justice, Equality and Law Reform when he plans to conduct a large-scale public awareness and education programme on violence against women; when he will carry out training for public officials, the Judiciary and health professionals; and if he will make a statement on the matter. [35504/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the reply to Parliamentary Question No. 517 of Wednesday, 2 November 2005. The position remains as set out in that response.

Sexual Offences.

500. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the number of sex offenders on the register nationally; the number in prison and the number who have completed their prison term; the number on the register who were convicted of an offence while on the register; a county breakdown of the persons on the register but now released; the obligations on the offender who is listed on the register; if he has satisfied himself with the way in which the register is operating; and if he has satisfied himself further that there are adequate safeguards provided to protect the public in the maintenance of the register. [35530/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the Sex Offenders Act 2001 does not create a sex offenders register, nor is the term “register” mentioned or used in the legislation. The Act requires persons to be subject to notification requirements under Part 2 of the Sex Offenders Act 2001. The Garda Síochána has responsibility for enforcement of the Sex Offenders Act 2001. To date, there are 859 persons subject to these requirements.

I am further informed that it is not the policy of the Garda Síochána to provide a breakdown of persons subject to the Sex Offenders Act 2001

on a county basis for operational reasons. Persons do not become subject to the Sex Offenders Act until their release from prison. Under Part 5 of the Sex Offenders Act 2001 the courts can sentence an offender who has been found guilty of an offence under the schedule of offences in the Act to a period of statutory supervision under the probation and welfare service on their release from prison. Since the Act came into force in October 2001 the courts have made 171 post-release supervision orders.

Section 10 of the Sex Offenders Act 2001 sets out the obligations on persons subject to the Act. A convicted sex offender must notify his or her name and current home address to the Garda Síochána within seven days of the conviction for the sexual offence concerned or, where the offender is sentenced to imprisonment, from the date of full release from prison. Thereafter, the offender must notify the Garda of any change of name or address within seven days of that change. Notification of any address where the offender spends either as much as seven days or two or more periods amounting to seven days in any 12 month period must also be given to the Garda. If the offender intends to leave the State for a period of seven days or more he or she must inform the Garda of this fact and the address at which he or she intends to stay and also notify the Garda of his or her return. The provisions of the Act extend to any sex offenders entering this jurisdiction from abroad who have an obligation to register in their own countries.

The provisions of the Sex Offenders Act 2001 are kept under regular review by my Department with a view to ensuring they are operating in a satisfactory manner. I regret that in the time available it has not been possible to obtain the information requested by the Deputy in regard to the number of persons who were convicted of an offence while subject to notification requirements under Part 2 of the Sex Offenders Act 2001. I will contact the Deputy again in regard to this matter.

Sex Offender Treatment Programme.

501. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the status of the treatment programme for sex offenders in prisons here; the capacity of the programme; the take up rates of these programmes; if there are waiting lists; the annual operating costs of the treatment programmes and his plans to extend these programmes. [35531/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As of 17 November 2005, there were 259 prisoners serving sentences for sexual offences. There are three forms of direct therapeutic intervention for sex offenders operating within the prison system. These are as follows: individual counselling from the Prison Service’s psychology service and from the probation and welfare service; the sex offender programme which has been in operation since 1994; and one-to-one interventions by visiting psychiatrists who provide support for prisoners.

[Mr. McDowell.]

196 Every effort is made to assist sex offenders in custody who are willing to participate at any level in their personal rehabilitation and relapse prevention. While it is not possible to quantify with absolute accuracy participation in all forms of rehabilitation, many of those in custody for sex offences have availed of one or more of the forms of intervention referred to above.

A total of 114 sex offenders have completed the sex offender programme to date. A further eight men are undertaking the programme in Arbour Hill Prison. While there were 35 applicants for the programme, only eight were assessed as suitably motivated for participation on the programme. The reasons applicants for the programme might be considered unsuitable include whether the applicant's sentence is under appeal. Current serious mental health problems would militate against effective participation in the programme, the applicant is not sufficiently prepared for the intensity of the programme, denial of offence, etc. Consequently, there is no waiting list in operation in respect of participation on the programme. The programme is voluntary and the practice is to invite all eligible sex offenders to apply for a place on the programme when a new group programme is being set up. The annual cost incurred by the Prison Service in operating the sex offender programme at Arbour Hill is the remuneration paid to those staff involved in its operation, for example, two part-time psychologists and three part-time probation and welfare staff.

The number of offenders undergoing one-to-one counselling in regard to their sexual offending is difficult to define because of the varied nature of individual counselling provided for sex offenders in prison. Some individuals engage with the therapeutic services initially to seek assistance in adjusting to imprisonment or to address their mental health needs. Following such interventions, offenders are often more open to looking at their sexual offending and a concentrated period of motivational work is conducted to help them address their offending behaviour. In response to such counselling many offenders, who initially might deny responsibility for their crime or deny any need for treatment, are motivated towards some process of change. For some offenders this results in them undertaking the sex offender programme, for others it results in sustained individual therapy around their offending or engagement in some other programme available in the prison system.

The number of suitably motivated offenders applying for participation on the sex offenders programme has declined in recent years and this is a matter of concern. The Prison Service is examining this situation to determine what measures may be taken to increase the number of offenders participating on the programme. A number of additional psychologists have recently

been appointed to the Prison Service. These new psychologists will play an important role in working with offenders to address their offending behaviour, including work with sex offenders aimed at enhancing their preparedness for possible participation on the sex offender programme.

Residency Permits.

502. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform if permission to remain here will be granted to a person (details supplied) in County Louth on humanitarian grounds; and if he will make a statement on the matter. [35532/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 17 April 1998 and claimed asylum the same day. He married an Irish national on 23 June 1999. He withdrew his application for asylum on 7 July 1999 in order to make an application for residence in the State on foot of his marriage to an Irish national. He was granted permission to remain in the State for an initial period of six months commencing at the end of March 2000. His residence permission was renewed on several occasions until his Irish spouse informed the Department by letter dated 8 April 2003 that her marriage had broken up shortly after it commenced.

On 28 May 2003 the person concerned was served with a notice in accordance with section 3 of the Immigration Act 1999, as amended. The notice informed him that the Minister proposed to make a deportation order in respect of him. He was given three options: make representations to the Minister within 15 working days setting out the reasons he should not be deported; voluntarily leave the State; or consent to the making of a deportation order against him.

The Minister went on to consider his case for deportation under section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996, (Prohibition of Refoulement), including consideration of all representations received on his behalf. A deportation order was signed in respect of him on 23 September 2005. He was requested to present himself to the Garda National Immigration Bureau, GNIB, on Thursday 6 October 2005 to make arrangements for his removal from the State. He presented as requested and was given a further presentation date of 13 October 2005. A subsequent presentation date of 18 October 2005 was arranged; however, he failed to present on that occasion. He is now classified as evading deportation and is liable to arrest and detention.

On receipt of correspondence from his legal representative dated 18 October 2005 requesting permission for their client to re-enter the asylum process, a letter dated 20 October 2005 issued from my Department advising that he was free

to apply for asylum again. At the same time my Department advised the Garda National Immigration Bureau, whose function it is to enforce deportation orders, to put a temporary stay on the deportation to allow him to reapply. To date, no application for asylum has been received by the Office of the Refugee Applications Commissioner, ORAC, from the person concerned. In the event that an application for refugee status has not been received by the ORAC by close of business on Thursday, 1 December 2005, I will be advising the GNIB to proceed with the enforcement of his deportation order.

Departmental Funding.

503. **Dr. Cowley** asked the Minister for Justice, Equality and Law Reform if funding will be made available for a group (details supplied); and if he will make a statement on the matter. [35566/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that my Department operates a small number of grant schemes with a limited range only and that no applications for funding have been received from the group to which he referred.

Garda Deployment.

504. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the number of additional Garda he intends assigning to Waterford city; when these additional resources will be assigned; and if he will make a statement on the matter. [35575/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities, which are responsible for the detailed allocation of Garda resources, including personnel, that the personnel strength of the Waterford-Kilkenny division as at 31 December 1997 was 305, all ranks. The personnel strength of the Waterford-Kilkenny division as at the 18 November 2005 was 348, all ranks. This represents an increase of 43, or 14.09%, in the number of personnel allocated to the Waterford-Kilkenny division since that date.

In regard to Garda resources generally, the accelerated recruitment campaign to reach a record force strength of 14,000, in line with the commitment in An Agreed Programme for Government, is fully on target. This will lead to a combined strength, of both attested Garda and recruits in training, of 14,000 by the end of 2006. The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the Waterford-Kilkenny division will be fully considered within the overall context of the needs of Garda divisions throughout the country.

Closed Circuit Television Systems.

505. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform when closed circuit television will be installed in Waterford city centre and Dungarvan town centre; and if he will make a statement on the matter. [35576/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, Waterford is one of 17 locations nationwide which has been selected to receive a Garda CCTV system. This programme of implementation of CCTV systems is being implemented on a phased basis as follows. Phase 1 includes Bray, Dundalk, Dún Laoghaire, Finglas, Galway and Limerick. Phase 2 includes Athlone, Clondalkin, Tallaght and Waterford. Phase 3 includes Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo. Phase 1 has been completed in five of the six locations.

Installation of CCTV systems is of necessity a detailed, complex and lengthy process. I am anxious to accelerate the implementation of the CCTV programme, and reduce as far as possible the workload of the Garda Síochána in this regard. I believe the answer is to outsource the installation of Garda CCTV systems to the greatest extent possible, making use not only of the technical but also of the project management expertise in the private sector. I have asked the Commissioner to submit proposals for outsourced CCTV systems in the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations, including Waterford, by the end of 2006.

As a first step in this process the Garda authorities engaged a consultancy firm to examine all aspects of Garda involvement in CCTV systems, including: the installation, operation and management of CCTV systems; monitoring, recording and related activities; accommodation and situation of facilities and staff in regard to the town CCTV system and Garda station premises; assessment of civilianisation of Garda CCTV monitoring conducted under the management of the Garda Síochána.

The consultancy firm also examined which procurement model is the most suitable in terms of commercial viability and cost effectiveness for the provision of town centre CCTV systems. This consultancy process has recently concluded and the Garda authorities are now finalising their proposals in consultation with my Department.

As the Deputy is also aware, an application for a Garda CCTV system in Dungarvan has been received by the CCTV advisory committee. 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 revised procurement model.

Garda Training.

506. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform if the overtime bill for the Garda to date in 2005 and for the past ten years will be published; and the arrangements put in place to secure additional accommodation for trainee gardaí in Tipperary and the cost associated with same. [35596/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The annual expenditure on Garda overtime is published each year in both the Comptroller and Auditor General's annual report and the Department of Finance's publication of the Revised Estimates. When the Revised Estimates for 2006 are published early in 2006, this publication will include the provisional outturn for Garda overtime for 2005 alongside the estimated provision for 2006. The expenditure for 2005 will also be published with the appropriation account, as part of the Comptroller and Auditor General's annual report for 2005 which will be published during 2006. The Garda overtime bill for each of the past ten years has been published in a similar manner.

A major expansion of the accommodation and other necessary facilities is under way in the Garda college, to facilitate the recruitment of the additional gardaí approved by the Government to bring the force up to 14,000. The works will be completed in advance of the next major intake of recruits in February 2006. Included is the provision of a new administration building with its new library, study areas and fitness centre, all of which will be completed in December 2005, as well as a new kitchen-dining hall and gym to be completed shortly thereafter. The new administration building will free up space for additional classrooms and the refurbishment of this space, together with the refurbishment of the old Garda station within the college campus to provide a new medical centre and classroom, will be completed on schedule.

The cost involved in this project, which is being funded by the Office of Public Works, is in the order of €20 million. This increased accommodation within the college, together with the outsourcing to Nenagh from April last of in-service training, will ensure it has the capacity to deal with the increased number of recruits for the period 2005 to 2007 and thereafter to cater for the additional training requirements of a 14,000-strong Garda force.

Garda Deployment.

507. **Mr. Crawford** asked the Minister for Justice, Equality and Law Reform the number of gardaí that could be released from office work if civilian staff were provided; the way in which other Departments have increased civilian staff dramatically in view of so-called limits (details supplied); and if he will make a statement on the matter. [35610/05]

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(Mr. McDowell): I refer the Deputy to my response to Parliamentary Question No. 557 of Tuesday, 8 November 2005 which outlined the position on civilianisation within the Garda Síochána. The Government has since approved my proposals for the funding of a 14-point anti-crime programme in 2006. A record €1,290 million is being provided to underpin this programme — an increase of €146 million or 13% when compared to 2005. At the heart of this programme, which will be sustained, targeted and comprehensive, is high-visibility policing for communities throughout the State.

This very substantial increase in resources will allow for full implementation of the Garda policing plan for 2006 and will provide for, among other things, an accelerated civilianisation programme for the Garda Síochána. Arising from a decision by the Government to redeploy surplus staff from the Department of Agriculture and Food to the force, the equivalent of up to 300 full-time gardaí will be freed up for front-line outdoor policing duties. This programme, which commenced in recent weeks with the deployment of Department of Agriculture and Food staff in Castlebar to the Garda information services centre, also based in Castlebar, will go nationwide in the course of 2006.

Funding has also been provided for the continued recruitment of 2,000 gardaí throughout 2006. This will lead to a combined organisational strength of both attested gardaí and recruits in training of 14,000 in 2006. The Deputy can be assured that the additional gardaí will be deployed in front-line, visible and effective policing.

Garda Strength.

508. **Mr. Crawford** asked the Minister for Justice, Equality and Law Reform the number of gardaí in service on 1 January 2002; the number at present; the number who have retired to date in 2005; the number of these who have taken early retirement; the number currently on sick leave; if he has satisfied himself that there are sufficient gardaí on the beat at difficult peak times to minimise unsocial behaviour in towns at night and maximise security; and if he will make a statement on the matter. [35611/05]

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(Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the personnel strength of the force as at 1 January 2002 was 11,815, all ranks. I have been further informed that the personnel strength as at 19 November 2005 was 12,301, all ranks.

Garda authorities state that a total of 419 members, of all ranks, have resigned, retired or otherwise left the force between 1 January and 19 November 2005. Of these, 260 members, of all ranks, have taken voluntary retirement. Garda

management has informed me that the number of gardaí unavailable for service due to illness, ill health, incapacity or otherwise on 19 November 2005 was 95, of all ranks. This figure relates to members on long-term sick leave who have not been available for duty for more than 183 days on 19 November 2005.

Garda management has further informed me that the numbers of Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures optimum use is made of Garda resources, and that the best possible policing service is provided to combat crime and unsocial behaviour.

In regard to Garda resources generally, the accelerated recruitment campaign to reach a record force strength of 14,000, in line with the commitment in An Agreed Programme for Government, is fully on target. In this regard, a total of 1,125 trainee gardaí were inducted into the Garda college to commence training during 2005. This will lead to a combined strength of both attested gardaí and recruits in training of 14,000 by the end of 2006. A further 2,200 student gardaí will be recruited in 2006 and 2007, that is, 1,100 in each of those years.

Deportation Orders.

509. **Ms O'Sullivan** asked the Minister for Justice, Equality and Law Reform if he will grant leave to remain on humanitarian grounds to a person (details supplied) in County Limerick; and if he will make a statement on the matter. [35630/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 18 June 2001 and made an application for asylum on 19 June 2001. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and on appeal by the Office of the Refugee Appeals Tribunal.

Subsequently, in accordance with section 3(b)(ii) of the Immigration Act 1999, as amended, he was informed by letter dated 14 August 2002 that the Minister proposed to make a deportation order in respect of him and afforded three options, to be exercised within 15 working days. These were to: leave the State voluntarily; consent to the making of a deportation order; or make written representations to the Minister for Justice, Equality and Law Reform setting out the reasons that he should not be deported.

This person's case was examined under section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996 (Prohibition of Refoulement). Consideration was given to all representations received on his behalf. On 11 February 2005, a deportation order was signed in respect of the person concerned. Notice of this order was served by registered post

requiring him to present to the Garda National Immigration Bureau, GNIB, 13-14 Burgh Quay, Dublin 2, on Thursday, 10 March 2005, in order to make arrangements for his deportation from the State.

He failed to present as required and is now classified as evading deportation. Consequently, he is now liable to arrest and detention. He should present himself to the GNIB without delay. The enforcement of the deportation order remains an operational matter for the bureau.

Asylum Applications.

510. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 522 of 8 November 2005, the number of persons who entered here on or before 31 December 2002, those who applied for asylum here, those who have been refused both recognition as refugees and leave to remain here on any other ground and whose current presence here, whether pending appeal or judicial review, or both, or following upon unsuccessful appeal or review, is accordingly irregular. [35656/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not possible to state the total number of foreign nationals who entered the State on or before 31 December 2002. However, the number who entered and claimed asylum in the six years before 31 December 2002 are shown in the following table.

Year of application	Number of asylum applications
2002	11,634
2001	10,325
2000	10,938
1999	7,724
1998	4,626
1997	3,883
1996	1,179

The number of persons granted or refused refugee status in the State during the years 2002 to 2005 are shown in the following table.

Year of decision	Decision to grant	Decision to refuse
2005 (31 October)	977	4,684
2004	1,155	7,560
2003	1,236	5,313
2002	1,839	5,992

A person whose application for asylum has been refused by the Minister is one of nine categories of persons in respect of whom a deportation order can be made. The total number of cases considered for deportation under section 3(6) of

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the Immigration Act 1999, as amended, during the years 2002 to 2005 and the results thereof are shown in the table below. The majority of these cases involved refused asylum seekers.

Year of decision	Number of deportation orders made	Temporary leave to remain granted in the section 3(6) context
2005 (31 October)	1,518	103
2004	2,915	207*
2003	2,411	86
2002	2,430	158

* The 2004 figure differs from one previously supplied because of updated data transfer to new information management system.

There are in the order of 6,500 persons evading deportation orders or Dublin II transfer orders whose whereabouts are unknown to the Garda National Immigration Bureau. However, it is believed most of these have already left the State. In so far as any of these are still in the State, their presence is illegal and they are subject to arrest and detention for the purposes of removal.

There are 596 persons with deportation orders who have ongoing judicial proceedings either before the High or Supreme Courts. The removal of these persons from the State is suspended in the interim.

Unaccompanied Minor Applications received by ORAC 2000-2005 (31/10).

Year	2000	2001	2002	2003	2004	2005 (31/10)
No. received	302	600	288	271	127	109

The statutory framework for dealing with asylum claims from unaccompanied minors is contained in the Refugee Act 1996. Section 8(5)(a) of the 1996 Act provides that where it appears to an immigration officer or an authorised officer of the Refugee Applications Commissioner that a child under the age of 18 years, who has either arrived at the frontiers of the State or has entered the State, is not in the custody of any person, the officer shall, as soon as practicable, so inform the Health Service Executive and thereupon the provisions of the Child Care Act 1991 shall apply to the child.

Section 8(5)(b) provides that where it appears to the Health Service Executive, on the basis of information available to it, that an application for a declaration should be made by or on behalf of a child covered by section 8 (5)(a), the service shall arrange for the appointment of an officer of the service or such other person as it may determine to make an application for asylum on behalf of the child.

I am advised by the Office of the Refugee Applications Commissioner and the Refugee

Refugee Status.

511. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of persons who entered here as unaccompanied minors and whose applications for refugee status were frozen pending their attaining the age of majority in respect of each of the past ten years; the number of such persons who remain here under the care of the Health Service Executive and who, on reaching the age of majority, will return to the status of asylum seeker and have their applications for refugee status dealt with; the policy considerations he proposes to apply in dealing with these cases and if length of time here and secondary level education qualifications attained will be relevant; and if he will make a statement on the matter. [35657/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. Special procedures are in place in both offices to deal with claims from unaccompanied minors.

The following table shows the number of unaccompanied minor applications received by ORAC for the years 2000 to 2005 to date.

Appeals Tribunal that it is not the practice to delay dealing with claims from unaccompanied minors pending their reaching 18 years of age. However, ongoing liaison would take place with the Health Service Executive on the scheduling of interviews.

In so far as policy considerations in the area of asylum are concerned, the statutory framework for dealing with asylum applications is set out in the Refugee Act 1996. All applications for refugee status are processed having regard to the definition of a refugee contained in section 2 of that Act. At the end of October 2005, some 56 asylum applications were outstanding from unaccompanied minors in ORAC and some 47 cases were on hand in the RAT. As the Deputy is aware, the Health Service Executive does not come under the aegis of the Department of Justice, Equality and Law Reform.

Passports for Investment Scheme.

512. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the individual

beneficiaries of the passport for investment scheme; the years they benefited; and the specific grounds on which they received passports. [35772/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A total of 107 primary investors, together with 76 spouses and minor children, were naturalised under the investment-based naturalisation scheme between 1989 and 2004.

It has been the practice of successive Ministers for Justice not to publish details of individual naturalisation cases other than those which are required by law, that is, the publication in *Iris Oifigiúil* of the name and address of the applicant, the date naturalised and whether he or she was an adult or minor. This policy is in place for a very good reason and I do not intend to depart from it. Applicants linked to investments and for that matter all applicants have an expectation that there will be no additional form of publicity about their applications other than that which is prescribed by law.

As the Deputy will be aware, the investment-based naturalisation scheme was abolished in April 1998 and in the Irish Nationality and Citizenship Act 2004, I introduced provisions to ensure that this scheme would not be reinstated and to rule out any future such scheme.

Teangacha Oifigiúla.

513. D'fhiafraigh **Mr. McGinley** den Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí an bhfuil sé i gceist aige leas a bhaint as Teastas Eorpach na Gaeilge arna fhorbairt ag Ollscoil na hÉireann Maigh Nuad agus atá bunaithe ar an bhFráma Coiteann chun a chinntiú ar bhonn eolaíoch go mbeidh leordhóthain Gaeilge ag gach comhalta den Gharda Síochána ag deireadh a gcúrsa traenála dhá bhliain chun a gcuid dualgas a chomhlíonadh sa dá theanga oifigiúla. [30698/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Déanfaidh Coimisinéir an Gharda Síochána, i gcomhairle le mo Roinnse agus leis an Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta, an Teachta Ó Cuív, mionsonraí na riachtanas oideachais Gaeilge de chuid Gardaí faoi oiliúint a thabhairt chun críche go luath.

Déanfar an cúrsa a chuireann Ollscoil na hÉireann, Maigh Nuad, ar fáil a scrúdú sa chomhthéacs thuas, i measc cúrsaí eile.

Child Care Services.

514. **Mr. Bruton** asked the Minister for Education and Science the amount paid to recruitment companies for child care staff at detention schools annually since 1998. [35226/05]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is being collated by officials in the Department

of Education and Science and will be forwarded directly to him as soon as possible.

Grant Payments.

515. **Mr. Deenihan** asked the Minister for Education and Science if she will provide core State funding for Educate Together, the national representative organisation for multi-denominational schools; and if she will make a statement on the matter. [35928/05]

544. **Mr. Bruton** asked the Minister for Education and Science if she has met the group Educate Together which runs 39 schools; her views on whether this group should be recognised as a development body with education and given realistic levels of funding to provide technical support for its school network and to undertake new initiatives in education methods and out of school developments; and the basis on which the present grant to this organisation has been calculated. [35287/05]

552. **Mr. Gregory** asked the Minister for Education and Science her response to the service level agreement proposed by Educate Together to facilitate its work as a patron body to provide the necessary services for parents wishing to establish a multi-denominational school; if this proposed State aid will be proportionate to the patron body's activity in opening schools; and if she will make a statement on the matter. [35548/05]

553. **Mr. Gregory** asked the Minister for Education and Science if funding will be granted to the Educate Together organisation on a par with the €400,000 per annum granted to the Gaelscoil movement. [35549/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 515, 544, 552 and 553 together.

I met representatives of Educate Together some months ago at which various issues, including the matter of funding, were discussed. The level of funding that the Department of Education and Science provides for Educate Together as a school management body is on a par with that provided for Foras Patrúnachta na Scoileanna Lánghaeilge, the Church of Ireland Board of Education, the Islamic Board of Education and the National Association of Boards of Management in Special Education.

Following discussions with Educate Together the Department of Education and Science has provided additional funding for Educate Together in 2005 to meet the immediate issues of concern to that body. As I indicated in my statement on the publication of the Estimates for 2006, extra funding will be made available to the primary school management bodies, including

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Educate Together, and I will be in touch with them in the coming weeks about the matter.

Regarding support for the establishment of new multi-denominational schools, the Department of Education and Science has supported the establishment of many new Educate Together schools in recent years. Of the 24 new schools granted provisional recognition in the past three years, 12 are under Educate Together patronage, 11 of which are open.

The Department of Education and Science has made a number of changes in recent years which have made the provision of accommodation for new schools much easier. One of these changes, which was strongly welcomed by Educate Together, was the abolition of the local contribution to the building costs for State-owned school buildings, which had cost up to €63,500 per school. Other innovations include the development of the design and build model to provide permanent accommodation much more quickly, such as in the case of the new Educate Together school in Griffeen Valley, Lucan which was designed and built in less than 13 months.

The issue of additional funding for Educate Together from other State sources is essentially a matter for the Educate Together to pursue with the relevant interests outside of the Department of Education and Science.

Schools Building Projects.

516. **Mr. Nolan** asked the Minister for Education and Science when sanction will be approved for an extra classroom to a school (details supplied) in County Carlow; and if she will make a statement on the matter. [35119/05]

Minister for Education and Science (Ms Hanafin): The school planning section of the Department of Education and Science is in receipt of an application for additional accommodation from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large-scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

517. **Mr. Nolan** asked the Minister for Education and Science when sanction will be approved for an extra classroom to a school (details supplied) in County Carlow; and if she will make a statement on the matter. [35120/05]

Minister for Education and Science (Ms Hanafin): The school planning section of the Department of Education and Science is in receipt of an application for additional accommodation from the management authority of the school to which the Deputy refers. The appli-

cation has been assessed in accordance with the published prioritisation criteria for large-scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Pupil-Teacher Ratio.

518. **Mr. Howlin** asked the Minister for Education and Science if her attention has been drawn to the fact that the first, second and third multi-class group of a school (details supplied) in County Wexford consists of 38 pupils while the other two multi-class groups each have 20 pupils; if this arrangement complies with the Department's guidelines on class size; the steps she will take to ensure that no multi-class group in this school will be greater than 20 pupils in the current and future academic years; and if she will make a statement on the matter. [35133/05]

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, which is issued annually to all primary schools.

The staffing of the school referred to by the Deputy is a principal and two mainstream class teachers based on an enrolment of 77 pupils on 30 September 2004. The school also has one permanent learning support-resource post under the new general allocation system.

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. I have requested the inspectorate of the Department of Education and Science to monitor the deployment of staff and class sizes and, where necessary, to discuss with school authorities the basis on which school policy decisions in this regard have been made, and to report to the Department, where appropriate.

Significant improvements have been made in the pupil-teacher ratio and in average class size in recent years at primary level. The most recent figure available for average class size at primary level refers to the 2003-04 school year, when the average class size was 23.9, down from 26.6 in 1996-97. The pupil-teacher ratio at primary level, which includes all the teachers, including learning support and resource teachers, has fallen from 22.2:1 in the 1996-97 school year to a projected 17.1:1 in 2004-05. As I indicated in my statement on the recently published Estimates, I have secured sufficient funding to provide for even smaller classes in our primary schools in the next school year. The Minister for Finance has com-

mitted to a further reduction in class size in the following year.

To ensure openness and transparency in the system an independent appeal board is now in place to decide on any appeals on mainstream staffing. The criteria under which an appeal can be made are set out in Department primary Circular 19/02 which is also available on the Department's website.

Student Representation.

519. **Mr. F. McGrath** asked the Minister for Education and Science if students are represented on the governing body of Marino Institute of Education, Marino, Dublin in line with the Health Education Authority and Department recommendations and best practice; the position regarding the situation at a school (details supplied). [35135/05]

Minister for Education and Science (Ms Hanafin): Marino Institute of Education is not under the remit of the Higher Education Authority and, accordingly, is not obliged to implement its recommendations. The institute is not covered by the 1997 Universities Act and its relevant provisions regarding the composition of university governing authorities, including the question of student representation. As the institution referred to by the Deputy is privately owned, I do not have any direct role in its governance. I understand, however, that students at Coláiste Mhuire Marino have recently sought to be represented on its governing body and that this request is being considered by the trustees of Marino Institute of Education.

Departmental Staff.

520. **Mr. P. McGrath** asked the Minister for Education and Science the number of civil servants and other staff employed in the press office for each of the Ministers of State at the Department of Education and Science; and the grade

and remuneration of each of these members of staff. [35148/05]

Minister for Education and Science (Ms Hanafin): As stated in my reply of 2 November 2005, four people are employed in the press office of the Department of Education and Science. This office deals with all press queries to the Department. The grades of the staff are as follows: one press officer at assistant principal officer level; two higher executive officers; and one executive officer. The amount paid in respect of salary for these staff is in accordance with the Department of Finance salary scales for civil servants.

521. **Mr. P. McGrath** asked the Minister for Education and Science the number of civil servants and other staff employed on constituency and public relations work for each of the Ministers of State in the Department of Education and Science; and the grade and remuneration of each of these members of staff. [35163/05]

Minister for Education and Science (Ms Hanafin): Four people are employed in the constituency office of the Minister of State, Deputy de Valera. The grades of staff are as follows: one personal secretary; one staff officer; and two clerical officers. The amount paid in respect of salary for these officers is in accordance with the Department of Finance salary scales for the relevant grades.

School Staffing.

522. **Mr. P. McGrath** asked the Minister for Education and Science the one-teacher schools and the number of pupils enrolled in each of those schools as at 30 September 2005. [35170/05]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is provided in the following table. The Deputy should be aware that the enrolment figures given are provisional and subject to check.

School	Address	Roll No.	Enrolment on 30/9/2005
Corlea N.S.	Kingscourt, Co. Cavan	Roll No: 14320 U	13 children
Baltard N.S.	Doonbeg, Kilrush, Co. Clare	Roll No: 15968 I	8 children
S.N. Breac Maigh	Castlelyons, Co. Cork	Roll No: 03993 O	8 children
S.N. Oileán an Chnoic	Leitir Mealain, Co. na Gaillimhe	Roll No: 15518 A	8 children
The Glebe N.S.	Aughrim, Ballinasloe, Co. Galway	Roll No: 15900 U	13 children
S.N. Naomh Bríde	Mughros, Carna, Co. Galway	Roll No: 18263 I	5 children
Drumnamore N.S.	Lawderdale, Carrick-on-Shannon, Co. Leitrim	Roll No: 17132 L	12 children
Naomh Mhuire Boys N.S.	Lanesboro, Co. Longford	Roll No: 18306 A	4 children
Ratheskin N.S.	Kincon P.O., Killala, Co. Mayo	Roll No: 13866 N	5 children
Tyholland N.S.	Tyholland, Co. Monaghan	Roll No: 13339 N	9 children
Mantua N.S.	Castlerea, Co. Roscommon	Roll No: 02327 S	9 children
Slatta N.S.	Kilglass, Co. Roscommon	Roll No: 13879 W	13 children

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School	Address	Roll No.	Enrolment on 30/9/2005
Camcloon N.S.	Athlone, Co. Roscommon	Roll No: 15980 V	12 children
S.N. Naomh Attrachta	Kilmatigue, Aclare, Co. Sligo	Roll No: 13944 H	10 children
S.N. Mhuire Gan Smál	Eanach Mór, Gurteen, Co. Sligo	Roll No: 18711 J	8 children
Gartan N.S.	Gartan, Letterkenny, Co. Donegal	Roll No: 13755 E	11 children
S.N. Mín na Manrach	An Clochan Liath, Letterkenny, Co. Donegal	Roll No: 16142 J	12 children
S.N. Dumhach Beag	Dumhach Beag, Baile Láir, Co. Donegal	Roll No: 16242 N	12 children
S.N. Oilibhéar Pluincead	Shannonbridge, Co. Offaly	Roll No: 17187 N	8 children
St. Michael's N.S.	Church Road, Ardnaree, Ballina, Co. Mayo	Roll No: 12792 F	4 children

523. **Mr. P. McGrath** asked the Minister for Education and Science the arrangements that are in place in the event of an accident to a student in a one-teacher school to get the student to the doctor or hospital and to supervise the pupils remaining in the school. [35171/05]

Minister for Education and Science (Ms Hanafin): Sections 14, 15 and 23 of the Education Act 1998 assigns each board of management and principal teacher responsibility for the day-to-day management of schools at both primary and post-primary level. Principals should organise supervision for the order and general behaviour of pupils during school hours. In particular, they should organise and participate in the effective supervision of the pupils during breaks, lunch breaks, assembly and dismissal.

Rules 121(4) and 124(1) of the Rules for National Schools and section 23(2) of the Education Act 1998 oblige teachers to take all reasonable precautions to ensure the safety of pupils and to participate in supervising pupils when the pupils are on school premises, during school time and/or on school activities. Accordingly, the responsibility of all teachers individually and collectively to provide a duty of care at all times towards the pupils in the school in which they teach, including periods of supervision, remains. Special needs assistants, who may be assigned to schools to cater for pupils with significant care needs, may be required to assist such pupils, if appropriate.

In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of individual school management authorities to have a safety statement in place in their schools. The statement should identify potential hazards, assess the risks to health and safety and put appropriate provision in place to safeguard the safety and health of employees and pupils. The safety statement should be reviewed on a regular basis.

524. **Mr. Costello** asked the Minister for Education and Science the number of schools which have lost teachers since the introduction of an initiative on special needs teachers in primary

schools; if she will ensure that no school loses out through an initiative to address special needs; and if she will make a statement on the matter. [35172/05]

Minister for Education and Science (Ms Hanafin): Schools lose teacher support for various reasons, including reducing enrolments, reduction in the number of Traveller pupils, reduction in the number of non-national pupils who do not have English as a first language as well as reduced levels of pupils with special educational needs. The Department of Education and Science allocates teaching resources according to agreed criteria and posts are gained or lost in accordance with these criteria. Approximately 310 teachers were surplus to requirements in certain schools this year and were placed on appropriate panels for redeployment, and more than 1,000 additional teachers have been allocated to primary schools already this year. Over the next two years 500 extra teachers will be allocated in primary schools to reduce class size and tackle disadvantage, which will mean that class size will be significantly reduced in the coming years. This will benefit all pupils, including those with special educational needs in mainstream classes.

Specifically in the area of special education, the Deputy will be aware that the general allocation of learning support-resource teachers, LS-RTs, is intended to cater for children with learning support and high incidence special educational needs. The system was constructed in order that LS-RT 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 new system has a number of benefits as follows: it puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels; it facilitates early intervention as the resource is in place when the child enrolls; it reduces the need for individual applications and supporting psychological assessments; it allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services.

In introducing the general allocation system transitional arrangements were also introduced whereby transitional hours were allocated to schools to cater for children for whom individual teaching resources had previously been allocated but which the school could not continue to provide from its general allocation. In the circumstances no child should have experienced a loss of resource teaching support. It has, however, always been the case that schools that were in receipt of resource teacher support in respect of pupils with special educational needs would lose teacher support, either full posts or part-time hours, when the pupils who triggered the extra support left the school.

In the circumstances I do not propose to restore learning support-resource teachers to schools that no longer need them. It is intended that a review of the general allocation model will be undertaken within three years of operation. I am satisfied that at this stage the general allocation system is working well and has been favourably received by schools. The Department of Education and Science will continue to work with schools and the education partners with a view to ensuring that this remains the case. In excess of 5,000 teachers in our primary schools work directly with children with special needs, including those requiring learning support. This compares with fewer than 1,500 in 1998. One out of every five primary school teachers is now working specifically with children with special needs.

Institutes of Technology.

525. **Ms Burton** asked the Minister for Education and Science the procedure to be adopted regarding senior posts in higher education, when it emerges subsequent to interview that an appointee to such a senior post has previously been dismissed from a post in higher education; and if she will make a statement on policy in relation to this matter. [35179/05]

526. **Ms Burton** asked the Minister for Education and Science if, in the specific case of institutes of technology, it had emerged subsequent to appointment that the appointee to a senior post had previously been dismissed from an academic post in third level education; the requirements of the institute in this matter; and if there is any policy position by the Department of Education and Science in respect of such matters. [35180/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 525 and 526 together.

As the Deputy will be aware, under the Universities Act 1997, universities are autonomous institutions and I, as Minister, have no role in the

day-to-day management of the institutions. Sections 24 and 25 of the Act provide for the appointment of a chief officer and staff to a university.

With regard to the technological sector, the institutes of technology are statutory bodies established under the Regional Technical Colleges Acts 1992 to 1999 and the Dublin Institute of Technology Acts 1992 and 1994. Section 11 of the Regional Technical Colleges Act 1992 and section 12 of the Dublin Institute of Technology Act 1992 provide for the appointment of staff to the institutes. Under the terms of these Acts, the governance and day-to-day activities of the institutes, including the appointment of staff, are matters for which the governing bodies and the management authorities of the institutes are responsible.

Schools Refurbishment.

527. **Mr. Stagg** asked the Minister for Education and Science if her attention has been drawn to the fact that the condition of a school yard (details supplied) in County Kildare is such that the staff and management have to prevent children running during play and break periods for health and safety reasons; if she has received an application from the school management to have the resurfacing of the school yard included in the 2006 summer works programme; if a decision has been made on this application to date in 2005 or when a decision can be expected. [35184/05]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers has submitted an application for an upgrade to its external play area under the summer works scheme for 2006. The closing date for the receipt of such applications was 14 October. All applications are being assessed and a list of successful applicants will be published when the assessment procedure has been completed.

School Transport.

528. **Mr. Perry** asked the Minister for Education and Science, further to Question No. 407 of 11 October 2005, if she has received the enclosed appeal of 8 November 2005 from persons (details supplied) regarding free transport; if a decision will be made in view of the extenuating circumstances; and if she will make a statement on the matter. [35185/05]

Minister for Education and Science (Ms Hanafin): As previously outlined in response to the Deputy's questions tabled on 24 May, 22 June and 11 October 2005, an application for school transport in respect of the pupil referred to by the Deputy was received by the Department of Education and Science in October 2004.

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However, as she did not meet the conditions prescribed under the Department's school transport scheme, she was deemed ineligible for free transport to the school concerned. The Department of Education and Science advised at the time, however, that she was eligible to be considered for concessionary fare-paying transport subject to the usual conditions.

An appeal against the Department's decision was submitted to the independent school transport appeals board in November 2004. The board considered the appeal and found that the terms of the school transport scheme had been fairly and appropriately applied in respect of the pupil concerned.

Schools Building Projects.

529. **Mr. Crawford** asked the Minister for Education and Science the position on funding for a new MIFET college in Monaghan; if this can be built under a PPP system; when Monaghan vocational educational committee will get the go ahead for this project; and if she will make a statement on the matter. [35187/05]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of accommodation for Monaghan Institute of Further Education and Training has been assessed in accordance with the published prioritisation criteria which was revised following consultation with the education partners.

It has been agreed that the long-term accommodation needs of the college will be met by way of a new building. As the Deputy will be aware, I have already announced the list of schools which will be delivered under the public private partnership model and the next PPP announcement will outline projects in third level institutions. This application will be considered in the context of the school building and modernisation programme 2005 to 2009.

530. **Mr. Crawford** asked the Minister for Education and Science if funding can be made available for roofing repairs at a college (details supplied) in County Monaghan; the position regarding the building programme for this school; her views on whether this is a dangerous situation which needs to be dealt with; and if she will make a statement on the matter. [35188/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has made an application for funding under the summer works scheme 2006. All applications under this scheme are being examined in school planning section of the Department of Education and Science. The list of successful applicants will

be published when the assessment process is completed. An application for capital funding towards the provision of an extension is also being considered in the context of the school building and modernisation programme 2005 to 2009.

531. **Dr. Cowley** asked the Minister for Education and Science when a school (details supplied) in County Mayo will be included in the capital programme for building; and if she will make a statement on the matter. [35193/05]

572. **Ms Cooper-Flynn** asked the Minister for Education and Science if a school (details supplied) in County Mayo will have its application for additional accommodation reviewed in view of the huge amount of development which has taken place in the area in recent years with a view to progressing the application to a more advanced stage. [35697/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 531 and 572 together.

The school referred to by the Deputy has made an application for capital funding towards the provision of additional classroom and ancillary accommodation. The overall accommodation needs of the school are being examined in my Department in order to ensure that any capital funding being provided is appropriate to meet the school's long-term accommodation needs. When a decision is made the application will be considered in the context of the school building and modernisation programme 2005-09.

Outdoor Education Centres.

532. **Mr. Crawford** asked the Minister for Education and Science if or when departmental recognition will be given to a group (details supplied) run by Monaghan Vocational Educational Committee; her views on whether almost 8,000 young persons used this facility in the first nine months of 2005 and that it is one of the few organisations which caters for cross-Border involvement and young persons with special needs; her further views on whether the recognition for funding of this organisation is ongoing for at least the past ten years; and if she will make a statement on the matter. [35210/05]

Minister for Education and Science (Ms Hanafin): Outdoor education centres, such as that referred to by the Deputy, have been developed by vocational education committees in the interest of providing outdoor education programmes to enhance the quality of the educational experience for young people. The VEC outdoor education centres cater mainly for primary and post-primary students, including young people from disadvantaged backgrounds. They also cater

for third level students, youth groups, special needs groups and adults. During periods, in particular, of school holidays when the centres are not fully utilised for educational purposes, they generate additional income by providing courses on a commercial basis for the leisure and tourism market.

There are nine recognised centres and three unrecognised centres, including the one referred to by the Deputy. Funding was originally approved on the basis that the centres would be self-financing. Accordingly, my Department's annual grants are contributory in nature and go mainly towards the core staffing costs involved in running the centres. The funding provided by my Department, including for the centre referred to by the Deputy, has increased considerably in recent years and now stands at some €1.8 million annually.

My Department has been in recent years in discussions with the VECs and representative staff unions concerning the pay structure and conditions of service that should apply to the different categories of staff in the centres. Considerable progress has been made in these discussions and my Department anticipates that agreement on this long-standing issue can be agreed in the near future. Finalisation of these arrangements will enable the recognition of the three unrecognised centres to be addressed.

Residential Institutions Redress Board.

533. **Mr. F. McGrath** asked the Minister for Education and Science the position with regard to the case of a person (details supplied); and if the maximum support will be given on this matter. [35211/05]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Act 2002 provides that the Minister for Education and Science may, by order, include in the Schedule to the Act any industrial or reformatory school, orphanage, children's home, special school providing education services to children with a physical or intellectual disability, or hospital providing medical or psychiatric services to people with a physical or mental disability or mental illness, in which children were placed and resident and in respect of which a public body had a regulatory or inspection function.

The Department of Health and Children was consulted by my Department with regard to the Morning Star mother and baby unit and it advised that this was a privately run facility which was not subject to State inspection or regulation. As a consequence, it is not possible to give further consideration to the placement of this unit in the Schedule.

The question of including additional institutions has now been fully considered by my

Department in consultation with relevant Departments and it is not proposed to add any further institutions to the Schedule at this point.

It is important to note that in the Government's initiatives to address past abuse the needs of those who suffered abuse in institutions not covered by the redress Act is recognised and provided for and a range of measures has been put in place to assist them. These include the Commission to Inquire into Child Abuse, education grants, dedicated counselling and other services for victims of abuse.

I have spoken to the person recently mentioned by the Deputy and explained the situation to her. Officials in the Department have also outlined the position with regard to the Morning Star mother and baby unit to the person concerned on a number of occasions. An official from my Department met the person on 20 October 2005 and explained that the legislation does not allow me to consider including the unit in the Schedule. However, I understand that she was also resident as a child in another institution which is included in the Schedule and she has been advised by department officials that she could explore, in consultation with her legal representative, the possibility of making an application to the redress board based on what happened to her in that institution. She would need to do this before 15 December 2005, the closing date for making applications to the redress board.

Pension Provisions.

534. **Mr. Neville** asked the Minister for Education and Science if there is a limit to the number of days that a retired primary teacher can work without their pension being affected. [35215/05]

Minister for Education and Science (Ms Hanafin): A teacher who has retired on pension may, subsequent to retirement, give further teaching service provided the nature of the pension does not debar a return to employment. Pensions which could debar employment are those awarded because of ill health or under the early retirement scheme for teachers, namely, the three-strand scheme.

Where the teacher's pension is an ill-health pension, a return to teaching could be approved only on production of medical evidence indicating, to the satisfaction of my Department, that a significant improvement in health had occurred. If such an improvement was substantiated, payment of the ill-health pension would cease.

The position in regard to the early retirement scheme for teachers is that teachers who are awarded a pension under strand 1 or strand 2 of that scheme undertake, in accepting the pension, that they will not take up employment as a teacher or lecturer in any school or college

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funded by my Department. Teachers who retire under strand 3 of that scheme, that is, on the grounds that they are surplus to requirements, may undertake part-time or substitute teaching on a casual or intermittent basis but any more substantial teaching employment, or any other public sector employment which is taken up, would lead to the cessation of the early retirement, strand 3, pension.

Where the nature of the pension does not debar a return to employment, such a return may cause the pension to be abated. Abatement is a standard feature of public service pension schemes and is the mechanism used to ensure that the combined earnings, pension plus pay, do not exceed the up-rated pay on which the pension is based. Abatement will lead to the suspension of the pension in respect of any full week during which a primary teacher is in receipt of *pro rata* pay. Where the primary teacher, in receipt of *pro rata* pay, is employed for not more than two days in the week, payment of pension in respect of that week will not be affected. Where the primary teacher, in receipt of *pro rata* pay, is employed for three or four days in the week, pension for the week will be reduced under the abatement rules. Pension will, of course, be restored in full when the employment ceases.

Where the primary teacher is in receipt of pay at the casual daily rate, pension will not be affected. The maximum period which may attract pay at the casual daily rate is 40 days in the school year.

Arising from recent changes agreed regarding the implementation of the Protection of Employees (Part-time Work) Act, teachers, other than those who are contracted to work for the full duration of the school year, may be employed on a non-casual basis or on a casual basis. A primary teacher who is employed on a non-casual basis will be contracted to work for more than 40 days in the school year. A primary teacher who is employed on a casual basis will be employed without the expectation that he or she will attain

40 days' employment in the school year; if the teacher happens to attain this threshold, he or she will be deemed to be employed, with effect from the 41st day, on a non-casual basis.

Retired teachers who return to teaching on a non-casual basis are eligible to receive *pro rata* pay, that is, pay based on the rate of incremental salary which they held prior to retirement, together with appropriate pensionable allowances. Primary teachers employed on a casual basis will be paid the casual daily rate.

State Examinations.

535. **Ms Enright** asked the Minister for Education and Science the number of candidates for the leaving certificate examinations for each of the past ten years; the number of persons who attempted the examination in Irish and the type of examination attempted for each of the past ten years; the number of persons exempted from sitting the Irish examination for each of the past ten years, in particular the number of leaving certificate students exempted; and if she will make a statement on the matter. [35217/05]

Minister for Education and Science (Ms Hanafin): The statistical data requested by the Deputy is contained in the following table. The data have been compiled on the assumption that the Deputy is referring to Irish simply as an examination subject in its own right. These figures refer to all candidates who entered for and sat the leaving certificate Irish examination in each of the years listed. These include school based candidates, external candidates, repeat candidates and candidates entered for the examination through VTOS, BTEI and other analogous adult education schemes.

With regard to exemptions, it should be remembered that the exemption refers to the study of Irish in a recognised school and not to the examination itself. The figures provided for exemptions refer, in each year, to the number of leaving certificate candidates from recognised schools who also had an exemption from the study of Irish.

Year	Candidates for Irish Exam	Actual Sits for Irish Exam	Type of Examination			Irish Exemptions
			Higher	Ordinary	Foundation	
1996	51,442	48,988	13,797	30,202	4,989	404
1997	56,157	53,984	15,744	32,785	5,455	359
1998	58,965	57,556	17,732	34,042	5,782	359
1999	57,967	56,426	17,221	33,563	5,642	413
2000	55,949	54,553	16,958	31,862	5,733	591
2001	52,176	50,825	15,719	29,868	5,238	646
2002	50,190	49,085	14,901	28,907	5,277	619
2003	51,107	49,828	15,102	29,464	5,262	714
2004	49,672	48,690	14,876	28,717	5,097	887
2005	48,445	47,436	14,358	28,066	5,012	953

School Accommodation.

536. **Ms O. Mitchell** asked the Minister for Education and Science if the temporary letting of the lands required for a school (details supplied) will be agreed to in view of the intractable problems of title which have prevented the long overdue permanent school construction. [35218/05]

Minister for Education and Science (Ms Hanafin): A request to enter into a temporary letting agreement for the lands in question is under consideration in my Department and a decision on this matter will issue shortly.

With regard to the provision of permanent accommodation, the position is that the prospective vendors are working to resolve the issue of title to the lands in question and, unfortunately, no progress can be made on the acquisition of the site or the provision of a permanent school building until that issue is resolved.

School Transport.

537. **Mr. McGuinness** asked the Minister for Education and Science the reason a proper transport arrangement with a helper has not been put in place in the case of a person (details supplied) in County Kilkenny; if proper transport cannot be provided will her Department or the Health Service Executive approve a grant for these persons to purchase a suitable vehicle to transport their child; if the concerns of the National Educational Welfare Board will be considered; and if she will make a statement on the matter. [35242/05]

Minister for Education and Science (Ms Hanafin): Grant assistance towards the cost of private school transport arrangements for the pupil referred to by the Deputy in the details supplied was approved by my Department in October 2003, with effect from the 2003-04 school year.

On 19 January 2005, on receipt of a further application in respect of the pupil, my Department approved the provision of a wheelchair-accessible transport service to the school concerned through Bus Éireann, which organises the school transport scheme on behalf of my Department. My Department understands, however, that the parents of the pupil concerned have declined this offer of transport on the grounds that the pick-up time of 8.45 a.m. is too early. It is considered by my Department that all reasonable efforts have been made to facilitate the pupil concerned with a suitable transport service. The offer of a suitably adapted service remains available to the parents should they wish to avail of it.

The primary object of my Department's school transport scheme is to provide a reasonable, accessible transport service in respect of primary, post-primary, and special needs pupils. My

Department does not provide grants to parents to purchase suitable vehicles to transport their children.

Schools Building Projects.

538. **Mr. McGuinness** asked the Minister for Education and Science the progress in examining an application from a school (details supplied) in County Kilkenny for improved accommodation; if officials from her Department have visited the school; if a decision has been made relative to the requirements of the school; if plans have been drawn or approved; if the school will qualify under the 2006 devolved grant scheme; and if she will make a statement on the matter. [35245/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for a new building from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large-scale projects. As part of this assessment, a technical inspection was carried out on the existing building. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Inquiry into Child Abuse.

539. **Dr. Upton** asked the Minister for Education and Science if her attention has been drawn to a report from a person [details supplied] in Dublin 11 which her Department received in January 1967 regarding the industrial and reformatory schools; if the documentation in her Department relating to the report contains reference to correspondence and a meeting in autumn 1964 between the author of the report and the then Minister for Justice, Equality and Law Reform; and if she will make a statement on the matter. [35253/05]

Minister for Education and Science (Ms Hanafin): I understand that a report was made to my Department in 1991 in respect of the person mentioned by the Deputy. My Department does not, however, have any record of a meeting with the then Minister for Justice, Equality and Law Reform with regard to matters referred to in this report. I would like to confirm that all relevant documentation held by my Department on this report was forwarded to the Commission to Inquire into Child Abuse in compliance with a Discovery Order from the Commission in June 2003.

Schools Refurbishment.

540. **Mr. J. Breen** asked the Minister for Edu-

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cation and Science if a school (details supplied) in County Clare will be included in the summer works scheme in 2006; and if she will make a statement on the matter. [35277/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has made an application for funding under the summer works scheme 2006.

All applications under this scheme are being examined in the school planning section of my Department. The list of successful applicants will be published when the assessment process is completed.

Schools Building Projects.

541. **Mr. J. Breen** asked the Minister for Education and Science if a permanent site and new building for a school (details supplied) in County Clare will be fast-tracked; and if she will make a statement on the matter. [35278/05]

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 exploring the possibility of acquiring a site for the school referred to by the Deputy.

The site acquisition process must take account of all relevant factors, including public procurement procedures, and therefore cannot be fast-tracked as proposed. As soon as a suitable site has been secured, the construction of the school building will be considered in the context of the school building and modernisation programme 2006-09.

542. **Mr. Hayes** asked the Minister for Education and Science if a new school (details supplied) in County Tipperary will be provided or if an existing school will be upgraded. [35282/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for additional accommodation from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large-scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Physical Education Facilities.

543. **Mr. Timmins** asked the Minister for Education and Science the position on fitness facilities for students with physical disabilities in schools; if funding is allocated towards these facilities; the Government policy regarding same;

and if she will make a statement on the matter. [35285/05]

Minister for Education and Science (Ms Hanafin): My Department fully recognises the key role of physical exercise within the school environment and continues to respond to the need to improve physical education facilities for all pupils attending primary and post-primary schools. The provision of such facilities is an integral part of the design process for new school buildings or where an existing school building is undergoing major refurbishment. In primary schools new physical education equipment such as balancing benches and gym mats are funded as part of any major building programme. At post-primary level when a physical education hall is built a range of equipment is provided to facilitate the teaching of many sports. This includes posts or goals and nets for basketball, netball, volleyball, badminton, football and hockey. Table tennis tables and some gymnastic equipment such as mats and springboards are also provided.

Regarding specific sports equipment grants, from 2000 to 2003 my Department provided in excess of €5.5 million in grant aid for primary schools specifically for this purpose to enable them to provide coaching or mentoring in connection with physical education or to purchase resource materials associated with the provision of physical education. Such materials and equipment would normally have a useful life of several years.

Schools may use their general capitation funding to support the implementation of curricula, including physical education. Since 1997 the standard rate of capitation grant at primary level has been increased from £45, €57.14, per pupil to €133.58 in the current year, an increase of almost 134% in the period. At post-primary level the standard rate of capitation has also increased, to €286 in the current year. In addition, post-primary school with special classes receive an additional €200.62 per pupil attending the special class.

In 2006 the capitation grant at primary level will be increased by €12 per pupil to €145.58 and at post-primary level by €12 to €298 per student. Also, all primary schools with permanent recognition receive an annual minor works grant from my Department. Each school gets a standard rate of €3,809 together with a per pupil rate of €12.70. Special schools and schools with special classes receive an enhanced per pupil rate of €50.80. It is open to school management authorities to use this devolved grant for the purchase of equipment, including physical education equipment, provided it is not required for more urgent works.

Primary and post-primary schools that establish a class for special needs pupils receive a once-off grant of €6,500 per class to purchase equipment, including physical education equipment, that they

feel best meets the needs of the pupils attending the class. My Department also considers applications for additional grant aid for such equipment where schools can demonstrate that the minor works grant funding is insufficient for this purpose.

Question No. 544 answered with Question No. 515.

Departmental Staff.

545. **Mr. Gilmore** asked the Minister for Education and Science the number of staff, broken down by grade, employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if she will make a statement on the matter. [35310/05]

Minister for Education and Science (Ms Hanafin): There are eight staff working in my private office and five staff working in my constituency office, as follows. In my private office there is one principal officer, one private secretary at higher executive officer level, two executive officers, four clerical officers and one special adviser at principal officer level. In my constituency office there is one higher executive officer, one staff officer, working on a half-time basis, two clerical officers, one personal assistant at higher executive officer level and one personal secretary. All these staff are permanent civil servants except for my special adviser, personal assistant and personal secretary.

The annual cost of these offices is as follows. Private office, €408,177; constituency office, €237,486. The amount paid in respect of salary, overtime and expenses for these staff is in accordance with the salary scales and travel and subsistence rates approved by the Department of Finance.

Residential Institutions Redress Board.

546. **Mr. Haughey** asked the Minister for Education and Science if foster homes such as an orphanage (details supplied) in Dublin 7 can be brought within the ambit of the Residential Institutions Redress Board; and if she will make a statement on the matter. [35313/05]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Act 2002 provides a statutory scheme of financial redress for persons who, as children, were abused while in residential institutional care. The scheme applies in respect of institutions specified in the Schedule to the Act. Section 4 of the Act provides that the Minister for Education and Science may, by order, provide for the insertion in the Sched-

ule of additional institutions in which children were placed and resident and in respect of which a public body had a regulatory or inspection function.

Since the enactment of the legislation, my Department has been contacted by individuals and or solicitors with regard to various institutions not specified in the Schedule. Following consideration of the matter and consultation with relevant public bodies, I signed an order on 9 November 2004 which provided for the inclusion of 13 additional institutions in the Schedule. A further order was made on 1 July 2005 adding three institutions to the Schedule.

With regard to the orphanage referred to in the Deputy's question, officials at my Department raised the matter with their counterparts at the Department of Health and Children. That Department has examined its files and has no record to indicate that a public body inspected or regulated the orphanage. The institution would not, therefore, qualify for inclusion in the Schedule to the Act.

Education Schemes.

547. **Mr. Gormley** asked the Minister for Education and Science her plans to encourage single parents to go back to further education; her views on whether this would be made easier if assistance were made available for children under the age of five; and if she will make a statement on the matter. [35363/05]

Minister for Education and Science (Ms Hanafin): In order to encourage parents to go back to further education, my Department provides funding for VECs to assist towards the child care expenses of participants in certain further education programmes. These are the vocational training opportunities scheme, VTOS, Youthreach and senior Traveller training centre programmes. The administration of these grants is a matter for individual VECs. Students in the relevant programmes who feel entitled to such grants should apply to their VECs. The disbursement of the grants is a matter for each VEC.

The funds provide for direct provision of creche facilities in centres or in rented premises, including staff, equipment, refurbishment, rental, insurance and other overheads and the purchase of places in existing community or commercial creches. This is subject to payment of a maximum of €63.50 per week per child for a full-day session, with *pro rata* adjustments for sessions of lesser duration; the payment of childminders, subject to a maximum of €63.50 per child per week for a full session, with *pro rata* adjustments for part-time sessions.

The grant is intended as a contribution to costs. VECs determine the level of child care provision and have the discretion to bridge any gap

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between the Department's grant and actual costs they approve. While the grants scheme does not apply to children of any particular age, VECs have the option of according priority to older children.

Schools Building Projects.

548. **Mr. N. O'Keeffe** asked the Minister for Education and Science the position regarding the purchase of a site by her Department and Cork County Vocational Education Committee for the development of a new secondary school in County Cork (details supplied); and if her Department is prepared to pay €500,000 for a suitable site in this regard. [35366/05]

549. **Mr. Sherlock** asked the Minister for Education and Science if she will provide a progress report on a school (details supplied) in County Cork. [35424/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 548 and 549 together.

Before committing significant capital resources to the planned new school, it is essential to confirm that the provision of a new second level school in the area is absolutely warranted. In order to consider the matter thoroughly, a review of second level education provision in the area is under way. This review will take into account factors such as current and projected pupil numbers at the school, the likely impact of housing developments and existing provision in the general area. A decision will then be taken on how best to provide for current and emerging needs and site acquisition will be initiated, if this is necessary.

550. **Mr. Sherlock** asked the Minister for Education and Science if she will provide a progress report on a school (details supplied) in County Cork. [35425/05]

Minister for Education and Science (Ms Hanafin): The proposed new eight-classroom building project for the school referred to by the Deputy is at an early stage of architectural planning. The new school is as a result of the amalgamation of Kilworth girls and Kilworth boys' national schools. My Department's officials wrote to the school authorities on 23 September 2005 giving approval to proceed to stage 3, detailed plans and costs, of architectural planning and a response is awaited.

A decision on which school building projects will advance to tender and construction will be considered in the context of the school building and modernisation programme 2006-09.

Computerisation Programme.

551. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science her proposals to ensure that the pupils attending a national school (details supplied) in County Kerry have access to broadband in their school; and if she will make a statement on the matter. [35544/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the Department of Education and Science is rolling out broadband Internet connectivity to all recognised primary and post-primary schools. Following a public tendering process last year, contracts were awarded to six companies for the provision of access connectivity to almost 4,000 schools. Another provider, Eircom, has been engaged to install a broadband router at school level, where appropriate. Some 2,205 schools had their access connectivity service installed and 1,396 schools had their router installed, separately or as part of the basic connectivity service, by the end of last week. I would like to speak about the school referred to by the Deputy. The award made as part of the public procurement process was for a broadband connection via satellite technology with Digiweb Limited and for a router to be installed by Eircom. While the Department has agreed an overall delivery and installation schedule of broadband connectivity with each of the contracted companies, it is a matter for the contracted access provider to agree and schedule the installation with each individual school. In this context, it is envisaged that the overall installation process will be completed by March 2006.

Questions Nos. 552 and 553 answered with Question No. 515.

Weight of Schoolbags.

554. **Mr. O'Shea** asked the Minister for Education and Science the number of copies of the circular relating to the weight of schoolbags which were sent to each second level in the most recent circularisation of schools; and if she will make a statement on the matter. [35580/05]

Minister for Education and Science (Ms Hanafin): A copy of the circular referred to by the Deputy was issued to each second level school at the beginning of the current school year. The circular is also available on the website of the Department of Education and Science. In line with normal practice, schools were asked to give a copy of the circular to the appropriate representatives of parents and teachers for transmission to individual parents and teachers.

555. **Mr. O'Shea** asked the Minister for Education and Science the research which her Department has carried out in regard to the use

of wheelie schoolbags to counteract the physical damage done to students from carrying schoolbags that are too heavy; and if she will make a statement on the matter. [35581/05]

Minister for Education and Science (Ms Hanafin): The Department of Education and Science has not conducted any specific research on the use by students of wheelie schoolbags. The report of a working group on the potential problems caused by the weight of schoolbags, which was presented in July 1998, acknowledged that many solutions to the problem can be found at local school level. One of the report's main recommendations related to the need to heighten awareness of the potential health hazards posed by excessively heavy schoolbags. In this regard, the Department initiated an awareness-raising campaign by disseminating the report and an accompanying circular to all primary and post-primary schools. A further circular was issued this year to highlight the potential health hazard of heavy schoolbags and to outline a range of local measures which can be adopted to alleviate the problem. It is a matter for individual schools to choose the measures which are most suited to their individual needs. The Department is aware that positive action has been taken by many schools. Some second level schools have taken a range of measures, including the provision of lockers, the arrangement of the timetable into double class periods, active liaison with parents and the co-ordination of homework by subject teachers.

556. **Mr. O'Shea** asked the Minister for Education and Science the discussions her Department have had with the school book publishing companies regarding the breaking down of the four year text books for junior certificate cycle students into one year sections as a means of reducing the weight of school bags; and if she will make a statement on the matter. [35582/05]

558. **Mr. O'Shea** asked the Minister for Education and Science her proposals to provide CDs which provide an oral version of the text of Irish language books at first and second level in the education system here; and if she will make a statement on the matter. [35588/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 556 and 558 together.

The report of a working group on the potential problems caused by the weight of schoolbags, which was presented in July 1998, stated that many of the solutions belong at local school level. One of the report's main recommendations related to the need to increase awareness of the potential health hazards of excessively heavy schoolbags. In this regard, the Department of

Education and Science initiated an awareness-raising campaign by disseminating the report and an accompanying circular to all primary and post-primary schools. A further circular was issued this year to highlight the potential health hazard of heavy schoolbags and to outline a range of local steps which can be taken to alleviate the problem. It is a matter for individual schools to choose the measures which are most suited to their individual needs. The Department is aware that positive action has been taken by many schools. Some schools have taken a range of measures, including the provision of lockers, the arrangement of the timetable into double class periods, active liaison with parents and the co-ordination of homework by subject teachers.

Apart from a small number of prescribed texts at second level, mainly in language subjects, school textbooks are not approved or prescribed by the Department at first or second level. Decisions on the books to use are taken at school level. The publication and sale of school books are matters for independent commercial enterprises. It is not open to me to compel publishing companies to produce texts in a particular format or to require CDs rather than textbooks. The report I have mentioned highlighted the potential for textbooks in CD-ROM format to be developed by publishers, subject to customer demand. It indicated that for the majority of pupils it was likely that the textbook would remain central to the learning process for the immediate future. The report was disseminated by the Department to the Irish Educational Publishers Association, which was asked to include consideration of the weight of school textbooks in their deliberations and liaise with teachers on finding solutions to the problem. The report highlighted that teachers and pupils favoured the use of multi-level textbook production for ease of convenience and ease of access and cited a high demand for them.

Higher Education Grants.

557. **Mr. J. O'Keeffe** asked the Minister for Education and Science if assistance will be provided to students attending third level courses. [35585/05]

Minister for Education and Science (Ms Hanafin): The Department of Education and Science funds three means-tested maintenance grant schemes in respect of students attending approved courses in approved third level institutions. I refer to the higher education grants scheme, the VECs scholarship scheme and the third level maintenance grants scheme for trainees. The Department also funds a maintenance grant scheme in respect of students attending approved post-leaving certificate courses in approved PLC centres. I refer to the

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maintenance grant scheme for students attending such courses. Apart from the funding provided through the student support maintenance grant schemes, financial assistance is also available from the Department through the student assistance fund which is administered by the National Office for Equity of Access to Third Level Education. The objective of the fund, which is aided by the ESF, is to assist in a sensitive and compassionate manner students who might otherwise be unable to continue their third level studies due to their financial circumstances. Further information on the fund is available from the relevant college.

The millennium partnership fund for disadvantage, which was announced in September 2000, will operate for the lifespan of the national development plan. Area Development Management Limited manages the fund on behalf of the Department. The objective of the fund is to support students from disadvantaged areas with retention and participation in further and higher education courses. Area partnership companies and community groups manage the fund locally. I would like to mention some of the eligible actions under the fund, which are dependent on the individual partnership or community group. Such actions include the promotion of the millennium initiative in its own right; the provision of financial supports to meet students' participation costs; the provision of information for the purposes of guidance and mentoring, for example; and study supports including tuition and study skills. Students may contact their local area partnership company or community group for assistance.

Question No. 558 answered with Question No. 556.

State Examinations.

559. **Mr. Connolly** asked the Minister for Education and Science the reason for the increased costs of running the State post-primary examinations from €33.7 million in 2002 to the projected cost of €49.5 million in 2005, in view of the fact that the numbers taking these examinations have decreased significantly over this period; and if she will make a statement on the matter. [35592/05]

Minister for Education and Science (Ms Hanafin): The main reason for the perceived increase of €15.8 million in the cost of running the State post-primary examinations between 2002 and 2005 is that a technical adjustment was made in the mechanisms for reporting expenditure. State examinations were administered by the examinations branch of the Department of Education and Science until 2002. Since the establishment of the State Examinations Commission in 2003, substantial costs which used to

be a charge on departmental subheads have been met from the allocation for the commission's Estimate. The 2002 figure of €33.7 million did not include elements of the expenditure projected for 2005, such as staff salaries, travel and subsistence, telephone costs, the commission's separate IT network and miscellaneous expenses. The projected costing for such items in 2005 is €12.8 million. Significant additional costs have also arisen as a result of inflation and the increased rates of remuneration which are given to superintendents and examiners under benchmarking and Sustaining Progress. Extra expenditure has been incurred as a result of new examinations in religion and a revised examination in home economics. The number of special centres set up to cater for candidates availing of reasonable accommodation has increased significantly in each of the last few years, necessitating the employment of additional superintendents.

Schools Refurbishment.

560. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science when funding will be released to allow the approved and urgently needed roof repairs proceed at a school (details supplied); and if she will make a statement on the matter. [35613/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has applied for funding under the summer works scheme 2006. All applications under the scheme are being examined in the Department of Education and Science's school planning section. The list of successful applicants will be published when the assessment process has been completed. The school's application for capital funding towards the provision of an extension is being considered in the context of the 2005-09 school building and modernisation programme.

Schools Building Projects.

561. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science the status of an application for a new building for further education facility at Monaghan to replace the current inadequate accommodation in use by Monaghan Institute of Further Education and Training; and if she will make a statement on the matter. [35614/05]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of accommodation at Monaghan Institute of Further Education and Training has been assessed in accordance with the published prioritisation criteria, which were revised on foot of consultation with the education partners. It has been agreed that the long-term accommodation needs of the college will be met

by means of a new building. The application in question will be considered in the context of the 2005-09 school building and modernisation programme.

School Transport.

562. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science if her attention has been drawn to the ongoing distress of parents and children (details supplied) in County Monaghan where twelve second-level school children who attend the vocational educational committee school at Ballybay are being forced to walk a distance of half a mile; if her attention has further been drawn to the fact that for one of these children in particular, there is the added burden of the weight of school books and their inability, medically confirmed, to carry any load whatsoever; if her attention has further been drawn to the fact that parents are currently involved in protracted action, including keeping children out of school and delayed attendance; if the school bus service will be directed to collect and return these children safely either to, or to a point near, their homes; and if she will make a statement on the matter. [35615/05]

Minister for Education and Science (Ms Hanafin): The country is divided into catchment areas for the purposes of the provision of post-primary education. Under the terms of the school transport scheme, a pupil is eligible for school transport if he or she resides 4.8 km or more from the post-primary centre in the catchment area in which they live. Post-primary school transport routes are planned so that no eligible child should have to travel more than 3.2 km to a pick-up point. Pupils living off the main route of a service are generally expected to make their own way to, or to be brought to, convenient pick-up points along that route. Eligible pupils who wish to attend a post-primary centre other than the centre serving the catchment area in which they reside may avail of transport on school services from within the catchment boundary of the centre being attended, subject to spare seats being available on the services and provided that no additional State cost is incurred. As the pupils from the area referred to by the Deputy do not reside in the Ballybay catchment area, they may avail of catchment boundary transport subject to the conditions I have outlined. The case of the pupil with medical needs was referred to the medical adviser who advises the Department of Education and Science on such matters. On the basis of that referral, the application was not approved on medical grounds.

Site Acquisitions.

563. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science her Department's

position regarding the application for funding to proceed with the purchase of essential ground from Coillte for the further development of a centre (details supplied) in County Monaghan; and if she will make a statement on the matter. [35616/05]

Minister for Education and Science (Ms Hanafin): A request was recently received from County Monaghan VEC for approval to incur expenditure on the acquisition of five acres of land from Coillte Teoranta for the purpose of developing the centre referred to in the question. On the basis of the information supplied, approval was not given.

State Examinations.

564. **Mr. O'Shea** asked the Minister for Education and Science the reason the 2005 exam fee for the leaving certificate was €90 while the repeat leaving certificate exam fee was €236; her proposals to reduce the repeat leaving certificate exam fee to €90 in 2006; and if she will make a statement on the matter. [35617/05]

Minister for Education and Science (Ms Hanafin): Special fees were introduced in 1987 for candidates who remain in school with a view to repeating the leaving certificate examination. A course fee is also payable in respect of such candidates. The fees were introduced on the basis that it is not unreasonable to expect those who have already benefited from the normal course of second level education and who wish to take an extra year to make a contribution towards the cost of providing the necessary resources. There are no proposals to reduce the level of the fees. Generally, examination fees cover just a fraction of the cost of running the examinations. Such costs have been spiralling in recent years as new methods of assessment have been introduced in various subjects. There is an alleviation scheme in place whereby current medical card holders and their dependants are exempt from the payment of fees. This exemption applies to approximately 30% of all examination candidates each year. This alleviation scheme also applies in the case of repeat candidates in respect of the course fee and the repeat examination fee.

Institutes of Technology.

565. **Mr. O'Shea** asked the Minister for Education and Science the reason there is no provision in the south east region for carpentry and joinery apprentices for block release to institutes of technology; her proposals in this regard; and if she will make a statement on the matter. [35618/05]

Minister for Education and Science (Ms Hanafin): The Department of Education and

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Science facilitates apprenticeship training through the provision of places in institutes of technology. Some 150 blocks of 16 apprentice places are being provided throughout the country in the trade of carpentry and joinery. If additional capacity is sought by FÁS, the institutes of technology are invited to make proposals for the individual trades. The Department received a proposal from the Carlow Institute of Technology to proceed with the development of a new building to house four additional blocks in the trade of carpentry and joinery. The proposal has been sanctioned and the planning of the new facility is under way. Subject to a smooth planning, tender and construction process, it is expected that the additional capacity will be in place at the end of 2006. The Department continues to liaise with FÁS, the institutes of technology and other interested parties to ensure that national training needs are met.

566. **Mr. O'Shea** asked the Minister for Education and Science the reason carpentry and joinery apprentices are being sent on block release to facilities in Northern Ireland while she refuses to fund institutes of technology here to provide the same courses; and if she will make a statement on the matter. [35619/05]

Minister for Education and Science (Ms Hanafin): The Department of Education and Science facilitates apprenticeship training through the provision of places in institutes of technology. Some 150 blocks of 16 apprentice places are being provided throughout the country in the trade of carpentry and joinery. If additional capacity is sought by FÁS, the institutes of technology are invited to make proposals for the individual trades. The Department received a proposal in 2000 from Sligo Institute of Technology for the provision of two blocks of carpentry and joinery per term, or six blocks per annum, in conjunction with Fermanagh Institute of Further Education in Enniskillen. The proposal was approved as a pilot project for three years, commencing in September 2001. It proved to be a successful example of North-South co-operation. The project was extended for a further three-year period from September 2004, when the number of carpentry and joinery blocks delivered in Enniskillen was increased to four blocks per term, which represents 12 blocks per annum. The number of carpentry and joinery blocks provided in the institutes of technology throughout the country has increased from 120 blocks in the 2001-02 academic year to 150 in the current academic year. The Department received a proposal from the Carlow Institute of Technology to proceed with the development of a new building to house four additional blocks per term, or 12 per annum, in the trade of carpentry and joinery.

The proposal has been sanctioned and the planning of the new facility is under way. Subject to a smooth planning, tender and construction process, it is expected that the additional capacity will be in place at the end of 2006. The Department continues to liaise with FÁS, the institutes of technology and other interested parties to ensure that national training needs are met.

Schools Building Projects.

567. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science her Department's receipt of application for approval to replace four prefab classrooms with a permanent extension at a school (details supplied) in County Monaghan; her plans towards these essential works; and if she will make a statement on the matter. [35620/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has applied for capital funding towards the provision of a permanent extension. It is necessary, to ensure that the planned capital investment will meet the school's long-term accommodation needs, to assess the long-term projected enrolment at the school, on which the extent of accommodation required at the school will be based. The assessment will take into account factors such as current and projected pupil numbers at the school, the likely impact of housing developments, if any, and existing provision in the general area. A decision will then be taken on how best to provide for current and emerging needs. Any building project which may be required will be considered in the context of the 2005-09 school building and modernisation programme.

Academic Appointments.

568. **Ms McManus** asked the Minister for Education and Science if she has satisfied herself that recent appointments in UCD have been made in accordance with proper procedures and with full accountability; and if she will make a statement on the matter. [35626/05]

Minister for Education and Science (Ms Hanafin): Under the Universities Act 1997, universities are autonomous institutions. The governance and day-to-day management of universities are matters for their governing bodies and management in each case.

School Transport.

569. **Ms O'Sullivan** asked the Minister for Education and Science if transport will be provided for children in the Rooska area of south County Tipperary who attend a school (details supplied) in County Tipperary and who live within the

catchment boundary of the school; and if she will make a statement on the matter. [35631/05]

Minister for Education and Science (Ms Hanafin): An application for transport on behalf of a number of children attending the school referred to by the Deputy was received by the Department of Education and Science on 24 October last. Bus Éireann, which organises the school transport scheme on behalf of the Department, has been asked to submit a report on the application. When the report has been received and considered by the Department, a response will issue directly to the applicant concerned.

Site Acquisitions.

570. **Ms O'Sullivan** asked the Minister for Education and Science if she will progress the acquisition of the site currently occupied by a school (details supplied) in order to provide an appropriate permanent building for the school which has 162 students and 12 teachers in totally inadequate accommodation; and if she will make a statement on the matter. [35632/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works has been asked to source a suitable site for the school referred to by the Deputy. To this end, the OPW has had discussions with the relevant local authority. In light of the discussions and in consideration of the 2003 development plan for Ennis and its environs, it is clear that the current site is not considered suitable for the permanent development of a national school. Officials in the Department of Education and Science are considering a number of site options which have been submitted by the OPW.

571. **Cecilia Keaveney** asked the Minister for Education and Science the position in relation to a site for a school (details supplied) in County Donegal; and if she will make a statement on the matter. [35659/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that the property management section of the OPW that acts on behalf of my Department in the acquisition of sites is in negotiations for the purchase of a site for the school in question.

Question No. 572 answered with Question No. 531.

Ministerial Staff.

573. **Mr. P. McGrath** asked the Minister for Defence the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35149/05]

ation of each of these members of staff. [35149/05]

Minister for Defence (Mr. O'Dea): The press office in my Department, which comprises one assistant principal and one executive officer, provide services to the Minister of State in my Department, Deputy Kitt, as and when required. The salary scale for assistant principal is €57,630 — €71,859 and the salary scale for executive officer is €28,021 — €44,458.

574. **Mr. P. McGrath** asked the Minister for Defence the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35164/05]

Minister for Defence (Mr. O'Dea): The Minister of State at the Department of Defence, Deputy Kitt, has one clerical officer employed on constituency work at the rate of €32,728 per annum.

Defence Forces Personnel.

575. **Mr. Carey** asked the Minister for Defence if, further to Question No. 222 of 10 November 2005, he will examine the case for reimbursement of medical expenses (details supplied); and if he will make a statement on the matter. [35195/05]

Minister for Defence (Mr. O'Dea): I am advised by the military authorities that the individual concerned was informed in early May 2005 that the Department would not pay for the costs of private medical consultations. It appears that, in relation to the present matter, the individual first attended a private health care facility as a private patient in mid-August 2005 and that he attended again on a second occasion in mid-October 2005. He personally discharged the consultant's fees for the August consultation and subsequently submitted an application for refund of the amount to the military authorities. In early October 2005, he was again informed that he was not entitled to a refund of costs for private medical consultations. He subsequently forwarded a consultant's fee note, arising from his second private medical consultation, in mid-October 2005, to the military authorities.

Ministerial Staff.

576. **Mr. Gilmore** asked the Minister for Defence the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number that are political appointees; the annual cost of each such office in terms of salary, overtime and

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expenses; and if he will make a statement on the matter. [35311/05]

Minister for Defence (Mr. O’Dea): There are four permanent civil servants employed in my private office comprising one higher executive officer, one executive officer, one staff officer and one clerical officer. At current rates and since 1 January 2005, the salaries of these staff amounted to €140,964 per annum. Costs in relation to overtime and expenses — travel and subsistence — have amounted to €3,966.

There are six permanent civil servants employed in my constituency office comprising of one executive officer, one staff officer and four clerical officers, one of whom is work-sharing. At current rates and since 1 January 2005, the salaries of these staff amounted to €156,152 per annum. Costs in relation to overtime and expenses — travel and subsistence — have amounted to €246.24.

In addition, I have appointed a special adviser, a press adviser, a personal assistant and a personal secretary. At current rates and since 1 January 2005, the salaries of these staff amount to €213,848 per annum. Costs in relation to expenses — travel and subsistence — have amounted to €10,396.

Defence Forces Property.

577. **Mr. P. Breen** asked the Minister for Defence, further to Question No. 106 of 23 March 2004, the extent and total land area covered by the four sub-areas shown on the map forming part of the draft protected area order for Baldonnel that was prepared by his Department in the 1950s; and if he will make a statement on the matter. [35357/05]

Minister for Defence (Mr. O’Dea): The draft protected area order proposed in the 1950s, which was not promulgated, provided for four sub-areas in the general environs of Casement Aerodrome, Baldonnel. The total area covered comprised 32,000 acres approximately.

Military Investigations.

578. **Mr. Noonan** asked the Minister for Defence when legal proceedings will be taken against those persons who murdered two Irish soldiers in the Lebanon 25 years ago (details supplied); the support and assistance which has been offered to the bereaved families by either his Department or the Army authorities; and if he will make a statement on the matter. [35699/05]

Minister for Defence (Mr. O’Dea): The case to which the Deputy refer relates to the killing of Private Thomas Barrett and Private Derek Smallhorne while serving with the United

Nations Interim Force in Lebanon, UNIFIL, in 1980. The question of the measures open to the Irish authorities to bring the alleged perpetrator of this crime to justice is currently being examined in my Department in conjunction with the Department of Foreign Affairs and the Attorney General’s office. The process is detailed and complex, involving a review of international legal provisions including the potential application of the provisions of the Geneva Conventions and of all the available evidence in the case. In this regard my Department sought the advice of the Attorney General as to whether there is a basis available for mounting a case against the alleged perpetrator.

The Attorney General has since advised that there are no provisions in Irish law which provide a basis for Ireland to pursue a prosecution against the alleged perpetrator. The Attorney did indicate, however, that while untested and potentially difficult, it might be possible for Ireland to pursue a prosecution under the provisions of the Geneva conventions. While this appears an outside possibility, nevertheless, I have asked the DPP, who would be responsible for pursuing any prosecution, to review the matter.

The country with primary jurisdiction in this case is Lebanon. At my request, my colleague, the Minister for Foreign Affairs, through the Embassy of Ireland in Cairo, which is accredited to Beirut, has conveyed to the Lebanese authorities our earnest desire and determination to see the alleged perpetrator brought to justice and to advise them that we will assist in whatever manner we can should the Lebanese authorities be able to bring him to justice. As recently as 10 November 2005, the Irish Ambassador to Cairo met with the Prime Minister of Lebanon and discussed the matter with him. My Department and the Department of Foreign Affairs are also in contact with the US authorities, where the alleged perpetrator resides as a naturalised US citizen. However, it will be appreciated that the long passage of time since the tragic incident will create its own difficulties in terms of mounting a prosecution, even if we can make the alleged perpetrator amenable to justice.

I will continue to explore such avenues as may be open to me to seek justice in respect of Privates Barrett and Smallhorne. I am advised that the Defence Forces continue to maintain contact with the Barrett and Smallhorne families through annual ceremonies commemorating deceased members of the Defence Forces. On 2 November 2005, Mrs. Emily Barrett, widow of the late Private Thomas Barrett, attended such a ceremony at Collins Barracks, Cork. Each year, Private Smallhorne’s parent unit, the 5th Infantry Battalion, is in contact with his family and members of the family are invited to an annual Mass for deceased members of the Battalion. This year, to mark the 25th anniversary of the death

of Private Derek Smallhorne, a wreath-laying ceremony, organised by the 5th Infantry Battalion, was held at his graveside in Palmerstown Cemetery, Dublin, followed by Mass at the Garrison Church, McKee Barracks. The ceremony was attended by Private Smallhorne's daughters, sisters and brother.

Water and Sewerage Schemes.

579. **Mr. Fleming** asked the Minister for the Environment, Heritage and Local Government the payments to Laois County Council in 2004 for the supply of water. [35318/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Payments totalling €6.252 million were made to Laois County Council in 2004 from my Department's capital provision for water and sewerage services.

Ministerial Staff.

580. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government

Minister of State, Deputy Noel Ahern.

Permanent Civil Servants	Temporary Unestablished Civil Servants	Number of full-time equivalents	Grade number of full-time equivalents title
1	Executive Officers	1	Personal Assistant (HEO grade)
2	Clerical Officers	1	Personal Secretary (Secretarial Assistant grade)

Minister of State, Deputy Batt O'Keeffe.

Permanent Civil Servants	Temporary Unestablished Civil Servants	Number of full-time equivalents	Grade number of full-time equivalents title
1	Executive Officers	1	Personal Assistant (HEO grade)
1	Clerical Officers	1	Personal Secretary (Secretarial Assistant grade)

The salary scales for all administrative grades, except secretarial assistants which are detailed below, are available on the Department of Finance website, www.finance.gov.ie — circular 24/2005. The weekly salary scale — incremental — for secretarial assistants as at 1 June 2005 is: €386.87, €408.62, €434.39, €469.88, €505.37, €542.79, €579.66, €614.13, €649.28, €682.67, €707.46, €719.20, €734.13, €746.41.

None of the above staff is engaged in public relations work.

Water and Sewerage Schemes.

582. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he has sanctioned a request by Kildare County Council for funding for the necessary works to prevent the ongoing stench of sewage in Leixlip village; if so, if the council have drawn down this

the number of civil servants and other staff employed in the press office for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35150/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department's press office serves the Minister, both Ministers of State at the Department, as well as the Department. Details of the staffing of the press office were set out in reply to Question No. 637 of 2 November 2005.

581. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the number of civil servants and other staff employed on constituency and public relations work for each of his Ministers of State; and the grade and remuneration of each of these members of staff. [35165/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Staffing details for the constituency offices of the Ministers of State at my Department are set out as follows:

funding; and if he will make a statement on the matter. [35205/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Lower Liffey Valley sewerage scheme is included in my Department's water services investment programme 2004-2006 to commence construction this year at an estimated cost of €30 million. The scheme, under which the wastewater collection systems in Leixlip, Kilcock, Straffan, Celbridge and Maynooth will be upgraded and improved, also includes measures to eliminate odours from the existing collection system in Leixlip's main street.

Kildare County Council's contract documents for the scheme are under examination in my Department and are being dealt with as quickly as possible. Approval of the contract documents

[Mr. Roche.]

will enable the council to seek tenders for the scheme.

Local Authority Staff.

583. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government the position regarding the regulations for promotion within local authorities in order that all employees are treated equally and in particular since grade three clerical officers are no longer required to hold a leaving certificate and are eligible to apply for grade four, that grade three general operatives should no longer be excluded from interviews for grade four on the basis that they do not hold a leaving certificate; and if he will make a statement on the matter. [35206/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Posts at grade IV level, assistant staff officer, in local authorities are filled by a combination of open and confined competitions. In the case of open competitions, the educational qualifications for assistant staff officer posts currently declared by my Department require candidates to have obtained a certain standard in the leaving certificate or in an equivalent examination or hold a third level qualification of at least degree standard. Persons who are serving in one of the organisations which form part of the common recruitment pool and who have satisfactory experience in a post of clerical officer or in an analogous post are also eligible to compete for appointment.

In the case of confined competitions, candidates must be serving employees in a local authority or in one of the organisations within the common recruitment pool and must have at least two years' satisfactory experience as a clerical officer or in an analogous post. It is a matter for the employing authority to determine whether an applicant for a post of assistant staff officer possesses the qualifications declared for that post.

Road Network.

584. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if the design and construction of the port tunnel has taken account of the recommendations of the report on the 1999 fire in the Mont Blanc tunnel and other similar reports; the person who will be responsible for the control of fire in the tunnel; and if he will make a statement on the matter. [35251/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has no function in relation to the design or construction of the Dublin Port tunnel and consequently is not appropriately placed to respond to

this aspect of the question. Under section 10 of the Fire Services Act 1981, a fire authority is required to make provision for the prompt and efficient extinguishing of fires in buildings and other places of all kinds in its functional area and for the protection and rescue of persons and property from injury by fire.

Housing Management Companies.

585. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government his plans to introduce the necessary legislation or regulation to eliminate the necessity for management companies in new housing estates which is putting a severe burden on buyers purchasing houses in new housing estates particularly for first-time buyers; and if he will make a statement on the matter. [35275/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Law Reform Commission working group is currently examining a range of legal issues relating to management of multi-unit structures. The Government will consider any recommendations the final report makes including the necessity for new legislation in this area.

Management companies operate at present for the majority of apartment developments, for certain other higher density developments — often with a mix of designs, and rarely for a very small number of standard housing developments. Generally speaking, the role of management companies is to maintain the common property, including buildings, sewers, water pipes, public lighting, roads and footpaths contained within the boundaries of the overall property.

Once housing developments are taken in charge, it is the local authority's responsibility to maintain public infrastructure such as roads, footpaths, sewers, water mains and public lighting. The existence of a management company should not override the legal obligation on developers to complete estates, and, where required by the planning permission, to maintain estates until they are taken in charge.

Section 34 of the Planning and Development Act 2000 introduced a number of provisions designed to ensure that all housing estates were finished as soon as possible, maintained to a satisfactory standard for the benefit of the people living in them and taken in charge by local authorities. In addition, section 34 recognised the common practice of establishing management companies, control of which is transferred to the owners of the housing units, to maintain or manage residential developments.

These new provisions of planning legislation are framework ones and individual planning authorities must make their own judgment, based

on local circumstances and policies, about how and to what extent to use them in particular cases. My Department has asked planning authorities for a report on their policies in relation to the attachment of conditions relating to management companies to planning permissions for various types of residential developments.

Fire Stations.

586. **Ms Lynch** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the concerns expressed by members of the Cork City Fire Service regarding the flaws in the operation of the new mobilisation system due to the lack of local geographical knowledge by the mobilisation centre; if his attention has further been drawn to a number of recent mistakes in the Cork operation, which can be attributed to the new system (details supplied); if his attention has further been drawn to the extra strain that such incidents places on the local service; and if he will make a statement on the matter. [35293/05]

603. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government if an independent audit will be carried out on the response times of emergency services as a result of the introduction of the computer-aided mobilisation procedures under which all 999 calls are routed through a central centre where it is believed that response times have increased due to flawed system procedures. [35578/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 586 and 603 together.

Under section 10 of the Fire Services Act 1981, the provision of a fire service, including provision for the reception of and response to calls for assistance, is a matter for each fire authority. The CAMP, computer aided mobilisation project, system was developed to deal with emergency calls for fire service assistance. Under the system, all such emergency calls are channelled to one of three control centres at Dublin, Castlebar and Limerick and the appropriate fire brigade response is activated from that centre. By joining the system, fire services are freeing up firefighters from telephone answering duties to be available to respond to emergency incidents.

The CAMP system operates on the basis of addresses and pre-determined attendance data supplied and signed off by the individual fire authorities and held on computer at the control centre. When a call is received, the operator establishes the location of the incident with the aid of the computer system; the computer system helps the operator to work with the caller to identify correctly the location of the incident. The

system provides, for the first time, an independent record of how each call is handled. This enables any difficulties to be investigated and addressed systematically; calls are analysed on a daily basis. The system also provides indicators of performance.

The Limerick centre, which is designed to serve the Munster counties, has been live since 1992 and has successfully handled hundreds of thousands of emergency calls. The centre has recently achieved ISO 9001:2000 quality management system certification status following an independent review of its performance. Cork City Fire Service joined the system on 31 May 2005 and parallel operation is currently in place. The purpose of parallel operation is to test the CAMP system before going live in order to ensure the accuracy of the data on the computer system without risk to the level or speed of response; this is a standard procedure for computer systems. The fact that some defects have been identified and dealt with underlines the value of this process.

Ministerial Staff.

587. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of staff broken down by grade employed within the private office and the constituency office; the number of such staff who are permanent civil servants and the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [35312/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Details of the staffing of my constituency office are set out in the reply to Question No. 635 of 2 November 2005.

A further four executive officers — one assigned to the role of private secretary — and three clerical officers are assigned to my private office. The salary scales for all administrative grades are available on the Department of Finance website, www.finance.gov.ie — circular 24/2005.

Local Authority Funding.

588. **Mr. Fleming** asked the Minister for the Environment, Heritage and Local Government the amount of funding allocated to Laois County Council in 2004 and 2005 for the disabled persons grant; the amount drawn down by Laois County Council in 2004 and to date in 2005; the amount expected to be drawn down in the remainder of 2005; the amount provided by Laois County Council from its own funds to match funding from his Department in the council's estimates;

[Mr. Fleming.]

and if he will make a statement on the matter.
[35320/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): In 2004, Laois County Council received an initial combined capital allocation of €1,602,000 for the payment of disabled persons and essential repairs grants. An increase in the allocation was approved during the year following requests from the council which brought the final combined capital allocation for 2004 to €2,630,677. This was comprised of a one third contribution of €876,892 from the council's own resources and the two thirds — €1,753,785 — recoupable from my Department. Actual expenditure by the council on the two grant schemes in 2004 was €2,632,074.

In 2005, an initial combined capital allocation of €1,500,000 was notified to Laois County Council based on its estimate of expenditure for the two schemes and a provision of €500,000 made to fund its one third contribution. The council has indicated that expenditure on the two schemes at 31 October 2005 was €1,408,821. Its recent request for an increase in the capital allocation for the schemes in 2005 is being processed and a decision will issue shortly.

Road Network.

589. **Mr. Fleming** asked the Minister for the Environment, Heritage and Local Government the spending by his Department on non-national roads in County Laois in the years 2000, 2001, 2002, 2003 and 2004; the reason the payments for 2003 were less than 2002 and the payments in 2004 were less than 2003; and if he will make a statement on the matter. [35322/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision and improvement of non-national roads in County Laois is a matter for Laois County Council to be funded from its own resources supplemented by State grants.

Details of the total grant payments made to Laois County Council and the council's own resources expenditure in respect of non-national roads for each of the years 1995 to 2004 are set out in the following table:

Year	Road Grant Payment	Local Authority Own Resources
	€	€
1995	3,298,780	415,204
1996	3,806,675	473,907
1997	4,013,642	554,876
1998	4,830,442	597,948

Year	Road Grant Payment	Local Authority Own Resources
	€	€
1999	5,650,289	634,869
2000	6,042,924	672,961
2001	6,640,637	911,672
2002	7,911,799	1,339,525
2003	7,832,569	1,751,255
2004	7,690,369	1,490,280

Grants for non-national roads are allocated annually to local authorities under a number of different grant categories. The level of grants to be allocated to individual authorities is determined each year having regard to a number of factors including eligibility criteria for the different grant schemes, the total funds available in a particular year, the need to prioritise projects and competing demands from other local authorities.

Development Levies.

590. **Mr. Fleming** asked the Minister for the Environment, Heritage and Local Government the guidelines that may have been issued to local authorities in respect of the use of development levies collected by the local authorities; the accounting procedures for same and the disclosure requirements, in relation to the spending of these funds, on a regular or annual basis to members of the local authority or otherwise; and if he will make a statement on the matter.
[35326/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department issued a circular letter, PD 4/2003, to planning authorities regarding development contributions on 27 June 2003. The circular reminded planning authorities of the type of infrastructure and facilities that may, under the provisions of the Planning and Development Act 2000, be funded from development contributions. These are: the acquisition of land; the provision of open spaces, recreational and community facilities and amenities and landscaping works; the provision of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains and watermains; the provision of bus corridors and lanes, bus interchanges facilities and car parks for those facilities, infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures; the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, sewers, waste water and water facilities, drains or water mains; and ancillary matters.

Section 48 of the Planning and Development Act 2000 provides that moneys accruing to a local authority by way of development contributions

must be accounted for in a separate account and must only be applied as capital for public infrastructure. The section also provides that a report of a local authority under section 50 of the Local Government Act 1991 — that is, the local authority's annual report — must contain details of moneys paid or owing to it under the section and must indicate how such moneys paid to it have been expended. In their annual financial statements, local authorities have been required to provide details of accumulated balances of development levies. Annual financial statements in respect of 2005 and future years are required to include details of opening and closing balances on the development levies account together with the extent of movement in and out of the account during the year.

Motor Taxation.

591. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the reason motorists are penalised in the context of renewal of car tax when such tax is paid to a local authority mid-month where the expiry date is registered on the first day of a given month; his views on whether there are lost days which is an unnecessary extra cost to the motorist; and if he will make a statement on the matter. [35328/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In accordance with a long standing approach provided in section 1 of the Finance (Excise Duties) (Vehicles) Act 1952, and regulations made under this Act, the cost for renewal of motor tax is calculated on the basis of whole calendar months for periods of three, six or 12 months. In each case, the tax expires on the last day of a month.

This approach greatly facilitates the monitoring of compliance by vehicles in public places with motor tax requirements, as well as the administration of the tax. There are no proposals to amend it.

Planning Issues.

592. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government the measures being taken to ensure that new high density apartment developments are of good quality; his views on whether such developments threaten the sustainability of traditional neighbourhood communities in the suburbs of Dublin; and if he will make a statement on the matter. [35347/05]

606. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government his plans to update legislation regarding the

design and construction of apartment complexes. [35623/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 592 and 606 together.

The 1999 guidelines for planning authorities on residential density provided comprehensive advice on promoting higher residential densities in appropriate locations. The guidelines provide that, in promoting higher densities, emphasis must be placed by planning authorities on the importance of high quality standards in regard to design and layout in order to ensure that the highest quality of residential environment is achieved. The guidelines state that the overriding concern should be the quality of the proposed residential environment and that higher densities are only acceptable if a range of criteria are satisfied, including criteria relating to the size of the site, its proximity to ancillary facilities and quality public transport, the quality of the layout proposed, the mix of dwelling types, the provision of appropriate social and community facilities, the quality of the open space and amenity provision and pedestrian linkages, levels of privacy, traffic safety, access to local facilities and whether the needs of children, the elderly and the disabled have been taken into account. The guidelines recognise in particular that the private spaces of every dwelling should enjoy freedom from undue observation and that no undue loss of light should be caused from adjoining higher buildings.

More generally the guidelines provide that the design approach in residential areas whose character has already been established should recognise the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities. My Department is reviewing the experience of implementing the guidelines to date, particularly with a view to ensuring that they promote high quality and sustainable residential communities.

The Building Control Act 1990 provides for the making of national building regulations, which apply to the design and construction of all categories of buildings, including apartment complexes. The building regulations, which comprise Parts A to M, are periodically reviewed and updated. I intend to make amended Part B (Fire Safety) Regulations, before the end of this year; and to make amended Part L (Conservation of Fuel and Energy) Regulations early in the new year. The Building Control Bill 2005 will be published before Christmas; and will provide for, *inter alia*, the strengthening of the enforcement powers of local building control authorities.

Water and Sewerage Schemes.

593. **Mr. Sherlock** asked the Minister for the

[Mr. Sherlock.]

Environment, Heritage and Local Government if he has approved the tender for the waste water treatment plant for Doneraile, Buttevant and Kilbrin, County Cork. [35422/05]

594. **Mr. Sherlock** asked the Minister for the Environment, Heritage and Local Government if funding will be provided for Buttevant sewerage scheme; and when it is likely that the scheme will commence. [35423/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 593 and 594 together.

The Buttevant, Doneraile and Kilbrin sewerage schemes have been approved for funding in my Department's Water Services Investment Programme 2004-2006 under the rural towns and villages initiative. The wastewater treatment plants for the three schemes are being procured as part of a single grouped contract. Cork County Council's revised contract documents are under examination in my Department and are being dealt with as quickly as possible. Once contract documents are approved, the council will be in a position to invite tenders for the works.

The sewage collection systems for the three schemes are being advanced as separate contracts. Contract documents for the collection system for the Buttevant scheme were approved by my Department last year and I understand that the council is currently assessing tenders received. The construction of the collection system for the Doneraile scheme is nearing completion. The collection system for Kilbrin has been completed.

Local Authority Housing.

595. **Mr. English** asked the Minister for the Environment, Heritage and Local Government the reason local authority housing tenants must cover the cost of repair to windows and doors; and if he will make a statement on the matter. [35507/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): It is the responsibility of the local authority when letting a dwelling to put in place a tenancy agreement setting out the respective responsibilities of the authority and the tenant for the maintenance and upkeep of the dwelling. This agreement is subject to compliance with statutory provisions and regulations, notably article 83 of the Housing Regulations 1980.

Included in the provisions of Article 83 is a requirement that the tenant shall be responsible for all internal decoration and any breakage of glass in the windows and any damage to the fix-

tures or fittings of the house and to make good any damage or breakage without delay. Where any such damage or breakage is made good by the local authority, the tenant is required under the regulations to pay the cost to the authority.

Local Authority Funding.

596. **Mr. English** asked the Minister for the Environment, Heritage and Local Government if he intends to increase funding to Meath County Council in view of recent events; and if he will make a statement on the matter. [35508/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume that the question refers to general purpose grants from the local government fund. The general purpose grant allocated to Meath County Council this year amounts to €23,796,716, which is an increase of almost 9%, about three times the rate of inflation, over the corresponding amount for 2004.

I intend to notify local authorities of their general purpose allocations for 2006 shortly. In determining these allocations, I will have regard to the funding needs of all councils, including Meath County Council, taking account of the expenditure requirements and local income sources of all authorities.

State Property.

597. **Mr. English** asked the Minister for the Environment, Heritage and Local Government if he will report on all State land in the Meath County Council area to include land audit figures from Meath County Council. [35512/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department does not maintain a register of State land. However, the Office of Public Works has compiled an electronic database of property holdings based on information supplied by Departments and agencies. This has assisted in developing the affordable housing initiative, a key aspect of which is the identification and disposal of State land by various Departments and agencies for affordable housing projects. In the case of Meath, land at the military camp in Gormanston has been made available to the initiative by the Minister for Defence, and Meath County Council has provided land at four sites throughout the county.

Aside from State lands, my Department carries out a survey of the total amount of serviced land zoned for residential purposes, owned both privately and by local authorities. This survey is valuable in assessing the overall stock of land at the same point each year, and the sufficiency of that stock to underpin required housing supply.

Details from this survey in June 2004 indicated that Meath County Council proposed to service 1,778 hectares of residentially zoned lands by June 2010, which would be capable of providing at least 54,000 units. These details are included in the Department's Annual Housing Statistics Bulletin, copies of which are available in the Oireachtas Library and also published on the Department's website at www.environ.ie.

Architectural Heritage.

598. **Mr. N. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government when he intends to establish the Irish Heritage Trust. [35534/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 148 of 25 October 2005.

On 7 November I announced the establishment of a steering group to advise on proposals for governance of the Irish Heritage Trust so that a workable and effective trust can be established as quickly as possible. The steering group is charged with reporting back to me no later than January 2006.

The trust will operate on the basis of existing charities legislation subject to further consideration of possible amendments to taxation legislation in regard to donations of heritage properties to the trust and donations to endowment funds required for each property. Following completion of the steering group's report I will revert to Government with detailed proposals on the structure, governance, chairman and members of the Irish Heritage Trust so that the trust can be up and running during 2006.

Local Government Funding.

599. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government his plans to increase funding provided to Carlow County Council by his Department for 2006 to reflect the drop in rates of almost €1 million arising from the closure of Carlow sugar factory; and if he will make a statement on the matter. [35541/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I intend to notify local authorities of their 2006 general purpose allocations from the local government fund shortly. In determining these allocations I will have regard to the overall amount available to me for this purpose and the funding needs of all authorities, including Carlow County Council, taking account of the expenditure demands and local income sources of all authorities.

Waste Management.

600. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if his Department intends to introduce a range of additional measures to the polluter pays principle to reflect the reality of poverty; and if he will make a statement on the matter. [35565/05]

601. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if additional measures will be introduced in the polluter pays principle for persons on a lower income (details supplied); and if he will make a statement on the matter. [35568/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 600 and 601 together.

The polluter pays principle, which underpins national and EU policy in the area of waste management, seeks to encourage all of society to reduce, reuse and recycle waste to the maximum extent possible. To ensure that charging systems more fully embody the polluter pays principle, my Department asked service providers to move to a system of use based charging from the current year. Use based charging acts as an incentive for individuals and families to change their behaviour by effectively rewarding those who minimise their waste output through recycling. In support of this more proactive approach to the promotion of recycling, my Department operates a capital grants scheme which is targeted towards the provision of waste recycling-recovery infrastructure, the need for which is identified in local authority waste management plans, or is otherwise considered to support the attainment of the recycling and recovery targets specified in these plans. My Department also makes grant assistance available to local authorities to offset the operational costs of operating existing recycling facilities.

In accordance with section 52 of the Protection of the Environment Act 2003, the determination of waste management charges is a matter for the relevant local authority, where it acts as the service provider. Similarly, where a private operator provides the collection service, it is a matter for that operator to determine charges. However, in order to assist individuals and families with lower incomes, I have asked local authorities to engage with commercial waste collectors with a view to agreeing on a scheduling of payments, that is, a phased pay as you go system, rather than a periodic lump sum payment. I am also giving consideration to the overall regulation of the waste management sector including whether, and to what extent, there might be a need to identify public service obligations appropriate to service providers.

602. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the details of any EU fund for environmental risk protection works aimed at rehabilitating contaminated sites; if his Department is applying for such funding; the projects which will benefit from the fund; and if he will make a statement on the matter. [35577/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department is not aware of any EU fund which is currently dedicated solely to the purpose of securing rehabilitation of contaminated sites. Among the priorities for the European Regional Development Fund for the next programming round will be the protection of the environment. My Department is contributing to Ireland's case for such funding. Until this process is concluded it is not possible to determine the level of funding which may be available to Ireland from the fund or the projects which might be supported in this way.

Question No. 603 answered with Question No. 586.

Local Authority Housing.

604. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government his views on funding a scheme for the placing of the supply lines for telecommunications and electricity underground in local authority estates; and if he will make a statement on the matter. [35584/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Design guidelines for social housing, published by my Department in 1999, provide that every dwelling should be connected to the electricity and telecommunications networks, and that the pipework and cabling associated with such services should be accommodated underground, following consultation with the various service undertakers regarding their requirements. There are no proposals for a scheme for the retrospective undergrounding of such supply lines.

My Department provides funding under the urban and village renewal measure of the Regional Operational Programmes, 2000-2006 for a range of regeneration projects, some of which have included the under-grounding of overhead wirescapes. However, such renewal works tend to be carried out in core central areas of the towns and villages being assisted, rather than in housing estates.

Library Projects.

605. **Mr. Connolly** asked the Minister for the Environment, Heritage and Local Government when funding will be provided for the construction of the new county library headquarters in Clones, County Monaghan; and if he will make a statement on the matter. [35591/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 759 of 8 November 2005. The additional information which was sought from Monaghan County Council about this proposal was received in my Department on 15 November and is currently being examined. My Department will be in further contact with the council when that examination is complete.

Question No. 606 answered with Question No. 592.

Services for People with Disabilities.

607. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 679 of 15 November 2005 the amount spent and that will be spent in 2005 on staff disability awareness training; the number of staff involved in such training; the method of delivery and the persons or organisations charged with such delivery; the standards which apply; and if he will make a statement on the matter. [35764/05]

608. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 679 of 15 November 2005 the way in which the capital expenditure aimed at improving access to building and services is being delivered; the involvement of agencies other than his Department; the amount of capital funding granted to each respective agency under the programme; and if he will make a statement on the matter. [35770/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 607 and 608 together.

On 29 July last, following the enactment of the Disability Act 2005, I allocated €5 million current expenditure and €10 million capital expenditure to local authorities and to An Chomhairle Leabharlanna to commence the provision of services under the national disability strategy allocation to my Department. The different types of expenditure which will be funded from the allocations are set out in the reply to Question 679 of 15 November 2005. The individual allocations are set out in the following table.

The procurement of services including staff disability awareness training and the execution of capital works are matters for the authorities concerned. Details of actual expenditure in the year to date and for the year as a whole will not be known until the various applications for funding are made and received in the Department over the coming weeks.

National Disability Strategy Allocations 2005.

	Current	Capital	Total
	€	€	€
Carlow	70,000	60,000	130,000
Cavan	80,000	420,000	500,000
Clare	30,000	500,000	530,000
Cork	590,000	410,000	1,000,000
Donegal	130,000	870,000	1,000,000
Dún Laoghaire Rathdown	300,000	650,000	950,000
Fingal	125,000	175,000	300,000
Galway	500,000	500,000	1,000,000
Kerry	15,000	380,000	395,000
Kildare	120,000	400,000	520,000
Kilkenny	20,000	80,000	100,000
Laois	65,000	335,000	400,000
Leitrim	45,000	85,000	130,000
Limerick	600,000	300,000	900,000
Longford	70,000	130,000	200,000
Louth	80,000	320,000	400,000
Mayo	50,000	800,000	850,000
Meath	120,000	280,000	400,000
Monaghan	30,000	120,000	150,000
North Tipperary	250,000	50,000	300,000
Offaly	95,000	205,000	300,000
Roscommon	30,000	420,000	450,000
Sligo	60,000	170,000	230,000
South Dublin	60,000	335,000	395,000
South Tipperary	5,000	195,000	200,000
Waterford	45,000	55,000	100,000
Westmeath	35,000	50,000	85,000
Wexford	470,000	100,000	570,000
Wicklow	250,000	450,000	700,000
County Total	4,340,000	8,845,000	13,185,000
<i>City Councils</i>			
Cork	380,000	20,000	400,000
Dublin	70,000	70,000	140,000
Galway	0	250,000	250,000
Limerick	130,000	470,000	600,000
Waterford	55,000	345,000	400,000
City Total	635,000	1,155,000	1,790,000
Library Council	25,000		25,000
Total	5,000,000	10,000,000	15,000,000

Animal Welfare.

609. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will work with the Health Service Executive and other statutory and voluntary agencies to resolve the issue of stray kittens and cats in the

Drumcondra area (details supplied); and if he will deal with this epidemic. [35774/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department is not aware of any reliable data on the number of stray or wild cats at individual locations

[Mr. Roche.]

throughout the country. Funds are not available to my Department to resource a national campaign to address the issue of such stray or wild cats. However, as regards individual locations, where a local authority considers it appropriate,

it may assist a body which is endeavouring to reduce, in a humane manner, the problems caused by stray cats. I understand a number of local authorities have provided assistance to such bodies in recent years.