

DÁIL ÉIREANN

Dé Céadaoin, 15 Feabhra 2006.
Wednesday, 15 February 2006.

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

Paidir.
Prayer.

Leaders' Questions.

Mr. Kenny: On 12 April 2005, the Taoiseach made one of his greatest understatements when he said that "accident and emergency facilities are not up to scratch". He was right. On that day, the Irish Nurses Organisation estimated there were 350 patients on trolleys or chairs in our hospitals. Apart from stating the blindingly obvious, the Taoiseach also expressed confidence at that time that the Tánaiste's much-vaunted €70 million programme would deliver improvements. The Tánaiste told us in 2004 that we would see improvements by March 2005. In January 2005, she told us there would be significant improvements by the end of that year. She now seems to have abandoned any work on accident and emergency units, deciding instead to focus her energies elsewhere.

The facts indicate that this problem is getting worse. There were 392 people on trolleys and chairs in accident and emergency departments yesterday. There were 218 people in similar circumstances on the same day in 2005, which was considered at the time to be a crisis. It is incredible that there were 75 people on trolleys and chairs at Tallaght Hospital yesterday. Today's *The Irish Times* reports that patients are calling a corridor in the hospital "the Mary Harney suite". Yesterday, there were 22 people on trolleys and chairs at the Mater Hospital, 25 at Beaumont Hospital, 28 at St. James's Hospital, 26 at Cavan General Hospital, 25 at Letterkenny General Hospital and 37 at two hospitals in Cork. Does the Taoiseach have any idea of the discomfort and indignity being suffered by such people on a daily basis, as a consequence of the Government's incompetence? Every time we raise this matter, we are given the same old answers — "we are doing something about it", "we are working on it", "things will get better soon", "it is the patients' fault", "it is the nurses' fault" or "it is the doctors' fault". Nobody on the Government side takes any blame or responsibility for it.

Does the Taoiseach accept that while the number of people attending accident and emer-

gency departments has hardly changed since 1998, the number of people on trolleys and chairs is increasing? Even though we have trebled our expenditure on the health service, the problems in accident and emergency units are going from bad to worse. Will the Taoiseach admit that the Tánaiste's disjointed and incremental plan has failed, that no system of comprehensive response to this crisis has been put in place and that the key stakeholders have not been consulted? Can the Taoiseach offer any explanation of why this problem is continuing to get worse, nine years after his Government took office? Can he indicate to the House the solid action the Government proposes to take to deal with this atrocious situation in a positive manner?

The Taoiseach: Deputy Kenny cannot deny that huge improvements have taken place since 12 April 2005. New facilities have been opened, for example.

Mr. Connaughton: Where?

Mr. Durkan: When?

The Taoiseach: A new accident and emergency department has been opened at St. Vincent's University Hospital.

Mr. F. McGrath: What about Beaumont Hospital?

The Taoiseach: New wards have been opened at James Connolly Memorial Hospital and Mater Misericordiae University Hospital.

Mr. Connaughton: The Government has been making promises for ten years.

The Taoiseach: The development of an extension to the accident and emergency unit at St. James's Hospital has almost been completed. It is scheduled to open in the next few months. A new admissions facility at Mater Misericordiae University Hospital's accident and emergency department opened in December and is now up and running. All of these new facilities have opened. It is not true to say the Tánaiste's ten-point plan has delivered nothing, a year on, because the facilities I have mentioned have opened and are in daily operation. It is true, however, to say there are people on waiting lists and on trolleys in a number of hospitals because the figures are published every day and every week.

Mr. Stanton: The Taoiseach cannot deny that.

The Taoiseach: A wide-ranging approach has been adopted by the Health Service Executive to try to improve access to accident and emergency services.

Ms McManus: It is not working.

The Taoiseach: Senior management officials from the HSE have been working on the accident and emergency difficulties since they took office last year.

Mr. Allen: The Taoiseach has been in office for nine years.

The Taoiseach: The officials have improved patient flow through accident and emergency departments and reduced waiting times.

Mr. McCormack: An election will solve it.

The Taoiseach: They have freed up acute beds by providing appropriate long-term care for patients outside the acute hospitals system. Their action plan has focused in particular on patients in acute hospitals who have completed the acute phase of their treatment and are ready to be discharged. Some 1,500 patients have been facilitated to leave acute hospitals since the date mentioned by Deputy Kenny.

Mr. McCormack: The Taoiseach has not admitted that there is a problem.

The Taoiseach: We announced a range of measures, including the provision of high-dependency beds, intermediate care beds in private nursing homes, additional beds in public nursing homes and home care packages, in the last budget.

Mr. McCormack: Those measures have not been implemented. There are cutbacks everywhere.

The Taoiseach: The measures have allowed approximately 1,500 people to leave acute hospitals. We accept that some difficulties remain.

Mr. McCormack: That is right.

The Taoiseach: We hear about them every day.

Mr. F. McGrath: The Taoiseach should resign.

The Taoiseach: It is not acceptable to refuse to acknowledge that significant resources are being invested in the health system by the Department of Health and Children and the Health Service Executive, under the guidance of the Tánaiste. It is well-known in the hospitals system that officials in the HSE and the Department are working every day to improve the system. A number of priority projects, most of which are ongoing, have not yet been completed under the ten-point plan. If I had time I would outline to the House the current status of each of those projects.

Mr. McCormack: They are going nowhere.

The Taoiseach: They are continuing.

Mr. Kenny: A previous Taoiseach described the current Taoiseach as the most cunning and devious of them all. It has been reported that a Government backbencher said yesterday that it is sometimes impossible to figure out what goes on in the Taoiseach's head. The Taoiseach's response is very far removed from the reality. When I visited the accident and emergency unit of the Mater Misericordiae University Hospital last week, the head nurse there gave me a graphic description of a serious assault on a ward sister.

Will the Taoiseach appoint a respected member of the health profession to call together the key stakeholders? These are the consultants, who should be discussing this instead of debating it on radio, the nurses, the general practitioners and those involved in successful experiments such as that in Kilkenny. They should be called together to produce short-term responses that can be delivered. Is the Taoiseach prepared to charge drunks extra for sleeping off their intoxication in wards with their hangers on? These people cause serious disruption to patients, doctors, nurses and the general public. Is he prepared to set up a number of help-lines now? People should be able to know where they can get help when they need it. How many GPs are available any night on any weekend from Howth to Loughlinstown? Where do people get help when they want it? Why has the Government not been able to implement nursing home regulations that will allow for people to be discharged from hospitals to well regulated, well run nursing homes? Guidelines for this are being drawn up for a long time, yet nothing has happened.

This House is becoming irrelevant to people on trolleys today and tomorrow. They are not just on trolleys; people are also on chairs. I saw it myself last week in the accident and emergency unit in the Mater Hospital. The place was cluttered and jammed and there was no room for any kind of movement at the weekend. The Taoiseach should visit some of those hospitals and see what is going on.

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

Mr. Kenny: Does the Taoiseach admit, despite all the verbosity, that he has failed to engage with the key stakeholders? Does he admit he has failed to put in place short-term proposals that will deal with the accident and emergency situation? How many minor injury units in public hospitals have been set up, as promised in the Tánaiste's programme? They have been set up in private hospitals, but not in public hospitals. The situation is getting worse every week and the Government has failed to deal with it. The Tánaiste and Minister for Health and Children is one year in office and she suddenly decided she will deal with the elderly. We have had three years of her waffle about dealing with this crisis, which is heaping indignity upon indignity on pati-

ent after patient all over this country. The facts are there and whatever the Taoiseach reads out from his well prepared brief, it is not relevant to the nurse who was seriously assaulted in the Mater last week—

An Ceann Comhairle: The Deputy should give way to the Taoiseach.

Mr. Kenny: —or to the hundreds of patients lying on trolleys and chairs today.

Mr. F. McGrath: We need more beds.

The Taoiseach: I am well aware of the difficulties for staff in accident and emergency units. Like Deputy Kenny, I was in the accident and emergency department in the Mater Hospital last Monday. I am sure he forgot to mention that a new 33 bed ward was just opened adjacent to the department to help people.

Mr. Kenny: It was completely overcrowded.

The Taoiseach: It is 33 new beds. I hope we do not get to a situation when we open facilities in St. Vincent's Hospital, in Blanchardstown, in St. James's Hospital, and 33 beds in the Mater Hospital, that every bit—

Caoimhghín Ó Caoláin: What about all the facilities they are closing?

Mr. Ring: What about all the wards they are closing?

An Ceann Comhairle: These are leaders' questions only.

Mr. Ring: I want to tell the truth.

The Taoiseach: When we fully staff the hospitals, take on 24 additional accident and emergency consultants, take 1,500 people out of acute beds and when we have an elderly day care package, I hope that is not considered to be nothing. The money is being spent on those facilities.

Mr. Ring: It is being spent on official travel expenses.

The Taoiseach: To try to claim that nothing is happening on these issues is incorrect. There are pressures and there is no doubt about that.

Mr. Connaughton: There are disasters.

The Taoiseach: We know that and we see it every day. We have introduced an initiative to create 1,000 new public beds by having the private sector build private hospitals on sites of public hospitals and that is helping. We put in funding for 900 inpatient beds in acute hospitals and that is having an effect. We put in facilities

to improve patient flow and we obtained extra staff in almost every accident and emergency unit. Deputy Kenny is right that the initiative in Kilkenny is good. It is for that reason that the person who devised the Kilkenny unit has been taken out of there and has been put on the national service. That is part of what Deputy Kenny has accused me of not doing, namely, to co-ordinate the activity around the country to try to bring the same success in Kilkenny elsewhere. They are dedicated people in the HSE co-ordinating their efforts with accident and emergency departments every day.

The ten point plan is being implemented. I readily admit there are still difficulties as I hear that every day. However, there has been an enormous amount of activity in the last year and in the last number of years.

Mr. Kenny: They are still not up to scratch.

Mr. Rabbitte: I wish to return to the Stardust issue that was raised yesterday. I presume the Taoiseach, like most Members, watched the programme last night. The Taoiseach made a commitment yesterday that if new evidence came forward, he and the Minister for Justice, Equality and Law Reform were prepared to review it. There is no necessity for me to describe the horror of what was depicted in an example of the best of public service broadcasting. Whatever the apprehensions about the programmes before they were screened, nobody can say that as a documentary drama it was not an excellent contribution to public service broadcasting. We have a duty in this House to protect the safety of citizens and where their rights are abrogated, we have a duty to see some fair procedure to vindicate those rights.

On reflection, what is the Taoiseach's position today? Just because the programmes are finished, we should not pass over this issue again as we have done so many times in the past. Yesterday, I suggested that perhaps the speediest, most effective way to deal with the legitimate questions raised by the families would be to borrow the practice followed in the Dean Lyons case. A senior counsel might be appointed by the Minister to review the Garda files and the papers available to the tribunal, to assess any new evidence, to assess the significance of last night's programme and to make recommendations to the Minister. Has the Taoiseach had an opportunity to reflect on that? This is a cheap, speedy, effective and sufficient way to establish whether there is a basis to believe that another investigation would be more effective.

There were two new experts introduced last night. We did not know there was a difference of expert opinion at the tribunal. I do not know what weight colleagues in the House give to the programme, but there was sufficient concern raised by two independent experts with no axe to grind to suggest the relatives have a fair claim to

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have some procedure open to them whereby they can seek answers to questions that have remained unanswered to date. The Taoiseach should agree to the suggestion I made yesterday. The senior counsel should have access to the kind of technical fire advice that we saw on the programme last night and he could then bring conclusions to the Minister.

The Taoiseach: The programmes are useful and are good examples of public service broadcasting. There is no doubt about that. I also think the recent work of the Stardust relatives committee has been good. The first part of that work was examined by the Department of Justice, Equality and Law Reform, the Garda Síochána and the Forensic Science Laboratory. They concluded, following expert analysis, that nothing new had emerged that was not dealt with in the long public inquiry by the Keane tribunal in 1981-82.

Further evidence was provided by the relatives more recently and the Minister gave a full commitment that this would also be dealt with. That is still outstanding and must be dealt with. I understand RTE will helpfully provide the programme details and data to the Department of Justice, Equality and Law Reform, which must also be fully examined. I said I would meet the relatives and I note that they intend to contact me at the end of the week. Whatever issues arise from that meeting, including issues relating to technology and DNA, I will be happy to examine them.

It is not a question of forgetting about these matters. The Minister for Justice, Equality and Law Reform and his predecessor had a series of meetings over a number of years. Developments have not stopped. They may have stopped in the public domain but not with regard to the relatives of the Stardust committee. They have been through a long series of meetings. There are three separate issues involved, as I and the Department of Justice, Equality and Law Reform understand it, and they will be examined and a conclusion drawn as to what action is necessary.

To be frank with Deputy Rabbitte, I cannot make a conclusion as to whether issues of design, location of the fire or where it may have started constitute new evidence. I will not agree or disagree with that as I just do not know. However, it is valuable information to be examined by those who can make an assessment in that regard. I can make sure that happens and we will then see where we go from there.

Mr. Rabbitte: I agree with the Taoiseach that he cannot make a conclusion about the design of the building or the cause of the fire, whether it was arson or accident. None of us in the House can do that. However, on a different issue, is the Taoiseach prepared to put in process some review that can quickly report to the relevant Minister whether there is a basis for further investigation.

I am not clear from the Taoiseach's answer what is his response to that. He stated this matter was reviewed over many years by the previous Minister for Justice, Equality and Law Reform. The previous Minister was in office for five years. Deputy Broughan raised this matter on the 20th anniversary. Five years later, after the Minister had left office, absolutely nothing was done.

The Taoiseach has not met the relatives and the Ministers for Justice, Equality and Law Reform, present or past, did not do so. What is the Taoiseach saying to the relatives following the screening of the three programmes on this issue, given the sense of miscarriage of justice which is deeply felt by many of the relatives?

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

Mr. Rabbitte: Why is the Taoiseach not in a position to state he will put in train, for example, the kind of investigation that I suggested or that Deputy Kenny suggested yesterday in terms of the Judge Cory-type precedent? Surely we can do that to meet the genuine concerns of the relatives.

The Taoiseach did not state yesterday — I read the transcript again because I sometimes have as much difficulty as his backbenchers in interpreting what he says — why the Government decided against a national fire authority, which was the key recommendation of the Keane tribunal. He brought in consultants and they recommended a national fire authority as the key recommendation, yet the Taoiseach never explained why he decided against it. In today's newspapers fire officers in Dublin state there is the same number of fire safety inspectors as in 1981 and express fears that must be in the mind of every citizen about whether this could happen again. There is no answer to that either. Why did the Taoiseach decide not to set up a national fire authority? Will he appoint somebody, along the lines of the precedent in the Dean Lyons case, to establish whether there is any hope that a new investigation would reach different conclusions in regard to this appalling tragedy?

The Taoiseach: The recommendations on the fire safety issues were made in 1982. I will not answer for all the policy initiatives from 1982, but more recently an implementation group considered these initiatives and I understand the group has considered the issue of the authority. I cannot say why that did not happen for 20 years. It was decided at the time not to go down that road but more recently the implementation group examined the original recommendation.

I will not repeat the figures I outlined yesterday except to state that there are 34 fire prevention staff working in Dublin compared to four at that time.

I heard the relatives speak on last night's television programme and they were very clear on what I said in the House, for which I was glad,

but for the benefit of Deputy Rabbitte I will be clear on this matter again. There are three issues. First, the relatives gave further information to the Minister for Justice, Equality and Law Reform and asked him to have it examined. That process is under way. The Minister has given clear commitments to the relatives that as soon as he receives the report from the Garda Síochána and the Forensic Science Laboratory, he will communicate with them. The second issue concerns the television programmes and issues that have arisen in the past few weeks, most of which were reflected in the programmes and others in what the relatives have said. Those matters will be examined in a way similar to the Minister's consideration of the committee's recommendations. RTE will helpfully provide background details. Third, some unanswered questions remain, particularly with regard to the use of DNA and modern science. It is believed that to exhume the bodies of the deceased would perhaps help. Other questions also arise and all those issues will be examined.

The Minister has stated time and again and I stated yesterday and repeat today that we will assist the families in any way we can in regard to further submissions the Stardust committee wishes to make and the information that has been made available. If there is an issue with regard to a further investigation, whether it is a Judge Cory-type investigation or another type, we can make the relevant decisions. I cannot pre-empt that process. I will not go against Garda or Forensic Science Laboratory advice, or that of whoever else it is necessary to get advice from. However, we should at least get the advice and then we will make a judgment on it.

Mr. J. Higgins: Was the Taoiseach's attention drawn to an assertion that an astounding 70,000 to 120,000 construction workers are being criminally denied their legal and mandatory pension rights by construction bosses, which means that, apart from losing pension entitlements, they are deprived of death in service benefits and sickness benefits? It was not a revolutionary socialist or a trade union activist who made these assertions a few days ago, but the sober Office of the Pensions Ombudsman. The Pensions Ombudsman also pointed out that failing to put workers on a pension scheme is a criminal offence subject to fines and-or imprisonment. This means that up to 130,000 workers are the subject of criminal acts on building sites each day, which have been going on for years and decades.

Can the Taoiseach name one construction boss, builder or developer who has spent one hour in jail for this criminal denial of workers' rights? He cannot, because it has not happened.

11 o'clock However, three bricklayers who put a picket on a Dún Laoghaire County Council building site protesting anti-trade union practices found themselves in the High Court and within days in Mountjoy jail where they now lang-

uish. The learned judges' eyes are wide open to breaches of their injunctions in favour of construction employers, but their wigs apparently fall over their eyes when it comes to routine criminality from those same construction bosses towards workers.

What has the Taoiseach to say to these workers and their families who are cheated of their pension rights, often through questionable practices and intimidation or through the rampant culture of greed which Government policies have spawned in the construction industry? The Taoiseach has stood over a roller coaster of greed by speculators and developers.

Can workers hope for any vindication of their pension rights when Ministers, those sitting by the Taoiseach now, routinely turn the sod on State projects awarded to major builders who are in flagrant breach of pension rights, a regular occurrence? Is the Taoiseach going to do anything about this sorry situation?

The Taoiseach: Any employers, whether in the construction industry or elsewhere, who abuse the rights of workers with regard to their pensions, occupational health or other benefits are entirely wrong. Their actions are inappropriate. I understand that in some cases contributions were taken but credits were not given. Such cases are illegal.

These are serious matters and have been highlighted for some time. The Minister for Social and Family Affairs, Deputy Brennan, has been engaged in meetings with the construction industry unions on the issue. He has heard submissions from the workers on the extent of the abuses that have taken place and has been involved in discussions with the Minister for Finance to make whatever changes or regulations are necessary to try to end the abuse. The Pensions Board is also dealing with the issues. These matters are under way.

Construction is a large part of the economy. I do not have the figures on the extent of pension cover in the industry, but I am sure the Minister for Social and Family Affairs and the Minister for Finance do. They have been engaged in trying to rectify the breaches and deal with the issues raised by the Deputy.

Mr. J. Higgins: I believe the Taoiseach is not fully aware of the situation which has been brought out by recent reports and the ombudsman. The pensions ombudsman says that construction companies which criminally neglect pension obligations to workers have a 22% commercial advantage over compliant builders. The reality seems to be that the neoliberal obsession driven by the Government is leading to outright criminality.

I reckon that a minimum €120 million a year is being stolen by big developers from workers' pension entitlements, but not one of them has faced any serious rigour of the law. However, in

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Carlow District Court in 2004, an unfortunate recipient of unemployment assistance to the tune of under €3,000 was sent to jail for six months for falsely claiming assistance.

What has been the contribution of the Minister for Social and Family Affairs? He brought out a weak press statement a few months ago. He agonises continually about a new mandatory pension scheme, but we have one, that should be underpinned by law, of which the bosses are in blatant breach. What is he doing about the situation? A weak press statement is hardly an answer.

The Government has turned a blind eye because, among the 12 developers who have become billionaires as a result of Government policies and among the hundreds who sit down with the Taoiseach at Cairde Fianna Fáil fundraising bashes are these very criminals who deny workers their pension rights. That is the reason the Taoiseach is soft on them. I and the Independent colleagues beside me will return to this issue in a few months. If tens of thousands more construction workers are not on pension schemes then, we will want to know why.

The Taoiseach: As I said, if the Deputy has information about who is in breach of the regulations, he should give it to the ombudsman. With regard to his point, it was this Government that set up the pensions ombudsman in 2003, and the office became operational—

Mr. J. Higgins: Does the Taoiseach know what the ombudsman said? He does not seem to be aware of what he said.

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: The office became operational in autumn 2003. It is Government action that has led to a position where pension schemes are being investigated and the Deputy should not forget that. The level of the breaches in this area is coming out through the work of the pensions ombudsman. It is not true the Minister issued a weak press release. It is true that he has engaged with the construction unions to try to ensure we can deal with these issues. It was not today nor yesterday that the issue of breaches in CIF pensions arose. The issue has been around for years. People have worked on sites and their contributions were not credited or dealt with by members of the industry. It has been a long-term issue. Therefore, having stronger legislation, a pensions ombudsman and proper investigation of the operation of pension schemes are hugely beneficial.

The Minister has listened to the unions, which have the information. The ombudsman's research has also been helpful. The Minister for Finance, Deputy Cowen, has had meetings with the Minister for Social and Family Affairs to see how we

can improve the scheme to ensure it is statutorily tight. As the Deputy said, there is legislation, but it has not worked for decades and that is part of the difficulty. The Pensions Board has also examined the matter.

There are more people working in the construction industry who are entitled to their benefits. They should be in a pensions scheme and should have their contributions credited. I am sure a significant number of people are in a scheme, but where they are not we must take corrective action. That is what is going on in the current discussions.

Ceisteanna — Questions.

Constitutional Reform.

1. **Mr. Kenny** asked the Taoiseach if he will report on the position in respect of the implementation of the recommendations of the All-Party Oireachtas Committee on the Constitution; and if he will make a statement on the matter. [39749/05]

2. **Mr. Rabbitte** asked the Taoiseach the progress made to date with regard to the implementation of the recommendations of the All-Party Oireachtas Committee on the Constitution; and if he will make a statement on the matter. [40408/05]

3. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the progress to date with regard to the implementation of the various reports of the All-Party Oireachtas Committee on the Constitution. [2161/06]

4. **Mr. Rabbitte** asked the Taoiseach the Government's response on the Report of the All-Party Oireachtas Committee on the Constitution on the family; and if he will make a statement on the matter. [2162/06]

5. **Caoimhghín Ó Caoláin** asked the Taoiseach the way in which the Government proposes to respond to the Report of the All-Party Oireachtas Committee on the Constitution on the family; and if he will make a statement on the matter. [3206/06]

6. **Mr. Sargent** asked the Taoiseach the Government's response to the Report of the All-Party Oireachtas Committee on the Constitution on the family; and if he will make a statement on the matter. [3412/06]

7. **Mr. Sargent** asked the Taoiseach if there are constitutional referenda envisaged in 2006; and if he will make a statement on the matter. [3413/06]

8. **Mr. J. Higgins** asked the Taoiseach if he will report on the position regarding the implementation of the recommendations of the All-Party Oireachtas Committee on the Constitution. [5499/06]

9. **Mr. J. Higgins** asked the Taoiseach if there are constitutional referenda envisaged during 2006. [5500/06]

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

The All-Party Oireachtas Committee on the Constitution published its report relating to the family on 24 January 2006. The relevant Departments are considering its recommendations.

The Government has acted on most of the key recommendations which have emanated from earlier reports of the All-Party Committee on the Constitution. In all, this and the previous Government have brought forward ten referenda.

The Government will avail of appropriate opportunities to take forward further recommendations of the all-party committee.

The complexities involved in holding a referendum require that careful consideration be given to the frequency with which referenda can realistically be held and the significance of the issues in question. There are no specific plans at present to hold referenda during the lifetime of the 29th Dáil.

Mr. Kenny: Unmarried couples in long-term relationships have no rights in respect of next of kin, tax, inheritance and a range of other areas. I know other parties have put forward views on this. Fine Gael has supported the principle of civil partnership for some time and it published a document on this over two years ago. I know the All-Party Oireachtas Committee on the Constitution has been discussing the issue for over a year. The Minister for Justice, Equality and Law Reform has appointed a working group, having committed to the issue over 12 months ago. Most recently, the report of the committee published last month recommended a system of civil partnership. Can we take it that the report will not languish on a shelf and will be attended to? One element of it which can be dealt with reasonably quickly is the recognition of civil partnership, and social and economic consequences that come from it.

With regard to the recommendation of the committee on the emigrant issue, the Taoiseach is aware of the offer made by Senator Jim Higgins, MEP, to give up his Seanad seat if the Government accept a nominated person from the Irish diaspora in his place. In responding to this previously, the Taoiseach stated the matter might be dealt with in the context of Seanad reform. Will the Taoiseach consider this now, or does he see a situation in general whereby the emigrant diaspora would be recognised by representation in Seanad Éireann?

The Taoiseach: On the first issue, the Minister for Justice, Equality and Law Reform has already set up a committee. There were already Law Reform Commission reports on the issue but he was also awaiting the report from the committee. He now has that and he recently stated he would proceed with the matter.

The committee has indicated that legislative changes are the way to go forward. Deputy Kenny will recall that a year or so ago, when this issue was being discussed and submissions were brought forward, I stated that this was my own view and might be a more successful way to deal with the matter. I do not have to go through all the arguments, submissions and different views in the report. I could see it for myself the night the report was launched, as it is difficult to deal with all the different positions. The Minister has started on that. Civil partnership legislative proposals from the committee are probably not too different from what has come from the Law Reform Commission. The Minister will proceed with his work on this, which he began last year.

I have not given any further thought to the emigrant issue. With regard to the position of Deputy Kenny's colleague, the issue may be sorted out by the concerned groups in the Seanad in the short term. I would be slow to get involved in it. With regard to the longer-term issue of representation, it has long been the wish of the Federation of Irish Societies — as democratic an organisation as one will get in the Irish communities diaspora — to have a nominee to the Seanad. I have stated this could be considered in the context of Seanad reform, if we are to have outside representatives in that Chamber. I know the group has made the case over many years.

There are difficulties with this. Deputy Kenny himself probably dealt with the issue many years ago. There are arguments regarding how it could be done and what groups would be involved. During the Oireachtas committee hearings I stated my belief that the Federation of Irish Societies should be included, as it has for many decades proved to be a well-organised and well-run democratic organisation. It seemed that this could be the basis of making progress.

Mr. Kenny: With regard to my colleague, Senator Higgins, the problem is that if he resigns his Seanad seat on the basis of letting it go to a nominee of the federation, the Government would take the seat.

The Taoiseach: I accept that. It should be worked out among the group leaders in the Seanad. I do not expect Senator Higgins to resign — I am not raising the issue.

Mr. Kenny: If the Taoiseach stated that the Government would not take the seat and the groups decided who the nominee was, Senator Higgins would get on with it.

Mr. Rabbitte: I think Tom Stafford would get that job in the morning if the opportunity arose.

Mr. Kenny: I am sure there are plenty of people who would like the seat.

The Taoiseach: My loyal councillors.

Mr. Kenny: We can discuss the matter with the groups.

Mr. Rabbitte: What is the Taoiseach's reaction to the report of the All-Party Oireachtas Committee on the Family? In terms of the definition of the family, the committee divided on the more inclusive definition submitted by my colleague, Deputy Jan O'Sullivan, and subscribed to by a minority on the committee. There were many unanimous recommendations. Does the Taoiseach intend to move on them? I ask the question in the context our now having ten reports on the Constitution. Is this a way of keeping Deputies preoccupied or does the Government have the slightest intention of proceeding on any of the reports?

What is the status of the proposals put to us by the Taoiseach some time ago regarding representation from the North in the Oireachtas? Have the proposals been shelved?

The Taoiseach: With regard to reports generally, we have had in the past number of years referenda on Cabinet confidentiality, the Amsterdam Treaty, the British-Irish Agreement, the recognition of local government, the death penalty, the International Criminal Court, the Nice treaty, the protection of human life and pregnancy and citizenship issues. Some matters on the Judiciary were prepared but we did not proceed with them. Issues regarding property rights have gone back to legislation. An enormous amount of what has been in the reports has been taken forward in legislation.

There are a host of areas that do not perhaps contain major changes, but it is difficult to group them. The Office of the Attorney General has considered this, along with the Cabinet Secretariat and Departments, and it is difficult to come up with an easy way to bring forward many of these amendments. We have dealt with many of them. Many of the individual issues in the reports have been dealt with. A comprehensive report has been carried out on others, and when people are compiling legislation they can take these into account. Many did not come down to constitutional aids, although some did. The number was not significant. There were some which I disagreed with, such as that regarding age and the presidency, and the Government did not support others.

The Minister has stated he will move on this report and the Government is anxious to proceed. It is a good report. While everything was not agreed, the committee did a good job. There

were many areas of unanimity. We should proceed with it, and this is the view of the Government also. Most of the issues are valuable to people, as the lives of many people are already altered through processes such as civil partnership, for example. There are issues of a legal nature, concerning such matters as property rights and other factors that could create difficulties. The Department of Finance would also be involved in matters such as benefits, for example. Much of what is contained in the report could be moved quickly. The Minister for Finance is open to this also.

Mr. Rabbitte: Will the Taoiseach address the report of 2004 on building land? A number of recommendations were made, which people on the Opposition benches supported. None of them has been implemented, yet the price of housing continues to rocket. We are told every year by some economist working for some bank that there will be a slowdown in the rate of acceleration. For at least five or six years this type of report has been evident. A prominent bank or building society secures the services of a couple of economists, who in turn produce a report predicting that house price inflation will tail off, perhaps settling at the rate of inflation or double the rate of inflation. Annual house price inflation is still at 10%.

On 12 April 2005, the Taoiseach stated that another set of proposals would be brought forward, that these had to go through Government and would be announced in the Dáil. Did the proposals go through Government and will the Taoiseach announce them?

The Taoiseach: There are at least two planning Bills, one published and one not, where a number of issues relating to property rights have been taken into account. Other issues have been addressed in other legislation. I accept the Deputy's point that we are told every year that there will be no more price increases. The affordable housing initiative does not require legislation and we have given the go-ahead for several initiatives recommended by the report. Our legal advice was that we could advertise for people to come forward with suitable property. There has been a good take-up and many property owners have put their land forward for affordable housing. I do not know if that was facilitated by an old Act but it did not require legislation. The advertisements were for land that would not otherwise have been zoned for residential housing. That land can now be used for affordable housing purposes and hopefully will prove to be effective in time. I accept that developers, banks and building societies continually state that this year will see a huge drop in numbers but the changes made certainly are not creating problems. As the Minister for Transport, Deputy Cullen, said, one of the arguments made at the

end of every year, is that the population keeps growing.

I did not answer the question on Northern Ireland. I have listened to what everybody said and taken account of the views of all the parties, several of which have reservations about the proposal. I am currently considering those responses and will return with a different proposal. It is obvious the House will not agree to anything other than Northern parties attending committees to make presentations and discuss issues in the normal way.

Caoimhghín Ó Caoláin: Given that constitutional protection for families only applies to those based on a marriage of heterosexual partners, does the Taoiseach accept that, given the diversity of family formations in the State today, there is a requirement to revisit the definition of the family at Article 41.3.2, so that it properly reflects the reality in Irish society? What is the Taoiseach's view on that? Will he accept that almost everybody knows someone in a relationship other than a traditional marriage? Does he therefore agree that the State must recognise the status of relationships other than a traditional heterosexual marriage?

On property rights, will the Taoiseach indicate whether he or his Government is prepared to revisit the proposition to enshrine the right to housing in the Constitution? A Bill on that subject was brought forward by my colleagues and me previously which the Government voted down, but which represents a very important change to incorporate a right not catered for in the existing wording. When we discuss property rights we must critically reflect on the basic need, that is the right to housing. Will the Taoiseach say if he is prepared to correct that serious omission?

I am deeply alarmed by the Taoiseach's response with regard to his proposal to establish a committee of the whole Dáil to accommodate the participation of Northern MPs with elected colleagues on this part of the island to address specific debates and issues of common concern. This is the first indication of the Taoiseach's intent not to proceed with this proposition. As somebody who had welcomed his endeavour to meet the recommendations of the All-Party Oireachtas Committee on the Constitution in that regard I am, to say the least, disquieted that he is now considering something that cannot be viewed as an alternative but something that is much less, namely an accommodation involving existing committees outside the Dáil and in a way that only reflects on the normal access of which any lobby or interest group can avail. Would the Taoiseach agree that does not meet the thrust of the recommendation of the all-party committee and that it falls far short of the reasonable expectation that has been created within opinion north of the border, not confined to nationalism and republicanism but many of another tradition and

background who also viewed the proposition positively?

The Taoiseach: I hope my amended proposal will still be in line with the report of the All-Party Oireachtas Committee on the Constitution which was endorsed by this House in May 2003, and will be consistent with the Good Friday Agreement. Deputy Ó Caoláin will accept that I must secure a consensus on the matter. I am trying to frame a proposal that sticks with those principles and I am not abandoning it, but I must take account of the views of the parties. It has been rightly suggested to me that I implement the recommendations of the All-Party Oireachtas Committee on the Constitution report and that is what I am trying to do.

The All-Party Oireachtas Committee on the Constitution report did not command the agreement of all of the committee, though it did in many areas, but I commend its work. A minority of members opposed to the present wording of the Constitution asserted, as the Deputy did, that all persons have a right to family life irrespective of their marital status, and they provided an alternative wording as an amendment to Article 41. This would mean that the present constitutional protection for the traditional family based on marriage would be extended to include all family forms. According to the minority, the justification for this is that while the traditional family is still the predominant feature of our society there are growing numbers of other forms including co-habiting heterosexual couples, co-habiting same-sex couples and lone parents, which of course is correct. The fundamental question faced by the majority of the committee was whether constitutional protection should be extended to all family forms. The traditional family based on marriage has self-evidently produced great benefits to society over a sustained period, has given social stability and has provided a favourable context in which to rear children. Many people believe that to dilute that protection given to the family based on marriage in the Constitution would jeopardise the common good.

The majority view in the committee was that a referendum that proposed to define the family would be very divisive. Having created division it might not carry majority support. Rather than put the community through that type of campaign the committee decided to examine whether the problems presented in the submissions might be dealt with by a combination of other, less divisive, constitutional and legislative measures. As I said on the launch of the report I agree with that approach, though I understand the arguments on both sides. We have now set up the committee and we will work on areas of agreement. We will try to deal with the issue in a legislative way. That work has commenced.

Caoimhghín Ó Caoláin: What about the right to housing?

The Taoiseach: The basis of the policies of this and previous Governments led by me has been to create housing for everybody by affordable, social and private means and to reach that position through policies and grants to local authorities, facilities for building societies and other mechanisms. It would be difficult to frame a constitutional right for that but we are putting resources worth billions of euro into social housing and making huge efforts on affordable housing, and private housing numbers increase every year. Our policies are addressing these issues. Putting that into a constitutional amendment was considered at some stage in the past but it will be difficult to do so.

Mr. Cuffe: A view exists that consigning an issue to the All-Party Committee on the Constitution is essentially the kiss of death. Certainly, the April 2004 all-party committee report on property rights is gathering dust and I am concerned that the latest report will do likewise.

An Ceann Comhairle: The Deputy should ask a question.

Mr. Cuffe: Does the Taoiseach intend to take action on the substantial recommendation of the earlier report that the State should control the price of development land by controlling rezoning? Will he make any recommendations in that area?

On the more recent report and in light of recent tragic events which underlie the need for the State to recognise and protect children and their rights, when will the Taoiseach bring forward a specific proposal to enshrine children's rights in the Constitution?

With regard to Article 41.2.1° of the Constitution, which effectively chains women to the kitchen sink, when will the Taoiseach bring forward proposals for change in that area?

The Taoiseach: On a general point, all the reports prepared by the All-Party Committee on the Constitution go to the relevant Departments to be accounted for in referenda if necessary. We have had ten referenda in recent years, which is a high number. They consider it in terms of legislation and, in all legislation coming forward, take account of issues which have been addressed. They may not immediately change the relevant Acts but take account of the all-party committee in a host of areas when consolidation legislation is being prepared.

The Deputy should raise the issue of zoning land with the Minister for the Environment, Heritage and Local Government, Deputy Roche. On the affordable housing initiative, we have acted on the recommendations of the all-party report by advertising and asking for proposals on areas of unzoned land which could be suitable for affordable housing. The Deputy's point about zoning land falls under the control of local auth-

orities and I do not think any change is coming to the area.

The issue of children arises again in this report and the Minister of State and the Department of Health and Children, Deputy Brian Lenihan, is examining that. Again there are arguments whether a constitutional referendum will be required to support the rights of children and the Minister of State is addressing the issue.

Ms O'Sullivan: I too want to ask the Taoiseach about the rights of children because I understood him to say in his reply to Deputy Kenny's question that he does not intend to introduce any further amendments to the Constitution during the lifetime of this Government. Will the Taoiseach clarify that because all parties involved in the Oireachtas committee clearly agreed that an amendment to the Constitution should be put to the people with regard to a specific right for children? We may be required to under our international obligations under UN conventions. Can the Taoiseach be clear on the specific need to amend the Constitution in this regard?

Senator Norris has published a Bill on civil partnerships, which, I understand, has been examined by the Government. Does the Taoiseach intend to proceed with the Senator's Bill as a basis for introducing rights to civil partnerships?

The Taoiseach: On rights for children, while no specific referendum is planned for the coming year, we have seen in the past where issues arose that required constitutional change and which we included. A range of amendments could be included if we have a suitable occasion, although we cannot bring too many. The one on the rights of children has been sent to the Minister of State, Deputy Lenihan, in light of recommendations made by the committee. It has been noted that this is not a divisive issue, so if a suitable occasion arose — although the Minister of State must first make his recommendations — that and other matters could be brought forward. However, there are no plans at present to do so.

I had the opportunity to hold discussions with Senator Norris on his Bill and work on civil partnerships is being conducted by the committee established by the Minister for Justice, Equality and Law Reform, which could take account of the Senator's efforts. The committee has commenced its work and, it is hoped, will make much progress this year.

Mr. Cuffe: The previous report recommended a thorough revision and reform of the Byzantine legislation in the area of land ownership. It specifically addressed the issue of building lands for local authorities and suggested that instead of land being grossly inflated in value by rezoning, local authorities should have the pre-emptive right to acquire land at the existing use value plus 25%, as was recommended in the Kenny report

some 30 years ago. Does the Taoiseach have any proposals to bring forward legislation in this area? It is not a matter for local authorities but for Government and we need legislation. Is the Taoiseach prepared to introduce legislation to control rezoning so that young people are not forced out of the housing market by inflated prices?

The Taoiseach: I have argued the point that it should be possible to buy at existing land use value. Much land would then be held by local authorities and others——

Mr. Cuffe: That is what the Taoiseach is arguing but is he legislating?

The Taoiseach: As I stated earlier to Deputy Rabbitté, under the affordable housing initiative, we advertised last year for such lands. While we were operating under current legislation and believe that amended legislation will be needed, we have already advertised for this and have received a large number of submissions. I have not been dealing directly with it but Mr. Des Geraghty, the chairman of the group, told me that a good response was received. As the Deputy noted, using land which is not zoned, such as open fields, for affordable housing could have a significant effect on what could be done in that area. Extensive tracts of land in the greater Dublin area could be suitable for that. It is the way forward and I support it.

Communications Unit.

10. **Mr. Kenny** asked the Taoiseach the projected cost in 2006 of the communications unit in his Department; and if he will make a statement on the matter. [39757/05]

11. **Caoimhghín Ó Caoláin** asked the Taoiseach the cost to date in 2006 during the current Dáil session of the communications unit within his Department; and if he will make a statement on the matter. [3207/06]

12. **Mr. J. Higgins** asked the Taoiseach the cost to date in 2006 of the communications unit within his Department. [5501/06]

The Taoiseach: I propose to take Questions Nos. 10 to 12, inclusive, together.

The total projected cost of the communications unit for 2006 is €346,605. The direct cost to my Department is €149,846, with an average of €39,352 being borne by the five other Departments who have staff seconded to the unit. The cost to date in 2006 is €28,884.

The unit provides a media information service to Ministers and their Departments. It furnishes news updates and transcripts which ensure that Departments are kept informed in a fast and efficient manner of any relevant news developments. In this way, Departments are able to

provide a better service to the public. The communications unit works an 18-hour day based on a flexible rota of three working shifts. The unit is staffed by six established civil servants, five of whom are seconded from other Departments. The work of the unit means that Departments have greatly reduced their use of external companies and ensures that they no longer duplicate work such as preparing transcripts and tapes. The communications unit is estimated to save Departments approximately €200,000 per annum.

Mr. Kenny: It is difficult to ask a different question on this matter. The Taoiseach referred to providing a better service to the public, but if news breaks at 2 a.m., does a 24-hour shift apply?

The Taoiseach: No, an 18-hour shift.

Mr. Kenny: Does the unit supply typed versions of the news broadcasts solely to Ministers and Ministers of State or do members of the Government parties also receive such transcripts? I have argued before that if the latter is the position, everybody in the House should be entitled to the transcripts, thus saving money for those who must buy transcripts from external companies.

The Taoiseach: That is not the position. The unit is entirely non-political and is staffed by established civil servants. The information is relayed to Ministers, Ministers of State and the entire range of civil servants and, like all information prepared by civil servants, is for the Civil Service system, not for the House. The information is gathered on the basis——

Ms McManus: I wonder how the Departments managed before the unit came into existence.

The Taoiseach: They used outside agencies and paid excessive amounts of money for the information. That is what happened and it was a very costly arrangement. In the past, one Department would contact an agency at 9 a.m. to order a tape of a “Morning Ireland” or other radio programme and another Department would contact the agency later to order the same tape. That is what happened and huge bills were received. All Governments did this — I am not saying it was one Government in particular — and it was very costly. Instead of that system, six civil servants now work together and provide information on an 18-hour day basis, which is a cheap service as against the outside arrangement. Now outside agencies are rarely used, except in other areas so it is a relatively cheap service.

Caoimhghín Ó Caoláin: Has the Taoiseach noted a reference in Ms Katie Hannon’s book, *The Naked Politician*, published in 2004, to a member of his staff in the communications unit, which is the focus of the question, and will he confirm the job involves keeping files on political

[Caoimhghín Ó Caoláin.]

rivals and media figures for use at times of elections and in other crises? Does the Taoiseach agree that this is a description of somebody who is gathering intelligence, a phrase that is often flung around this Chamber and elsewhere in media circles? Will he confirm that there is such an individual within the communications unit or in some other section of his Department?

The Taoiseach: There is no such——

Caoimhghín Ó Caoláin: A naked pup.

The Taoiseach: There is no intelligence gatherer in the communications unit or anywhere else.

Caoimhghín Ó Caoláin: That is not what Ms Hannon believes. I did not ask if they are intelligent, what they are at is what we are interested in.

The Taoiseach: If gathering newspaper cuttings is gathering intelligence, there are many people who do that in press offices, but no more than that.

Mr. Gormley: If my memory serves me correctly, there was a case a number of years ago where a civil servant telephoned a radio programme to defend the record of the Government and was subsequently moved. Is the unit functioning as a rebuttal service and is it entirely apolitical, as the Taoiseach claims?

The Taoiseach: That individual is not in the communications unit and was removed from that position.

Mr. Durkan: He was overly communicative.

The Taoiseach: He is now doing a very good job on the units in this House.

Mr. Kenny: He is now in an even more sensitive position.

The Taoiseach: Exactly. Certainly, that was something that should not have happened. A normal procedural investigation took place and the person was moved, but he was not a member of the communications unit.

Requests to move Adjournment of Dáil under Standing Order 31.

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

Ms C. Murphy: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the Government's failure to furnish the Council of Europe's committee on social rights with a report on its implementation of a number of European Social Charter provisions, which has prohibited the

committee from making a legal assessment on whether Ireland complies with its obligations under these provisions. Considering that matters such as the right to access child care, health services, affordable housing and the treatment of young offenders are covered by the charter, it is vital that the Government is accountable to the people of Ireland and the Council of Europe on its performance and must submit the report as a matter of urgency.

Mr. Hayes: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the loss of jobs, livelihood and self-esteem for those no longer eligible to participate in community employment schemes due to a Government cap. Of particular importance is the effect of such a cap on areas of high unemployment. It is important that the House has the opportunity to debate the wisdom of taking people out of community employment schemes and putting them on the live register.

Mr. Costello: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the seizure last night of €3.5 million worth of cocaine in the North Strand area of Dublin and the need for the Minister for Justice, Equality and Law Reform to outline the steps he intends to take to deal with the growing problem of the importation and distribution of cocaine. In view of the importance of the issue, I hope the Ceann Comhairle will agree to my request.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Minister for Enterprise, Trade and Employment to intervene with Dunnes Stores to ensure the reinstatement of Ms Joanne Delaney, sacked by Dunnes Stores for wearing a union badge. I also call on the Minister to ensure the right of workers generally to wear a union badge and be represented by a trade union official at meetings with management and the right of shop stewards to operate without intimidation, and to make a statement on the matter.

Mr. Gormley: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the discovery of the bird flu virus in Germany and the need for the Minister for Agriculture and Food and the Minister for Health and Children, as part of a full Dáil debate on the issue, to make full statements to the House about this country's state of preparedness for an outbreak of bird flu or, worse, a possible flu pandemic.

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

Order of Business.

The Taoiseach: It is proposed to take No. 8, motion re proposed approval by Dáil Éireann of the Official Languages Act 2003 (Public Bodies) Regulations 2006; No. 12, the Irish Medicines Board (Miscellaneous Provisions) Bill 2005 [*Seanad*] — Order for Report and Report and Final Stages; and No. 13, the Diplomatic Relations and Immunities (Amendment) Bill 2005 — Order for Report and Report and Final Stages.

It is proposed, notwithstanding anything in Standing Orders, that the proceedings on No. 8 shall, if not previously concluded, be brought to a conclusion after two hours. The opening speech of a Minister or Minister of State 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 ten minutes in each case and Members may share time. A Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes. Private Members' business shall be No. 42, motion re rent supplement, resumed, to conclude at 8.30 p.m.

An Ceann Comhairle: Is the proposal for dealing with No. 8, motion re the Official Languages Act 2003, agreed? Agreed.

Mr. Kenny: I wish to raise a number of small matters with the Taoiseach. With regard to the Defamation Bill, the Minister for Justice, Equality and Law Reform referred on a number of occasions to his intention to introduce a press council. When are we likely to see that, which would give effect to the Law Reform Commission's recommendations, newspaper industry reports and so forth? It is a matter of considerable concern.

I ask the Government Whip to arrange a discussion in this House at an appropriate time on the McIver report, which deals with further education. This is an area that has been passed over by Government and is of importance to thousands of young and mature students. It does not get the recognition it deserves.

Could the Taoiseach indicate when the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, will publish his report on safety measures or other recommendations for the Corrib gas field? He has had the report for a number of weeks.

The Taoiseach: The heads of the defamation Bill have been cleared by Government and the Bill has largely been drafted. Although I have not had an update for a few weeks, it is listed for this session. I will raise with the Government Whip the issue about making time for the McIver report. Deputy Noel Dempsey told me his report

on the Corrib gas field will be published in late February or early March but I will check that.

Mr. Rabbitte: May I ask the Taoiseach about the services directive? This party and our sister parties across Europe are campaigning for fundamental alteration especially of the country of origin principle, something apparently supported by the Irish Government up to now. If the proposed amendments go through the European Parliament today will the Irish Government support the dilution of the country of origin principle so that we get a services directive that is genuinely about dispersing services and the facility to provide services across borders but on conditions that apply in the host country and do not erect false competition or displace workers in this jurisdiction whatever their nationality?

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

Mr. Rabbitte: I am asking about the Government position.

An Ceann Comhairle: It still does not arise on the Order of Business.

The Taoiseach: I support an amended directive that deals with the country of origin issue and hopefully what seems to have the support of all or the majority of groups is something we can work with. We could not work with the original version.

Mr. Gormley: Deputy Sargent is not here today. I will take his place if I may.

An Ceann Comhairle: The Deputy may not.

Mr. Boyle: It has never happened this way before. That is not precedent.

Mr. Gormley: That is okay. I am easy with it.

Caoimhghín Ó Caoláin: I apologise to Deputy Gormley and make no bid to change precedent. As the death toll on our roads continues to mount, serious legal doubt arises on the validity of some new speed limits arising from a case at Bray District Court. As there is a need to properly process these new speed limits through local authorities, has the Government instructed the Minister for Transport, Deputy Cullen, to contact the local authorities to regularise the position?

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

Caoimhghín Ó Caoláin: My point is coming.

An Ceann Comhairle: What legislation is the Deputy talking about?

Caoimhghín Ó Caoláin: It is related to the legislation governing speed limits across the country. With the mounting carnage there is an anomaly to be addressed arising from a recent Bray District Court decision and I ask if the Taoiseach will afford time today to address this serious problem that has implications for all road users. In the context of the carnage in recent months what steps is the Government and specifically the Minister for Transport taking to address it?

The Taoiseach: The legislation and its framework are clear. The Minister for Transport has contacted the local authorities. Difficulty arises where a local authority has not implemented the appropriate regulations. It is a considerable time since they were instructed to do so. The Minister's Department will continue to try to get the local authorities to implement regulations. It is a problem at local authority level.

Mr. Gormley: I would like to ask about two pieces of legislation. I would like the Taoiseach to tell me when the critical infrastructure Bill will be published and whether it will include incinerators, particularly the incinerator in Ringsend. Does the Taoiseach intend to amend the Ministers and Secretaries Act to include a new position of junior Minister to satisfy the disappointed ones? We feel their pain acutely. As he has done it so many times before it might be appropriate.

The Taoiseach: The critical infrastructure Bill will be published in the next four or five days. The contents are a matter for the Minister.

Mr. Durkan: In the promised programme on legislation the Government made a commitment in the programme for Government to consolidate the Minerals Development Acts and to upgrade legislation in line with reformed proposals for Delivering Better Government. Since there have been no visible signs of delivering better Government would it be possible to tax the Government with the possibility of publishing the heads or circulating the minerals development Bill?

The Taoiseach: This is to implement the commitment to consolidate the Minerals Development Acts and to update the legislation in line with the reform proposals of Delivering Better Government and the legislation is being prepared. The heads are not yet ready but legislation is due this year.

Mr. Durkan: Will that be before or after the election?

The Taoiseach: It is due this year.

Mr. Costello: May I ask the Taoiseach about the Criminal Justice Bill 2004? We are approaching the second anniversary of its publication, and it has grown from a relatively modest proposal

to a gargantuan tome with various amendments. There are important issues in it in relation to the Ferns Report.

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

Mr. Costello: Can we expect further amendments from the Minister for Justice, Equality and Law Reform, Deputy McDowell? It is his main vehicle for reforming the criminal justice system. When will it progress to Committee Stage? It has been in this House for nearly two years.

An Ceann Comhairle: That is a matter for the House.

Mr. Costello: Perhaps the Taoiseach will give some indication of what will happen.

The Taoiseach: I wish we would get on with it.

Mr. Perry: Could the Taoiseach give clarification on the Sea-Fisheries and Maritime Jurisdiction Bill which he sees as an essential tool in combatting over-fishing and complying with EU requirements? Given the Taoiseach's direct and strenuous intervention with the then President of the EU on the *Atlantic Dawn*—

An Ceann Comhairle: As that Bill is on Committee Stage we cannot discuss it in this House.

Mr. Perry: This is just a clarification. The Taoiseach's intervention on the licensing of the *Atlantic Dawn* in Europe allowed €40 million as benefit to the pelagic fleet. It is a contravention of what is happening now. A sum of €40 million was given to one vessel owner.

An Ceann Comhairle: To what Bill does the Deputy refer?

Mr. Perry: To the Sea-Fisheries and Maritime Jurisdiction Bill.

An Ceann Comhairle: That Bill is before the committee.

Mr. Perry: This is critical. The Taoiseach personally intervened in Europe to license that boat.

An Ceann Comhairle: The Taoiseach, like the Deputy, is not entitled to discuss the matter in this House when it is before a committee. That is a long-standing rule. We cannot come into this House and discuss Bills that are before a committee.

Mr. Sherlock: The Taoiseach is aware that the High Court upheld the constitutionality of law permitting the purchase of ground rents from landlords. Will he restore the Ground Rents Bill to the legislative programme and if so, when?

The Taoiseach: Due to a Supreme Court decision that Bill has not made much progress.

Mr. Sherlock: Does the Taoiseach intend to restore the Ground Rents Bill to the legislative programme? That is the reason this was withdrawn.

The Taoiseach: If they can find a resolution to their legal problems, but until then there is not much point.

Ms Lynch: The court case is over.

Mr. Sherlock: Is the Taoiseach aware that the court case is over?

The Taoiseach: Yes but the great legal minds have not found a way forward.

Mr. Boyle: With the building societies amendment Bill, which would allow one of the two remaining mutual building societies to become a limited company, on the priority list of legislation, is the Government planning parallel legislation to amend the Credit Union Act given that credit unions will be the only remaining form of community banking left in our financial services sector?

The Taoiseach: The first Bill is due this session. Credit union legislation is not due but discussions are ongoing between the Department, the regulator and the committee about a number of issues related to credit unions.

Mr. Allen: The Government proposes to amend the European Communities Act 1972 to enable the accession of Bulgaria and Romania to the European Union. Does this imply the Taoiseach has accepted in principle that both countries have fulfilled all their obligations?

The Taoiseach: The process is continuing. As the Deputy will be aware, the European Council, at a meeting at Christmas, gave final clearance for discussion on the matter. A date has not yet been set down but there is no doubt Romania and Bulgaria will join the European Union.

Mr. Allen: The Taoiseach is satisfied both countries meet the criteria for accession.

The Taoiseach: While the discussions are ongoing, the process has reached a point of no return. Bulgaria and Romania will definitely join the European Union but the exact date for having completed everything is still a matter for discussion. There is no doubt, however, that both countries will join the EU.

Mr. Broughan: As the Taoiseach is aware, the National Salmon Commission has reported that drift netting of wild salmon should cease this sea-

son. Will the Government introduce legislation to establish a voluntary or other buy-out scheme for drift netting of wild salmon?

Did the Taoiseach watch the "Prime Time Investigates" programme last night?

An Ceann Comhairle: The matter does not arise on the Order of Business. As it was dealt with by the Deputy's party leader during Leaders' Questions, it is not necessary to deal with it again.

Mr. Broughan: The programme was based on a report the Taoiseach and I both received 20 months ago.

An Ceann Comhairle: The matter does not arise on the Order of Business. I ask the Deputy to be orderly.

Mr. Broughan: I asked the Taoiseach an oral question on the issue four weeks ago which he did not answer.

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

Mr. Broughan: The Taoiseach wants to reply.

The Taoiseach: I answered the Deputy's question an hour and a half ago.

Mr. Broughan: I was downstairs in committee with the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, labouring on the Sea-Fisheries and Maritime Jurisdiction Bill 2005.

The Taoiseach: I appreciate that and I am aware the Deputy was also in committee until late last night and will sit in committee tomorrow night. We have not yet seen the report on drift netting. I understand the committee met yesterday and will give the report to the Government today.

Mr. Neville: Will the Taoiseach indicate whether the building societies amendment Bill, which amends the Building Societies Act 1989, will come before the House before Easter?

The Taoiseach: It will be taken this session.

Mr. Neville: Will it be taken before Easter?

The Taoiseach: I am not sure.

Mr. M. Higgins: Ba mhaith liom ceist a chur i dtaca le dhá Bhille. An bhfuil sé intuigthe ag an bpointe seo nach mbeidh aon Bhille againn um Údaras na Gaeltachta chun a fheidhmeanna a leathnú? An bhfuil sé intuigthe chomh maith nach mbeidh aon reachtaíocht ag cur neamhspleáchas TG4 i gcrích i gcaitheamh thréimhse an Rialtais seo? An féidir leis an Taoiseach ráiteas a dhéanamh air sin?

The Taoiseach: The Údaras na Gaeltachta amendment Bill is due this year. The public consultation phase has been completed and consultation with a number of relevant Departments is in hand. The heads of the Bill are expected in the next few months.

Mr. M. Higgins: I also asked, in respect of the autonomy of TG4, whether legislation promised to establish the company on an independent basis will be introduced.

The Taoiseach: My colleagues inform me this matter is already provided for in the legislation and further legislation will not be required.

Mr. Connolly: In view of the recent report, A Vision for Change, which proposes the sale of 15 psychiatric hospitals and given the difficulty encountered in acquiring green field sites under the decentralisation programme, should we not examine other potential uses for these hospitals? For example, St. Ita's in Portrane, could be suitable for housing the Central Mental Hospital currently located in Dundrum.

An Ceann Comhairle: The Deputy should submit a question to the Tánaiste and Minister for Health and Children.

Mr. Connolly: This is an important issue on which I wish to question the Taoiseach.

An Ceann Comhairle: The Tánaiste and Minister for Health and Children is the line Minister responsible for the matter.

Mr. Connolly: One would expect the Minister for Justice, Equality and Law Reform to be involved in this area too, given it also relates to the Central Mental Hospital.

An Ceann Comhairle: I suggest the Deputy submit a question on the issue as it is not appropriate to the Order of Business.

Mr. Naughten: When will Committee Stage of the Parental Leave (Amendment) Bill 2004 be taken?

An Ceann Comhairle: That is a matter for the relevant committee.

Mr. Naughten: On secondary legislation, the Tribunals of Inquiry (Evidence) (Amendment) Act 2004 was passed by the Houses last year. Has all secondary legislation, which would enable the Department of Justice, Equality and Law Reform, if it so wished, to immediately investigate the Stardust tragedy, been enacted?

When will the carbon fund Bill be debated in the House? This legislation is critical in light of the closure of the sugar industry in Mallow. We have an opportunity to use the fund to support the development of an alternative use for sugar

beet. Will the Taoiseach facilitate an early debate on the legislation?

The Taoiseach: The carbon fund Bill will be taken later this year. The Parental Leave (Amendment) Bill 2004, which has been published for a considerable period, is awaiting Committee Stage. I will have to check the position regarding secondary legislation.

Official Languages Act 2003: Motion.

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Tairgim:

Go gceadaíonn Dáil Éireann na rialacháin seo a leanas ina ndrúacht:

Na Rialacháin um Acht na dTeangacha Oifigiúla 2003 (Comhlachtaí Poiblí) 2006, ar rialacháin iad ar leagadh cóipeanna díobh ina ndrúacht faoi bhráid Dháil Éireann an 27 Eanáir, 2006.

Fáiltím go mór roimh an díospóireacht seo a dhrúacht de na Rialacháin um Acht na dTeangacha Oifigiúla 2003 (Comhlachtaí Poiblí) 2006. Is é an cuspóir atá leis na rialacháin seo ná an liosta de na comhlachtaí poiblí atá clúdaithe faoin Acht a thabhairt suas go dáta trí chomhlachtaí nua a thabhairt faoi fhorálacha an Achta agus chun tagairt do chomhlachtaí nach bhfuil ag feidhmiú a thuilleadh a scrios.

B'fhéidir nár mhiste dom ag an bpointe seo príomhchúiseanna agus príomhchuspóir na reachtaíochta seo a chur i gcuimhne do na Teachtaí an athair. Mar is eol daoibh, bhí roinnt fáthanna leis, ina measc: stádas bunreachtúil v. stádas fórasach — mar shampla, cás Uí Bheoláin; teip ar iarrachtaí deonacha roimhe sin — beag aird tugtha ar threoiríní neamhreachtúla Bhord na Gaeilge i 1993; agus cothrom na féinne a chinntiú do lucht labhartha na Gaeilge. Is fiú sliocht nó dhó do bhreithiúnas an Bhreitheamh Hardiman i gcás Uí Bheoláin sa bhliain 2001 a lua chun comhthéacs a thabhairt de na nithe sin:

Is é mo thuairimse nach féidir an Ghaeilge arb í an teanga náisiúnta í agus, san am céanna arb í príomhtheanga oifigiúil an Stáit í a eisiáimh (ar a laghad in éagmais dlí den chineál a shamlaítear le hAirteagal 8.(3) ó aon chuid de dhioscúrsa poiblí an náisiúin nó ó aon ghnó oifigiúil de chuid an Stáit nó de chuid aon cheann dá bhaill. Ná ní féidir caitheamh léi sna comhthéacsanna seo ar shlí ar bith nach bhfuil chomh fabhrach leis an tslí a gcaitear leis an dara teanga oifigiúil. Ná ní féidir iad siúd atá inniúil agus ar mian leo í a úsáid chun iad féin a chur in iúl nó chun chumarsáide, a chosc nó a fhágáil faoi mhíbhuntáiste agus iad á dhéanamh sin in aon chomhthéacs náisiúnta nó oifigiúil.

Leanann sé ar aghaidh leis an méid seo:

Leagann an Stát nua-aimseartha iliomad dualgas trom ar shaoránaigh i dtaca le gnéithe

éagsúla den saol ó ghéilliúlacht i gcúrsaí cánach go dlí pleanála. Dualgais thuisriúla a ghlacann am agus atá costasach a chomhlíonadh cuid mhór de na dualgais seo, ach is cuí é a bheith riachtanach iad a chomhlíonadh.

Mar an gcéanna, caithfidh an Stát féin a dhualgais a chomhlíonadh, go háirithe iad siúd atá cumhdaithe sa Bhunreacht, agus ní féidir é a chloisteáil ag gearán ach chomh beag leis an saoránach aonair gur dualgais thuisriúla, throma iad sin. Go háirithe, ní féidir an Stát a chloisteáil ag gearán gur de bharr nár chomhlíon sé a dhualgais le scór bliain anuas is breis atá deacracht níos mó aige na dualgais sin a chomhlíonadh anois.

Mar sin, cé go bhfuil tosaíocht tugtha don Ghaeilge faoi Airteagal 8 de Bhunreacht na hÉireann, lena bhforáiltear “Ós í an Ghaeilge an teanga náisiúnta, is í an phríomhtheanga oifigiúil í”, caithfear a admháil, dáiríre, go bhfuil an scéal ar an talamh iomlán difriúil ón suíomh foirmeálta bunreachtúil.

B'iad na príomhcheisteanna a bhí romham agus an tAcht a ullmhú ná aitheantas cuí a thabhairt do sheasamh bhunreachtúil na Gaeilge mar an phríomhtheanga oifigiúil, gan aon ghearradh trasna a dhéanamh ná aon bhréagnú a dhéanamh ar an seasamh bunreachtúil sin, agus ag an am céanna feabhsuithe praiticiúla “anseo-agus-anois” ar staid lag na Gaeilge sa saol poiblí a bhaint amach i dtaca le seirbhísí poiblí a chur ar fáil.

Roimh achtú an Achta teanga ní raibh aon reachtaíocht ann chun a chinntiú go gcuirfí seirbhísí ar fáil sa Ghaeilge. Mar thoradh ar an easpa reachtaíochta sin, bhí sé deacair a chur ina luí ar chomhlachtaí Stáit go bhfuil cearta ag saoránaigh na hÉireann i dtaca le soláthar seirbhísí i nGaeilge. Seachas cothrom na féinne a chur ar fáil do chainteoirí Gaeilge, más ón nGaeltacht nó lasmuigh di dóibh, bhí meon ann go forleathan go gcuirtear seirbhísí ar fáil i mBéarla amháin. D'ullmhaigh Bord na Gaeilge, mar a bhí ag an am sin, treoirlínte i 1993 maidir le seirbhísí Stáit a chur ar fáil i nGaeilge, ach níl aon dabht ach nár tugadh mórán aird orthu sin go forleathan.

Mar atá luaite agam roimhe seo is é an tAcht an chéad phíosa reachtaíochta ina leagtar síos próiseas pleanála reachtúil chun a chinntiú go gcuirfidh comhlachtaí poiblí níos mó seirbhísí ar fáil i nGaeilge agus ar chaighdeán níos airde. An cur chuige a roghnaíodh san Acht ná meicníocht a chur i bhfeidhm chun go mbainfear amach an cuspóir seo ar bhealach réasúnach, ar bhonn céimnithe, comhpháirtíochta. Is ar chomhaontú a bhaint amach atá an bhéim, bunaithe ar mhodh praiticiúil, atá deartha chun fíorfeabhsuithe a bhaint amach go gearrthéarmach, agus chun tógáil ar an gclár oibre sin ionas go gcinnteofar tuilleadh feabhsuithe de réir a chéile. Go bunúsach, séard atá i gceist leis an Acht ná modh pleanáilte agus straitéiseach, lena cuirfear ar

thaobh amháin le hacmhainní comhlachta maidir le scileanna sa Ghaeilge agus go dtabharfar aitheantas, ar an taobh eile, do riachtanais daoine a dteastaíonn uathu an Ghaeilge a úsáid agus iad ag plé leis an chomhlacht sin.

Mar is eol do Theachtaí, bainfear bun-chuspóir an Achta amach go príomha trí na “scéimeanna teanga” atá le hullmhú ag comhlachtaí poiblí, ar iarratas uaimse mar Aire agus dar ndóigh atá le daingniú agamsa chomh maith. Trí na scéimeanna comhaontaithe seo, tá sé i gceist go mbeidh seirbhísí poiblí ar chaighdeán níos airde ar fáil do chainteoirí Gaeilge. Táthar ag feidhmiú na seirbhísí seo de réir a chéile ar bhealach pleanáilte agus aontaithe. Go fad-téarmach, ba cheart go dtabharfadh sé seo deis do chainteoirí teacht ar an méid seirbhísí agus is féidir sa teanga a theastaíonn uathu i slí atá ar fáil cheana féin do chainteoirí Béarla.

Feidhmíonn Acht na dTeangacha Oifigiúla ar dhá bhealach. I dtaca leis na scéimeanna de, ní miste a lua go bhfuil os cionn 20 scéim daingnithe agam go dáta agus go léiríonn na scéimeanna teanga sin go bhfuil cur chuige réadúil agus praiticiúil glactha ag comhlachtaí poiblí maidir le soláthar níos fearr de sheirbhísí trí Ghaeilge a sheachadadh, ag tógáil san áireamh cumas na neagras sin ó thaobh na n-acmhainní daonna agus airgeadais atá ar fáil dóibh. Leagtar béim ar leith sna scéimeanna ar a thábhachtaí is atá sé cumas Gaeilge na mball foirne a fheabhsú trí oiliúint agus sainchúrsaí cuí a chur ar fáil dóibh.

Sa chomhthéacs sin, ní mór dom a rá go bhfuil mo Roinn ag obair go dlúth le Foras na Gaeilge, Gaeleagras na Seirbhíse Poiblí, An Foras Riaracháin agus institiúidí tríú leibhéal chun a chinntiú go gcuirfear leis an soláthar sainchúrsaí atá dírithe ar riachtanais na hearnála poiblí i ndáil le cur i bhfeidhm an Achta, ar a n-áirítear córas dearbhúcháin do cháilíochtaí i seirbhísí aistriúcháin, córas creidiúnaithe d'oiliúint Ghaeilge, sainchúrsaí oiliúna Gaeilge, agus bunachar sonraí leictreonach de chomharthaí caighdeánacha.

Mar atá ráite agam go minic roimhe seo sa Teach, táim sásta go bhfuil dul chun cinn suntasach á dhéanamh ag mo Roinnse maidir le cur i bhfeidhm fhorálacha an Achta ar bhonn chéimiúil. Tá léargas tugtha agam sa Teach seo go minic faoi na nithe atá curtha i gcrích agus mar sin níl i gceist agam iad a liostáil anseo arís. Ba mhaith liom, áfach, díriú uair amháin eile ar nithe áirithe atá mar ábhair conspóide agus-nó a bhfuil eolas míchruinn á scaipeadh futhu.

An t-aon dualgas reachtúil atá ar chomhlachtaí poiblí faoi láthair maidir le haistriú cáipéisí go Gaeilge ná an dualgas a thiteann orthu faoi alt 10 d'Acht na dTeangacha Oifigiúla 2003. Faoin alt, tá dualgas ar chomhlachtaí poiblí cionroinnt anteoranta d'eochar cáipéisí a aistriú, mar shampla, tuarascálacha bliantúla agus cáipéisí a leagann amach tograí beartais poiblí ar nós Páipéir Uaine nó Bán. Is eochar cáipéisí iad seo ina bhfuil comhlachtaí poiblí freagrach don ghnáth-phobal,

[Éamon Ó Cuív.]

dá gcustaiméirí, agus dúinne mar Bhaill den Oireachtas maidir le comhlíonadh a ndualgas phoiblí.

Tá dhá theanga oifigiúil sa tír seo agus feictear domsa — go deimhin, bhí gach éinne sa Teach seo ar aon intinn faoi seo nuair a bhí an tAcht seo á phlé againn mar Bhille — go bhfuil an ceart ag an saoránach cáipéisí don chineál seo a bheith ar fáil sa dá theanga oifigiúil. Go deimhin, ní mór dom a rá chomh maith gur iarradh orm, le linn na diospóireachta ar an mBille, glacadh le leasúcháin a chiallódh go mbeadh sé de dhualgas ar chomhlachtaí réimse níos leithne de dhoiciméid a fhoilsiú go dátheangach agus go comhuaineach, ach nár ghlacas leis na leasuithe a moladh.

Gan amhras, níl sa gcostas aistriúcháin ach céatadán den chostas iomlán a bhaineann le doiciméid den chineál seo a chur ar fáil. Is amhlaidh, áfach, go dtarraingíonn costais aistriúcháin aird ar leith mar gur cosúil nach mbíonn sé de acmhainn ag go leor comhlachtaí seirbhís aistriúcháin a sholáthar iad féin agus gur gá dóibh mar sin leas a bhaint as saineolas ón dtaobh amuigh.

Anuas ar sin, ba mhaith liom a rá, mar atá a fhios ag na Teachtaí go rí-mhaith, go bhfuil méadú ar na meáin Gaeilge le blianta beaga anuas, gan trácht ar mic léinn, srl., a bhaineann agus a bhainfidh úsáid rialta as na cáipéisí seo. Ní fíor a rá agus ní glacaim leis gur beag an tairbhe don Ghaeilge agus do lucht labhartha agus úsáide na teanga cáipéisí dá leithhead a bheith ar fáil i nGaeilge. Is a mhalairt ar fad de thuairim a bheadh agam mar go dtugann siad deis don teanga téarmaíocht nua a chruthú agus cruthaíonn sé freisin gur féidir leis an teanga maireachtáil mar theanga beo san saol teicneolaíochta, cumarsáide seo.

Tá daoine ann a deir gur airgead amú caiteachas an Stáit ar an Acht seo agus gur fearr go mór an caiteachas sin a dhíriú mar shampla ar téacsanna Gaeilge a chur ar fáil don córas oideachais. Mar atá ráite agam roimhe seo, de réir Bhunreacht na hÉireann, is í an Ghaeilge céad teanga oifigiúil an Stáit. Ní féidir aon athrú a dhéanamh ar an stádas seo ach amháin trí chinneadh ag muintir na hÉireann i reifreann. Tá sé de dhualgas ag an Stát tacú leis an Ghaeilge a fhad is go bhfuil an stádas bhunreachtúil seo aici.

Déanadh Acht na dTeangacha Oifigiúla 2003 a dhréachtadh de réir chomhairle an Ard-Aighne le feidhm a thabhairt do stádas bunreachtúil na teanga. Leagann an tAcht amach go sonrath na Gaeilge agus acu san gur mian leo Gaeilge a labhairt ach leagann sé amach chomh maith socruithe praiticiúla leis an éileamh ar sheirbhísí i nGaeilge a shásamh ar bhonn phraiticiúil. Leagfaidh gach scéim a shocraítear le comhlacht poiblí amach go cruinn, sonrath na cearta atá ag an saoránach maidir le seirbhísí trí Gaeilge a bheidh á gcomhlíonadh ag an gcomhlacht i rith tréimhse trí bliana ar leith.

Maidir leis an dtuairim go mbeadh sé níos fearr na hacmhainn atá á gcaitheamh leis an Acht a chur i bhfeidhm a chaitheamh, cur i gcás, ar mhúineadh na Gaeilge, táim go láidir den tuairim nach féidir díreach rogha glan a dhéanamh idir an dá rud. Ar an gcéad dul síos, is mór an náire a laghad seirbhísí a bhí ar fáil do mhuintir na Gaeltachta ina dteanga féin ar feadh na mblianta siar. Fiú má fhágtar an cheist sin i leathtaobh, níl aon amhras ach gur ceann de na príomhdheacrachtaí a bhí ag an nGaeilge le fada ná a laghad deiseanna a bhí ann do dhaoine leas a bhaint as an dteanga lasmuigh den seomra ranga. Leis an mborradh atá tar éis a theacht ar an méid suime atá sa Ghaeilge i measc an bpobail atá le feiscint mar shampla ón rath atá ar na gaelscoileanna, TG4 agus mar sin, tá éileamh ón bpobal go mbeadh an Ghaeilge mar chuid dá saol lasmuigh den scoil, agus an ceart ar fad acu.

Tá sé an-tabhachtach do leas agus d'fhorbairt na teanga go mbeadh deiseanna cearta ag saoránaigh Gaeilge a úsáid agus iad ag plé ar bhonn oifigiúil le comhlachtaí poiblí. Braitheann todhchaí na teanga go mór ar lucht a labhartha a bheith in ann í a labhairt i ngach réimse den saol. Ní bhaineann an stádas a shamhlaítear a bheith ag an nGaeilge i measc an phobail le cúrsaí dlíthiúil agus reachtaíochta amháin. Bíonn sé ag braith chomh maith ar an aitheantas a thugann comhlachtaí poiblí don teanga agus dóibhsean a bhíonn á labhairt ar bhonn phraiticiúil i gcomhthéacs soláthar seirbhísí don bpobal. Sa chomhthéacs seo, ní mór dom a rá go mbraithfidh réimse agus leibhéal na seirbhísí a chuirfear ar fáil i nGaeilge amháin nó go dá theangach cuid mhaith ar éileamh ón bpobal. Ar ndóigh, beidh níos mó éilimh ar sheirbhísí ó chomhlachtaí áirithe seachas ó chomhlachtaí eile.

Níl sé inghlactha go mbreathnófaí orthu sin go dteastaíonn uathu an Ghaeilge a úsáid i ngach gné dá saol mar dhaoine achrannacha díreach toisc gur mian leo leas a bhaint as a gceart bunreachtúil plé leis an Stát ina dteanga féin. Más mian linn seirbhísí trí Ghaeilge a chur ar fáil dóibhsean go bhfuil sé uathu, más mian linn daoine a spreagadh chun Gaeilge a úsáid, más mian linn deiseanna a thabhairt do dhaoine leas a bhaint as a gcuid Gaeilge, ní féidir é seo a dhéanamh ar shlí atá teoranta nó srianta.

Mar atá mínithe go minic agam cheana féin, cuirfear Acht na dTeangacha Oifigiúla i bhfeidhm ar bhonn céimiúil agus i gcomhréir leis an éileamh ón bpobal ar sheirbhísí ar leith.

I 2004, bhí feachtas láidir ann ag cuartú stádas oifigiúil agus oibre don Ghaeilge san Aontas Eorpach, a fuair tacaíocht ó gach aon páirtí ins an dTeach seo. Tá stádas oifigiúil teanga oibre faighte ag an nGaeilge san Aontas Eorpach a thiocfaidh i bhfeidhm sa bhliain 2007. Nach ait go bhfuil na daoine céanna a thacaigh leis an bhfeachtas maidir le stádas na Gaeilge san Aontas Eorpach in aghaidh caiteachais ar an teanga sa bhaile. D'fhéadfaí a rá go bhfuileadar seo féin-bhréagnaitheach. Bheadh sé aisteach tar

éis stádas oifigiúil teanga a chuartú, muna mbeadh polasaithe cuimsitheacha ag an Stát in Éirinn a thacódh leis an teanga mar chéad teanga oifigiúil an Stáit seo de réir an soláthair bunreachtúil.

Mr. McGinley: Tá lúcháir orm deis a bheith agam an t-ábhar seo a phlé sa Dáil. Caithfidh buíochas a thabhairt don Teachta Ó Sé agus na páirtithe eile, mo pháirtí féin san áireamh, a d'éiligh go mbeadh díospóireacht sa Dáil ar an ábhar tábhachtach seo. Ba é an rún a bhí ag an Rialtas ná go rachadh sé seo fríd gan díospóireacht de chineál ar bith. Is maith an rud é, agus ba chóir dúinn an deis a thapú i gcónaí, díospóireachtaí a bheith againn sa Teach seo i nGaeilge. Tréaslaím leis an Aire gur thug sé a óráid ó thús go deireadh i nGaeilge. Is maith an rud é agus is ceart go mbeadh ní ba mhó di le cloisint anseo, ní amháin nuair a bhímid ag plé Mheastacháin Roinn Ghnóthaí Phobail, Tuaithe agus Gaeltachta agus rudaí a bhaineann le hAcht na dTeangacha Oifigiúla nó leis an Ghaeilge. Ba chóir go mbeadh sí i ngach Bille, agus ba chóir go mbeadh sí le cloisint gach lá ní ba mhó ná faoi láthair.

Ba iontach an rud é an tseachtain seo caite — an Déardaoin, sílim — go raibh díospóireacht sa Dáil chomh maith nuair a bhíomar ag plé leis an mBille um Ollscoil na Gaillimhe. Baineadh éigeantas amach — an riachtanas Gaeilge don fhoireann acadúil — agus bhí díospóireacht bhríomhar dhátheangach againn i nGaeilge agus i mBéarla. Is tráthúil go bhfuil deis againn inniu labhairt ar Acht na dTeangacha Oifigiúla, reachtaíocht a fuair tacaíocht ó gach duine a labhair sa Dáil agus ó gach páirtí agus í ag dul fríd, go díreach mar a bhí tacaíocht an Tí go léir ar fáil nuair a bhíomar ag lorg stádas oifigiúil don teanga ag leibhéal na hEorpa. Léiríonn sé rud amháin, is é sin, go bhfuil dea-thoil agus dea-mhéin, ar a laghad, don teanga sa Teach seo. Tá mé cinnte go bhfuil an rud céanna amhlaidh sa Seanad.

Is céim ar aghaidh é sin, agus ní rómhínic a bhíonn deis againn an teanga a chloisint sa Dáil. Is maith an rud é go bhfuil dea-mhéin, dea-thoil agus tacaíocht don teanga ar fáil i bParlaimint na tíre, an Oireachtas. Is rud amháin é dea-mhéin, ach is rud eile é an mothú sin a chur i bhfeidhm. D'fháiltíomar roimh Acht na dTeangacha Oifigiúla, agus rinneamar scrúduithe ar Achtanna teanga i dtíortha eile. Bhíomar sa Bhreatain Bheag, agus bhí an tAire ansin nuair nach raibh céim chomh hard nó chomh húdarásach aige agus atá inniu. Chuaigh sé ina luí orainn go mór, murach an tAcht sa Bhreatain Bheag ag dul i bhfeidhm ar labhairt na teanga ansin. Tá tionchar deimhneach aige ar chúrsaí na teanga agus chur chun cinn na Breatnaise ansin.

Sílim go dtug an comhchoiste, nuair a bhí mé féin mar bhall de, cuairt ar Ceanada. Tá Acht ilchuimsitheach ansin. Tá go leor daoine ag díriú ar na dea-chinn a chur i gcomparáid le chéile, an

ceann a chuireamar fríd an Teach seo cúpla bliain ó shin agus an ceann atá i gCeanada. Tá an ceann i gCeanada níos údarásaí, cumhachtaí agus láidre ná an ceann atá curtha fríd againn féin.

Agus é sin ráite, ar a laghad tá an tAcht ann agus tá sé tráthúil go bhféadfaimis anois féachaint cén dul chun cinn atá déanta i ndiaidh é a bheith i réim thart faoi dhá bhliain. Mar mhúinteoir scoile, bíonn suim agam sa dul chun cinn i gcónaí. B'fhéidir, i ndiaidh dhá bhliain, go bhféadfaimis scrúdú a dhéanamh le feiceáil cén dul chun cinn atá déanta. Is é an príomhchuspóir atá leis an díospóireacht seo inniu ná eagrais, boird agus eagraíochtaí a tháinig chun cinn nó a tháinig ar an saol ó reachtaíodh Acht na dTeangacha Oifigiúla a thabhairt isteach faoi choimirce an Achta agus eagraíochtaí nach bhfuil ann a thuilleadh nó a d'imigh as feidhm a chur amach. Tá sé seo le déanamh ó am go ham fá choinne an tAcht a thabhairt aníos chun dáta.

Deirtear liom go bhfuil 642 eagraíocht — ina measc, boird Stáit, Ranna, agus eagraíochtaí poiblí eile — sa tír seo. A luaithe nó a mhoille beidh orthu sin go léir feidhmiú de réir riachtanais an Achta. Deirtear liom chomh maith nach bhfuil siad go léir ag feidhmiú an Achta go dtí seo. Tá a thuilleadh á dhéanamh de réir a chéile. Níl a fhios agam an bhfuil sé fíor, ach deirtear liom fosta nach bhfuil ach 25 eagraíocht Stáit i láthair na huair ag cur na seirbhísí agus na dtuairiscí ar fáil agus riachtanais an Achta i bhfeidhm. Más mar sin atá sé i ndiaidh dhá bhliain, nach bhfuil ach 25 eagraíocht as 642 ag feidhmiú de réir riachtanais an Achta, caithfidh rudaí a bhrostú agus deifir a dhéanamh.

Déanaimid tuairiscí go minic, agus tá cuid de na boird Stáit ag cur na dtuairiscí ar fáil go dátheangach nó aonteangach as Gaeilge, agus cuirimid uilig fáilte roimhe sin. Chuala mé daoine ag cur na ceiste cé mhéad daoine a léann iad. Is é an pointe atá agamsa ná nach léann mórán daoine na tuairiscí seo ar chor ar bith, i nGaeilge nó i mBéarla. Ós rud é gurb í an Ghaeilge príomhtheanga bunreachtúil na tíre, tugaim tacaíocht go mbeadh siad ar fáil i nGaeilge. Déanann daoine tagairt do chostais, á rá nár chóir do na tuairiscí a bheith ar fáil ach ar dhioscaí amháin chun airgead a shábháil. B'fhéidir gur phointe é sin arbh fhéidir leis an Aire nó an Roinn a scrúdú.

Maidir le húdaráis áitiúla, thig liom a rá chomh fada agus a bhaineann sé le m'údarás áitiúil féin, Comhairle Chontae Dhún na nGall, go bhfuil obair mhór á dhéanamh aige. Tá polasáí teanga aige atá á chur i bhfeidhm. Sna hoifigí chomhairle chondae sa Chlochán Liath, is cuma cén uair a chuirtear glaoch uirthi, tá duine ansin atá in ann gnó a dhéanamh i nGaeilge nó i mBéarla. Molaim an fhoireann sin, go speisialta an treoir a fhaigheann sí ó bhainisteoir an chondae a bhfuil gaisce déanta aige le feabhas a chur ar a Ghaeilge agus atá le cloisteáil go minic ar Raidió na Gaeltachta i nGaeilge Bhéal Átha Seanaidh. Tá sé ag tabhairt sampla don chuid eile agus is

[Mr. McGinley.]

eiseamláir don rud a thig le bainisteoir chondae a dhéanamh ina cheantar féin.

Ag caint ar údarás áitiúla, ag éirí as Acht na dTeangacha Oigifiúla, tá dualgas orthu taobh amuigh seachas seirbhís a chur ar fáil ó thaobh pleanála de. Tá forbairt mhór ar thógála ar fud na Gaeltachta agus tá scéimeanna conspóideacha á tógáil. Is cóir go mbeadh ról ag an údarás áitiúil agus ag Údarás na Gaeltachta ansin. Tuigeanann an tAire caidé tá i gceist. Tá sé ag tarlú ina cheantar féin. Is dualgas sin nach cóir a fhágáil d'údarás áitiúil amháin ach gur cóir go mbeadh an freagracht ar gach údarás áitiúil, is cuma cén condae ina bhfuil sé.

Tá éileamh tábhachtach. Cén mhaith na seirbhísí a bheith ansin muna bhfuil éileamh orthu? Caithfidimid teacht aníos le plean straitéiseach leis an éileamh sin a mhéadú. Sa Chlochán Liath an chéad bhliain ní raibh an t-éileamh chomh mór sin ach nuair a rachaidh sé i bhfeidhm ar dhaoine go bhfuil an tseirbhís seo ar fáil agus gur féidir gnó a dhéanamh chomh foirfe i nGaeilge agus i mBéarla, cuirfidh sé leis an éileamh. Go dtí anois, aon fhoirm oifigiúil a bhí le líonadh, líonadh i mBéarla í. Caithfidimid cur in iúl don phobal go bhfuil an tseirbhís ar fáil agus gur féidir gnó a dhéanamh fríd an Ghaeilge.

Is rud maith go bhfuil Acht na dTeangacha Oifigiúla ann agus go bhfuil na dualgais seo ar na Ranna agus boird agus eagraíochta Stáit. Mar sin, caithfidimid rud eile a dhéanamh. Tá an tAcht oifigiúil ach caithfidimid bheith ag obair agus ag tabhairt tacaíochta ar an talamh chomh maith agus caithfidimid toiseacht leis an aos óg. Tá orainn toiseacht san oideachas. Bhí an tAire Oideachais agus Eolaíochta anseo an tseachtain seo caite agus dúirt sé go neamhbhalbh trasna an urlár nach bhfuil inní uirthi fá caidé atá ag tarlú sna scoileanna Gaeltachta maidir le labhairt agus teagasc na Gaeilge. Is comhartha dóchais mhíllteanach iad na gaelscoileanna ar fud na tíre ach tá éadóchas ann chomh fada agus a bhaineann sé leis na Gaeltachtaí.

Bhí an tAire ag tabhairt amach faoin pholasaí a d'fhógair ceannaire Fhine Ghael cúpla mí ó shin. Níor chuir mé isteach uirthi ach tá sí i gceannas na Roinne. Cibé fá chúrsaí bunoidreachais, deirtear liom nach bhfuil ach beirt chigire Ghaeilge sa tír a dhéanann scrúdú ar theagasc na Gaeilge sna meánscoileanna. In áit an Aire a bheith ag tabhairt amach dúinne, d'fhéadfadh sé amharc sa Roinn agus rudaí a cheartú agus a dhéanamh cinnte go bhfuil cigireacht ceart déanta ag an dara leibhéal ar fud na tíre.

Bhí cáil i gcónaí ag cigirí na mbunscoileanna. Is iad a sheol an polasaí athbheochana ar aghaidh. Níl a fhios agam an bhfuil sé mar an gcéanna go fóill — tá meath ag teacht ar an Ghaeilge sna coláistí ullmhúcháin agus tháinig meath ar bhrú na Gaeilge chun cinn sa Roinn Oideachais agus Eolaíochta fosta. Bhí uair amháin nach dtiocfadh treoir de chineál ar bith

amach as an Roinn ach i nGaeilge. Anois le blianta tá siad ag teacht amach i mBéarla amháin. B'fhéidir go bhfuil siad curtha amach go dátheangach anois.

Ba mhaith liom éileamh a chothú fríd an Acht do dhaoine atá oilte le seirbhísí a chur ar fáil — aistritheoirí agus lucht teangan. Tá dualgas orainn daoine le hard-cháilíochtaí a chur ar fáil. Léigh mé i nuachtán go bhfuil inní ann “that a lack of properly qualified interpreters for the Irish language is threatening to delay its full introduction as the 21st official language of the EU on 1 January 2007”. Pléadh seo i bParlaimint na hEorpa. Tá inní mhór orthu: “The officials are worried there may not be enough Irish speakers with the correct third level qualifications in interpretation to work at the EU institutions in Brussels.” Caithfidimid bheith cinnte go gcuirfidimid daoine den scoth anonn anseo mar is iad sin a leagfaidh síos caighdeán na teanga dúinn. Caithfidimid bheith cinnte go bhfuil cúrsaí den scoth ar fáil agus go mbeidh ard-caighdeán ag na haistritheoirí san Aontas.

San alt céanna, tuairiscítear go dúirt an Taoiseach sa Dáil anuraidh gur chosnaigh sé €683 tuairisc a chur ar fáil i mBéarla agus €17,000 an tuairisc céanna a chur ar fáil i nGaeilge. Má tá sin fíor tá rud éigin ann nach bhfuil ceart. Sin an rud a bhí i gceist in Acht na dTeangacha Oigifiúla. Níl mé ag rá nár chóir an t-airgead a chaitheamh ach tá difir uafásach idir €683 don leagan Béarla agus €17,000 don leagan Gaeilge.

Tá lúcháir orm deis a bheith agam an tAcht a phlé agus an dul chun cinn atá déanta go dtí seo. Tá sé soiléir go bhfuil dul chun cinn mór eile le déanamh mar ní réiteoidh an tAcht féin ceist na Gaeilge sa tír seo.

Mr. O'Shea: Gabhaim buíochas don Taoiseach as dhá uair a chur ar fáil le seo a phlé. Ní bheidh Páirtí an Lucht Oibre ag cur i gcoinne na tairisceana maidir le ceadú beartaithe ag Dáil Éireann i ndáil leis na Rialacháin um Acht na dTeangacha Oifigiúla 2003 (Chomhlachtaí Poiblí) 2006. Beidh ceisteanna againn agus rudaí le rá againn ar ndóigh.

Shínigh an tUachtarán Acht na dTeangacha Oifigiúla ina dhíl ar an 4 Iúil 2003. Go dtí an tseachtain seo chaite, ní raibh ach 3.5% de na comhlachtaí poiblí faoi réim an Achta in ann a rá go raibh scéimeanna teanga daingnithe agus foilsithe ag an Aire leo. Is é sin 22 scéim teanga as 650. Tá dhá bhliain go leith imithe ó shínigh an tUachtarán an tAcht, agus ní féidir a rá go bhfuil morán dul chun cinn déanta ó thaobh scéimeanna teanga a dhaingniú agus a fhoilsiú.

Go dtí an tseachtain seo caite, dúirt an tAire go raibh agallaimh ar siúl idir a Roinn agus níos mó ná 70 comhlacht eile a bhfuil scéim teanga á gcríochnú nó tosnaithe acu. Feicimid an dtiocfadh feabhas ar an scéal i rith na bliana.

Tá 21 comhlacht poiblí nach bhfuil ann a thuilleadh á mbaint den Acht, agus tá 34 comhlacht poiblí nua á gcur isteach faoi réim an

Achta. Tá cuid de na comhlachtaí poiblí nua ag tógaint áit chomhlachtaí poiblí atá curtha ar ceal. Cad a dtárlóidh sa chás go ndéantar príobháidíú ar chuideachtaí Stáit nó ar chuid de chuideachta Stáit.

Tá an tAire ag iarraidh orainn Údarás Aerfort Bhaile Átha Cliath, Comhlacht Poiblí Teoranta, a chur isteach mar chuideachta Stáit faoin Acht, ach tá an Rialtas chun na hóstáin Great Southern a dhíol. Tá na hóstáin úd mar chuid d'Údarás Aerfort Bhaile Átha Cliath, Comhlacht Poiblí Teoranta. Más rud é go ndíoltar na hóstáin nó cuid acu, an mbeidh siad faoi réim an Achta a thuilleadh? Nach mbeadh na húinéirí nua ábalta an argóint a chur faoi bhráid an Rialtais go mbeidís faoi mhíbhuntáiste i gcomparáid le hóstáin phríobháideacha eile ó thaobh an chostais i dtaobh a ndualgas faoi Acht na dTeangacha Oifigiúla 2003 a chur i bhfeidhm? An raibh cainteanna ag an Aire leis an Aire Iompair faoi seo?

Tá an Rialtas an-tugtha do phríobháidíú, mar shampla, Aer Lingus, Bus Éireann agus Bus Átha Cliath. An bhfuil aon chinneadh déanta ag an Rialtas faoi fhadhbanna ar nós a bhfuil léirithe agam faoi na hóstáin Great Southern? Nach dtagann an cheist seo suas de réir na gcomhlachtaí atá faoin Acht cheana féin? Is é sin, céard faoi na comhlachtaí Stáit trádála atá in iomaíocht le cuideachtaí príobháideacha nach bhfuil dualgais orthu faoi Acht na dTeangacha Oifigiúla 2003?

Tá cur i bhfeidhm an Achta ag dul ar aghaidh go mall, agus tá cúiseanna le sin. Ina thuarascáil tionscnaimh don bhliain 2004, dúirt an Coimisinéir Teanga, an tUas. Seán Ó Cuirreáin, go raibh tuairimíocht cloiste aige le linn na bliana ó chomhlachtaí poiblí éagsúla faoi inní a bheith orthu go bhfuil easpa cumais nó easpa líofachta sa Ghaeilge i measc a mball foirne. Dúirt sé freisin gur chúis inní dó a leithéid de thuairiscí faoi chumas agus easpa líofachta sa teanga a bheith bunaithe san oiread sin d'fhostaithe an Státchórais.

Cé chomh dona is atá an scéal ó thaobh chumas agus líofacht Gaeilge sa Státchóras? An é seo an fáth go bhfuil cur i bhfeidhm an Achta chomh mall sin, nó an ceist airgid é? Níl aon eolas ceart á chur ar fáil ag an Rialtas ar cad go díreach atá caite go fóill ar chur i bhfeidhm an Achta agus cad go díreach a chosnóidh sé an tAcht a chur i bhfeidhm ina iomláine.

Tá figiúirí arda á bhfoilsíú anois agus aríst sna nuachtáin, agus cé go ndéireann an tAire go bhfuil na figiúirí sin ró-ard ar fad, níl an Rialtas ag teacht suas le meastacháin, fiú amháin. Tá daoine amhrasach faoin gcostas, agus tá sé tábhachtach eolas chomh cruinn agus is féidir a chur ar fáil go luath. Ba cheart go n-iarrfadh an Rialtas ar an Ard-Reachtair Cuntas agus Ciste teacht suas le meastacháin. Tá Acht na dTeangacha Oifigiúla 2003 ag freastal ar an mionlach, agus más rud é go bhfuil an oiread sin airgid á chaitheamh ar an Acht a chur i bhfeidhm,

caithfear an scéal a mheas ó thaobh chur chun cinn na Gaeilge i measc mhuintir na hÉireann. Tá tuarascáil chuimsitheach ag teastáil ar cad iad na deacrachtaí go díreach atá ag teacht suas sna hagallaimh idir an Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta agus na comhlachtaí, eagraíochtaí agus grúpaí a bhaineann le hAcht na dTeangacha Oifigiúla 2003 agus cad go díreach atá á dhéanamh ag an Rialtas chun na deacrachtaí sin a réiteach.

Ceist eile ar gá a fhreagairt ná an bhfuil sé ciallmhar agus fiúntach doiciméid áirithe a léitear go hannamh sa Bhéarla, fiú amháin, a aistriú go Gaeilge. Cén tairbhe a thagann as sin don Ghaeilge? An bhfuil go leor aistritheoirí ann? B'shin an cheist a d'ardaigh mo chara, an Teachta McGinley. An mbeidh go leor aistritheoirí ar fáil chun an tAcht seo a chur i bhfeidhm, agus an mbeidh go leor acu ar fáil chun freastal ar an Ghaolainn mar theanga oifigiúil oibre don Aontas Eorpach?

Chun an fhírinne a rá, bhí mé ag léamh na hóráide a thug an tAire Ó Cuív le linn dom bheith ag éisteacht leis. Ní raibh ann ach stair agus eolas ginearálta. Ní bhfuair mé aon rud as a chuirfeadh leis an eolas atá agam cheana féin, de réir mar is cuimhin liom, ar chur i bhfeidhm an Achta agus cad go díreach atá ag tarlú. Tá deacrachtaí ann, agus níor cheart go mbeadh orm mar urlabhraí de chuid Pháirtí an Lucht Oibre, mar a tharla an tseachtain seo caite, iarraidh ar an Taoiseach go mbeadh díospóireacht againn ar an Acht. Cén fáth nach raibh díospóireacht sa Dáil, mar shampla, ar an tuarascáil ón Choimisinéir Teanga? Tá an-chuid sa doiciméad sin atá suntasach agus a léiríonn na fadhbanna atá ann. Tá an díospóireacht sin ag teastáil, ní amháin sa Teach seo ach in áiteanna eile.

Is iad na ceisteanna deireannacha atá agam don Aire ná an bhfuil sé fabhrach go mbeadh díospóireacht againn ar thuarascáil tionscnaimh an Choimisinéara, agus an iarrfaidh sé ar an Rialtas an t-am a chur ar fáil go luath chun go mbeadh sí againn.

Mr. M. Higgins: Tá áthas orm go bhfuil cúpla nóiméad agam chun cúpla ní a rá ar an ábhar seo. Aontaím go hiomlán le mo chomhghleacaí, an Teachta Ó Sé, nuair a iarrann sé go mbeadh seans againn tuarascáil an Choimisinéara, an tUas. Seán Ó Cuirreáin, don mbliain 2004 a phlé, mar tá a lán moltaí dearfacha, fiúntacha inti. Tá súil agam go mbeidh an díospóireacht sin againn roimh i bhfad.

Agus mé ag éisteacht leis an méid a dúirt an tAire, agus ag machnamh ar a bhfuil ar siúl aige agus na moltaí atá os ár gcomhair, smaoiním ar mo thréimhse féin mar Aire Gaeltachta. Ar bhealach, chuir sé díomá orm nár éirigh leis an scéim dheonach, is é sin, nach raibh na comhlachtaí Stáit agus leath-Stáit sásta a ndícheall a dhéanamh, gan reachtaíocht a bheith á brú orthu, nóis mó a dhéanamh trí mheán na Gaeilge. Is cuimhin liom go soiléir cén rud a bhí

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ann. Dúirt siad go láidir liom nárbh fhéidir leo freastal ar dhá thrá. Bhí brú orthu gach rud a dhéanamh taobh istigh d'atmaisféar a chuir an béim ar iomaíocht agus éifeacht, b'fhéidir, ar leibhéal amháin.

Ag an am céanna, bhí mise ag iarraidh orthu a ndualgais bunreachtúla a chomhlíonadh. Dúirt na comhlachtaí go hiomlán — chuirfeadh a n-ainmneacha ionadh ar Baill an Tigh seo — go soiléir liom dá mba rud é go raibh rogha le déanamh, go rabhadar leis an rud tráchtáil a dhéanamh agus gan bac leis an teanga. Tá mé ag caint faoi sean-chomhlachtaí. B'fhéidir nach bhfuair mé féin an comhairle is fearr i leith reachtaíochta nuair a bhí mé ann. Dá mba rud é go raibh seans agam an gnó a dhéanamh arís, b'fhéidir go mbeadh an reachtaíocht tógtha isteach i bhfad níos luaithe ach ní raibh an t-atmaisféar ann ag an am.

Sin ráite, tá sé suimiúil go bhfuil deacrachtaí ann i leith na costais aistriúcháin. Tá mé go láidir i bhfábhar aitheantas a thabhairt don teanga ag leibhéal na hEorpa agus i bhfábhar an bhunphrionsabail go mbeadh seirbhísí ar fáil do gach saoránach trí mheán na Ghaeilge. Ba chóir, áfach, go mbeadh na costais aistriúcháin a bhaineann le Billí gearrtha amach ón mbuiséad ó thaobh na teanga go ghinearálta. Má tá an Ghaeilge chun teacht chun cinn, ní féidir glacadh leis go bhfuilimid mar sórt státseirbhísigh san Rúis, ag aistriú sean-cáipéisí agus an Ghaeilge ag sleamhnú siar ag an am gcéanna.

Tá an aird atá tugtha ar an Ghaeilge scannalach. Ba chóir dúinn féachaint ar an Press Gallery, mar shampla. An bhfuil éinne ann faoi láthair? Tá foilseacháin ann a chuireann ár n-obair ar fáil don lucht léitheoireachta trí mheán na Ghaeilge, ach níl mé cinnte faoi na hiriseoirí eile. Cad faoi obair na coistí éagsúla, mar shampla? Is ball de Chomhchoiste Gnóthaí Eachtracha le fada mé, b'fhéidir ós na 1980í. An bhfuil éinne ag freastal ar na coistí? An bhfuil éinne ag tabhairt aon airde d'éinne a labhraíonn i nGaeilge?

Is cuimhin liom nuair a tháinig mé isteach sa Teach seo, bhí cleachtadh ann sa Dáil agus sa Seanad go raibh daoine ag déanamh iarrachta feabhas a chuir ar a gcuid Ghaeilge. An bhfuil an cleachtadh sin ann anois? Táimid nua-aoiseach agus aineolach ag an am gcéanna. Tá cúrsaí cumarsáide imithe go mór ar chúl mar nach bhfuil an caighdeán ann.

Is fiú a rá leo san atá ag glacadh páirte i ngluaiseacht na Gaeilge go ginearálta nach mbaineann an teanga le páirtí amháin. Is féidir a bheith nua-aoiseach agus glacadh lena lán nithe éagsúla mar ní bhaineann an teanga leis an caolaigeantas ach an oiread. Tá na hamanna sin thart.

Tá dhá rud ann atá mar sórt bac ar an Ghaeilge. Tá an ráiteas Hardiman ann ar leibhéal amháin — an leibhéal dlí — agus ar an leibhéal eile, táimid ag aistriú cáipéise. Tá mé i bhfábhar córas aistriúcháin a bheith i bhfeidhm ach nílimid

in iomaíocht leis an sprioc ghinearálta atá againn — an Ghaeilge a chur ar aghaidh go ginearálta.

Ba chóir go mbeimid ionraic faoin mbunreacht atá ann. Tá athruithe bunúsacha agus radacacha i múineadh na Gaeilge ag teastáil. Tá sé sin tábhachtach. Is trua liom nach bhfuil seans acu atá ag dul síos ar an Ghaeilge na modhanna is nua-aimsire a úsáid leis an rud a chur ag fás sa samhlaíocht. Caithfidh a choimeád i gcumhne go bhfuil gradaim bainte amach ag Telegael i gcóir animation. Is féidir a lán a dhéanamh. Dá mba rud é nach ndéanfaimid ach amháin an dualgas aistriúcháin a chomhlíonadh, bheimid an-chosúil le cléireach Dostoevsky. Is é sin an méid a mbeadh fágtha.

Is é sin an fáth gur chóir go mbeadh na costais sin gearrtha amach ón mbuiséad ghinearálta. Ba chóir go mbeadh gach éinne sa Teach seo — is cuma cén taobh den Teach nó cén páirtí — sásta airgead ceart a chur ar fáil do Raidió na Gaeltachta, do TG4, do mhúineadh na Ghaeilge agus dos na gaelscoileanna, srl. Is é sin an rud atá tábhachtach. Aontaím le rud amháin a dúirt an tAire. Más rud é go bhfuil daoine i ndáiríre faoin Ghaeilge, ba chóir go mbeadh siad sásta an t-airgead a chaitheamh ar an gcospóir.

Mr. J. Higgins: Tá mé ag roinnt mo chuid ama leis an Teachta Sargent agus an Teachta Ó Snodaigh.

Acting Chairman (Mr. Sherlock): Ar aghaidh leat.

Mr. J. Higgins: Maidir leis an gceist ghinearálta faoin Ghaeilge agus cearta úsáide na Gaeilge sa tír, thóg an Coimisinéir Teanga, Seán Ó Cuirreáin, óráid shuimiúil ag Údarás na Gaeltachta mí ó shin. Chuir sé inár láthair go cruinn na fadhbanna a bhaineann le húsáid agus todhchaí na Gaeilge agus go bhfuil comharthaí dóchais ann fosta. Dúirt sé go bhfuilimid ar thairseach ceann de na tréimhsí is cinniúnaí i saol na teanga. Is eol dúinn go bhfuil difríochtaí móra idir stádas agus aitheantas oifigiúil ar lámh amháin agus an fhírinne phraiticiúil ar an lámh eile. I ndáiríre is anseo atá an fhadhb. Léiríonn an coimisinéir na buanna agus na deiseanna oifigiúla atá ag an Ghaeilge. Tá an-chuid ann, fiú amháin aitheantas bainte amach san Aontas Eorpach. Chomh maith leis sin, tá gaelscoileanna ag fás, rud dearfach atá ag titim amach.

Ach, nuair a thug sé le fios cad iad na fadhbanna, chuir sé iontas orm féin go dúirt Comhairle Oideachais Gaeltachta agus Gaelscoile go bhfuil fadhbanna anois i ndá thrian d'iarbhunscoileanna Gaeltachta múinteoirí a fháil agus go minic nach mbíonn de rogha ag scoileanna Gaeltachta ach múinteoir gan Ghaeilge a fhostú nó bheith gan mhúinteoir. Is fadhb mhór sin agus is ceart go ndéarfadh an Rialtas cad é a dhéanfaidh sé faoin gceist úd.

Ó thaobh acmhainní de, aontaím go mór gur ceart níos mó airgid a chur isteach ar an leibhéal

sin. Tá mé i bhfábhar, ar ndóigh, gur ceart go mbeadh an ceart ag gach saoránach a chuid ghnó a dhéanamh trí Ghaeilge le haon Roinn Stáit agus go mbeadh cáipéisí ar fáil. Ó thaobh aisteoireachta de agus cá théann na hacmhainní, is ceisteanna tromchúiseacha iad seo.

Labhair mé sa Teach seo faoin gcontúirt atá roimh teangacha cosúil leis an Ghaeilge go bhfuil teangacha á cailleadh ar fud an domhain agus dúirt an coimisinéir an rud céanna.

1 o'clock Dá mbeadh plandaí, éanlaithe nó ainmhithe ar tí bheith cailte go deo, bheadh díomá mhór orainn agus dhéanfaí rírá faoi. Bheadh an-rírá faoi, ach is rud antábhachtach é saibhreas teanga d'aon náisiún nó d'aon phobal. Tá comharthaí dóchais ann. Bhíos mar aoi-chathaoirleach i ndíospóireacht a reachtáil Gael Linn i bPort Laoise an mhí seo caite le meánscoileanna a bhí ag déanamh díospóireachta. Ceann de na téamaí a bhí faoi chaibidil ná go bhfuilimid ag tógaint ár dtithe ar ghaineamh, téama teibí agus deacair. Chuir sé áthas an-mhór orm, áfach, caighdeán na díospóireachta a chloisint agus an smacht ar an Ghaolainn a bhí ag na daltaí meánscoile a bhí ag freastal ar an díospóireacht úd. Tréaslaím le Coláiste Rís, Dún Dealgan agus Coláiste na Coiribe i nGaillimh, a bhain amach bua sna díospóireachtaí úd.

Tá grúpa anois ar a nglaothar “I Measc”, grúpa inimirceach le Gaolainn líofa a bhfuil sé mar bhunsprioc acu inimirceach a spreagadh an Ghaolainn a fhoghlaim agus a úsáid má theastaíonn uathu é sin a dhéanamh. Tá súil agam go mbeidh cuid acu ag teacht ós ár gcomhair roimh i bhfad ag an choiste atá freagrach as gnóthaí pobail, tuaithe agus Gaeltachta.

Mr. Sargent: Gabhaim buíochas leis an Teachta Ó hUiginn as a chuid ama a roinnt liom.

Tá mise anseo ar son an Chomhaontais Ghlais le rá go bhfuilimid ag glacadh le, agus ag cur fáilte roimh, leathnú Acht na dTeanga Ofigiúla 2003 má dhéantar i gceart agus chun leas na teanga é. Sin an fáth, go bunúsach, go bhfuil an díospóireacht seo ann. Cuirim fáilte roimh an díospóireacht, mar tá sé tábhachtach go ndéanaimid athbhreithniú air sin, agus ba cheart dúinn an tAcht a mheas de réir mar a théann sé i bhfeidhim. Ba cheart dúinn líon na bhfoghlaimoirí atá ag baint leasa as cur i bhfeidhm an Achta a mheas agus pé tionchar atá ag an Acht ar leathnú na Gaeilge a mheas ag an am céanna.

Nuair a deirim go bhfuil sé tábhachtach an tAcht a mheas, táim ag déanamh tagartha do cheist a chuir mé ar an Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta. Tá áthas orm go bhfuil sé i láthair. Chuir mé ceist mar gheall ar chur i láthair Gaeilge agus Béarla ar aon cháipéis, agus beidh neart de na haisínreachtaí Stáit ag cur cáipéisí ar fáil. Tá sé tábhachtach go mbeidh an leagan dátheangach ar aon leathanach amháin, taobh le taobh, Gaeilge agus Béarla. Ba é an

freagra a fuair mé ná go raibh cleachtas dátheangach á chur i bhfeidhm sna treoirlínte go mbeadh na teangacha laistigh d'aon chlúdach amháin in achan mhéid clóite. Glacaim leis suas go pointe go bhfuil sé sin an-phraiticiúil agus go bhfuil ciall leis, ach, mar a thaispeáin mé cheana féin, is féidir an treoirlíne sin a chomhlíonadh agus a bheith ag cur airgid amú.

Mar shampla, tá an Garda Síochána ag cur tuairisce ar fáil. Tá an Béarla ann suas go dtí lár na tuairisce, agus ansin caithfear é a chur bun os cionn agus é a léamh aríst as Gaeilge. Níl aon cheangal díreach idir an Ghaeilge agus an Béarla. Fágann sé sin go bhfuil neart daoine ag iarraidh Gaeilge a fhoghlaim ach nach féidir leo comparáid a dhéanamh idir an Béarla agus an Ghaeilge. Is míbhuntáiste é sin, cé go bhfuil go leor airgid i gceist chun é sin a dhéanamh. Ba cheart go mbeadh na treoirlínte ní ba shoiléire. Tá sé sna dréacht-treoirlínte sin, a bhí ní ba sholéire, go mbeidh Gaeilge agus Béarla ar aon leathanach amháin, ach tá an sampla atá agam anseo ón Bhreatain Bhig níos fearr fós. Tá an Bhreatain agus an Béarla taobh le taobh, agus is féidir leis an fhoghlaimoir tagairt a dhéanamh do na tearmaí Breatnaise. Molaim don Aire múnla a chur ar fáil. Is sórt múnla é an sceideal atá os ár gcomhair anseo, ina bhfuil an Béarla ar thaobh amháin agus an Ghaeilge ar an taobh eile, agus is féidir leis an duine nach bhfuil na tearmaí Gaeilge aige iad a léamh — is é an Lárionad Iontrála an Central Applications Office — agus Gaeilge a fhoghlaim de réir a chéile mar sin.

Tá sé tábhachtach go mbeidh an tráchtas mar bhunmhúnla den chur i láthair sin. Má tá cáipéisí á gcur ar fáil againn, ba cheart don Ghaeilge agus don Bhéarla a bheith iontu ar mhaithe leis an bhfoghlaimoir agus, chomh maith leis sin, pinn luaidhe agus aon ábhar eile a bheith á gcur ar fáil i nGaeilge. Níl sé sin ag titim amach, agus ba cheart dúinn tosú leis san Oireachtas.

That is the challenge for us. We must have the English and the Irish side by side. It is not enough to have a pencil with “I visited Leinster House” inscribed on it, and if one wants it as Gaeilge, one must go looking for it. That is a basic principle. It applies to parliamentary questions. When I discuss things here in Irish, it goes out in Irish only. Every Deputy should use a bit of Irish so the person who wants to learn it can have an idea what it was about. I ask the Minister to take on board the need for a basic múnla or example of how the treoirlínte should be put into effect. I urge him to take on board some of the examples that exist in this country, but that are very clearly to be seen in Welsh and in Canada for French and English. In that way, we will be using the money provided under this Act effectively. We can then assess how many learners of Irish are benefiting from the implementation of the Acht teanga, not just those who are líofa.

Aengus Ó Snodaigh: Bhí an Teachta Sargent ag labhairt faoin bpeann luaidhe i mBéarla. Chuir mé ceist síos faoi sin, agus dúradh liom go mbeifear ag féachaint air agus iad ag ordú tuilleadh.

Éamon Ó Cuív: Tá siad ann. Fuair mé dhá cheann.

Aengus Ó Snodaigh: An-mhaith. Níl sé ceart go ndearnadh an botún ar an gcéad dul síos, áfach, agus sin ceann de na fadhbanna.

Mr. Sargent: Dúradh nach raibh spás ar an bpeann luaidhe don dá theanga. Náire.

Aengus Ó Snodaigh: Tá an sceideal agus an liosta d'eagrais nua agus seaneagrais a bhfuil muid ag déileáil leo go maith. Is í an fhadhb atá agam leo, a d'ardaigh mé anseo cúpla uair, ná go nglacaim leis gurb é an teideal ceart ar chóir dó a bheith orthu ná an ceann Gaeilge, toisc gurb í an Ghaeilge chéad-teanga oifigiúil an Stáit. D'aineoinn sin, tugtar tús áite don Bhéarla i gcónaí. Is é an Béarla atá anseo agus an Ghaeilge ina dhiaidh sin, amhail is dá mb'aistriúchán ar an Bhéarla í. Ní hé go bhfuil mé ag gearán leis an Aire, mar d'fháiltigh mé roimh an rún seo.

Is trua go raibh gá dúinn díospóireacht a bheith againn ar an rún seo. Ba chóir go mbeadh díospóireacht ar an túrascáil a dhein an Coimisinéir Teanga seachas go dtárlódh sé gach uile bhliain go bhfuilimid ag plé le rud chomh reachtúil leis seo. Ba cheart go mbeadh sé seo intuigthe. Ba cheart go mbeadh díospóireacht ar an gceist agus conas atá ag éirí linn ó thaobh Acht na dTeangacha Oifigiúla 2003 agus na gceisteanna móra a thagann chun cinn de. Bhí mé chun gearán a dhéanamh — b'fhéidir nár ghá dom anois — mar gheall ar an gCiste Náisiúnta um Cheannacht Cóir Leighis. Fuair mé doiciméid uathu le déanaí — agus fáiltím rompu, mar dhein siad obráid orm ag deireadh na bliana seo caite — ach bhí gach uile rud go hiomlán i mBéarla. Faoi riachtanais Acht na dTeangacha Oifigiúla 2003, tá mé in ann déileáil leo agus brú a chur orthu, cosúil le gach saoránach eile, an stuif atá á fhoilsiú acu a chur ar fáil go dátheangach, nó i dteanga amháin, an Ghaeilge, más gá.

Ag déileáil leis an mBille um Ollscoil na Gaillimhe an tseachtain seo caite, tháinig mé ar cheist mhór, is é sin, nach féidir liom mo ghnó a dhéanamh trí mheán na Gaeilge faoin Acht seo. Dúradh linn agus sinn ag baint le hAcht na dTeangacha Oifigiúla go mbeadh na hAchtanna ar fad suas chun dáta aistrithe. Ní raibh Acht na nOllscoileanna 1997 ar fáil i nGaeilge go fóill. Ar an Idirlíon, má dhéanann duine comparáid idir an liosta Gaeilge agus an liosta Béarla, tá a lán Achtanna fós i mBéarla amháin. Cuireadh dallamullóg i slí orainn mar dúradh go mbeadh siad ar fáil suas chun dáta roimh i bhfad. Níor tharla sin so tá fadhb anseo.

Níl sé de chead agam leasú a chur i nGaeilge ar Bhille i mBéarla. Chaith mé an Chéadaoin seo caite ina iomlán ag aistriú go Béarla ón Ghaeilge na leasuithe a chuir mé. Bhí orm mé féin a tiontú ar ais arís sa díospóireacht le labhairt i nGaeilge orthu.

Caithfidimid díriú isteach ar na fadhbanna seo. Ní fheicim Coimisiún Tithe an Oireachtas ar an liosta. An gá dó bheith ann? Ghlac mé gur comhlacht an eagraíocht sin. B'fhiú dúinn féachaint an gá dúinn sin a chur isteach.

D'fháiltigh mise roimh an Acht agus tá mé sásta deis a thabhairt don Aire, don choimisinéir agus do na heagrais ar fad am a bheith acu tosú. Ní bheidh mise ag caitheamh anuas ar aon eagrais le tamall, tabharfaidh mé deis mar chuir muid a lán stór sna scéimeanna comhaontaithe seo agus feicfidimid an bhfuil ag éirí leo i mbliain nó dó nó an gá díriú isteach ar cheist na Gaeilge arís.

Má fhéachann duine air tá muid fós ar chúil. Ní rogha é, mar a dúirt roinnt daoine, idir caiteachas ar aistriúchán agus ar an Ghaeilge, caitheamh an dá rud a dhéanamh agus caithfidimid i bhfad níos mó airgid a chaitheamh ar an Ghaeilge lasmuigh den chóras oideachais. Tá an ceart ag na Teachtaí a dúirt gur cóir dúinn díriú isteach ar conas mar a mhúintear Gaeilge sna scoileanna ach fosta caithfidimid obair lasmuigh de na scoileanna. Ní cheist oideachasúil í i gcónaí.

Tacaím leis an méid atá déanta ag an Aire agus tá súil agam go mbeimid in ann seo a phlé gach bliain. Ní gá ach rún a chur os comhair na Dála go dtacaíonn an Dáil leis an choimisinéir agus go nglacaimid leis a thuarascáil.

Mr. O'Dowd: Fáiltím roimh an rún. Bheadh sé oiriúnach go mbeadh an díospóireacht seo ann go rialta. Tá an Teachta McGinley ag déanamh an-jab ó fuair sé an post seo. Tá meirg ar mo chuid Gaeilge ach tá na tuairimí a nochtfaidh mé chomh daingean agus chomh láidir agus a bhí siad riamh.

Molaim gach duine ag a bhfuil suim sa chultúr agus sa Ghaeilge agus na himeachtaí ginearálta atá ag titim amach ó tháinig an tAcht seo isteach. Tugann sé cearta bunúsacha don Ghaeltacht agus do Ghaeilgeoirí agus is maith agus is fiúntach na rudaí sin a bhí ar lorg le tamall fada.

Tá drochscéal ann fosta, ar an drochuair, go mór mhór faoi Dingle agus An Daingean agus An Clochán Liath agus Dungloe agus áiteanna eile faoin Acht. Nuair a bhí muid a cuidiú leis an Bhille, ní raibh a fhios againn go mbeadh an t-athrú chomh mór sin ar Daingean Uí Chúise, Dingle. Tá sé ag teastáil ó mhuintir na háite go mbeadh an dá ainm ann ar an bhaile. Tá sé soiléir go mbainfidh muintir na Gaeltachta úsáid as Daingean Uí Chúis don bhaile ach tá formhór na daoine atá ag dul ann going to Dingle. Tá sé scannalach go bhfuil an t-ainm oifigiúil á bhrú ar dhaoine nach bhfuil sásta é a úsáid.

Sin an rud faoin chultúr go ginearálta — ba cheart dúinn go léir a bheith ar chomh-aighe agus na cearta bunúsacha ann. Ní cheart go mbeadh

brú ann mar a bhíodh ann na blianta ó shin nuair a bunaíodh an Stát agus cuireadh obair na Gaeilge ar leataobh toisc the zealotry and fanaticism that went with the language.

Tá Fine Gael dílis faoin Ghaeilge agus faoin chultúr agus ní ghlacfaimid le haon óráidí ón Aire Oideachais agus Eolaíochta faoin pholasaí atá againn ar son na Gaeilge. Níl meas agam faoin rud a dúirt sí faoi pholasaí Fhine Gael an Ghaeilge a chleachtadh, a neartú agus a chothú sa tír seo. Caithfidh an zealotry seo a bhaint amach ón Ghaeilge agus a bheith ar chomhaidhm an Ghaeilge a chur chun cinn.

There is no place in a modern state for zealotry, extremism and a lack of understanding and appreciation of the difficulties people clearly have with doing their leaving certificate through Irish. Thousands of people do not even sit the exam every year because they have not received the required education or teaching. The Minister for Education and Science does not have enough inspectors to inspect the course in Irish and the students do not even have the Irish textbooks, for God's sake.

We must look at this issue in reality. We must accept the realism and commitment we have to pushing forward our culture and language. We must recognise the needs of people who have difficulty understanding English, never mind Irish, and who come from parts of the country which do not have the same fine tradition as those who lived near Teach an Cuinne, at the bottom of Castle Avenue in Thurles. The Minister for Education and Science's forefathers lived in that area, as did my people. We come from the same street in the same town in Tipperary and my father and her father were good friends in days gone by. However, we disagree fundamentally on her approach to the Irish language. It is not acceptable that she would reduce the commitment of Members on this side of the House to such a low and silly level.

With regard to the question of Dingle and An Daingean, the last thing we want is to have plebiscites here, there and everywhere. We had them in the 1960s and 1970s with regard to An Uaimh and Navan, and Ceanannus Mór and Kells. They are gone.

Éamon Ó Cuív: They are back.

Mr. O'Dowd: Are they?

Éamon Ó Cuív: The Deputy brought them back.

Mr. O'Dowd: I am talking about the history of the issue. I am happy to debate the issue with the Minister.

Éamon Ó Cuív: Both are official now.

Mr. O'Dowd: But they are not exclusively official. The point I am trying to make is that we

do not have a problem with the Minister's choice of town; we have a problem if he insists there can only be one name.

Éamon Ó Cuív: The Deputy never did that.

Mr. O'Dowd: I did not interrupt the Minister.

Acting Chairman: The Minister should give the Deputy the chance to reply.

Mr. O'Dowd: The issue with regard to Dingle is that millions of euro have been spent, particularly in the United States. Dingle is known worldwide. When one looks at a map, one expects to see Dingle. There is nothing wrong with the names An Daingean, Dingle or Danigean Uí Chúis. However, there is everything wrong with telling people they can only call the town An Daingean. Then, when they go to vote—

Éamon Ó Cuív: But the Deputy did not do that.

Mr. O'Dowd: —the legislation means that only one third of those who live in the town can vote — only those who live in the area called An Daingean can vote in this plebiscite.

Éamon Ó Cuív: The Deputy did not do it. He should not flagellate himself.

Mr. O'Dowd: I do not mind debating the issue with the Minister.

Éamon Ó Cuív: The Deputy did not do what he thinks he did.

Mr. O'Dowd: This side of the House wants consent. We want to work with the Minister, not against him. Would he agree that whether the people of Dingle want to call it Dingle or An Daingean, they should be able to do so?

Éamon Ó Cuív: I said that from the beginning.

Mr. O'Dowd: What is the row about then?

Éamon Ó Cuív: I do not know.

Mr. O'Dowd: Has the legal name been changed?

Acting Chairman: Ní ceart don Aire cuir isteach ar an Teachta.

Éamon Ó Cuív: He asked me a question.

Mr. O'Dowd: I do not mind. People have been on to me from Dingle and An Daingean about using either name.

The other issue I want to raise is the policy on the production of bilingual booklets and reports. This is a serious issue because it uses up much of our resources. I already mentioned that I support the Act and do not have a problem with it in prin-

[Mr. O'Dowd.]

ciple. However, the printing of so much material, of any sort, is a problem. I am inundated in my office with publications from all sorts of bodies every day and they go straight into my bin. I did not ask for them, but they come in my door. I do not have a problem with them being bilingual, but they are twice as thick as those in one language only, thereby creating more waste. If the requirement to issue statements bilingually is being extended to 256 bodies, we should consider putting the statement on the web. That would be sufficient in most cases. We should move away from printing—

Éamon Ó Cuív: We should make them shorter.

Mr. O'Dowd: Yes, shorter. They should be mion, bríomhar, gach rud iontu agus gan bheith leadránach. I do not suggest the Minister litters the pages of his publications with his photograph. God forbid any Minister or politician would do that. Let us get real on this matter. There is much bumph and rubbish in these publications that makes them a waste of money.

Éamon Ó Cuív: And glossy pictures.

Mr. O'Dowd: It is a waste of money. There is no problem with people accepting the principle of what the Minister is doing, but if we end up with more publications that require larger bins we will soon need four or five bins in each room in Leinster House to hold all the material we receive. Will the Minister carry the cudgel for us on this issue and go back to the Cabinet table and tell them we want no more of this? Let us examine what we are doing and how we are doing it.

We get a list of accessions from the Library every month and a list of reports and that is fine. We can ring the Department or relevant bodies to get any reports we need. This would save a significant amount of money. Gabhaim buíochas leis an Aire as ucht éisteacht liom agus leis na Teachtaí eile ar an taobh seo.

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Ba mhaith liom buíochas a ghabháil leis na Teachtaí ar fad, a phléigh achán rud seachas an rún atá os comhair an Tí. Glacaim leis gur ghlac gach uile Theachta leis an rún mar a moladh. An fáth gur moladh gan díospóireacht é ná nach bhfacthas dom go raibh mórán le plé ar an rún áirithe úd. Ní raibh ann ach liosta eagraíochtaí a d'imigh as feidhm agus eagraíochtaí nua a tháinig isteach. Tá sé tábhachtach go gcoinneois súl ar an gceist sin.

Is é an dara rud ná é seo. Ní drochrud é go mbeadh plé ar an nGaeilge, ach ní seo an bealach ceart lena dhéanamh sin. Tá deis ag an bhFreasúra rún a chur síos chuile sheachtain. Níor dhrochrud é dá n-úsáidffis a guaid ama féin le rún a chur síos faoin nGaeilge, mar taispeánann sé sin tosaíocht ó thaobh an

Fhreasúra de. Mar is eol do na Teachtaí, bhí plé ar an nGaeilge dhá bhliain ó shin nó anuraidh sa Teach seo; sílim go raibh sé thart ar Sheachtain na Gaeilge. An t-aon fhadhb a bhaineann leis sin ná nach suíonn an Teach seachtain Lá Fhéile Pádraig go minic. B'fhéidir nach sin an t-am ar cheart í a phlé.

Thiocfainn go mór leis go bhfuil ceist chostais na ndoiciméad tagtha go mór chun cinn ó bhí ar na heagraíochtaí cúpla ceann beag a aistriú. Níl aon amhras orm ach go bhfuil an ceart ag an Teachta O'Dowd. Tá a fhios againn nach léitear as Béarla nó as Gaeilge iad. Tá mé ag ceapadh go bhfuil ar chuile enterprise board sa tír cóip a chur chuig chuile Theachta, agus ní bhreathnaím orthu, fiú.

Tá sé in am ag eagraíochtaí breathnú ar an gcostas a bhaineann leis na rudaí a chur chuig gach éinne, rud atá i bhfad níos costasaí ná an t-aistriú. Tá an t-am foirne a chaitear ar iad a scríobh, is cuma cén teanga ina scríobhtar iad, i bhfad níos costasaí ná an t-aistriú. Ní fheictear é, mar tagann sé as na costais phá. Níl sé sin le rá nach bhfuil costas ann. Tá sé in am an cheist a chur an bhfuil gá leis na doiciméid seo a bheith chomh fada sin. An bhfuil aon bhealach chun na costais sin a laghdú, mar atá leagtha amach ag an Teachta Sargent? Ní bhaineann sé le Gaeilge ach le costais.

Ceann de na fáthanna go bhfuil sé leagtha amach san Acht go gcaithfear na doiciméid seo a dhéanamh ar chostas gach eagraíochta faoi leith ná le nach mbeidh éileamh á dhéanamh ar na cistí Gaeilge i leith na rudaí seo. Is éard a bhíodh ag tarlú go dtí seo ná, má bhí ó dhuine rud éigin a chur ar fáil i nGaeilge, thagadh sé chuig mo Roinn le feiceáil an mbeadh cúpla punt le spáráil leis an cháipéis a chur i nGaeilge. Thagadh sé as na cistí Gaeilge, ar cheart dóibh a chaitheamh ar oideachas agus ar chur chun cinn na Gaeilge. Má bhí ar na heagraíochtaí rud mar sin a dhéanamh, chaithfidís é a tharraingt as na cistí Gaeilge. An t-athrú anois ná go gcaithfidís é a tharraingt as a gcistí féin mar a dhéanfaidís le caiteachas ar an mBéarla. Má tá dhá theanga oifigiúil, sin an stádas loighiciúil. D'iarr mé ar 15 Roinn, na Coimisinéirí Ioncaim agus Oifig na nOibreacha Poiblí cé mhéad a chosnódh comhlíonadh a ndualgas faoi Alt 10 den Acht anuraidh. Ba é an t-iomlán eatarthu uilig ná €340,000. Sin 15 Roinn agus an dá eagrais sin.

Mr. O'Shea: An bhfuil scéimeanna deimhnithe dó sin?

Éamon Ó Cuív: Ní scéimeanna atá i gceist. An rud atá á rá agam ná é seo. Faoi Alt 10 den Acht, caithfear an tuarascáil bhliantúil agus aon mhórfholasaí a fhoilsiú go dátheangach, agus sin an rud a gcuirtear an cheist orainn faoi — maidir le cúrsaí aistriúcháin. Ba é an costas do na heagrais sin ar fad, agus iad ag comhlíonadh a ndualgas i leith an Aichta, ná €340,000 curtha le chéile. Bheadh sé spéisiúil freisin breathnú ar

chuid de na figiúirí, mar bhí sé i bhfad ní ba chostasáí i Ranna áirithe an tuarascáil bhliantúil a aistriú ná i Ranna eile. Ní thuigim é sin, agus is ceist é sin ar cheart dúinn a scrúdú.

Dúirt cuid mhaith de na Ranna, mo Roinn féin san áireamh, go raibh an rud seo á dhéanamh ar aon bhealach, fiú gan aon Acht, agus mar sin, nach raibh an tAcht *per se* ag cosain fiú an oiread sin. Níl an figiúr ard, agus fiú thar na heagrafochtaí Stáit ar fad, i gcomhthéacs chaiteachais an Stáit, d'fhéadfaí an costas iomlán a shábháil trí na rudaí atá pléite a dhéanamh, mar shampla, gan iad a chlóbhualadh. Is féidir iad a dháil ar an Idirlíon gan a bheith ag cur cóipeanna ar fáil nár mhaith le daoine a léamh nó gan a bheith ag cur pictiúr ann nach bhfuil gá leo. D'fhéadfainn iomlán an chostais a shábháil.

Maidir le ceist An Daingean, is féidir le hÉinne, in úsáid oifigiúil agus phríobháideach, "Dingle" nó "An Daingean" a úsáid. Go bhfios dom, níl aon argóint faoin leagan Béarla, "Dingle". Ní dóigh liom go bhfuil aon leagan Béarla ar An Daingean ach "Dingle". Níor chuala mé iomrá ar bith ar cheann eile. Maidir leis an argóint idir "An Daingean" agus "Daingean Uí Chúis", tá an leagan oifigiúil, "An Daingean", ag dul siar i bhfad. Seans nach raibh sé oifigiúil, ach bhí sé údarásach. Bhí An Seabhac mar chathaoirleach ar Choimisiún na Logainmneacha nuair a moladh "An Daingean" mar an leagan údarásach. D'fhéadfadh An Seabhac a bheith mícheart, ach an b'fhéadfadh éinne a rá nach raibh aon eolas aige ar Ghaeilge Chorca Dhuibhne?

Seo an rud a chuireann olc orm faoin díospóireacht. Is cuma liom díospóireacht ar rud ar bith, agus mar is eol do Theachtaí, tá mé sásta díospóireacht iomlán a bheith againn ar rud ar bith. I gcomhthéacs leagan Gaeilge na n-ainmneacha Gaeltachta, don chéad uair riamh, bhí próiseas cuimsitheach comhairle sular dhaingnigh mé an leagan. Cuireann sé iontas agus díomá orm go bhfuil daoine ag gearán faoin leagan "An Daingean" versus "Daingean Uí Chúis" gan bheith ar a laghad chomh hionraic agus a admháil gur fhiafraigh mé de na pobail cén tuairim a bhí acu. Cé gur tháinig go leor aighneachtaí isteach, níor tháinig oiread agus focal amháin i dtaobh leis seo.

Ardaíodh go leor ceisteanna inniu agus ba bhreá liom dá mbeadh deis agam iad a fhreagairt go hionraic. Tá nótaí déanta agam de na pointí. Bheinn sásta dhul faoi bhráid an choiste Dála le tuarascáil an choimisiúin agus ceist na logainmneacha a phlé. Go minic tarlaíonn na díospóireachtaí is fearr sna coistí mar is féidir a bheith idirghabh. Anseo bíonn óráidí i gceist don chuid is mó. Bheinn sásta sin a dhéanamh agus na ceisteanna ar fad a phlé go mionn leis na Teachtaí má tá an fonn sin orthu. Mholfaíonn ar na Teachtaí iarraidh ar Chathaoirleach an choiste cuireadh a thabhairt dom agus na ceisteanna seo ar fad a chur síos ar chlár oibre go rachaimid fríd le díospóireacht ceart. Má theastaíonn sin uathu, tá mé sásta glacadh le cuireadh agus cuirfidh mé

an t-am ar fáil sin a dhéanamh. B'fhéidir go bhféadfaimis beagáinín solas a dhéanamh ar na ceisteanna seo seachas na scéalta a bhíonn ag dul thart.

Cuireadh agus aontaíodh an cheist.

Ceisteanna — Questions (Resumed).

Priority Questions.

Adult Education.

67. **Ms Enright** asked the Minister for Education and Science if, during 2006, any of the recommendations of the McIver report will be progressed; and if she will make a statement on the matter. [5874/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Government is strongly committed to improving participation and achievement at every level of education. We have put the resources and supports in place to ensure there is a wide range of courses available in the further and higher education sectors for young people who wish to continue their studies after second level and for people returning to education later in life.

Post leaving certificate courses represent one such option. The Government's support for this very important sector is clear from the fact that it has increased the number of PLC places by 60% since 1996 and 1997. Indeed, the number of PLC places approved for 2005-06 is up by more than 1,600 on the 2004-05 level. The number of approved places in the sector stands at 30,188.

Government support for the sector is evident not only in the expansion of approved places and teachers, but also in the introduction of maintenance grants for students with effect from September 1998. Tuition fees for PLC courses are waived. The PLC maintenance grant scheme operates on the same basis as in higher education. There were nearly 8,000 PLC grant holders in 2005 and they received €23 million in direct support.

PLC students are included in the calculation of non-pay budgets issued to schools in respect of running costs. A supplemental non-pay grant towards running costs specifically for PLC schools is also payable. This amounted to €5.5 million in 2005. Other developments funded by my Department of direct benefit to the PLC sector include the provision of national certification under the further education and training awards council and the development of progression links with higher education in the institutes of technology.

Government commitment to the sector, by reference to the resources applied in teachers' pay,

[Miss de Valera.]

non-pay running costs, student support and certification costs, is very significant.

Additional information not given on the floor of the House.

The McIver report contains 21 overarching recommendations, incorporating 91 sub-recommendations. It has been estimated, in consultation with management and staff interests, that the recommendations for staffing would involve at a minimum the creation of at least 800 new posts at a cost of over €48 million. This level of additional provision cannot be considered in isolation from other areas of education.

In their consideration of the needs of the PLC sector in future, my officials have been examining, *inter alia*, the non-teaching educational tasks particular to PLC teachers, the demands on the management side and the challenges presented by the variation in size of PLC providers, which number more than 200. When these deliberations are completed further discussion with the management and union side will be necessary.

Ms Enright: The Minister of State may have been getting to the portion of her reply which dealt with the question relating to the McIver report when her time ran out. With regard to the key recommendations of the report, although the Minister of State mentioned figures for 1998, the McIver report was published in 2003. Will she support and give timetables for the following recommendations: new managements structures; new administrative structures; specialist appointments; recognition of the sector as a distinct sector of education; the prioritisation of child care; and achieving all-year teaching, taking into account day, night and weekends? Do timescales exist for any of these six recommendations?

Does the Minister of State accept that her Department is failing to recognise the potential of the further education sector by not implementing the McIver report? We are almost unique in the EU in not having a separate further education sector. Will the Minister of State deal with this? Will she deal with the fact that PLC colleges are being forced, through the indecision of the Department on the McIver report, to operate within the constraints of the second level structures and resources?

Is the Minister of State aware of the annual school leavers survey, which shows the unemployment rate for school leavers going directly into the workforce doubling to 21% in 2004? The McIver report and the PLC sector could deal with this matter in a real way. Will the Minister of State provide a timescale for the report's implementation?

Miss de Valera: I thank the Deputy for her questions. As she noted, I did not have an opportunity in my initial reply to outline that the

McIver report contains 21 overarching recommendations——

Ms Enright: I am aware of that.

Miss de Valera: There are 91 sub-recommendations, with the cost of implementation amounting to €48 million.

Ms Enright: Will the Minister answer the questions asked? That information has been given and is on record.

Miss de Valera: I wish to state it again. Extensive consultations are continuing, with a view to prioritisation. The Deputy has pointed out some of the issues that must be considered, including management structure and child care. There are other principal recommendations, including the reduction of timetable class teaching hours, for example, and appropriate increases in staff, one of the major concerns of the McIver report. The enhancement of senior and middle management structures is also an important concern, with the increase in technical and administrative staff and improvements in IT and capital infrastructure. Considering that the Department does not have €48 million at its disposal, we must continue the extensive talks and consultations with those involved in the sector to lay down priorities. Once these are set, we will know the timescales involved.

The potential for the area of further education continues to be recognised by my Department and the Government. It is important to point out that although the PLC sector is important — I have indicated the large increases in the sector under the Government — it is only one option in the area of further education. There is also Youthreach, VTOS, senior Traveller training centres, the BTEI, adult education, child care for Youthreach and the issue of literacy. It is important to put all these in context. The Deputy may ask about the particular areas she refers to in terms of the McIver report. I have explained that I look forward to further consultations to set a timescale on prioritisation.

It is important to put things in perspective. I have stated my priority and that of the Government, without making any excuses——

Ms Enright: The question concerned the implementation of the McIver report. I asked about a timescale.

Miss de Valera: The McIver report deals with further education. This area has many component factors that are particularly important, and the McIver report is only one element.

Ms Enright: The question concerns the McIver report.

Miss de Valera: The PLC courses are a particular element. I have prioritised those who are

most disadvantaged. My idea of prioritisation of those who are most disadvantaged applied particularly to literacy, BTEI, Travellers and Youthreach.

An Leas-Cheann Comhairle: We must move to the next question.

Ms Enright: Youthreach is still on a pilot footing. What kind of prioritisation is that, 19 years later?

Miss de Valera: Youthreach has been allocated €21.5 million.

Ms Enright: It still does not have a proper structure 19 years later.

Miss de Valera: The PLC allocation for non-pay concerns is €5.5 million and the VTOS non-pay allocation is €41.3 million. The senior Traveller training centres non-pay allocation is €8.6 million, Youthreach guidance has been allocated €1.5 million and BTEI has been allocated €13.6 million.

Ms Enright: It is still on a pilot footing.

Miss de Valera: Adult education has been allocated over €5 million.

An Leas-Cheann Comhairle: We must move on.

Miss de Valera: Child care concerns, which the Deputy referred to specifically, for Youthreach, VTOS and the senior Traveller training centres is €5.6 million.

An Leas-Cheann Comhairle: We must proceed to the next question.

Ms Enright: The funding for the McIver report is nil.

Miss de Valera: The Deputy should indicate which programme she will cut to implement the €48 million worth of recommendations in the report.

An Leas-Cheann Comhairle: I call Question No. 68.

Miss de Valera: We will implement the recommendations of the McIver report as the resources become available.

Ms Enright: The Department is not giving the resources.

Ms O'Sullivan: What resources?

School Management.

68. **Ms O'Sullivan** asked the Minister for Education and Science her response to the proposal

by the Irish Primary Principals Network that the management of national schools in the future might more appropriately be through a VEC-type model of joint control; her views on whether there is a need to consider changing the traditional model of patronage in view of changing demographics and religious allegiance; and if she will make a statement on the matter. [5761/06]

Minister for Education and Science (Ms Hanafin): The basis for recognising new primary schools derives from the provisions of the Education Act 1998 which allows a prospective patron to seek approval for a school that reflects the characteristic spirit of the sponsor. More recently, through the establishment of the new school advisory committee my Department has put in place a structured, open, transparent and consultative process under which all applications for new schools are processed. The membership of the committee reflects the current diversity of interests at primary level. This approach to new school recognition has enabled schools reflecting diverse interests to be established over recent years. These include single faith schools, including two Muslim schools, and a growing number of schools under the patronage of Educate Together and Foras Pátrúnachta na Scoileanna LánGhaeilge. In the past year a new school was established under the joint patronage of the local Church of Ireland and Roman Catholic bishops.

I am fully conscious that as our population becomes increasingly culturally diverse and secular there will be a need to keep our approach to new primary school formation under review. The challenge is to ensure that diversity can be accommodated and that primary school provision is sufficiently inclusive. This does not mean that the position of established providers both of long-standing and more recent origin should be supplanted to make way for an entirely new model. The test will be how we accommodate difference and ensure tolerance rather than pursuing a one size fits all approach.

Ms O'Sullivan: I thank the Minister for her reply. I welcome the fact that she said the proposal will stay under review but does she agree that huge changes are taking place in our schools and communities? As Minister should she not manage that change, rather than just watch it happen? There is a growing demand for Educate Together schools, Gaelscoileanna and schools for various denominations. The population of towns like Ballydehob or Ballymote is not large enough for such a variety of schools. What is the Minister's view of the situation where some children in a class have the right to be prepared for Holy Communion while others in the same class have a constitutional right not to be? How should this work? The Irish Primary Principals Network has raised this and is in a position to understand the issues. Does the Minister intend to respond to the concerns in this regard?

Ms Hanafin: The obligation of the State is to provide education. Where applications are made for a school by various groups around the country they are subjected to public consultation and the commission on schools analyses the need in a particular area. That does not necessarily mean that complete freedom of choice is available in every area. The historical reality is that schools were provided by the church and religious orders to educate the poor when nobody else would do it. That element should not be written out of the equation.

Ms O'Sullivan: History can be interpreted in different ways.

Ms Hanafin: I have visited a few hundred schools in the past year and every school welcomes every child of every denomination and their families. It would be very wrong to give the impression that these children are not welcomed or included, irrespective of where the school is based. Children have rights under the Education Act 1998. Section 30 of that Act provides that no student is required to attend instruction in any subject contrary to the conscience of his or her parent. No child is forced to sit in the first communion class if he or she does not want to and management must take that on board. The curriculum must also take account of the characteristic spirit of the school. Equally, the Department has decreed that a certain amount of time must be spent on various subjects and approximately half an hour a day is allocated to religious instruction or some other instruction related to the ethos of the school. For example, Educate Together has an ethical programme called "Learn together". The board of management must uphold and be accountable for the whole ethos of a school. Rights are specifically laid down in legislation irrespective of where the child is in school, giving the child and the parents the rights the Deputy has asked about.

The revised curriculum also refers to tolerance and respect. At second level the issue is not so stark because vocational schools can be deemed non-denominational, not having any religious representation on the board. As a result, such issues have not arisen to the same degree as at primary level. The churches are looking at new models, including the views of parents and taking into account local factors.

As Minister for Education and Science my job is to ensure education is available which is inclusive, tolerant and respectful of the rights of all. The process and systems we have for recognising schools and the rights clearly laid down in the Education Act 1998 achieve that goal.

Ms O'Sullivan: Does the Minister not think the second level model to which she referred, involving vocational and community schools, may be a more appropriate model for the times in which we live? Would she at least consider it as a model

alongside the one we have at the moment? Given the huge demographic changes taking place are there not teachers in denominational schools who may not subscribe to that denomination?

Ms Hanafin: I have no intention of changing the management of schools throughout the country. I am not the manager or owner of schools. I do not own the sites and I am not a patron, so it is not possible to do so, nor do I want to ignore the contribution made by the present boards of management. The Deputy will have heard me refer to her party leader as being akin to Henry VIII trying to force the churches to surrender their land. There is no other way of getting them to do that.

Ms O'Sullivan: That is not what he suggested. We are trying to open a debate.

Ms Hanafin: It is interesting to look at the new schools advisory committee and what has developed in recent years. Of the 25 new primary schools 12 are multi-denominational, six are Gaelscoileanna and just seven are denominational. Change is happening and it is being facilitated. We are open to the needs of an ever-changing Ireland but it does not mean we should have a one size fits all approach throughout the country or change 3,000 school managements overnight.

Ms O'Sullivan: That is not what I am suggesting.

Schools Building Projects.

69. **Mr. Sargent** asked the Minister for Education and Science her views on the need for new residential areas to have locally-based school capacity in tandem with new housing; and if she will work with local authorities such as Fingal County Council to arrange for the simultaneous provision of housing and educational facilities in a way which allows for maximum community use of such facilities to the benefit of schools involved and the wider communities they serve. [5845/06]

Ms Hanafin: As I have told the House before, the potential implications for school provision arising from new residential developments should be taken into account when such developments are being planned and approved. This places responsibilities on local authorities and on my Department to work together and I am happy to report that there are a number of very positive developments in that regard.

My Department must be apprised by local authorities of all development planning processes at county and sub-county level. This ensures that the Department is alerted to new and expanding residential areas and affords an opportunity to ensure appropriate zoning provision for educational purposes.

As the Deputy will be aware, a new school planning model involving published area development plans has also been developed by my Department, and is being piloted in five areas over the current school year. The purpose of this new approach to school planning is to ensure that, in future, the provision of school infrastructure will be decided only after a transparent consultation process and that the blueprint for school planning in an area reflects the current and projected future level of housing there. This process will ensure a more proactive approach to school planning than had been the case in the past.

Aside from improved contacts and communication protocols with local authorities and the implementation of the new model of area development plans, there is another initiative to which I draw Members' attention.

Under the strategic development zone, SDZ, process at Adamstown my Department is working closely with South Dublin County Council and the developers to produce an integrated solution to education and community facilities that matches the delivery of new housing. The SDZ for Adamstown requires that housing and supporting infrastructure, including schools, be provided in a phased manner. It is a condition of the SDZ that at completion of phase 2, which is approximately 1,800 housing units, a primary school of eight classrooms or a post-primary school of 12 classrooms be in place. Each additional housing phase requires the provision of further school accommodation. This approach ensures that schools are in position ahead of or in line with demand, and is one that should be adopted by other planning authorities for major new housing schemes. My Department is eager to find innovative ways of working with local authorities to ensure that school provision matches demand in their areas. In Fingal, the Deputy will be pleased to know that we are in discussions on a new arrangement whereby the council will provide lower cost sites in return for community facilities being provided in tandem with the schools. Discussions are at an advanced stage and I expect that agreement will be reached shortly.

Mr. Sargent: Tá áthas orm go bhfuil na cainteanna fós ar siúl agus go mbeidh deireadh fíntach leo le cúnamh Dé. Is the Minister aware of the huge burden on many families in new areas? I can give many examples from personal experience. For example, I know a family who, having moved to Balbriggan, put their child on a train from Balbriggan to Malahide to continue at their old school. A family in Blanchardstown cannot move to Balbriggan because of a lack of school capacity, even though the local authority made a house available there. Another family in Drogheda has to drive to Malahide every morning to find a school place. When the Minister says that the need for provision should be taken into account, can I take it that priority will not only be given when local authorities make the initiat-

ive but that the matter will also be prioritised by her Department?

Is she aware that, in the absence of action by the Department, developers and builders, who are obviously in the business of making profits, move in to offer school sites as carrots or to exert pressure on local authorities to undertake rezoning beyond what might be considered prudent in the development plan? Is she happy that schools are used in such scenarios as bargaining chips or a modern day and perhaps more ethical equivalent of the brown envelope? That in itself should give the Department cause to consider seriously the need for simultaneous provision.

With regard to the Minister's claim that a transparent process is in place, will she put a time limit on that process? A long process becomes meaningless and forces families to ask developers for help in providing sites for schools. Does she accept that education facilities should not be thus provided because it is bad for development in general? Will the Department be proactive rather than await proposals from South Dublin or Fingal County Council?

Ms Hanafin: I take issue with councils which do not take seriously their responsibilities for the provision of extra facilities or schools, granting instead planning permission for large numbers of houses without regard for the knock-on effects on education provision.

From my Department's point of view, the area development plan enables us to look ten to 15 years into the future, while a number of the previously published plans have been very successful. For example, the adopted plan for Mountmellick and Mountrath proposed a new post-primary amalgamation which, as I have already announced, will be part of the next package and further plans have been published for the N4-M4 corridor and for Westport and Newport. Some of the areas mentioned by the Deputy are included in the plans being produced, such as north Dublin, south County Louth, east County Meath, north County Kerry and Limerick. These plans will reflect the needs of their respective areas.

I pay credit to Fingal County Council because it has been innovative in its approach to the intensive development taking place within its borders. Naturally, it is a hard bargainer but we are working closely with it and are about to agree to an arrangement of benefit to both of us for the provision of sites, the procurement and future use of sites and for the building of schools by the Department while also allowing for shared use of community facilities. Similar discussions are ongoing with local authorities in Kildare, Waterford, Meath and other areas.

Whereas the Department and I take full responsibility for educational planning, county and urban councils must have regard for the types of planning permissions they grant, the zoning they undertake and the obligations they put on developers. I do not understand why planning

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permission can be given for 50 houses without telling the builder to construct an additional classroom for the local school or, in the case of 150 houses, to require that a new school be built. If everybody shouldered their responsibilities, the problem of long-term education provision could be quickly solved.

Mr. Sargent: I am glad to hear the Minister's acknowledgement that Fingal County Council has provided leadership. Will she put that learning experience into a new formula which could be repeated in other areas?

While issues at primary level obviously need to be addressed, she will be aware from the meetings she and her predecessor attended of the problems on the Donabate peninsula in terms of second level schools. People are left with serious school shortages because the process is taking too long.

Ms Hanafin: Second level provision is also included in the area development plans. The Deputy will be aware that I met a deputation on the Donabate issue. Obviously certain matters need to be resolved, including the type and size of the school and who should be appointed patron. Once those issues are solved—

Mr. Sargent: They are.

Ms Hanafin: —it will be possible to progress the matter.

School Discipline.

70. **Ms Enright** asked the Minister for Education and Science the proposals, legislative or otherwise, that she will bring forward to tackle the problem of discipline in schools; and if she will make a statement on the matter. [5875/06]

Ms Hanafin: The Deputy will be aware that last year I established a task force on student behaviour in second level schools. This task force produced a mid-year interim report and has recently completed its final report as scheduled. I am very grateful to the task force and its chairperson, Ms Maeve Martin, for the detailed consideration they gave to this broad area in a relatively short time.

The task force held 19 plenary sessions in 2005. All partners in education, including parents, students and teachers, were invited to make oral submissions to the task force. A plenary session with all the partners was held on 12 October 2005 and ten consultative fora were held throughout the country at a number of second level schools as well as at centres of alternative provision, such as Youthreach centres and youth encounter programmes. The task force invited, by public advertisement, submissions from interested individuals and groups and more than 150 submissions were received.

I received a copy of the task force's final report last month. I am considering it at present and will arrange for its publication shortly. I have indicated my clear intention of acting on this issue in a measured and effective manner. To this end, €2 million has been provided in this year's Estimates to enable the implementation of the task force report to commence this year. I expect to be in a position to make further announcements on the detail of this implementation at the point of publication of the report.

Ms Enright: Given that the Minister had the report since last month, what is the reason for the delay in publication? Debate on the report by all the education partners should now be ongoing but that is not yet possible. We have forgiven the Minister in the past for not being in a position to provide much information because the report was not available but I want to ask some specific questions now that she has it.

What is the Minister's view on section 29 of the Education Act and does she accept that it can be used to undermine the authority of schools, especially in terms of dealing with seriously disruptive students? Does she anticipate changes to the Act?

Does the Minister intend to provide facilities to deal with students for whom standard classroom facilities are not working in terms of discipline? The sanctions available within the classroom or the confines of a school do not seem to work in respect of a minority of students. Will she put in place proper support units in schools?

Does the Minister accept that her Department has been remiss in formulating guidelines for schools on codes of behaviour? The last guidelines were issued in 1991 when I was still in school, and a sea-change in behaviour has taken place since then. A gap has been created in terms of behaviour, although I am sure that the issue will be considered in the task force's report. I accept that only a minority of students misbehave but the disruption of a minority can have significant consequences on the majority.

Ms Hanafin: I will not be drawn into a discussion of the content of the report but will try to reply in a more general sense. Section 29 of the Education Act has been discussed in the House and it has been proven that where proper procedures are in place, the section favours schools. This can be demonstrated by the results of appeals over recent years. For example, of the 87 appeals made in 2003 and 2004 against expulsion in the post-primary school sector, schools won twice as many cases as they lost. That represents a significant increase on initial years when schools did not have proper procedures in place. I will be happy to facilitate any changes recommended by the report.

One of the first matters raised with me by the ASTI and TUI after my appointment was that they wanted an immediate answer to the question

of whether to publish. The speed in which the task force produced its report reveals a commitment in this area. I am unaware of any other situation where money would be provided to implement recommendations of a report before it is even published. However, a coherent response from a number of different groups is needed because schools cannot solve this problem on their own and need the co-operation of boards of management, parents and my Department. The counselling issues raised by the Deputy will require a co-ordinated response from agencies including the National Educational Psychological Service and the National Educational Welfare Board.

The Deputy asked about other units and in that context, we have Youthreach, Youth Encounter and we may need to examine what other provisions should be put in place. I have always said that I am open to examining what is needed. Equally, curricular change can make an enormous difference to students in a school, that is, making sure that the type of curriculum that suits their needs is available in their schools, be that the junior certificate support programme, the leaving certificate applied programme or the leaving certificate vocational programme. There are a number of ways in which this can be changed and adopted. I am studying the report carefully at the moment because its publication will not start a debate. When I publish it, I will be asked what I intend to do about it. At the time of publication I want to be able to set out, immediately, how I intend to start spending the €2 million allocation and not to delay matters with discussing whatever recommendations I accept.

Ms Enright: Is the Minister in negotiations with the education partners at present on the implementation of the report's recommendations? Does she envisage changing the guidelines issued by the Department to schools, in light of the report? In terms of teacher training, is the Minister satisfied that the training within the education colleges, which would be the most up-to-date, and the training for existing teachers is sufficient? Has there been enough in-service training for all teachers to assist them in dealing with the changing dynamics of the school environment?

Ms Hanafin: I am not in discussions because the report has now been presented to me, as Minister, and it is up to me to make a decision on its contents. The debate has taken place and the education partners have all been given an opportunity to contribute. They want to see what my input will be and that is the next step.

I made a very wide ranging speech last year where I questioned a number of issues relating to teacher training. Much more time should be spent preparing student teachers to deal with disadvantage, special needs, behavioural issues, multi-

cultural issues and parental demands. In that context, there are issues which I have already raised that need to be examined. Student teachers, for example, are spending a considerable amount of time doing degree programme subjects, for instance, French, which may not need to take up so much time, particularly in light of the other issues that must be dealt with by the training colleges. The higher diploma in education, being a shorter course, needs to be more focused, but there is an enormous number of issues that need to be dealt with in a training context. There was a third question from the Deputy—

Ms Enright: I asked whether the Minister intends to change the departmental guidelines for schools.

Ms Hanafin: The guidelines are composite and cover the management of schools and other areas. The type of discipline problems and bullying may have changed but the basic issue of how to deal with them has not. The best way to deal with these issues is to make sure there are agreed policies at school level between the management, the principal, staff, students and parents. Therefore, it is not so much a question of what is happening in the school, but how it is being dealt with and that has not changed. However, if the guidelines need to be updated in light of new information, I am open to doing that.

Special Educational Needs.

71. **Ms O'Sullivan** asked the Minister for Education and Science if home tuition grants will be restored to the 100 autistic children who have had this support cut due to a decision of her Department to no longer allow home tuition grants to children who attend school; if her attention has been drawn to the negative effect this decision is having on the children concerned; and if she will make a statement on the matter. [5762/06]

Ms Hanafin: The home tuition scheme is primarily intended to provide compensatory instruction for pupils who have a medical ailment that is likely to cause major disruption to their attendance at school. In this context, my Department provides home tuition grants in respect of pupils who cannot attend school at all or who are absent for a significant proportion of the school year. I stress that children who meet these criteria will continue to qualify for home tuition.

The 100 cases to which Deputy refers, however, concern children attending school on a full-time basis. While my Department sanctions home tuition in cases where children are awaiting a suitable school placement, it is considered that school-based education provision is the most appropriate intervention for all children. In recent years there has been a major expansion in school-based provision for children with autism. A total of 159 special classes for children with autism attached to special schools and main-

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stream schools have been created, 15 pre-school classes for children with autism have been set up and my Department is currently funding 12 autism-specific facilities, operating on a pilot basis.

The newly established National Council for Special Education and its team of 71 special educational needs organisers is also working across the country to ensure that new services are put in place where needed so that autistic children have access to appropriate school-based provision. With this substantial improvement in school-based services for autistic children, it is no longer considered necessary to give home tuition grants to children who are in full-time education.

There are approximately 100 children with autism who are in full-time educational placements and have continued to receive home tuition grants. These children are enrolled in special school or special class placements or are attending mainstream schools with additional supports, as appropriate. My Department has written to these pupils' parents confirming its intention to discontinue the practice of sanctioning home tuition grants for pupils who are in full-time education. This has also been communicated to the pupils' schools. These cases have been referred to the local special educational needs organisers with a view to them ensuring that each child is getting the appropriate support at school. My Department sanctioned the continuance of the home tuition grant for these pupils until 10 February to allow the special educational needs organisers time to ensure that this is the case. Each pupil's individual circumstances is being considered by the organisers and future provision will reflect individual needs.

Ms O'Sullivan: Does the Minister accept that it is very mean to cut this service for 100 autistic children who benefited from it until now? I accept there may be a need to examine how the money was being spent or to reform the system to ensure the money was being well spent but we are talking here about autistic children who are in mainstream schools and who have additional needs over and above those of their classmates. I ask the Minister to examine this issue herself. There are now 100 families who have lost a support for their very needy children that they enjoyed until now. I urge her to re-examine these cases.

The special educational needs organisers cannot do anything about this because, according to individual parents I have spoken to, the organisers are implementing a policy decision of the Department that these children will not have home tuition grants. The organisers, therefore, cannot give them anything extra outside of school hours. The issue lies with the Department and I ask the Minister to respond to my concerns.

Ms Hanafin: Rather than seeing this as a cut, I would see it as a development in that full-time schooling has been provided for these children.

Ms O'Sullivan: They had that already.

Ms Hanafin: The home tuition grant is designed for children who are not in school. What is really important is that these children should get the type of education they deserve and need in whatever school setting they are in, be that a special class, special school or a mainstream school. Where a child is in a mainstream school, I understand that he or she also has five hours of resource teaching, which is over and above what the other children in the class would receive, as well as access to special needs assistant support. Each case is being supported.

What parents want for their autistic children, in a general sense, is that they would receive an education appropriate to their needs. I accept — notwithstanding what has already been done — that there is still an enormous amount that needs to be done for autistic children throughout the country. However, I want to do that work in the context of a school setting, whatever that setting might be, that is most appropriate for the children. That does not include paying a home tuition grant as well as giving them school provision.

Where school provision is not available and a child is awaiting a placement, the home tuition grant will still be paid. The home tuition grant is available for children with autism from the age of two and a half, for early intervention. Real work can be done with those children before they enter a school setting. I know the home tuition grant has been valuable to these children but now they have been provided with a place in a special class, a special school or a mainstream school and it is generally accepted that these are the best places for the education of children.

Ms O'Sullivan: These people had full-time tuition in school as well as the home tuition grants, so it is a cut, in that sense, for the individual families. Many parents of autistic children are demanding an ABA system of education. If the Department had to pay for such a system, as opposed to the mainstream system, where in the case of one of these children, the class size is 29, it would be much more expensive than providing a home tuition grant. Providing extra support for these very needy children who place very heavy demands on their parents in the evenings, as well as when they are at school, is money well spent. The amount of money in question is very small and I urge the Minister to re-examine this issue.

Ms Hanafin: The purpose of the home tuition grant is to assist children whose education needs are not being met by virtue of having a place in a school or a special class.

Ms O'Sullivan: The Minister could be more flexible.

Ms Hanafin: It is provided for children who are out of school for medical reasons, missing school for protracted periods or who do not have a school place. There are children who do not have a place in school and the home tuition grant will continue to be paid in respect of those children. However, I am very anxious, through the National Council for Special Education, the special needs organisers and the schools which these children are attending, that their individual needs will be met there. Reports have been received on each child and have either gone, or are going, to the National Council for Special Education and each case will be examined to ensure the children's needs will be met in the school setting.

Ms O'Sullivan: The special needs organisers feel that the Minister has made a policy decision which they cannot change.

Ms Hanafin: The policy decision on not paying the home tuition grant to children in full-time education whose needs are being met in the schools has been taken, but it is to ensure that their needs will be met in the school setting, and that is the requirement now.

Other Questions.

School Staffing.

72. **Mr. Hayes** asked the Minister for Education and Science the number of language support teachers available to schools; and if she will make a statement on the matter. [5577/06]

Ms Hanafin: Ensuring that all children get the support they need to do well at school is a major priority for the Government. To ensure children with low levels of competence can succeed at school, my Department gives additional support to their schools which can take the form of financial assistance, additional temporary teacher posts or portions of teacher posts. Guidelines have also been produced for teachers on teaching English as an additional language, and these are available on the NCCA website.

The level of extra financial or teaching support provided for any school is determined by the numbers of non-English speaking students enrolled. Each school management can decide on the structure of the support to be provided in its own school. An allocation of two years language support for each pupil is provided by my Department. Schools with 14 or more qualifying pupils get an additional full-time temporary teacher. Those with 28 or more get two teachers. Primary schools with between three and 13, inclusive, qualifying pupils enrolled will receive grant assist-

ance for a period of up to two years. Schools with between three and eight qualifying pupils receive grant assistance of €6,348.69 while schools with between nine and 13 pupils receive grant assistance of €9,523.04. In the current school year grant assistance will be provided to approximately 425 primary schools with 13 or fewer qualifying pupils. In the case of post-primary schools which have 13 or fewer qualifying pupils enrolled, additional teaching hours, ranging from three hours per week in respect of one such pupil to 19.5 hours per week in respect of 13 pupils, are sanctioned.

Recent years have seen a significant rise in the number of language support posts being provided by my Department. In the current school year, 541 whole-time equivalent language support teachers are in place at primary level and 262 whole-time equivalent teachers are in place at second level to support such pupils, representing a language support investment of €46.5 million. This compares to 149 and 113 teachers respectively in the school year 2001-02. Thus, there has been a four-fold increase in language support teachers at primary level in just four years.

The Government has been increasing resources in this area in line with rising demand. However, this is a relatively new area which must be kept under review to ensure that children are getting the support they need and that this support is proving effective in helping them to make the most of their time at school. I am conscious of the pressures on those schools that have a great number of children whose first language is not English and whose cultures and expectations of education can be very different from our own. While this year there are more than 800 language support teachers in our schools, I know this is only part of the equation. Schools with significant numbers of non-national children need extra supports to help them to engage with these children's parents and I am working on proposals on this.

Ms Enright: I welcome the fact that the Minister is working on proposals on this. My colleague, Senator Hayes, has numerous times raised the example of a school in Tallaght which has 200 students from an international background. Because the number of such students has increased dramatically in recent years we are on a learning curve in terms of dealing with issue. Although that school has two teachers under the system the Minister mentioned and a third teacher was sanctioned by the Minister because of the special circumstances, this amounts to just three teachers to deal with 200 international students. I am not sure how many different languages are spoken but it is a significant number and entails serious pressures. When can we expect details on the extra teachers and will the numbers change so that once one exceeds the magic number of 28 there will be a greater increase to help schools deal with demand?

Ms Hanafin: Every time I mention the number 800 language support teachers I take a breath because it has been an extraordinary development over the past few years. It is a relatively new area and must be kept under review. Last year I met a number of principals who were affected by large numbers in their schools. In addition to the issue of teaching English, they identified cultural, family and societal supports that are as important as what happens in the school. This applies particularly to children whose parents do not speak English, who have different cultural attitudes to their children and their behaviour and to schools. It has been identified to me that there is a gap in the information those parents have on how our system works. We will shortly give further information on that.

A committee of my Department has been working on this matter. It visited a number of the schools and met groups, including the INTO, JMB and ASTI, and people who are in direct provision in Mosney and Cork to try to identify their needs. It is becoming clear that teachers of English alone will not solve all the problems. Other issues that have come to light include the home-school-community liaison teacher, who might be able to make better links and the need to explore with other Departments supports that can be put in place for the parents, perhaps teaching them English.

Ms Enright: I accept that point and from the point of view of the international students that is important, but when a number of different languages are spoken in the classroom the teacher's response and the time he or she can spend with all the students is diminished because of concentrating on teaching English. Will the Minister commit to examining the numbers in terms of the ratio of 14 and 28 that she discussed? From her answer I gathered that she was just looking at the cultural aspects. Is it both?

Ms Hanafin: Of course we are looking at both, however the cultural aspect should not be underestimated when dealing with these children. That message came very strongly from the principals and schools I visited. We should not think that the 800 language support teachers in our schools and the grant money to the 425 other schools alone will solve the issue. They will not but I am also looking at the issue from the strict classroom perspective.

Music Education.

73. **Mr. O'Shea** asked the Minister for Education and Science if she will report on the progress of the pilot programme for a local music education service designed by Music Network and the Donegal local music education services; her plans to implement a national system of local music education services; and if she will make a statement on the matter. [5741/06]

Ms Hanafin: I take it the Deputy is referring to the report of a feasibility study entitled A National System of Local Music Education Services, prepared by Music Network and published in 2003. Among the recommendations contained in the Music Network report was that a series of music education partnerships would be developed between the county-city development boards and the vocational education committees on a phased basis.

Following the report, my Department has developed a number of exemplar models which will enable approaches to be tested in regard to the strategy outlined in the report. In this regard, my Department is funding a pilot programme in both Dublin city and in Donegal to test the model. The pilot began in 2004. The programme provides for an instrument bank, group and individual tuition, support for ensembles and choirs and covers a range of musical genres, including pop-jazz, traditional and classical. It is operated by the relevant VEC and is overseen by a committee which includes Údarás, county development boards, the education centre and other community interests.

It is important that the effectiveness of these recent pilots is evaluated before any decision is made as to whether to implement such a system on a national basis. My concern would naturally be to ensure that we use our available resources in a way that brings maximum benefit for students. I believe that the arts have an important role to play in the education of the individual. Music, the visual arts and drama provide for sensory, emotional, intellectual and creative enrichment and contribute to the young person's holistic development and self-esteem.

Apart from the pilot local music networks that have been set up, a number of other initiatives have taken place in recent years which show the Government's commitment to improving access to the arts for all our young people. Such initiatives include resource grants given to primary schools to help them implement the arts aspects of the new curriculum, a promotion involving IRMA that saw free tin whistles being made available to all primary teachers last year, the continuing success of the new music curriculum for the leaving certificate, and the provision of teaching hours to a number of schools of music in Laois, Limerick, Cork and Dublin.

The Deputy will of course also be aware of the significant investment that the Government is making in the Cork School of Music. Another very positive initiative was the system of targeted grants given by my colleague, the Minister with responsibility for children, Deputy Brian Lenihan, to disadvantaged schools for the purchase of musical instruments both last year and the year before. The Government believes in the potential of arts experiences to enrich the lives of people, young and old. We have substantially improved support for the arts in recent years.

With regard to the local music network scheme, given that this is a new approach and that the pilots are just two years old, it is important to evaluate the success of these pilots before making any decision as to whether to extend this model on a national basis. This way we can be sure that the best procedures are in place to improve access to the arts for all our young people.

Ms O'Sullivan: I put down this question to raise a debate on the provision of music education. I welcome the fact that Deputy Keaveney is here because she also has an interest in this area. Unless one is in these pilot areas, having money is an important factor in getting a musical education in the sense of learning instruments because it is not provided for within the public education system and one must pay for it. Does the Minister agree that there is a need for a broad-based provision of music education? While I accept the pilot project has existed for only a short time, does the Minister know when we might expect it to be extended to the rest of the country?

While I receive letters from various organisations, I was struck by one I received recently from a group in County Limerick that wishes to teach traditional music in schools in disadvantaged areas. Unfortunately, the organisation in question has been forced to seek private sector funding to finance its plans because schools cannot pay the costs. Does the Minister agree that such organisations should not be required to seek private sector funding? Should the school system not have a mechanism in place to facilitate the teaching of music, whether traditional, classical or other, to children?

Ms Hanafin: Arts education is one of the seven curriculum areas in primary schools and, as such, is a core part of the curriculum. The music curriculum is designed around the strands of listening, responding, performing and composing activities. In disadvantaged schools, in particular, the school completion programme has funded a number of initiatives involving music, for example, choirs, bands and orchestras in Finglas schools, which I have seen first hand. Options are, therefore, available.

The Music Network pilot programme, which is focused on young people, is expensive. Commencing in 2004, each centre has been allocated a sum of €100,000 per annum and start-up funding of €20,000. Significant investment would be required to extend the pilot projects nationwide. Music is already part of the primary school curriculum and an optional subject at second level. The new music curriculum for the leaving certificate has proved more successful and popular than its predecessor. In 2005, 4,700 candidates took music, of whom 74% were female. This is a significant figure, albeit perhaps irrelevant in the context of this discussion.

Various initiatives are taking place, including the allocation of grants, distribution of tin whistles and investment in the Cork School of Music. I will be interested to discover how the networks operate in practice. I strongly support the school completion fund and its work with local schools, particularly disadvantaged schools, in funding projects because I am aware of the success of such projects.

Cecilia Keaveney: I am pleased to represent one of the areas covered by the pilot programme. It is unusual for an area north of a line running from Dublin to Galway to be selected for a pilot scheme, even a bad one. The Minister referred to the relative expense of the Music Network projects. If she saw the results on the ground in terms of how children who had no access to music have been able to access music at affordable rates or if she were to evaluate the funding on the basis of the number of children gaining from the pilot project, she would find that €100,000 is a pittance. County Donegal now has peninsula orchestras and choirs which it never had previously.

My core message is that music is not simply a subject on the school curriculum. If a child engages in music in its early years, it will benefit from rhythmic development, co-ordination, language development and focus. The Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs, which I chair, commissioned and published a report on music and young people. Using County Donegal as an example, the report provides concrete examples of how non-academic children who are exposed to music, for example, the beating of a drum, subsequently focused on reading and other learning tasks set by their teachers.

We must decide that arts are a key mechanism for personal development and music is about more than creating future musicians or audiences. To make the funding available for music go further, will the Minister co-ordinate with the Minister for Health and Children, given the importance of music therapy for people with disabilities, Alzheimer's disease and so forth, the Minister for Arts, Sport and Tourism, given that the Arts Council is developing a similar type of scheme for schools, and the Minister of State with responsibility for children, Deputy Brian Lenihan, with regard to interventions at an early age? Perhaps if we decided to make what the Minister described as an "expensive" investment at an early stage in children's lives, other interventions required in later years to tackle dyslexia, dyspraxia and other problems would no longer be necessary.

I know the Minister's heart is in the right place. Does she agree, however, that unless we decide that the arts are central to the holistic development of children, irrespective of whether they are disabled, able-bodied or of low or high intellect, we will not win the argument in which Deputies have engaged today?

Ms Hanafin: Deputy Keaveney, given her personal and professional interest in this matter, will realise the importance of music in the development of everybody, including Deputy Finian McGrath, a well-known performer.

Mr. Crowe: His recent performances might get him re-elected.

Ms Hanafin: One of the most moving uses of music I have witnessed was in the Central Remedial Clinic which treats children with highly specialised needs. The clinic has top-class technological equipment for music and dance which is used as a key part of the children's development and education. I have also observed the use of rhythm and music in the education of autistic children, for instance, the tambourine is used for eye contact and movement. I accept, therefore, the value of music across the education system. In addition, my Department, in conjunction with the Minister for Arts, Sport and Tourism, Deputy O'Donoghue, is establishing a group to examine the arts in education.

I hope the artistic world will be willing to assist children's education. Last year, for example, the Irish Recorded Music Association, IRMA, provided free tin whistles to schools. Although a simple gesture, this was a significant advance in promoting music in schools. I hope the arts sector, with the talent and resources at its disposal, will contribute to the educational sector.

Mr. F. McGrath: I concur with Deputy Keaveney's comments on the importance of music and the arts in general. Does the Minister accept that while music is a central part of the curriculum at second and primary levels, it is frequently treated as a second rate subject and its development is not taken seriously? Does she intend to invest more in music and the arts at primary and second levels? Does she agree that music is important in the development of the person and society? Children involved in the arts and music learn teamwork. Many schools over-emphasise sports and do not sufficiently focus on children who have little interest in sport. In so doing, they overlook the fact that schools which take a balanced approach to the arts, music and sport and incorporate all of them in their ethos will be happy, contented and stable and will experience less aggression.

Another issue which is often overlooked, particularly in disadvantaged schools, is the role of music and the arts in the teaching of language and literacy. Many children who experience literacy problems or difficulty in achieving reading ages, frequently as a result of barriers or problems at home, are taught to read through the medium of song and poetry. Good teachers use music to teach literacy and reading and develop language skills, an approach now widely used in disadvantaged schools.

Music and the arts can be used in a positive manner to tackle aggression and disruption by pupils. I again emphasise the use of art therapy in disadvantaged schools where it has benefited children who came from violent and dysfunctional families. I ask the Minister to consider long-term investment in music and the arts in all schools.

Ms Hanafin: I probably agree with everything the Deputy has said about the importance of music and the person's holistic development. We could probably all talk about the person's self-esteem and the value of music. Approximately a dozen arts programmes ran as summer schools last year to promote literacy in some disadvantaged areas among six to 11 year olds. These are the types of initiatives we have seen and I already referred to the ones I have seen. As I travel the country it is clear that music is alive and well in our schools. Music is a core part of the primary school curriculum. In Wexford I saw traditional music very strongly encouraged. Schools took the initiative to invite local traditional music players who come in willingly and teach the children every week. Other schools focus on instrumental music. Last week I was in a disadvantaged school in Killinarden, where the children were playing with their tin whistles and recorders. Teachers in all schools make great use of music.

Two weeks ago I went to the gael scoil in Maynooth where children from the first communion class and the sixth class preparing for confirmation were all proud to sing the hymns they were going to sing in their ceremonies in the coming weeks. Across the spectrum music plays a central part. Music is not a core subject on the leaving certificate, but is a choice subject in second level schools. However, we should consider the number of second level schools with orchestras and choirs, and in particular the number performing musicals. In the past year I attended a performance of "Annie" and am about to go to see "Calamity Jane". "Oklahoma" is another popular musical. It is wonderful to see the teamwork not just within schools but also in collaboration with other schools. My school, Sion Hill, is about to stage a production with Oatlands College. Loretto in Foxrock will work with Blackrock College and CBC in Monkstown will work with St. Joseph of Cluny. That type of involvement is good for the overall development of the student.

All of us in this House accept the importance and value of music. In addition to investment from the Department and through the curriculum, schools should not ignore the wealth of musical talent and expertise in their communities and of people who are more than willing to give of their time. Schools should be willing to use such resources. I am happy to continue to work on the subject to see how it can be developed. I

accept it forms part of the holistic development of every child.

EU Directives.

74. **Mr. Wall** asked the Minister for Education and Science if she has received a copy of the letter from the secretaries of the main teachers' unions here and in Britain which expresses concern at the implications of the proposed EU services directive; her views on whether education should be explicitly excluded from the scope of the directive if it is enacted; and if she will make a statement on the matter. [5755/06]

Ms Hanafin: I have received a copy of the letter in question which seeks the exclusion of education from the draft EU services directive. While the negotiation of the services directive falls within the remit of the Minister for Enterprise Trade and Employment, the Department of Education and Science is in continuing contact with that Department regarding the evolution of the draft directive.

The Deputy may be aware that case law of the European Court of Justice has drawn a distinction between publicly-funded education programmes and various types of private programmes in terms of whether education constitutes a service within the meaning of the EU treaty. Where programmes of education are provided as part of the national publicly funded education system they are not considered to be services within the meaning of the treaty, even in cases where fees are paid towards the costs. However, courses given in an establishment which is seeking to make an economic profit and is financed essentially by private funds will fall within the remit of the directive.

The present draft of the services directive includes provision in Article 1 to the effect that the directive "does not deal with the liberalisation of services of general economic interest reserved to public or private entities nor with the privatisation of public entities providing services". The text also makes it clear that member states are free to define, subject to the treaty, what services should be considered to be of general economic interest and how they should be organised and financed, and what obligations they should be subject to.

I am advised that the vast majority of educational provision in Ireland, being publicly funded, will fall outside the scope of the directive. However, the Department of Education and Science will continue to monitor developments with regard to the directive on an ongoing basis.

Ms O'Sullivan: I would like the Minister to commit to the proposal that all educational services should be excluded, which is what teachers seek because of the grey areas. I am aware of the decision to which the Minister referred. For example, the TUI is concerned that

schools built under public private partnerships could be brought into the scope of the directive because of the private element. There are a number of other concerns about the directive. I understand it is under debate in the European Parliament and we will probably know the outcome by the end of the week. However, the teachers' unions are concerned that the directive should be clear and specific that all educational services should be excluded so that we would not have the problems they feel could arise if education was regarded as a service for the purposes of the directive.

Ms Hanafin: As the directive is still under debate it would be premature to offer a definitive opinion.

Ms O'Sullivan: The Minister can make recommendations.

Ms Hanafin: The Deputy heard the answer I gave. The Department of Education and Science has raised various issues and it appears to be satisfied that the vast majority of education is excluded because of the nature of our free education system. Obviously, we will keep developments under review. Various law cases have strengthened our understanding. In a Belgian case, it was deemed that a course taught in a technical institute to form part of secondary education provided under the national education system could not be regarded as a service. It only applies to courses provided for remuneration, in other words education is seen as part of social and cultural life rather than of economic life.

Further case law found that courses in higher education financed through public funds do not constitute services. In addition to the services directive, the case law strengthens our understanding in this regard. Although it has started its first reading in the European Parliament, I am satisfied at this stage that education as we understand it will be excluded from the directive.

Ms Enright: Would private colleges awarding degrees from other institutions, such as the ones in the UK, be included? Would private third level colleges operating outside the free education system be in the scope of the directive?

Ms Hanafin: Programmes of education provided as part of a national publicly-funded education system would not be considered to be services within the meaning of the treaty, even if their fees are paid. Courses given in an establishment making an economic profit and financed by private funds would fall within the scope of the directive. The directive is very confusing for everybody, which is why we must keep a close eye on how it develops.

Ms O'Sullivan: That is why the teachers' unions want this to be absolutely clear and to have edu-

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cation excluded, just as health services are excluded.

Ms Hanafin: We have raised a number of issues to ensure that education as we see it, as a social and cultural contribution to the country and not an economic one, would be excluded from the scope of the services directive.

School Inspections.

75. **Mr. Noonan** asked the Minister for Education and Science the number of individual subject evaluations to be completed in 2006; and if she will make a statement on the matter. [5568/06]

Ms Hanafin: Some 641 subject inspections, including approximately 230 subject inspections to be carried out as part of whole-school evaluations, are planned for 2006.

A totally revised format of subject inspection was introduced in September 2001. Since then, there has been a significant increase in the number of subject inspections carried out on an annual basis. In particular, inspection activity at post-primary level increased significantly from 2003 onwards following the recruitment of new inspectors to replace those assigned to the State Examinations Commission.

I laid a signed copy of the Education Act 1998 (Publication of Inspection Reports on Schools and Centres for Education) Regulations 2006 before the Houses of the Oireachtas on Tuesday, 31 January 2006. The purpose of these regulations was to place a legal obligation on the chief inspector to publish reports prepared as a result of school inspections. Simultaneously, the Department of Education and Science published guidelines on the publication of school inspection reports. These regulations and guidelines apply to reports arising from all subject inspections commenced on or after 6 February 2006.

Ms Enright: Does the inspection process concentrate on particular subject areas at particular times? How does the Department decide which subjects to choose to inspect at a particular time? What subjects will be selected this year? How many subject inspectors are available to inspect the teaching of Irish?

Ms Hanafin: On the last point, I believe I answered a parliamentary question tabled by the Deputy last week, which stated the number is four. If that is incorrect, I can come back to the Deputy. However, the inspectorate will not be at full capacity until the end of the year because of training etc.

During a whole school evaluation, one of the core subjects — Irish, English or mathematics — must always be included. In other words, every teacher of that subject in that school would be involved. Regarding other inspections, I am open

to correction but I understand they try to take a pattern of subjects to allow them have an evaluation of the teaching of that subject across a wide range.

What the inspectors have done with regard to a number of subjects is publish a composite report. They have already done one on the teaching of modern languages. A composite report on the teaching of Irish at junior certificate level arising from inspections conducted in 75 schools in the past school year is being finalised, and that will be published in the autumn. The inspectors set out to decide what would be included as part of a subject evaluation and then draw lessons from that across the country.

Ms Enright: Does the participation of students in terms of a subject rather than a whole school evaluation happen within the classroom? Are students brought to one side or does the inspector meet the students without the teacher present in the classroom? Does it happen as part of the overall class environment?

Ms Hanafin: My understanding is that the subject inspection is the teaching and learning of the subject. Obviously, that would have to include the way the subject is being taught and received at the other end, so to speak. On the inspections, candidates may be part of the whole school evaluation or may be involved in a stand-alone inspection. The next ones that are planned, which will be very useful, are junior certificate science, English and history during this year. We will publish the one on Irish and they will undertake the reports on the others. That should give a good view of the type of work going on in the schools.

School Transport.

76. **Ms O'Sullivan** asked the Minister for Education and Science the role of her Department in relation to the safety of buses hired privately by schools or parents' councils to bring children to and from school; and if she will make a statement on the matter. [5722/06]

Miss de Valera: Buses that are hired privately by schools, parents' councils or other groups or individuals to carry children to and from school do not come within the terms of the school transport schemes as operated by my Department. Such arrangements are entered into exclusively by the persons concerned and, consequently, my Department has no direct involvement in or influence over the selection of the bus operators, bus drivers or vehicles used.

Nonetheless, I would suggest that it would be appropriate for those intending to hire a bus privately to carry schoolchildren to assure themselves in advance that the bus operator, the driver and the bus itself all meet the appropriate statutory standards as laid down by the Department of Transport in respect of the operation of a public bus for hire.

Ms O'Sullivan: I asked the question in the context of a fire on a privately hired bus in my constituency recently. I thank the Minister of State for clarifying the position. It is clear that the safety of such buses is the responsibility of another Department and perhaps I should direct my question to that Department as well. Does the Minister believe her Department should have a role even in advising schools in this regard because in certain circumstances schools are using private buses more frequently? We would hope the school transport system would be adequate but because of parental choice in some cases, schools are hiring private buses. Does she see her Department having any role in that regard?

Miss de Valera: To be helpful to the Deputy, I thought the question might be based on the incident that occurred on 6 February last. The transport liaison officer in County Limerick has been asked to provide a report on the matter and it has been confirmed that the bus in question was contracted to the bus authorities and not to Bus Éireann. I understand the vehicle was registered in 1987 and has recently passed its roadworthiness test.

I am sure the Deputy will understand that the Department has no direct role in safety or other aspects of what were private contractual arrangements. If we were to get involved in that, we would be in the ludicrous position of being asked to police those travelling to school by private car as well. If a school wishes to enter into this contractual arrangement to hire a bus for school transport, it is a matter between that school and the contractors.

Mr. F. McGrath: Does the Minister of State agree with the system in other countries whereby the traffic is stopped when children are getting on and off school buses? I understand that is the practice in America or Canada. Would she support such a proposal in the interest of child safety? In other words, when children are getting on and off school buses, there would be no overtaking of the buses in the interest of public safety.

Miss de Valera: That is a different question but I am happy to address it in this way for the Deputy. We are all well aware that the majority of accidents involving school buses occur within the vicinity of the school. That is the reason I ensured some time ago that we would examine that situation and implement, on a pilot basis, a flashing light system on the bus to warn motorists to slow down because they are in the vicinity of a school bus.

The Deputy is correct that there is a debate on whether it would be appropriate for vehicles either to slow down or be made to stop when children are getting on and off school buses. He referred to the American system and I understand drivers are told to stop but America has

very different regulations and a very different road system from ours. Situations that might arise there would be very different from what might arise here, especially in rural Ireland. We are examining all those systems to determine the best way forward in terms of safety on school buses.

This issue has been ongoing for some time now, even before the sad events that occurred in Meath. That is the reason the flashing light system is operating on a pilot scheme and on the basis of that information we will decide where we go from there. I am well aware that this situation needs to be considered.

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 Costello — the action the Minister is taking to address the growing problem of the importation and distribution of cocaine and crack cocaine in Ireland; (2) Deputy Hogan — if the Minister will ensure approval for a new renal dialysis service at a clinic (details supplied) in Kilkenny in the interests of local patients; (3) Deputy Fox and Deputy McManus — that the Minister ensure that funding is provided for a pre-school (details supplied) in County Wicklow; (4) Deputy Hayes — to ask the Minister the reason a cap has been placed on community employment schemes; (5) Deputy Connaughton and Deputy Ring — to ask the Minister to make a special case to President Bush at the St. Patrick's Day ceremony to expedite the Kennedy-McCain proposals; (6) Deputy Sherlock — the need for the Minister to confirm if beet growers and the Irish sugar industry will be liable for a €25 million restructuring levy in 2006; (7) Deputy Neville — the Adare sewerage scheme; (8) Deputy Gilmore — that the Office of Public Works stop work on the erection of a new telecommunications mast at Shankill Garda station, County Dublin; (9) Deputy Allen — the funding of the new airport terminal at Cork Airport; (10) Deputy Ó Caoláin — the need for the Minister to intervene in the controversial dismissal of three NCT testers from their posts at the National Car Test centre in Monaghan; (11) Deputy Bruton — if the Minister will give approval to the establishment for Dublin's north side of a new school operating the applied behaviour analysis method; (12) Deputy Cowley — to ask the Minister the reason for the gross irregularities in the reporting of a fatal accident involving a person (details supplied); (13) Deputy McCormack — to ask the Minister the reason for cutbacks in hours of home help to elderly people in their homes; and (14) Deputy Morgan — to ask the Minister his views on the sacking of a shop steward of the

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union Mandate from their position at Dunnes Stores in Crumlin.

The matters raised by Deputies McCormack, Connaughton and Ring, Sherlock and Fox and McManus have been selected for discussion.

Irish Medicines Board (Miscellaneous Provisions) Bill 2005 [Seanad]: Order for Report Stage.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I move: "That Report Stage be taken now."

Question put and agreed to.

Irish Medicines Board (Miscellaneous Provisions) Bill 2005 [Seanad]: Report and Final Stages.

An Leas-Cheann Comhairle: Amendment No. 2 is an alternative to amendment No. 1. It is proposed, therefore, to discuss amendments Nos. 1 and 2 together by agreement.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I move amendment No. 1:

In page 5, to delete lines 31 to 33 and substitute the following:

"(5) The Health Acts 1947 to 2005 and Part 5 may be cited together as the Health Acts 1947 to 2006 and shall be construed together as one."

I thank the Labour Party for its amendment. I appreciate the intention of the amendment. However, I am advised by the Office of the Parliamentary Counsel that it is not necessary to include a reference to the Health (Amendment) Act 2004, the Health Act 2004 and the Health (Amendment) Act 2005 in the citation. The Health (Amendment) Act 2004 was repealed in its entirety by the Health (Amendment) Act 2005. Therefore, I cannot accept the Labour Party amendment. A technical amendment is being proposed in regard to section 1(5) in respect of the citation of the health Acts. It was originally envisaged that this Bill would be enacted in 2005. The citation in regard to the health Acts was worded in such a way as to take account of the fact that the Health (Amendment) Act was also enacted in 2005. Because the Bill will be enacted in 2006 I am advised by the Office of the Parliamentary Counsel that the wording as it stands needs to be amended to take account of this. In addition the revised wording would ensure the citation is consistent with the other citations in the Bill.

Amendment agreed to.

Amendment No. 2 not moved.

Dr. Twomey: I move amendment No. 3:

In page 6, between lines 10 and 11, to insert the following:

3.—The Minister may, upon the coming into effect of this section, having regard to -

(a) changes in the value of money generally in the State since the passing of this Act or the last previous exercise of the power under this section, and

(b) the need to ensure the continued effectiveness of the fines under this Act with respect to the enforcement of the provisions of this Act,

by order amend any section by substituting for the amount standing specified for a fine in those provisions for the time being, an amount that is greater than that amount.

I do not have the list of amendments but I presume the amendment deals with fines. There was much comment on this issue during Committee Stage debate. What we are talking about is indexing the fines. At the time the Minister stated a new Bill would be introduced, which is with the Attorney General, on the issue of indexing fines. Has the Minister of State any further comment to make? I was hoping that the heads of the Bill would be ready.

On enforcement and breaking the law in regard to people's health, we have seen more than enough of that in recent years where because fines are not in keeping with the crimes committed people ignore the law. Enforcement is more effective if fines are kept up to date. Has the Minister of State anything more to say on that issue? When the matter was pushed on Committee Stage he said it was being discussed with the Attorney General.

Mr. T. O'Malley: I am supportive of the principle that fines should be kept up to date. However, this is a complex legal area and we do not wish to amend legislation in a piecemeal way. A fines Bill is being drafted in the Office of the Parliamentary Counsel. I am advised it is due for publication before the end of this session. I am further advised that the Bill provides for a system of updating the value of all existing fines which can be imposed in the District Court and maintaining the value of those fines in the future. Bearing this in mind it would not be in order to put an indexation provision in this Bill.

Dr. Twomey: Will the Minister give the House an indication on the progress of the Bill? Are the heads of the Bill prepared? Is it still with the Attorney General? What is the present position with regard to the indexing of fines Bill?

Mr. T. O'Malley: The draft heads of the Bill are being prepared. I do not know the exact posi-

tion but I will ascertain that information and get back to the Deputy.

Amendment, by leave, withdrawn.

Ms McManus: I move amendment No. 4:

In page 6, line 34, after "section," to insert the following:

"and subject to such requirements as may be prescribed by the Minister making consequential provision for any one or more of the following:

(I) the certification or licensing of premises on which services are provided by a person referred to in subparagraphs (i) or (ii);

(II) inspection, quality assurance and enforcement issues in respect of such persons;

(III) co-operation between statutory bodies having functions in respect of such persons;

(IV) regulation of professional training and development of such persons;

(V) development of effective medicines management;

(VI) any other matter that appears to the Minister to be incidental or conducive to the proper functioning of the prescribing regime;"

I reintroduce this amendment on Report Stage arising out of my great concern about the lack of regulation of the pharmacy sector. It is an issue that has been raised by pharmacists and, in particular, by the society that has the duty to regulate, as far as it can, despite the total absence of proper statutory controls in terms of fitness to operate and fitness to practice. The Minister of State would have specialist knowledge in this area but it is extraordinary that animals are better protected under veterinary law against pharmacy malpractice than are humans. It seems negligent if the Minister of State does not accept this amendment which he refused to accept on Committee Stage but which I reintroduced to offer him the opportunity to deal with this issue. There have been long delays in regard to legislation that has been promised. The medical practitioners Bill has been promised for 13 years. We may have to wait as long for a pharmacy Bill, as two pharmacy Bills have been promised. There is a logjam when it comes to the production of legislation.

Meanwhile there is a real concern and risk that a scandal will hit the headlines because of rogue pharmacists. Pharmacists are no different from anybody else. There are good and bad pharmacists. To protect the public good there must be a proper regulatory framework. When we were petitioned, as Members of this House, by pharmacists who are extremely concerned about the

current position we were told that two or three pharmacists per year should be struck off and that there may be up to 30 pharmacists who should not be practising. A pharmacy owner has been brought to court because he has been operating a pharmacy for three weeks without a pharmacist and medications were given out.

An interesting court case is proceeding in regard to a journalist who went out to see exactly how thorough are standards when it comes to giving out medication. This is a matter that cannot be put on the long finger. We have enough scandals in the health service without permitting further delay, which will lead to issues of pharmacy malpractice. Everybody who knows anything about this area agrees there is a real risk that needs immediate attention.

The chief pharmacist position in the Department is vacant. When I raised this matter on Committee Stage it took a long time for the Minister of State to tell me who is filling that post on a temporary basis. Certainly much greater attention should be given to the pharmacy area. There is no doubt that the pharmacist is a key player, particularly in primary care, in the delivery of health services at local and community level, quite apart from the role the pharmacist plays at hospital level or even in our prisons. It is unconscionable to continue with a situation where there are no protections and safeguards that people require and expect because we have a Government that is incapable of producing legislation.

We are still waiting for legislation on nursing home repayments. How many people will have died before that money is provided? In the meantime I suggest to the Minister of State that he accepts this amendment. I have no doubt he will have all sorts of cogent reasons that we should wait for the pharmacy Bill to be published, but frankly that is not good enough. I suggest to the Minister of State, who has specialist knowledge and has concerns in this area, that he has an opportunity to provide some safeguards, even by way of regulations under this Bill, by accepting the amendment.

If the Minister of State answers in the negative he needs to explain to the public how he can sustain the idea that we persist with the absence of a proper regulatory framework where people can and should be struck off as registered pharmacists. The authority that is there to register pharmacists does not have that power. One cannot be struck off the register. Do we simply wait for matters to become so acute that a criminal law must apply or do we ensure there are professional standards? This is no disrespect to the pharmacy profession generally, which is of the highest standard in the main. When one looks at the Shipman case in Britain where a pharmacist was examined and found wanting in terms of practice, one should learn from the experience, not just here but abroad. We are dealing with people's health and people's lives, and there is this extraordinary

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unacceptable anomaly where animals are protected and humans are not.

Mr. T. O'Malley: Deputy McManus made several comments on aspects of the practice of pharmacy in Ireland. The practice of pharmacy is governed by legislation dating from 1875 to 1962. The Minister for Health and Children is well aware that the current fitness to practice provisions in these Acts are inadequate to the modern practice of pharmacy. On foot of the recommendations of the pharmacy review group, Government approval was obtained in June 2005 to commence the process of drafting, as a priority, new pharmacy legislation to allow, among other things, the making of fitness to practice regulations for pharmacists. The purpose of these new provisions is to ensure the highest standards from pharmacists and to safeguard the safe and effective delivery of pharmaceutical services.

My Department is at an advanced stage in drawing up the heads and general scheme of the pharmacy No. 1 Bill. It is intended to take a memorandum to Government in the very near future seeking approval for the draft heads and general scheme and requesting that the legislation be referred to the Office of the Chief Parliamentary Counsel for formal drafting. It is expected that the Medical Practitioners Bill will be published later this year. I appreciate the points made by Deputy McManus but due process must be adhered to in striking off anyone, be he a pharmacist, doctor, veterinary surgeon or dental surgeon. There is need for this legislation. Both the Minister for Health and Children and I have said this in the Dáil and it will be achieved very quickly.

On the issue of the chief pharmacist, to which the Deputy alluded, the Department of Health and Children is being restructured arising from the implementation of the health reforms. The restructured Department will have provision for a chief pharmacist post. The precise duties and responsibilities of the post are under review *vis-à-vis* the role of the HSE in the delivery of health services. Ideally, this should be finalised before the job description is drawn up. In the meantime, the services of the former chief pharmacist, who retired in April 2005, continue to be available on a consultancy basis regarding particular issues. We are very lucky to have a former chief pharmacist with many years of expertise who is still providing that expertise to the Department. Another pharmacist employed by the Department is acting in the role of chief pharmacist at present. Therefore, the required specialist advice is available all the time to the officials and Ministers in the Department.

I fully agree with Deputy McManus on her point about the training of pharmacists and ensuring quality and continual professional education for all medical personnel. I thank her for

her thinking on these matters. These matters, which are essential to the professionals concerned, could be considered more appropriately in the context of legislation relevant to the professions in question, such as pharmacy legislation, the Medical Practitioners Act and the Nurses Act. This Bill, which amends the Misuse of Drugs Act, is not the appropriate legislation for making such changes. I therefore cannot accept the Deputy's amendment, which I know is offered in good faith. As I stated, the Minister for Health and Children made a commitment to introduce legislation regarding fitness to practice.

Ms McManus: That is absolutely disgraceful although the Minister of State is probably not the person responsible for making the decision. I recall that, on Committee Stage, we were told the job of chief pharmacist was being advertised. We are now being told the position is being reviewed and that there will be new terms of reference. The affair has gone into some kind of Neverland, which is an all-too-common feature of the arrangements between the HSE and the Department.

There are no safeguards in place at present. This Bill deals with the misuse of medicines and is called the Irish Medicines Board (Miscellaneous Provisions) Bill 2005. It is perfectly in order to include the provisions I advocate in this Bill. One can certainly deal with other issues relevant to the pharmacy No. 1 Bill, the Medical Practitioners Bill or any other legislation in the pipeline, but one should remember that the pipeline has a very narrow gauge and there is an awful lot of stuff choking up the flow.

We are waiting for a lot of legislation and the weasel words referring to "the near future" and "the short term" are meaningless. Before the aforementioned legislation is introduced, the Minister is responsible to protect patients from malpractice. We have seen the lack of protection that obtained in the medical profession. Horrific practices were carried out because there were improper oversight and protections. We know what needs to be done in this regard and we can do it now — it is a matter of choice.

I hope the decision that has been taken does not come back to haunt the Minister of State, but I fear it might. It is a disgrace that an amendment such as mine, which could be accepted, is not being accepted and that the Minister of State is choosing an option that may be as long as a piece of string — we just do not know because no commitment from the Minister, Deputy Harney, on legislation has been met except the one that the HSE would be delivered on 1 January 2005. That, in itself, involved the wrong decision. It was made too quickly and now we see matters of life and death being addressed too slowly.

Mr. T. O'Malley: I do not accept the amendment.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendments Nos. 5, 6 and 7 are related and may be taken together.

Dr. Twomey: I find it difficult to understand why they are to be taken together because they more or less cover different issues. One concerns pharmacists, another paramedical staff and another the role of the chief executive officer.

An Ceann Comhairle: Does the Deputy want to take them separately?

Dr. Twomey: It would be easier if we took them separately. We would probably deal with them faster.

An Ceann Comhairle: All right.

Dr. Twomey: I move amendment No. 5:

In page 6, after line 40, to insert the following:

“(iii) registered pharmacists, who are members of the Pharmaceutical Society of Ireland.”.

When did the Minister say the chief pharmacist retired from the Department of Health and Children?

Mr. T. O'Malley: He retired in April 2005.

Dr. Twomey: He has been acting in a consultancy capacity since then.

Mr. T. O'Malley: Yes.

Dr. Twomey: Am I incorrect in believing there was a recent announcement by the Department that a new chief pharmacist was employed? Has another pharmacist been taken on or has he or she been employed specifically as chief pharmacist?

Mr. T. O'Malley: There may have been a recent announcement but I do not know from where it emanated. There has not been a recent announcement by the Department of Health and Children.

Dr. Twomey: There is still no chief pharmacist.

Mr. T. O'Malley: That is correct.

Dr. Twomey: Amendment No. 5 seeks that registered pharmacists be members of the Pharmaceutical Society of Ireland and that that body should adopt a role akin to that of the Medical Council to ensure there are standards. This leads very much to what Deputy McManus was talking about. We are not comfortable with the legislation pertaining to the health services.

It is funny that when the Minister of State referred to the fines Bill, he stated he did not

want to introduce piecemeal legislation in regard to fines. We are only on amendment No. 5 but we are already being told a new pharmacy Bill and fines Bill are needed to address the issues raised. This is the ultimate in piecemeal legislation because we are told that many of the concerns we raise require new legislation and that we must wait for it to be enacted before the arrangement is 100% kosher and before we can all sleep comfortably in our beds at night. This is a strange way to do business. Does the Minister of State not agree that the pharmacy No. 1 Bill should be taken in tandem with the Bill before the House? It appears we are giving a considerable degree power to the profession and that perhaps we should strengthen the legislative role to protect patients. Protecting the public is what we are about. I have more to say on the matter. I will not press amendment No. 5, but I would like the Minister of State to take my argument on board in the context of this vital legislation.

Mr. T. O'Malley: I will take what the Deputy has said on board.

Amendment, by leave, withdrawn.

Dr. Twomey: I move amendment No. 6:

In page 6, after line 40, to insert the following:

“(iii) paramedical staff—

(I) who are in the employ of the State, either directly or indirectly through the Health Services Executive or a Local Authority, and

(II) whose position could be described as one that would require the ability to prescribe medicinal products from time to time, and

(III) who have undergone such training as may be deemed necessary by the Minister from time to time.”.

Amendment No. 6 relates to paramedical staff. Does the legislation relate to the paramedical staff being trained in this country at present?

Mr. T. O'Malley: I wish to respond to the issues raised by Deputy Twomey about the practice of pharmacy. The Department of Health and Children has examined carefully the issue of prescribing. I assume he is referring to other professions, such as nursing. It is considered that apart from in the cases of nurses and existing prescribers, the necessary regulatory regime, with adequate fitness to practice provisions, is not in place at present to permit the extension of prescribing to registered pharmacists for controlled drugs or other drugs and medicines. The Department is drafting legislation to provide for updated fitness to practice provisions in this area. Given the importance of pharmacists in the protection of public health, any developments in this area need

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to be considered carefully. The Government has accepted the pharmacy review group's recommendation that no beneficial ownership or business interest of any kind should be shared by those dispensing and prescribing. The proposed amendment would contradict this.

I do not recall whether Deputy Twomey spoke on Committee Stage about the ownership of pharmacies, which is an issue of major concern to doctors and pharmacists. Many people are unhappy about some unfortunate things which are taking place in the marketplace. I am aware that the Department is considering this ethical issue. The ownership of pharmacies was not a matter of such concern in the past when there was a clear demarcation between the medical and pharmaceutical professions. That demarcation now appears to be blurred in some instances. This entire area needs to be examined carefully. The new Bill is necessary for that reason. The Department needs to consider this matter closely.

Regulations which were introduced last year under the Irish Medicines Board Act 1995 have provided the necessary authority for the various grades of paramedics to obtain and administer the various categories of medicinal products in accordance with clinical practice guidelines or on the instructions of a registered medical practitioner. If such personnel are to be in a position to administer any controlled drug, they need to have appropriate authority under the Misuse of Drugs Acts to possess such drugs lawfully. It is intended to grant group authority to such personnel under section 14 of the Misuse of Drugs Act 1977 to allow for this. Therefore, the amendment proposed by Deputy Twomey in respect of such drugs is unnecessary.

It is considered too early to introduce such authority in the case of medical personnel other than emergency medical technicians. It is important that appropriate structures and controls are put in place for each of the relevant health or social care professions before authority can be given in respect of the issue of prescriptions, especially where controlled drugs are concerned. I am aware that the President recently signed into law the Health and Social Care Professionals Act 2005 which provides for the registration of fitness to practice structures for certain health and social care professionals. As such structures are not yet in place, however, it would be premature to consider giving prescribing authority to those health care professions at this stage.

Dr. Twomey: Can the Minister of State explain further the issue of group authority? Will group authority be vested in the Health Service Executive or in the local hospital in which paramedical staff are employed? Who will have the group authority that will allow paramedical staff to prescribe and dispense medication?

Mr. T. O'Malley: I understand it will be vested in the employer, which will normally be the HSE.

Dr. Twomey: It will not be vested in the individual hospitals.

Mr. T. O'Malley: No.

Dr. Twomey: I would like the Minister of State to clear up another matter. He said that the Government has accepted the pharmacy review group's recommendation about the beneficial interests of those dispensing and prescribing. Does the Minister of State not find it strange that the Government has missed the boat in this regard?

Last year, the Tánaiste opened a clinic in which there is an obvious combination of those dispensing and prescribing. The ownership of the building in question is vested in a single group. Groups of doctors, pharmacists or businessmen are planning to establish many more centres containing both pharmacies and general practitioners' clinics. Pharmacists are being invited to become involved in such clinics. I use the term "invited" in a loose sense because pharmacists are asked to pay €1.2 million for their invitations.

Does the Minister of State agree that the Government has missed the boat by accepting the pharmacy review group's recommendation? By the time the necessary legislation has been passed, it will be almost irrelevant and impossible to implement because the primary care scene will have changed dramatically in the manner I have outlined.

Mr. T. O'Malley: One can never pre-empt what may happen in the future. The Deputy has correctly stated that many changes, which would have been questioned by the relevant professions several years ago and might not have happened, are taking place at present. It is a grey area. Every Deputy is aware that this is a company law issue. This complex matter is being examined by the Department of Health and Children. I assure Deputy Twomey that the decisions being taken may have consequences for those involved in the developments to which he referred if wrongdoing can be proved.

One cannot say that the development of such facilities is wrong if the practices of pharmacy and medicine are kept separate. That is the approach that has always been taken. One would have to prove that the doctors or pharmacists in question have a financial interest in the prescribing of medicines for financial gain. Like most people involved in the medical profession, I have strong views on the ethics of this issue. The views of Deputy Twomey and I might not be shared by all of this country's doctors and pharmacists, unfortunately.

Dr. Twomey: I remind the Minister of State that money talks in matters of this nature. The

centre opened by the Tánaiste last year is owned by a single company. It has a commercial interest in the pharmacy downstairs and it is leasing the rooms upstairs to general practitioners for low rents. I accept that the company does not instruct the doctors to churn out a certain number of prescriptions every day.

The Minister of State referred to company law and the need to bear legal issues in mind, but we should also consider the principle of allowing this combination of professionals to work so closely together, which is something that is taking place as we speak. The business in question, which does not relate to the primary care strategy, is organised on a purely commercial basis between dispensers and prescribers.

The entire scene is changing as we speak and will have altered significantly within five years. Groups are coming together every day to develop such clinics as I have mentioned. It will be too late to do anything about it in two years' time. The Minister of State has said that the Department of Health and Children is reviewing this matter, but that is even worse because people investing huge sums of money are not unsure how their commercial arrangements will be affected by what the Department will come up with in 12 months' or two years' time. This matter needs to be cleared up quickly. We cannot afford to wait for further legislation. The Government needs to issue a clear direction in this regard.

Mr. T. O'Malley: In response to the Deputy's question—

An Ceann Comhairle: Perhaps we should conclude our consideration of this amendment.

Amendment, by leave, withdrawn.

Dr. Twomey: I move amendment No. 7:

In page 7, between lines 2 and 3, to insert the following:

“(b) in subsection (1), by inserting the following new paragraph (g):

“(g) to make it the responsibility of the Chief Executive Officer of the hospital to which a staff member referred to in paragraph (f) is attached, to ensure that that staff member has received the requisite training and education to allow him or her to fulfil his or her duties in accordance with the terms of this Act,“.”.

I have proposed this amendment in the interests of accountability. Is the HSE or the hospitals accountable for paramedics? One of the biggest problems with accountability in the health services is that there are no clear lines of demarcation. The responsibility is all very nebulous. If one has the persistence to keep asking who is responsible in a hospital and to keep following the links in the chain, one might still never find

out who is responsible for issues. There must be clear lines of accountability.

The HSA has queried whether practices in our accident and emergency departments in our hospitals could contribute to patient illnesses and whether the HSE could be exposed to significant litigation. The Neary inquiry will be published soon and it will show terrible practices in our hospitals which have affected patient care. We had a private members' debate here led by Fine Gael two weeks ago on the social services inspectorate. The whole basis of that is to protect patients. The audit of our hospitals shows that our hospitals are unhygienic and are not safe places for patients in too many cases. All of this comes down to who is responsible. If legislation is to be put through the House, we should put responsibility on people throughout the health service.

Mr. T. O'Malley: The Deputy is referring to standards of practice in all of the professions involved in the medical area and I agree with him. Responsibility for best practice lies with the various professions. With regard to the Neary case in Drogheda, one could query that many things happened, but I do not want to talk about any case in particular. Where bad practice evolved, be it in medicine or pharmacy, one could say that it was the professionals themselves who were involved. It could also be construed that other professionals knew what was going on, but did not come forward and inform those in charge. There is a responsibility on all professional bodies to ensure best practice. That is why, in bringing forward two pharmacy Bills, we want to get things right. Finding where the responsibility lies is a very complex area.

Dr. Twomey: This is an important point. We talk about giving nurses additional permission to prescribe. Doctors already have this, but many consultants in our hospitals work almost as independent contractors. There is an unmerciful amount of freedom. At question time in this House before Christmas, the Tánaiste stated quite categorically that she was completely against whistleblower's legislation. What led to the Neary inquiry was the failure to communicate what was happening because people were afraid of what might happen to them. There must be a carrot and stick approach to this and that is why we support whistleblower's legislation in the first place. This is the stick approach which makes people responsible. There were doctors, nurses, midwives and administrative staff working in this hospital. The Minister of State has just said that if they know something, they should do something about it. They are not protected if they do something about it because we have no whistleblower's legislation. We must make people responsible. If an inordinate number of elderly patients for instance, die on a ward where certain staff

[Dr. Twomey.]

members are on duty, sometimes there is the tendency not to comment on it.

The Neary case is not the first and will not be the last disaster in our health services, but unless we have some mechanism to make people responsible, or at least give them the protection of whistleblower's legislation, we will have this sort of thing. There is no protection for the patient unless we do something like this. I would just like to know why the Minister of State cannot do it.

Mr. T. O'Malley: The Tánaiste has given a commitment to the House that the pharmacy legislation will be brought before the House. With regard to new prescribing procedures for nurses, a consultation process is in place at the moment and the educational requirements for nurses and midwives will be raised for discussion. It is anticipated that An Bord Altranais will create the structures needed to initiate effectively and examine the outcomes of a competency framework for prescribers under the new legislation allowing nurses to prescribe. Prescriptive authority for nurses and midwives will not be operative until regulations are made by the Minister. It is intended to do this following a consultation process.

The specific educational requirements to permit nurses to prescribe within their scope of practice will be drawn up by An Bord Altranais and incorporated in revised rules, which will also require the approval of the Minister. The intention to introduce an enabling provision for nurses to prescribe is to improve services to patients. These changes are all about providing safe and convenient access to medication by patients in

both acute and community settings. That practice is already happening in other jurisdictions and I see no reason for it not to happen satisfactorily here.

Caoimhghín Ó Caoláin: I am particularly concerned about the wording in some sections of the legislation on the intent regarding midwives. The Minister of State referred to nurses and midwives prescribing, yet section 26 and other sections do not refer to midwives and refer only to nurses. We need absolute clarity that we are legally providing for nurses and midwives prescribing.

An Ceann Comhairle: The Minister of State has already spoken twice. It would be helpful if all Members obeyed the Standing Order on Report Stage, otherwise we are effectively on Committee Stage of this Bill. It is listed as being on Report Stage. If the Minister of State wants to make a brief comment, I will allow him this time.

Mr. T. O'Malley: All midwives are nurses anyway. They are, therefore, automatically qualified under the word "nurse".

Caoimhghín Ó Caoláin: Therefore, where it does not appear, we must assume that it is there.

Dr. Twomey: Is there a difficulty with making the CEO of a hospital accountable for the actions of the staff? Is there a difficulty with accepting my amendment or is it just that the Minister of State does not want to accept it?

Mr. T. O'Malley: I have no difficulty with it, but at the moment, all the hospital consultants are independent contractors to the HSE.

Amendment put.

The Dáil divided: Tá, 60; Níl, 63.

Tá

Allen, Bernard.
Boyle, Dan.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Connaughton, Paul.
Connolly, Paudge.
Costello, Joe.
Cowley, Jerry.
Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Durkan, Bernard J.
English, Damien.
Enright, Olwyn.
Ferris, Martin.
Gilmore, Eamon.
Gormley, John.
Gregory, Tony.
Hayes, Tom.
Healy, Seamus.
Higgins, Joe.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.

Kenny, Enda.
Lynch, Kathleen.
McCormack, Padraic.
McEntee, Shane.
McGinley, Dinny.
McGrath, Paul.
McHugh, Paddy.
McManus, Liz.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Murphy, Catherine.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Dowd, Fergus.
O'Keefe, Jim.
O'Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Perry, John.
Rabbitte, Pat.
Ring, Michael.
Ryan, Eamon.
Ryan, Seán.

Tá—continued

Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.

Stanton, David.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

Níl

Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Brady, Johnny.
 Brady, Martin.
 Browne, John.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Cassidy, Donie.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 de Valera, Síle.
 Dempsey, Noel.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Dermot.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Kelleher, Billy.
 Kelly, Peter.
 Kirk, Seamus.

Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McEllistrim, Thomas.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keeffe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Sexton, Mae.
 Smith, Brendan.
 Smith, Michael.
 Treacy, Noel.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

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

Amendment declared lost.

Dr. Twomey: I move amendment No. 8:

In page 8, to delete lines 6 to 8 and substitute the following:

“(b) in the case of a body corporate, the Chief Executive Officer of that body.”.

This amendment follows on from amendment No. 7 in the sense that it places responsibility back onto the chief executive of the body with regard to accountability. Since the Minister opposed the previous amendment, I assume he will do the same with this one.

Mr. T. O'Malley: The wording provided in the Bill is standard for dealing with offences related to body corporates. As it stands, the wording also covers the activities of a CEO. To limit responsibility to the CEO alone is considered too narrow an approach. For example, managers who may not be the CEO may be responsible for a pharmacy and therefore must also remain liable if convicted of an offence related to controlled drugs. For this reason I cannot accept this amendment.

Dr. Twomey: Does the Health Act 2004 not provide some format whereby the chief executive can delegate responsibility to people under his management in either a hospital or the HSE?

Mr. T. O'Malley: A CEO delegates authority all the time in management, but when it comes to legislation and who is to take responsibility if something goes wrong, the legislation deems this should be the CEO. Somebody must accept the responsibility as it cannot be delegated down the line all the time.

Dr. Twomey: Therefore, the CEO is responsible.

Mr. T. O'Malley: Yes.

Amendment, by leave, withdrawn.

Dr. Twomey: I move amendment No. 9:

In page 29, between lines 42 and 43, to insert the following:

”18.—(1) It shall be an offence—

(a) for any person or body corporate to send or cause to be sent by use of the ordi-

[Dr. Twomey.]

nary postal service, any medicinal product, where the sale of such a medicinal product is concerned, or where there is financial reward for the person or body corporate so sending the medicinal product, or

(b) for any person to order or take delivery, within this jurisdiction, of a medicinal product referred to in this subsection.

(2) Where a person is guilty of an offence under *subsection (1)(a)*, he shall be liable to a fine of up to €3,000, or up to twelve months in prison, or both.

(3) Where a person is guilty of an offence under *subsection (1)(b)*, he shall be liable to a fine of up to €1,000, or up to three months in prison, or both."

We discussed this amendment extensively on Committee Stage. It focuses on pharmaceutical products being sent in the post from other jurisdictions. This would take into account people buying drugs abroad or on the Internet. The Minister of State made a contribution at that time and he may have more to add.

Mr. T. O'Malley: Since Committee Stage there have been discussions between the Irish Patients Association and the Department on this issue. The matter is being discussed in the European Parliament and the World Health Organisation, WHO, and the talks are ongoing. Not alone is this a national problem, it is a large international problem. We are endeavouring to co-operate with all stakeholders and agencies involved internationally to get to grips with the matter. It is a problem which is causing trouble for vulnerable people.

Much is being done already in the area through the Irish Medicines Board, the Revenue Commissioners, Customs and Excise and An Post. It is an issue which involves criminals, terrorists and people involved for monetary purposes. The matter is of great concern to the Department of Health and Children and in similar departments throughout the world.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendments Nos. 10 and 11 are related and may be discussed together.

Mr. T. O'Malley: I move amendment No. 10:

In page 30, lines 7 and 8, to delete "ACTS 1995 AND 2006" and substitute the following:

"ACT 1995 (AS AMENDED BY THE IRISH MEDICINES BOARD (MISCELLANEOUS PROVISIONS) ACT 2006)".

Amendments Nos. 10 and 11 are technical amendments making it clear that the certificate issued under section 20 of the Bill is issued under

the power of the Irish Medicines Board Act 1995 as amended by this Bill.

Amendment agreed to.

Mr. T. O'Malley: I move amendment No. 11:

In page 30, lines 12 and 13, to delete all words from and including "Irish" in line 12 down to and including "2006" in line 13 and substitute the following:

"Irish Medicines Board Act 1995 (as amended by *section 17* of the *Irish Medicines Board (Miscellaneous Provisions) Act 2006*)".

Amendment agreed to.

Dr. Twomey: I move amendment No. 12:

In page 36, line 10, after "examination" to insert ", including dental health examination,".

This is an issue we considered on Committee Stage with regard to examinations. I wished to include dental health examinations. Amendments Nos. 13 and 14 are related to this and they take into account dental service providers at primary and secondary level. The Minister of State had stated this would not happen and I tabled this amendment to see if there has been any development. Deputy Ó Caoláin may make a point regarding midwives. I will wait to hear what he says on the matter and I may add a point later.

Caoimhghín Ó Caoláin: The commentary I made earlier referred to section 26, and I do not know if I will be allowed address that. I am accepting the Minister of State's clarification.

I wish to address amendments Nos. 13 and 14 as well as amendment No. 12, although they are not grouped. We must recognise that these seek to expand the free examinations available to children. In that regard they are eminently sensible and welcome. I regard this as a very important issue. In this case, amendment No. 12 would bring in dental health examination. This must be seen within the area of health promotion and what preventative measures can be introduced to avoid difficulties presenting in years ahead. All this must be seen as an important and, sadly, long neglected issue within the health services.

Both health promotion and primary care should be the foundation stones of our health services. All too often we look at the area of health in a myopic way, and what we are considering most of the time is ill health. To have a full and rounded appreciation of the focus of the Department of Health and Children, one must see the areas of health promotion and primary care as critical and as foundation stones. The proposition contained in amendment No. 12 and the subsequent proposals in amendments Nos. 13 and 14 are eminently sensible. I join Deputy

Twomey in commending them to the Minister of State and I hope he will accede to all three.

Mr. T. O'Malley: Amendment No. 12 seeks that section 66(2) of the Health Act 1970 be amended to include the words "including dental health". Dental health is included within the context of the current legislation. Section 66 of the Health Act 1970 covers the making available without charge of a health examination and treatment service for pupils attending a national school. This is being amended within the Bill to cover all primary schools. The definition already includes dental health examinations.

Sections 27 and 29 amend the Health Act 1970 and the Health (Amendment) Act 1994 to provide for all primary schools or home taught children to be eligible for dental, ophthalmic and aural health examinations. Under the current legislation, these examinations are confined to children of five years old or younger or children who attend national primary schools. It does not include children attending private primary schools or being taught at home. This provision addresses this anomaly and it is estimated that it will extend eligibility to an additional 5,000 children in the six to 12 years old age bracket. Therefore I cannot accede to amendment No. 12.

Dr. Twomey: I did not mean to contradict Deputy Ó Caoláin but when he mentioned an issue concerning midwives, I wished to add to it. Does the legislation cover midwives who work at home in the community and who are not connected with a hospital? These midwives would deal with antenatal care in the home.

On amendment No. 12, there is a serious problem with regard to dental examinations which the Minister of State has indicated may be covered under current legislation. Significant problems exist with regard to children's dental health being properly looked after, even in primary schools. Children are having teeth extracted because there are not enough dentists to provide care for fillings. Children who should be getting orthodontic and other remedial work done are having teeth extracted because there are not enough dentists in the system.

The idea behind this legislation including a dental health examination is to show that it is a priority for legislators, and we do not wish to see children having teeth extracted unless it is necessary. It is to show that we do not wish to see children go through unnecessary pain or that we are delaying an appropriate treatment for them. When caries are neglected in one tooth, they can affect a tooth nearby. A child could then lose more teeth because of a delay in treatment. That is the reason this amendment has been tabled. It should be made clear in the legislation that we are considering the issue progressively. Even though the Minister of State has indicated such care is

included by definition, I wish to press the amendment.

Mr. T. O'Malley: I do not have much to add to what has already been said. The amendment would be superfluous.

An Ceann Comhairle: Is the amendment being pressed?

Dr. Twomey: I will withdraw this amendment as the next two are tied to it and I will press those.

An Ceann Comhairle: The next two amendments will be out of order.

Amendment put and declared lost.

An Ceann Comhairle: Amendments Nos. 13 and 14 are out of order.

Amendments Nos. 13 and 14 not moved.

Bill, as amended, received for final consideration.

Question proposed: "That the Bill do now pass."

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I thank Deputies for their consideration of and input into this technical and complex Bill. It provides for important and urgent improvements in a number of areas. I sincerely thank all Deputies for their thoughtful contributions throughout the process, which has been an interesting and challenging one. The Bill succeeds in creating and consolidating a stronger structure in which the Irish Medicines Board can carry out its business in regard to medicinal products, medical devices and clinical trials and which in the future will include controlled drugs, cosmetic products, drug precursors and human tissues and cells. This Bill also supports the development of a more efficient, effective and patient-centred health service.

Question put and agreed to.

An Leas-Cheann Comhairle: The Bill, which is considered by virtue of Article 20.2 of the Constitution as a Bill initiated in the Seanad, will now be sent to the Seanad.

Diplomatic Relations and Immunities (Amendment) Bill 2005: Order for Report Stage.

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I move: "That Report Stage be taken now."

Question put and agreed to.

**Diplomatic Relations and Immunities
(Amendment) Bill 2005: Report and Final
Stages.**

An Leas-Cheann Comhairle: Amendment No. 1 is out of order.

Amendment No. 1 not moved.

Mr. M. Higgins: Did the Leas-Cheann Comhairle say that amendment No. 1 is out of order?

An Leas-Cheann Comhairle: Yes..

Mr. M. Higgins: It is not appropriate for me to question the basis of the decision.

I move amendment No. 2:

In page 3, to delete lines 13 to 21 and substitute the following:

2.—The Principal Act is amended by substituting the following for section 39—

39.—In this Part—

‘organisation to which this Part applies’ means an international organisation, community or body standing designated for the time being by order under section 40 of this Act;

‘Vienna Convention’ means the Vienna Convention on Diplomatic Relations done at Vienna on the 18th day of April 1961 the text of which in the English language is set out for convenience of reference in the First Schedule to this Act.“.”.

My amendment No. 1 proposed to add a new section 5A and insert that:

(1) The provisions of the Vienna Convention on the Law of Treaties done at Vienna on the 23rd day of May, 1969, shall have the force of law in the State.

(2) The Minister may from time to time make such orders as appear to him necessary or expedient for carrying out the convention referred to in *subsection (1)* of this section and for giving effect thereto or to any of the provisions thereof, and may revoke or amend any order under this section.

We discussed this matter on Committee Stage. I wished to raise it again on Report Stage to ask the Minister of State for clarification on the Government’s precise intention with regard to the Vienna Convention on the Law of Treaties. Why have we not signed up to this important instrument or a more important one, the Declaration on the International Court of Justice? We are in the same position as the United States of America in ignoring the latter.

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Amendment No. 2 would change the wording as set out in the first

Schedule to the Act to “the text of which in the English language is set out for convenience of reference in the First Schedule to this Act”. The amendment seeks to change the wording to that now more commonly used in scheduling the text of international conventions to Bills. However, as I stated on Committee Stage to the Deputy and others, since section 2 substitutes a new section 39 into the principal Act of 1967, on balance it is considered preferable to adhere to the wording used elsewhere in the principal Act, such as in section 5. This approach ensures minimum disruption to the principal Act and maintains consistency. Accordingly, the Government opposes the proposed Labour Party amendment. This is only a textual issue and is designed to maintain textual continuity from the 1967 Act. The Deputy and his advisers are correct that the present style of acceding to international treaties is more modern. It has been decided on advice from the Attorney General and parliamentary draughtsman that we will keep that textual consistency because this is being inserted into the 1967 Act and is not a new section.

Mr. M. Higgins: The Minister may be slightly confused because we have moved between two amendments. I ask him to answer my question about the Vienna Convention on the Law of Treaties, which is important, as is the signature of the instrument for the International Court of Justice. I take the point about the textual nature of amendment No. 2. I was urging a move away from the slavish interpretation of the handbook toward drafting legislation according to more modern usage. It would be helpful for scholars and students in the future to be able to see the part of the Bill that was to be amended set out clearly and separately. It is, however, a matter of style and the amendment which follows is more important.

Mr. C. Lenihan: If it is of value to Deputy Higgins, I can give what might have been my reply to amendment No. 1. The amendment proposed by the Labour Party relates to the Vienna Convention on the Law of Treaties and was disallowed on Committee Stage for being outside the scope of the Bill. The Bill relates solely to the Vienna Conventions on Diplomatic and Consular relations. As I stated on Committee Stage the Government proposes to accede to the Vienna Convention on the Law of Treaties and my Department continues to work toward achieving this. An Act of the Oireachtas may not be necessary for Ireland to accede to the convention. It would be inappropriate to use the current Bill for the purposes proposed by this amendment.

Mr. M. Higgins: What about the instrument for the International Court of Justice?

Mr. C. Lenihan: That is for the Department of Justice, Equality and Law Reform. I would like

to know everything and oblige the Deputy as far as possible but it is a matter for that Department.

Mr. Durkan: What does the Minister mean by “An Act of the Oireachtas may not be necessary”? Does it mean it will not be necessary? Has a decision been taken or advice been given by the Attorney General or somebody else?

Mr. C. Lenihan: It may not be necessary to pass legislation to accede to the Vienna conventions. That is the best legal advice we have at present but the issue is being explored and we have sought confirmation from the Attorney General. It is a fine call but, as the only member of my family not to become a lawyer, I am not particularly conversant with the legal issues involved.

Mr. Durkan: The Minister of State is doing all right.

Mr. C. Lenihan: Within the next few months, the Attorney General will confirm whether legislation is needed to accede to the convention. However, the advice of my Department’s legal officers is that such a provision may not be necessary.

Mr. Durkan: I do not wish to delay passage of the Bill but, further to Deputy Higgins’ query, from whence is the Minister of State’s advice drawn? While I presume it comes from the Attorney General, is it in fact drawn from the legal section of the Department and, if that is the case, has it been verified? Sometime before the next general election, somebody could announce in this House that legislation needs to be introduced to meet the requirements set out in Deputy Higgins’ amendment. I want further confirmation on that because the question of the term “may or may not” has annoyed me for many years and I want to be more positive and clear.

Mr. C. Lenihan: If I was not sufficiently clear in my reply to Deputy Higgins, I will be more explicit for the benefit of Deputy Durkan. The advice I received from the legal advisory section in the Department of Foreign Affairs is that legislation will not be required. However, in line with usual practice for these matters, we are consulting the Attorney General to ensure that he is of the same legal view.

Mr. Durkan: Subject to confirmation.

Mr. C. Lenihan: We are the lead Department in terms of international legal issues but, in keeping with our approach to joined-up Government, we have to confirm it with the Attorney General. Our in-house legal opinion is that we will not need legislation and that is good news because, if the Attorney General confirms our view, it will be a matter of months before we accede to the Vienna conventions. The Deputy is more experienced than I in legislative matters and will be

aware that, if legislation is required, the matter will take longer to resolve.

Amendment, by leave, withdrawn.

Mr. M. Higgins: I move amendment No. 3:

In page 4, to delete lines 45 to 53 and in page 5, to delete lines 1 to 11 and substitute the following:

6.—(1) Subject to *subsection (2)*, every order made under Part VIII immediately before the passing of this Act is hereby confirmed save to the extent that such order has been revoked prior to that date.

(2) The following orders are revoked:

(a) the INTELSAT (Designation of Organisation and Immunities of Organisation and its Officers and Employees) Order 1972 (S.I. No. 39 of 1972) (amended by INTELSAT (Designation of Organisation and Immunities of Organisation and its Officers and Employees) (Amendment) Order 1993 (S.I. No. 191 of 1993));

(b) the European Telecommunications Satellite Organisation (Eutelsat) (Designation and Immunities) Order 1993 (S.I. No. 193 of 1993); and

(c) the European Radio Communications Office (Privileges and Immunities) Order 1994 (S.I. No. 186 of 1994).”.

Of the three amendments that I tabled, this is the most significant. It provides certainty on a serious problem which arises in section 6. It is not proper to state that an order should have effect as if it were an Act for the simple reason that it is not an Act. This legislation is being brought because a Supreme Court decision pointed out a defect in the 1967 Act, yet we are saying that all Acts taken under that Act shall be constituted as if they were statutorily proper. What, for example, would happen if an order had been revoked?

The first paragraph of the explanatory memorandum states “[b]est legislative practice requires that delegations of legislative power be limited by a clear statement of the principles and policies to be followed in the exercise of that power”. However, reference should be made to constitutional requirement rather than best legislative practice.

The problem with section 6 as it stands is that it may not be effective. It states that orders have statutory effect if they were in force immediately before the passing of this Bill. The difficulty is that if the orders are outside the power of the 1967 Act owing to the defect suggested by the court and addressed by this Bill, they were not immediately in force and section 6 as it stands will have no legal effect. I say this by way of assistance and to achieve legal certainty in what is being proposed.

[Mr. M. Higgins.]

I raised this issue on Committee Stage but the Minister of State's reply did not address the problem. If I were to substitute constitutional best practice, a constitutionally conservative reading or even a constitutionally innovative one would not permit me to operate in this manner. Therefore, the amendment I propose is more constitutionally robust and much closer to legal certainty.

Mr. C. Lenihan: The Government amendment to section 6 of the Bill was agreed upon on Committee Stage. The Labour Party's proposed amendment to section 6 would involve its replacement with a differently worded provision which would have substantially the same effect. As I stated on Committee Stage, the main difference in the proposed amendment is that, whereas the Bill deals with the matter by the textual insertion of an additional section to the 1967 Act, the proposed amendment is a stand-alone provision in the 2005 Bill. Our concern is with textual consistency in the arrangement of the Bill. Given that section 6 affects the status of orders made under Part VIII of the principal Act, the Government favoured the decision to insert the additional section textually to the 1967 Act and is acting on the advice of the Parliamentary Counsel on the matter.

On another matter raised by Deputy Higgins, the Supreme Court in its 2004 judgment in the case of *Leontjava and Chang v. the DPP* held that it is constitutionally permitted to provide by an Act that a statutory instrument already in force shall have statutory effect as if it were an Act of the Oireachtas and, furthermore, that it is not necessary to set out in detail the contents of such orders.

Mr. M. Higgins: The decision referred to is worthy of referral with regard to its constitutional significance. With respect, the Minister of State is making matters worse by saying that he has achieved textual consistency.

I repeat my charge with regard to the amendment. It is much better to set out the orders separately and with clarity. The question arises of whether imperfections are being included. If, for example, an order was imperfect or struck down, was it in force? A difficulty exists in terms of flawed text such as "in force at the time" because an ambiguity is created as to what is being specified and dealt with in the legislation. It does not help matters to suggest that, because a defect surfaced elsewhere but managed to survive for the day, it will work in this case.

If the Minister of State wishes to extricate himself from this difficulty and achieve more constitutional consistency, he should opt for constitutional conservatism rather than what he calls best legislative practice and seek clarity rather than what he calls textual consistency. In terms of the justification offered, textual consistency simply says that because we got away with it on one

occasion, we can get away with it again. However, I suggest that is not correct.

I am a political scientist who knows that apart from the fact that they should be brief, constitutions should, at their core, be certain. If one wants to be certain, one must be clear in one's legislation. I, therefore, urge the Minister of State to be compliant and to accept the amendment I have proposed.

Mr. C. Lenihan: I would like to do so but at the risk of causing offence, the Deputy may be overstating the case. It is not the case that a Supreme Court decision in respect of *Leontjava* and the Director of Public Prosecutions actually exposed a defect. What is happening here is that, on the advice of the Attorney General, we are moving to rectify a potential defect that might emerge at some point. It is not a question of the courts driving us into a paroxysm and deciding that we must change this.

Mr. M. Higgins: It is important to clarify the delegation.

Mr. C. Lenihan: The Attorney General decided that in terms of best practice, it was best to delimit the areas whereby immunities and privileges can be granted by a Government and that they should be specified, rather than unspecified. That is what we are doing here. It is a tidying up operation. It has not been occasioned by a crisis, constitutional, legal or otherwise. The *Leontjava* case brought into relief a potential issue which is now being addressed, which is proper. Sometimes in this House in the past, such matters were left alone and not dealt with and we were dependent on other legal cases to bring issues into sharp relief. Potential defects became actual defects in subsequent cases. This is not a dramatic move to rectify a defect that was exposed by a court case. The Attorney General has advised that this is the best way of ensuring that a possible defect does not come into sharp relief and become a problem. In effect, we are limiting the Executive's or the Government's potential to prescribe as it sees fit. We are delimiting and setting out clearly, by way of legislation and orders, how people will achieve immunities under the convention.

Mr. M. Higgins: I am sure the Minister of State wishes it were so but the reality is that following the court case, his Department was advised that it was better to be clear and certain on the process of delegation so that it would not be indiscriminate. This is how the matter arose. It is not a case of one opting in, but rather of one responding to the suggestion that one is on safest ground constitutionally and legally if one has specified the process by which one is exercising the power of extending protections under diplomatic relations and immunities.

An Leas-Cheann Comhairle: We are on Report Stage and Deputy Michael Higgins has spoken

for the third and final time. The question must now be put to the House.

Mr. Durkan: I merely wished to support Deputy Higgins.

An Leas-Cheann Comhairle: Is the Deputy pressing amendment No. 3?

Mr. M. Higgins: Yes.

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

The Dáil divided: Tá, 65; Níl, 53.

Tá

Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Browne, John.
Callanan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
de Valera, Síle.
Dempsey, Noel.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Dermot.
Grealish, Noel.
Haughey, Seán.
Hoctor, Máire.
Jacob, Joe.
Kelleher, Billy.
Kelly, Peter.
Kirk, Seamus.

Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
Martin, Micheál.
McEllistrim, Thomas.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M. J.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
O'Connor, Charlie.
O'Donnell, Liz.
O'Donovan, Denis.
O'Flynn, Noel.
O'Keefe, Batt.
O'Malley, Fiona.
O'Malley, Tim.
Parlon, Tom.
Power, Peter.
Power, Seán.
Roche, Dick.
Sexton, Mae.
Smith, Brendan.
Smith, Michael.
Treacy, Noel.
Wallace, Mary.
Walsh, Joe.
Wilkinson, Ollie.
Woods, Michael.
Wright, G. V.

Níl

Boyle, Dan.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Connaughton, Paul.
Connolly, Paudge.
Costello, Joe.
Cowley, Jerry.
Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Deenihan, Jimmy.
Durkan, Bernard J.
Enright, Olwyn.
Ferris, Martin.
Gilmore, Eamon.
Gormley, John.
Gregory, Tony.
Hayes, Tom.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Lynch, Kathleen.
McCormack, Pádraic.
McEntee, Shane.
McGinley, Dinny.

McGrath, Paul.
McManus, Liz.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Murphy, Catherine.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.
O'Dowd, Fergus.
O'Shea, Brian.
O'Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Perry, John.
Rabbitte, Pat.
Ring, Michael.
Ryan, Eamon.
Ryan, Seán.
Sargent, Trevor.
Sherlock, Joe.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Twomey, Liam.
Upton, Mary.

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

Amendment declared lost.

Bill reported without amendment and received for final consideration.

Question, "That the Bill do now pass", put and agreed to.

Sitting suspended at 5.40 p.m. and resumed at 7 p.m.

Sitting suspended.

Private Members' Business.

Rent Supplement: Motion (Resumed).

The following motion was moved by Deputy Gilmore on Tuesday, 14 February 2006:

That Dáil Éireann, recognising that:

- due to high house prices, inadequate provision of social and affordable housing, and increased rents in the private rented sector, there are now approximately 60,000 households dependent on rent supplement; and
- the rent supplement as currently administered is causing serious poverty traps and disincentive to work;

calls on the Government to replace rent supplement with a new housing support which:

- would be related to housing need, income, and local renting conditions;
- would not discriminate between applicants on social welfare and those at work; and
- a recipient would not automatically lose on return to work and any reduction of which would be tapered as the recipient's income increases.

Debate resumed on amendment No. 1:

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

"acknowledges the achievements of the Government in:

- increasing housing supply as the key response to the broad range of housing needs;
- ensuring that over 500,000 houses, equivalent to one third of Ireland's total housing stock, have been completed in the past 10 years;
- facilitating the 11th successive year of record house completions through the addition of 80,954 in 2005;

- providing SWA rent supplement payments to 60,000 people and introducing the rental accommodation scheme, RAS, to provide improved and more secure arrangements for SWA rent supplement recipients with long-term housing needs, thereby reducing dependency on the supplementary welfare allowance scheme;

- putting in place a range of initiatives to expand the supply of affordable housing including the establishment of the affordable homes partnership to address requirements in the greater Dublin area;

- modernising and improving the operation of the private rented sector through the introduction of new legislation and the establishment of the Private Residential Tenancies Board;

- developing and implementing an integrated strategy on homelessness, effective programmes for Traveller accommodation and an expanded role for the voluntary and co-operative housing sector; and

- supports the Government vision for housing as set out in the new housing policy framework — Building Sustainable Communities, including plans to substantially expand investment over the coming years and develop a range of initiatives so that the maximum number of people can access high quality and affordable accommodation; and endorses the action set out in the framework to provide appropriate accommodation responses for those on rent supplement who can benefit from the rental accommodation scheme, including contributing to addressing issues relating to the elimination of poverty and employment traps."

— (Minister of State at the Department of the Environment, Heritage and Local Government, Mr. N. Ahern).

Mr. Curran: I wish to share time with Deputies O'Connor, Fiona O'Malley, Michael Moynihan and Andrews.

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

Mr. Curran: I support the Government amendment. I also thank the Labour Party for tabling this motion on the matter of housing, the content of which is broad and far-reaching.

The first line of the Labour Party motion refers to high house prices. We recognise that prices are high, but it would be remiss of me to leave it at that and not refer to some of the initiatives and undertakings of the Government. High house

prices are specifically related to supply and demand, but not solely because the population of the country has risen significantly in the past decade, although it would be easy to say that. There have been other social aspects. The number of family units has changed significantly for various reasons. I do not want to go into the reasons, whether separation, divorce or individuals living longer on their own etc. On the demand side, the number of family units has risen significantly owing to population and family size, but during this period the supply side has increased significantly with current output at approximately 80,000 new units per annum, a figure that has been maintained for the past few years.

The motion refers specifically to the fact that approximately 60,000 households receive a rent supplement. This should not be viewed as a negative but as a response to a demand which the Government is meeting. I will return to this point which should be looked at from that point of view.

It is interesting that the motion refers to the inadequate provision of social and affordable housing. While the Government introduces policies to address this issue, the implementation of many of the policies falls on various local authorities. Anybody who takes time to examine how these policies are implemented will notice that there appears to be uneven implementation of them throughout the country. It is incumbent on all political parties — because the parties on the Government side of the House do not control all the local authorities — to play a role in this area. Not all local authorities engage actively and equally in the process. All we need do to realise this is look at some of the statistics on output, capital expenditure and the numbers on the various lists in the different local authority areas where we see unequal results.

I am best placed to speak about my local authority area, South Dublin County Council. I am more than satisfied with its response on a range of issues, including its response not just on social housing but also on affordable housing, particularly under Part V where it implements its target of 15% as far as possible, a target it adopted a number of years ago under the Planning and Development Act. The Part V strategy requires 15% of residential developments to be reserved for social affordable housing purposes. Within recent weeks the council advertised publicly for applicants for affordable housing. It is probably the lead authority in this area and has developed an innovative approach to affordable housing, called the property path, which involves the authority having what might be termed its own estate agency where the available properties and prices are displayed. The applicant can go through all the paperwork because the council advertises and promotes what is available. If we look at the national newspapers, we do not see many other local authorities being as proactive, which is disappointing.

It is disappointing that local authorities do not deal with affordable housing in the manner intended by the legislation. We are often criticised for not giving local authorities sufficient freedom and control. However, where we have allowed this freedom, it does not appear to be implemented equally. The South Dublin County Council initiative of the property path is excellent. Unlike the days when people had to go to their local authority, the council or the “Corpo”, people feel when they go through the property path as if they are going to an estate agency where they get advice, see pictures of the property and are directed and have their applications processed. Typically, when people get provisional loan approval, their letter tells them that they are likely to be offered a property within six months. The system is working well to date.

The most recent advertisement in the newspaper on behalf of property path, just a few weeks ago, advertised two-bedroomed homes from €142,000 and three-bedroomed homes from €172,000 in three locations, the Belfry in Tallaght, Rosse Court in Lucan and Rathgael in Clondalkin. These properties came to the local authority in a variety of different ways, some under Part V and some under various other initiatives. They are advertised and promoted and I would like to see more local authorities actively engaged in a similar process.

The motion also refers to social housing. Just before Christmas a report dealing with the assessment of social housing needs for each local authority area in the country was published. If we match the housing needs in the various local authority areas with the programmes they have adopted and their output, they do not tally. South Dublin County Council assessed a need for 1,800 housing units and Fingal County Council assessed a need for 2,500 for the same period, which is significantly more. However, the programme adopted by South Dublin County Council caters for far more than that of Fingal. We must examine such issues.

It is easy to be critical of Government and say it has not addressed the issue or that it does not have policies in place. We have policies and mechanisms in place but we need to return to local authorities and check whether they are delivering to meet the needs in their communities. Deputy O'Connor will speak after me. As a former member of South Dublin County Council, I am proud to acknowledge what it is doing in actively addressing the issues. I do not have enough time to go through the figures on its social housing programme, but it has adopted a programme and is achieving the target. Its target for the next few years is clearly set out and it monitors the housing construction programme monthly. Some local authorities do not address the issue nor meet the needs of their people and when we correlate what is being done with the assessment of social housing needs, there are discrepancies.

[Mr. Curran.]

It is easy to be critical of the policies. However, the implementation of many of the policies is the responsibility of local authorities and a responsibility in which every party in the House has a significant role to play.

Mr. O'Connor: I am almost tempted to follow the Clondalkin speech with a speech on Tallaght, but I will resist the temptation. Deputy Curran has spoken about the local authority on which we both served and of which I was chairman in 1999. I am always happy to support local government.

As Deputy Gilmore knows, South Dublin County Council is a progressive local authority and we are proud of what it is doing. The estates mentioned by Deputy Curran include the Belfry which is in my constituency. I compliment Deputy Gilmore, with whom I served on Dublin County Council many years ago, on raising this motion for debate. It is fair to have a debate on these issues. As Deputy Curran has discovered, we do not have enough time to go through all the issues. I will confine myself to discussing a few matters.

I note the Government amendment, which I support, mentioned homelessness. This is significant, as those of us representing urban areas are aware of that issue. One can see it is a current issue if one looks on the streets of Dublin. I speak as a Deputy representing a major population centre in Dublin South-West, Tallaght. As one walks around Tallaght people sleeping rough are not seen on the streets, as it is a hidden issue to some extent. People who are under pressure and with particular challenges often go on the bus to the city centre. It should not be like this.

I have often made the point in the House that the Tallaght homeless advice unit does a tremendous amount of work. A new initiative is being proposed in the St. Dominic's parish area of my constituency, and the matter should be considered. We should be proactive in promoting the idea that homelessness should be eliminated, and we should work towards this.

I am interested in the question of rent subsidy and where this funding is going. People often make the point that the matter should be seriously examined. The Ministers responsible for housing and social welfare should consider the challenges presented by this system. When people are on rent subsidies for a long period, the money seems to some extent to be poured into a void, and such people will never own a home.

Deputies can get calls from different people with different perspectives regarding rent subsidy. People may believe, for example, that if they have an anti-social family beside them which is receiving rent subsidy, somebody should be able to take action, although this can sometimes be difficult. There has been much progress with the Private Residential Tenancies Board, which I applaud. Sometimes the bureaucracy persists, however, and many people have indicated to me

that the body requires more power. It should perhaps be proactive in dealing with issues.

There is an issue falling within the remit of the Department of Social and Family Affairs of families receiving a rent supplement but wishing to improve their lot or go back to work. These people, who may be single parent families, go to their local representatives — they come to me on a weekly and daily basis — after finding that the system is restrictive. I am not blaming CWOs or arguing that they do not care, but young people on rent supplement in particular come to me on a weekly basis who cannot afford to go off it. These people are challenged by being offered employment. It is a real problem and I hope the Minister will understand it is necessary to consider these issues as we drive forward, taking advantage of the great economy we now have. I will not make a political point on this as my colleagues are being quiet and I do not wish to upset anybody.

Nobody is denying the country is doing well. If there are still people who feel that these systems upset their opportunities of progressing, we should be open to their appeals. I have stated that the Minister for Social and Family Affairs, Deputy Brennan, is revolutionising his Department. I hope he continues to do so. He has a real role to play in the area of rent supplement and in continuing to help the families under pressure therein. I hope he continues to do so.

This is important business. Many issues have been raised already in the debate and will be raised later which require action. I will not be afraid to indicate to Ministers that we must continue to consider these matters and take action. I look forward to supporting the Government amendment.

Ms F. O'Malley: I commend the Labour Party for raising the issue for discussion in the Chamber. In this time of plenty we should remember there are many people still on our housing lists. In particular, the question of affordability of homes is pertinent. I listened with great interest to Deputy Curran's contribution regarding the property path and what is available. It is extraordinary that South Dublin County Council is able to provide two-bedroom homes for €142,000. I am sure Deputy Gilmore would agree with me in wondering how my local authority area cannot do something similar.

There is much to be said regarding the amount of land available in Dún Laoghaire-Rathdown, compared to vast swathes in South Dublin County Council, and other Dublin boroughs. However, we have a particular problem in terms of when we have to carve up the cost of the land. We have extremely expensive sites, and before one brick is placed on another, the cost of the site is more or less prohibitive.

That is from the local authority perspective, but the point is similar with regard to the private sector, with affordability being an issue. All Deputies are concerned with the issue. As the

demographics of the population changes, it does not bode well for the community in the Dún Laoghaire-Rathdown County Council area that prices have driven young people out of the area. I would give anything to be able to provide something like the property path that South Dublin County Council has. I am glad to be made aware of it, as it is something we should all work on together and get our own local authority involved in.

Government policies must be working as year on year the housing output is at a record level. That is a good achievement in its own right but does not take away from the need for local authorities to provide more affordable housing. A certain amount of work can be done in this regard.

When I chaired the strategic policy committee on housing in my council area, I found it disappointing that people did not appear to want to work together. I was impressed by the work of the voluntary and co-op sectors. However, there was a certain resistance in the local authority in getting those bodies to build houses. It was as if the authority wished to ring-fence and own the houses, or indicate that the local authority built so many houses. It does not matter who builds the houses, but the delivery is important.

I was sorry not to see a greater amount of co-operation between the work of the voluntary and co-operative housing sector. In the North of Ireland and in Britain, tremendous work has been done in this regard. I am a believer in outsourcing, and if professionals are available who know how to deliver cheap and affordable housing, why not let them do it? I was sorry my local authority did not, under the terms of the Part V clause etc., ask the voluntary and co-operative sector to do more work.

The Labour Party has put forward a Bill relating to finishing housing estates. It was unanimously agreed, and we must work on it. That party has my support in getting the Bill progressed. It is in all our interests, and that of the people and the communities we represent, to have it progressed. There is no point in building houses if vibrant and sustainable communities are not being constructed too. I commend the work of the housing policy framework and the building of sustainable initiatives document. We need to bring legislation forward, however. I hope we can progress that particular Bill.

Mr. M. Moynihan: I welcome the opportunity to contribute to this debate on housing. Many of the issues we as public representatives face in our constituencies on a daily and weekly basis concern housing. Others have spoken on the cost of housing and the economy going well. Those issues aside, we have a certain bracket of population, such as single parents, which finds it very difficult to get on the property ladder. The State and the county councils are doing much to target these people under the affordable housing scheme and other initiatives.

Representing a rural constituency I have seen the benefits of sheltered housing, which has become a feature of rural Ireland. The sheltered housing scheme receives funding from the Department of the Environment, Heritage and Local Government via the local authorities and supports voluntary housing groups such as local community organisations or voluntary housing associations. These provide massive facilities. In some of the smaller communities, they have provided some six to eight houses and more in other communities. They particularly facilitate older people moving into a sheltered environment. Funding is now available through the Department of the Environment, Heritage and Local Government and local authorities for the day-care centres attached to these facilities. Many of those groups have done excellent work in small villages and towns in rural Ireland. We should encourage it because in every community vulnerable people are left on the margins. We occasionally see news of people left aside, unable to achieve what people have in the sheltered housing projects and day-care centres.

If people were lucky enough to get a local authority house to lease and then their circumstances changed, they could buy the house. People in such housing tended to maintain the house as well as possible because they might one day come into good fortune and be able to purchase it. It was a great incentive and I have seen many estates where that happened. However, in my constituency and throughout the country many housing associations and co-operatives build houses and lease them to people who would normally be on a local authority list. In some estates, housing associations lease to local authority tenants with the stipulation that the house cannot be bought. Such associations have massive amounts of property in each town, village and local community but I wonder do the people renting them have the same incentives as those who know that one day they will be able to buy. Does it encourage them to get involved in the local community? I would like to hear other people's views on that. People can say we built houses, leased them and then allowed the tenants to buy them, and that it was a great idea which was the forerunner of the affordable housing scheme.

The shared ownership scheme is also beneficial. All these schemes particularly target the less well-off and try to get them on to the property ladder. Over the years more affluent people have been able to look after themselves. The figures show that many people have been able to get on the property ladder through the shared ownership scheme. They show that 17,000 houses have been purchased in this way. Affordable housing is about to get going and the Part V arrangements will come into play in many housing estates the length and breadth of the country. This will be seen as revolutionary legislation that has helped people in no small way.

[Mr. M. Moynihan.]

A huge bugbear for all public representatives from rural constituencies in Ireland is planning, particularly for one-off houses. Those various organisations of the State that constantly criticise one-off houses should be dispensed with. There should be normal planning guidelines but this framework contains enough to ensure that as many as possible can get planning on a one-off basis in rural Ireland.

I commend the Government's amendment to the House.

Mr. Andrews: I welcome the Labour Party motion. I always pay attention to what my colleague in Dún Laoghaire, Deputy Gilmore, has to say, having shared council time with him many years ago. On this occasion a selective series of facts was brought before the House to prove a conclusion that had already been reached. It was an unscientific extrapolation of a theory that was highly political in its exclusion of salient facts that may have got in the way of the previously conceived theory, namely that the Government is not doing what it should do. For example, they excluded the fact that house price inflation was 40% per annum at the end of the rainbow coalition's term in power and is now down to 6% or 7%.

Mr. Gilmore: That is wrong.

Mr. Andrews: House price inflation has reduced significantly in the past eight years. That is the kind of fact it would have been appropriate to mention.

Mr. Gilmore: Ordinary working people could afford to buy a house when we left office.

Miss de Valera: Those that had a job.

Mr. Andrews: That may be the case.

Mr. Kehoe: I do not know from where the Deputy gets his figures.

Mr. Andrews: This Government has built 80,000 houses per annum since it came to power. We have built record numbers of houses.

Mr. Stagg: Houses for investors, subsidised by taxpayers.

Mr. Kehoe: There is no problem building them.

Mr. Andrews: It is ungenerous, unfair and inaccurate to leave out these facts when making a statement on housing. We are the envy of our European neighbours and the Deputy knows that, as well as I do. Much of what is now being said in this unruly fashion is designed purely for political ends.

Mr. Stagg: Nobody can afford them.

Mr. Andrews: People can afford them and many are buying houses. More important, in the period 2001-04 average rents in Dublin came down and that was not referred to by any speaker.

Mr. Kehoe: From where has the Deputy got this information?

Mr. Andrews: This is a fact and I will give the figures if the Deputy wants to listen to me. If the Deputy wishes to hear the sound of his own voice he will have the opportunity in a short while. In Dublin, from an index of 104 in January 2002 the rental property index is down to 89 in January 2005. Outside Dublin the average rental per month in 2002 was €975, but was €750 in 2004.

Mr. Stagg: Who told the Deputy that?

Mr. Andrews: I can make the figures available to the House just as Deputy Gilmore gave figures yesterday. I do not claim this means the Government has achieved anything in particular. The slump in the rental property market is recognised by almost everybody.

Mr. Stagg: The Deputy must have had some of the magic mushrooms.

Mr. Andrews: Perhaps the Deputies are not aware of the reduction in prices in the rental property market but it is widely acknowledged.

Mr. Gilmore: The Deputy is out of touch.

Mr. Andrews: We may have shared time on a local council but this concerns the whole of Dublin and the whole country, rather than the specific examples Deputy Gilmore gives. It would be helpful if Deputy Gilmore had referred to the achievements of the Minister for Social and Family Affairs in tackling the issue of those who are unable to get back into employment because of rent allowance. That is why I welcome today's proposal because the inability to get back into work is something I see in my constituency. The tapering of rent allowance has been very successful. I look forward to the rental accommodation scheme when it comes to Dún Laoghaire. It has been tried out in Dublin and other areas but has not yet come into being in Dún Laoghaire. In tackling that problem, that will be another string to the Government's bow.

We are allergic to the word "landlord" and the private rented sector is barely tolerated because people feel it is a necessary evil. However, in partnership with the social and affordable housing sector it can help to ensure we have a comprehensive housing policy.

On the improved social and affordable housing scheme that Deputy Michael Moynihan mentioned, I suggest we should consider whether in future, instead of the rent supplement scheme, rent could in some way be geared to income and

subsidised further by the Government, as happens in other countries. In addition to the social and affordable scheme, we should also consider further Part V schemes to ensure liaison with developers to provide some housing units that are ideally suited for Government subsidies. That needs to be developed in future.

Local authority house building in areas such as my constituency of Dún Laoghaire is often subject to a series of delays. Most of those are due to objections from residents, the long planning process and the lengthy consultations that are required. For example, the Mountwood Fitzgerald and Whelan's Terrace developments collapsed because the contractors went out of business. The Patrician Villas development is delayed because of a right of way issue and, for very different reasons, the Laurel Avenue development has now been delayed as well. Unless we tackle such issues, they will continue to be part of the problem.

Mr. Gregory: I will share time with Deputies Finian McGrath, Catherine Murphy, Healy, Connolly, Boyle and Morgan.

I support the motion because it focuses attention on what is correctly described as the single worst poverty trap in Irish society. The denial of rent supplement to people on low incomes obliges them to spend a large proportion of their income on paying rent to private landlords. Many people on social welfare who desperately want to work cannot take up employment because they would lose their rent supplement and be crippled with high rents. That provides a massive disincentive to work.

Another aspect of the scandal is the low rent supplement available to single people, for whom the maximum supplement is €120 a week. I have received many calls from single people who have told me they cannot find a half decent flat in Dublin city for that amount of money. They are left with little choice, as they must choose between being homeless and being ghettoised in tenement-like tenancies in Dickensian conditions reminiscent of a Dublin of long ago. Parts of my constituency — I will not stigmatise them further by naming them here — are well on the way to becoming ghettos in which landlords allow their properties to degenerate into unhealthy and unsafe fire hazards. Only the poorest people desperate for a roof over their heads tolerate such conditions. All this is taking place in the Ireland of the Celtic tiger, so it is little wonder that the National Economic and Social Forum described ours as one of the most unequal societies in the world today.

This major issue is not being tackled by the Minister of State, Deputy Noel Ahern. As the anti-drugs activist Fergus McCabe said outside the Dáil today, the Minister of State has special responsibility for two of the most important social issues — housing and drugs — and he is neglecting both of them. Each of those issues clearly

requires the full attention of a separate Minister of State.

Ms C. Murphy: What I find strange about the Government amendment is that it does not deal with the substance of the motion so it is hardly an amendment. As others have explained time and again tonight and especially last night, the central issue is the relationship between housing need and homelessness, work and the poverty trap.

Either those affected by the issue have decided to avoid contacting Deputies from the Government side or those Deputies understand the problem and have chosen not to deal with it. About three weeks ago I was contacted by a young couple who had become homeless because they could not pay their €1,000 a month rent. The young man earned just above the minimum wage and the family received family income supplement so their income was about €400 a week. Having got into arrears with their rent, they moved all their worldly goods into a room in a relative's house and all four of them had to share a double bed in another room in the same house.

I spoke to the council's homeless officer, community welfare officer and several other people, but I knew the stark choice the family were likely to face. They could either take up short-term hostel accommodation 35 miles away, which would have necessitated the man giving up his job, or they could continue staying in the room in which they currently lived. Alternatively, if the man gave up his job, they could receive rent assistance and welfare. The man told me that he did not even contemplate giving up the job. Three weeks later that family are still sharing the double bed in the same house.

Approximately 2,000 individuals and families are on Kildare County Council's waiting list, but from that source they can expect no resolution to their housing problem for about three years. With unemployment running at between 4 and 5%, the question is often asked "Who exactly are the people on the housing waiting list?" Many of them are people who want to work but cannot take up a low-paid job because they would lose their rent assistance. We keep hearing employers say that they cannot get people to work in low-paid jobs. I know many people who would love to work but who simply cannot afford to do so and every one of them is a housing applicant. The policies being pursued are anti-work and anti-family.

Mr. F. McGrath: I am grateful for the opportunity to speak to the motion, which highlights the 60,000 households who are dependent on rent supplement. I strongly support the motion because I believe we need to tackle head on the poverty traps that exist throughout our society. We urgently need to assist citizens of this wealthy state who are excluded and who survive on a very low income. I support the creation of a new

[Mr. F. McGrath.]

scheme to replace rent supplement with a new housing support related to housing need, income and local conditions. In other words, we need a scheme that deals with the real issues.

In dealing with poverty, we must be sensitive to and respectful of the citizens who are being left behind. For me, it is a crime that people are poor in this day and age. The question is no longer whether our society has the resources but how the Government distributes that wealth. As the motion deals with that core issue, I am supporting it in tonight's debate. Low-paid workers and those on social welfare must be top of the list for support and assistance, and those people, with working people in general, are my priority. The Independent Deputies in this House will always stand with the most vulnerable people in this country. That is our vision and our position. We will always push for a high quality of life. That is common sense and it is based above all on justice and equality. It is not acceptable that, in some disadvantaged areas, 52% of children are not ready for primary school and children continue to live in homes that have issues of heating and dampness. It is not acceptable that 26% of children display significant problems of conduct before starting school and 20% have eating difficulties.

I urge all Deputies to support the motion on rent supplement. We need to stand up for the 60,000 households who depend on rent supplement.

Mr. Healy: I want to record my support for the motion, which deals with one of the most important issues facing this country. In particular, I support the part of the motion that highlights the poverty trap whereby those who work cannot receive rent subsidy even if they work for only 30 hours per week.

The Government amendment is an insult. It suggests that everything is hunky-dory and that nothing needs to be done. Just a few moments ago Deputy Curran told us that the blame rests with local authorities, apart from the one in his constituency, but his colleague Deputy O'Connor, who spoke immediately after him, said that the local authority in his constituency was not to blame either. We all know the Government is the one to blame because it has given local authorities the resources to provide the social housing that is necessary. More families are on local authority housing waiting lists now than when the Government came to power in 1997.

I support the motion.

Mr. Connolly: The private rented sector is the fastest growing component of Ireland's housing system. In 1991, 7% of houses were rented, which equated to about one in 12 or one in 14 houses. By 1995 that figure had grown to 16%, which equates to one in six houses. We obviously have a growing difficulty.

People on low incomes who cannot afford to buy their houses account for that growth in the rented market. Many employees who are on or close to the minimum wage cannot buy their own homes, but they are ineligible for the rent supplement because they do not work less than 30 hours a week. Another difficulty facing people on low wages is that, as they are now competing with non-nationals who are also at the lower end of the scale, the likelihood of their wages increasing is quite slim.

I wonder where the Government's housing support schemes will stand in the future. It would be necessary for the Government to introduce a scheme of support for landlords to provide affordable rental housing to the working poor and low income earners who are ineligible for the rent supplement. That would, however, be a disastrous situation. Discussions were held in 1999 on the introduction of such a scheme but it was decided not to rush the matter because it would have taken a minimum of two years. However, seven years later, we are still grappling with the issue and, all in all, the situation in the rental sector has become much worse.

Mr. Boyle: I strongly support the motion tabled by the Labour Party. It has been a long-standing policy of my party to replace supplementary welfare allowance with a direct housing benefit payment and it is good to see that others are thinking along the same lines. In the 30 years that supplementary welfare allowance has been in existence, its inequities have been apparent and it has given rise to stigmatisation in instances where people could not make additional payments to landlords.

However, the problem has become especially marked during the period since this Government took office in 1997. In that nine-year period, the number of households making use of this form of assistance has doubled and because of rental price inflation, the amount of money made available for supplementary rent allowance has quadrupled. There are no more damning indictments or shameful statistics than those figures.

By changing to a direct payment system, we would remove many of the inconsistencies of the current system, such as the payment of supplementary welfare allowance irrespective of whether the landlord is registered with the Private Resident Tenancies Board and regardless of the quality of basic facilities. Only last week, one of my constituents in a private tenancy arrangement complained of not having access to hot water. Other people lack basic toilet facilities. Most apartments, which represent one third of the housing stock built in this country since 1995, are of the cardboard box variety and because they are particularly hard to heat, impose extra hardships on people trying to survive on State allowances for rent and everyday household needs. The motion is pertinent on these grounds alone.

The Government cannot slither away from the fact that, at the end of the day, too many people make use of a payment which does not help them in terms of meeting basic housing needs. An explanation is needed for the failure of every housing initiative introduced since 1997. Despite ever increasing local authority housing lists, affordable housing is still small in scale, few in number and too slow in coming on stream. Seven months after the announcement of new projects for the rental accommodation scheme, they have still not physically manifested themselves.

This Government is not interested in real reform of the housing sector and is only willing to support the people who engage in property speculation. This is the Government which has introduced the triple whammy effect for people who speculate in property at the expense of Irish taxpayers and those in need of accommodation. Tax reliefs have been provided for the construction of cardboard-type housing and on the rent received for such accommodation. Through the supplementary welfare allowance scheme, the State funds 40% of all rents paid in this country. This triple benefit is given by taxpayers to people who should be ashamed of themselves and who are not even living up the legislative responsibilities put on paper by this Government. The Government is showing no sign that it will enforce these responsibilities through the provision of proper resources to local authorities or a national organisation which would monitor housing quality, nor is it putting plans in place for housing that will be available to and affordable by everybody.

Mr. Morgan: I support the motion before the House and commend the Labour Party and Deputy Gilmore on giving us the opportunity to debate it because it is an important issue which concerns many of my constituents from across the social spectrum.

As the sometimes technical nature of our debates can cause us to lose sight of these issues, I want to briefly outline one of the eight to ten representations on rent supplement dealt with by my constituency office in Dundalk each week. The case in question concerns a separated 58 year old woman who had been involved in a bad relationship during the almost 40 years she was married. However, she remained in the relationship because she wanted to rear her children and wanted to wait for them to leave home before taking action. When she eventually left the relationship, the family home was sold, with the money from the sale being divided between the couple and the children.

For the past three years, she has lived on her portion of €40,000 with the knowledge that she would hit a brick wall when the money was inevitably spent. She joined a community employment scheme, which provided an income of €218 per week but was paying rent over the three years of €140 per week and, in addition, had to buy furni-

ture because her rental accommodation was unfurnished. When her few bob ran out, she applied for rent supplement but was told that she did not qualify because her rent was more than €100 per week. She was living outside Dundalk because she could not afford the cost of rent within the town, which ranges from €150 to €170 per week. At present, she is entirely dependent on her relatives and adult children for support.

This woman is an example of the failure of this system to serve many people, including some in even worse circumstances. We need to examine the system and make urgent changes. The bottom line is that Government policy forces women in particular to remain in dreadful and sometimes violent situations. They cannot escape their situations because of the rental trap.

A number of Government Deputies, and Deputy O'Connor in particular, likened the €400 million per year cost of private rental supplement to a black hole but nothing is being done to change the system. The provision of adequate numbers of social housing units is the only viable solution. Deputy Gilmore outlined the statistics and described the Government's disastrous record on this issue. The National Economic and Social Council, NESC, correctly states that 73,000 units of social housing will be required by 2012, yet the Government has no strategy in place to achieve that objective.

The Minister of State regularly pats his Department on the back and claims that it is doing wonderfully and, in a similar vein, the Government amendment boasts that it facilitated "the 11th successive year of record house completions through the addition of 80,954 in 2005". If "bullshit" is considered parliamentary language, that is the appropriate term for that because only 5.8% of those 80,000 houses comprised social housing. How can the Minister of State pat himself on the back for presiding over such a scandalous and disastrous record?

Mr. N. Ahern: Do not mind the percentages. They mean nothing.

Mr. Gilmore: It is nearly nothing.

Mr. N. Ahern: Talk about numbers.

Mr. Kehoe: Waffle.

Mr. Morgan: It is waffle. The Government has no answers on this. I accept that we need to change the current system because the €400 million paid each year is going down the drain. The landlords who receive that money are taking advantage of people who would otherwise be in social housing. The ninth progress report of the All-Party Committee on the Constitution presented one aspect of the solution when it recommended that local authorities should be given the power to compulsorily purchase land at existing use value. That would at least deal with

[Mr. Morgan.]

the most expensive part of housing provision — the cost of land. It is most unfortunate that we do not have more time to discuss this important issue because we need to do something to wake up the Government. We will certainly be supporting the motion.

Mr. Wall: I wish to share time with Deputies Stagg, Burton and O'Shea.

I was amazed to hear the comments of Deputy Andrews to the effect that rent in rural Ireland has been reduced because in my constituency of Kildare South, that is not the case. Rented accommodation has become so scarce that people are now speculating in new houses. Houses valued at €300,000 or €400,000 are being leased because of the lack of rented accommodation. This leads to problems with availability of accommodation for those unfortunate enough to have to seek it.

Previous speakers have talked about the poor condition of some accommodation and this is what is available to people on social welfare. Landlords are in a position to let such properties because of the scarcity of rental accommodation. There are people from Connemara, Cork and so forth, buying houses in Athy that they have never seen and letting them to people on rent supplement. That is the position and Deputy Andrews is totally off the mark when he suggests rent payments are on the decrease in rural Ireland.

There is a number of aspects to the housing problem. With regard to housing co-operatives and rent supplement, the problem is there is no cap on rent, which means people on low incomes or on social welfare must stay in those houses and cannot use them as their first step onto the property ladder. Such people cannot try to improve their job opportunities because if they do, a pound for pound situation pertains and their rents increase. Any benefit that might accrue from their efforts to better themselves goes to the Department of the Environment, Heritage and Local Government through the local authority.

I ask the Minister to address this issue and put a cap on rents to enable such people to get into a position where they can buy those houses. They will remain in those houses anyway because there is no legislation in place that will move them on. They will always be tenants so the benefit to the Government of not capping rents is minimal. More houses cannot be gleaned from these situations because people will stay put. I cannot see why successive Ministers have not addressed this issue. The Minister of State should put a five year cap on tenancy and after five years, address the question of rent and allow the tenants to purchase the houses, to create a sense of community to the betterment of everyone in the area.

My constituency colleague, Deputy Ó Fearghail, who spoke earlier has been more involved in this area. He would be the first to say

that housing co-operatives would be a success if a cap was put on the rent and then, after a period of time, tenants were allowed to purchase the houses.

Mr. N. Ahern: We need to get the Irish Council for Social Housing on board to do that.

Mr. Wall: Deputy Noel Ahern is the Minister for State. He must fight the battles and should do so.

Mr. N. Ahern: I am trying.

Mr. Wall: I have raised this matter with the Minister of State on previous occasions. He is losing an ideal opportunity to form a base for local communities all over the country.

The other issue of importance is county development plans. The aim of most local authority development plans is to move people into town centres and villages but the houses available in those areas cost €350,000 or €400,000. People on low incomes could not even look at the door of such houses. This is where the planning authorities have made a mistake. The Department and the Minister for the Environment, Heritage and Local Government have also been found wanting. They have not ensured that in cases where the aforementioned development plans are to be adopted, the provisions of Part V of the Planning and Development Act are brought into play. In that way, at least some people will benefit.

An estate of 30 houses was built in a village in my constituency recently, all of which cost between €350,000 and €400,000. How could any locals afford to buy a house there? I could not name even two or three people in the area who could afford to buy one of those houses, not to mention 30 houses.

We are driving people on low incomes and social welfare into the worst possible conditions in some cases. If they are lucky, they could get a good landlord and be in a four bedroom house, but they are never going to improve on that position because they cannot improve their employment prospects and form a base because they are on rent supplement.

Much more could be said on this issue but I will finish by asking the Minister of State to examine the problems with housing co-operatives and county development plans, both of which must be addressed.

Mr. Stagg: I want to declare, on behalf of the Labour Party, the right to a home, to a roof over one's head, for every citizen of this Republic and the right to a roof that does not pauperise the family or the individual. Our current system has failed to deliver this. A total of 60,000 families or approximately 180,000 men, women and children are in short-term, private rented accommodation they cannot afford and their landlords are paid

€400 million per annum to subsidise their rents. This means that 4.5% of the population are condemned to permanent poverty by the rent supplement scheme.

What is the scale and depth of the poverty I am talking about? Let us take the example of a couple with one child. They must be on social welfare benefit to qualify for the supplement, which is €292 per week. They must pay €13 in rent, which leaves them with €279, out of which they must pay for all housing overheads, including electricity, gas, clothes, school books, transport and food. That is without accounting for the usual top-up. If they get an extra €1, their rent allowance is reduced accordingly. These families are forced to remain idle and cannot engage in any economic activity. If they do so, they will be punished. They are in very insecure housing and a month's notice at any time puts them on the street. They live in dire poverty and are harassed by social welfare officers to accept low-paid employment that would put them on the street in any event.

Our proposal would create a buffer or breathing space in the transition from enforced idleness to productive employment — productive for the family and for society. It should be noted by the Minister of State that he and his Government pay more in rent subsidies to landlords than they pay in income support to families and that must change. However, the Labour Party is not saying this is a final solution for the families in this housing poverty trap. The real and lasting solution is the provision of sufficient homes for rent and purchase at prices that the 60,000 families on rent subsidy can afford. This will require the acquisition of land — I refer the Minister of State to the Kenny report in that regard — and the building of large numbers of units of social and affordable housing by the State or its agents. A total of 60,000 homes are required in these categories.

The vain hope that these homes would be provided by the private sector through the Part V process was dashed when the Government cut the heart out of the Planning and Development Act introduced by the former Minister for the Environment and Local Government, Deputy Noel Dempsey, and accepted cash rather houses from the builders. The effect of this little manoeuvre is well demonstrated in County Kildare. In 2004 and 2005, 7,000 houses were built in that county. Under the scheme laid out by Deputy Noel Dempsey, the county council would have received 1,400 housing units. However, under the new Part V scheme, Kildare County Council received 12 social and two affordable houses out of a total of 7,000. There are a lot of very happy and very rich builders in County Kildare as a result but the housing waiting list grows by the day. This demonstrates the Government's priorities.

Let us look at the price of houses and consider why they are so high in comparison with the price

of production. The average price has increased by a factor of more than three since 1997, as Deputy Gilmore outlined last night. We hear much from this Government and others on the benefit of the free market and competition. They have not worked well in the housing market. As a result of direct action by the Government, investors buy half of all the new houses built. They do so because the Government gives them double tax breaks, first on the mortgage and then by giving guaranteed rental income from the taxpayer's pocket. Young couples cannot compete in this lopsided market. No large tax breaks exist for first-time buyers and this shows where the Government's priorities lie.

It is a scandal in this rich country that 4.5% of the population is forced into poverty because their Government has failed to provide housing for them. There is no easy solution and we do not say there is. One may tinker around the edges with Part V or rental accommodation and other useless novelties but the only long-term solution for the 60,000 families on rent subsidy is to build houses for them. Our proposal will ease the pain and poverty in the meantime.

Ms Burton: I thank Deputy Gilmore for raising this important issue. What does the poverty trap mean in terms of housing? A person on social welfare with two children and who receives rent allowance would need a gross income of between €30,000 and €40,000 to make it worth his or her while to go back to work. This is the true story of the poverty trap that bedevils the rent allowance and social welfare system. Where once we were praised for having an agile economy we now have a rent and social welfare system that is designed to discriminate against working class families on housing lists. The darker side of the booming economy is the number of families existing exclusively on social welfare income and locked out of employment, education and training, especially if they are also in receipt of rent allowances.

Some 60,176 rent supplements are paid to individuals and families at a cost of approximately €400 million annually. I am not sure if the Government is aware of the extent to which a new set of poverty and unemployment traps has developed in recent years for people receiving rent allowances. The Minister may have seen the reports published today by the Economic and Social Research Institute, ESRI, of a doubling of youth unemployment among recent school leavers, particularly young men who have dropped out of school early. The Government's policy on rent allowance is directly contributing to this problem.

Another contributory factor is the discriminatory structure of charging differential rents for local authority houses. Many schemes such as those in Fingal County Council are based, without limit, on the earnings of the highest earner in the house. Thus if a young guy works on a build-

[Ms Burton.]

ing site and earns €1,000 a week, as happens, the rent for the house for the entire family will be based on his earnings. Such would be the rise in rent that most people in that situation would be forced out of home within a short period. It is a new eviction strategy by this Government. Alternatively the parents, usually the mother, may fail to report fully the young person's earnings, end up owing thousands of euro in arrears to the county council and often resort to money lenders, locking the family into another cycle of poverty. Thus this Government's housing policy actively discriminates against young people born and reared in a rented local authority house. The Minister of State knows this and it is appalling discrimination against young people.

Differential rent schemes push young people out of their parental home and direct them to the private housing market. It should be borne in mind that many of these people being pushed out of their homes are in their late teens and early 20s. They pay through the nose to rent an apartment and are too young and inexperienced to deal with life on their own with large wage packets and the temptations that apartment living can offer. Equally the affordable purchase option is not realistic because they have had no time to save up to qualify for the scheme. The Minister of State should not roll his eyes. I am telling him about reality as it happens in Dublin West.

Mr. N. Ahern: I know about reality.

Ms Burton: The Minister should listen and learn. Deciding whether to take work in this economy is a no-brainer if taking a low-paid job at €300 a week means losing more than that in rent allowance and a medical card. That is opportunity in the Government's economy for people in rented housing.

Mr. O'Shea: Ba mhaith liom mo bhuíochas a ghabháil leis an Teachta Gilmore, urlabhraí Pháirtí an Lucht Oibre ar chúrsaí comhshaoil, oidhreacht agus rialtais aitiúil, as ucht an rún tábhachtach, tráthúil agus praiticiúil seo a thógaint os comhair na Dála. Tá tithíocht phoiblí ina praiseach sa tír seo. Tá athruithe móra ag teastáil, agus léiríonn an rún seo go bunúsach conas tabhairt faoin rud seo.

The issue at stake here in terms of people on rent allowance was brought home to me today with a figure I obtained from Waterford City Council. Although an estimated 1,300 people are on rent allowance in Waterford, between 1,100 and 1,200 people are on the housing list. There are background issues. For instance, Waterford City Council receives between 600 and 700 new housing applicants every year and loses between 500 and 600. The fact that this number of people are on rent allowance in a city the size of Waterford is a commentary on how the Minister has failed to look after the public housing needs of

the area. I see it throughout the county too. There are 573 applicants on the county council housing list and 260 on the Dungarvan housing list, approximately 50% of whom are on rent subsidy.

We have a category of people to whom Deputy Gilmore referred who are caught in that trap. While their income is too high to obtain a house from a local authority, they have no hope of buying a house in the private sector so they must pay high rents, cannot save up a deposit and have no hope of escaping that bind. To some extent affordable housing would have helped these people but the number of affordable houses that has been produced is pitiful. That group often comprises couples where both partners work to pay rent to a private landlord.

There are issues about local authority housing that must be addressed. A number of local authority houses are idle and being vandalised and people will not take them. People walk out of local authority houses because they can no longer tolerate the conditions. They do this at a substantial loss to themselves as they need to rent in the private sector. Issues include coming to terms with people who intimidate tenants, indulge in anti-social behaviour and make life hell. I dealt with two cases earlier this week. It appears that certain characters in society are untouchables. While it is clear who they are and what they are doing, they continue to get away with it.

The area of marital break-up is serious. If a couple who break up have a mortgage, it tends to be a large one. When the house is disposed of, the proceeds to be shared between the partners are of little value. As a result, female partners who tend to have custody of the children have no hope of being able to purchase a house, with all the attendant difficulties this creates, particularly if child care is needed. These women are caught in traps.

In tabling this motion Deputy Gilmore has raised important issues. There must be no discrimination between people in receipt of social welfare and those in employment. Income must be the deciding factor in determining who should receive rent subsidy. When someone begins work he or she should not immediately lose his or her rent subsidy. As Deputy Gilmore suggested, rent subsidy should be reduced incrementally rather than suddenly withdrawn as income increases. I support this important, practical and timely motion given the major crisis in public housing.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): Last night the House was treated to a lesson in playschool statistics and economics from the Fine Gael and Labour parties. It is not our intention on this side of the House to insult children at play. Instead, we would like to be instructive. For those Deputies who missed the Opposition parties' double act, let me recap on some of the best and most

humorous contributions to the debate. It appears from their statements that local authorities no longer build houses. This will come as a shock to local authorities around the country which have completed more than 15,000 dwellings in the past three years and will complete another 18,000 over the next three years.

Mr. Wall: Only 71 local authority dwellings have been built in County Kildare.

Mr. B. O’Keeffe: If these are not houses, what are they — buses?

Mr. Stagg: Of 7,000 dwellings built in County Kildare in the past two years, two were affordable houses.

Mr. B. O’Keeffe: The Opposition also stated that waiting lists grow and grow.

Mr. Kehoe: They are growing.

Mr. B. O’Keeffe: They might grow under Labour-Fine Gael Governments but not under this Government. Despite major population increases and an even greater growth in the number of households, the total number of households on local authority waiting lists declined by almost 10% between 2002 and 2005.

Mr. Gilmore: The Government changed the way the figures were calculated.

Mr. Stagg: It used trickery.

Mr. B. O’Keeffe: This was achieved by boosting supply to meet unprecedented demand. We heard speakers state that lining landlords’ pockets should not be the aim of the rent supplement scheme, a point on which all Deputies will agree. How would the Labour Party ensure this does not occur? It would abolish the rent caps in place under the scheme to ensure landlords cannot charge unreasonable rents for private rented accommodation.

Mr. Gilmore: That is not in the motion.

Mr. B. O’Keeffe: Does the Labour Party really believe the removal of caps would lead to lower rents? It asks why we do not build or buy sufficient local authority houses to accommodate households in receipt of rent supplement, using the money saved in rents. Last year, rent supplement supported the housing needs of approximately 58,000 households, at a cost to the Exchequer of roughly €400 million. The Labour Party believes it can build 60,000 new houses with this funding. It clearly believes in the miracle of the loaves and fishes.

Mr. Gilmore: We did not say that. The Minister of State should sack the smart Alec who wrote his script because it will get him into trouble.

Mr. B. O’Keeffe: The Labour Party motion smacks of desperation and tired point-scoring but fails to score any points.

Mr. Stagg: Is money not available?

An Ceann Comhairle: Allow the Minister of State to continue without interruption. Deputy Stagg’s colleagues will have an opportunity to respond.

Mr. B. O’Keeffe: What about the substantive issues raised in the debate? Much was made last night of the slower than anticipated roll-out of the rental accommodation scheme and the difficulties facing households in the private rented sector in receipt of rent supplement.

Mr. Stagg: The Minister of State should throw away the script.

Mr. B. O’Keeffe: I am doing well. My colleague, the Minister of State, Deputy Noel Ahern, and I did not interrupt Opposition speakers. It is understandable that Deputies opposite feel the need to interrupt because my remarks are obviously hurting.

The Government introduced the rental accommodation scheme due to the difficulties faced by households which are reliant on rent supplement but have long-term housing needs.

Mr. Stagg: It will take 100 years to address the backlog.

Mr. B. O’Keeffe: The problems faced by tenants, for example, the poor quality of much existing rented housing, the shortage of suitable accommodation for single person households, overcrowding or tenancies not being registered are the reason it has taken longer than anticipated to roll out the scheme. The basic facts are that the Government is taking action to eliminate dependence on the social welfare allowance rent supplementation scheme by persons assessed as needing housing assistance on a long-term basis.

Mr. Stagg: The Minister of State’s time is up.

Mr. B. O’Keeffe: In addition, the Government is taking action to improve standards in the private rented sector through the use of only good quality accommodation for rent allowance scheme tenants; to improve tenant choice and provide greater long-term housing security; to address the needs of the homeless; and to support tenancy sustainment programmes to help persons make the transition to independent living. We are also acting to enhance the capacity of local authorities to respond to long-term housing need.

In 2005, the Government’s main objective was to put in place the necessary support structures for the rent allowance scheme.

Mr. Stagg: On a point of order, given that the Minister of State has exceeded his time, I expect speakers from the Labour Party will also be given additional speaking time.

Mr. B. O'Keefe: This objective was largely completed by the end of last year.

An Ceann Comhairle: Deputy Stagg should note that I called the Minister of State for five minutes and these have just elapsed. He was entitled to speak for five minutes because a previous speaker from the Labour Party exceeded the time by one minute.

Mr. Stagg: The Minister of State is required to conclude by 8.15 p.m.

An Ceann Comhairle: Deputies from the Labour Party will have 15 minutes speaking time.

Mr. Stagg: This is outrageous. The Ceann Comhairle is biased in favour of his party colleague, the Minister of State.

Mr. B. O'Keefe: The rental accommodation scheme is a response of substance and, as with any such intervention, a lead-in time is necessary to put in place systems to manage and drive the process. I am happy with the progress made to date. The collaborative approach of all the agencies involved will ensure the scheme is successful and meet its targets in the coming years.

Mr. Penrose: Despite the surprisingly infantile assertions of the Minister of State and the whiff of desperation emanating from the Government benches, this is one of the most important motions to come before the House in a long time. It highlights and illustrates, if such was needed, the bankruptcy of the Government's commitment to the unpropertied classes, the men and women who do not own their own dwellings and have no prospect of doing so under this uncaring, selfish Administration which has zero commitment to their plight. It is about the tens of thousands of people in households who are not in a position to pay their rent. As my colleague, Deputy Gilmore, stated last night, it is also about Ireland's unique poverty trap which succeeds in forcing people who are already on abysmally low incomes to make a choice between a State subsidy — a rent supplement — and taking up an offer of work.

What is even more pronounced is that the Government's failure to tackle the need for social housing is forcing thousands of families to live in substandard private rented accommodation. No less an authority than Sister Stanislaus Kennedy from Focus Ireland, who does not belong to the Labour Party, stated that the Government has abandoned its historical policy of providing social housing for people who cannot afford to buy their own house. Sister Stanislaus, who has a track record in this area, is telling the Government how abysmally it has failed.

The Government has presided over a trebling of the price of housing since 1997, compelling young people and their families to rent rather than being able to purchase a house in their own right. The corollary of house prices going through the roof is that rents have also spiralled upwards out of the reach of the same families. The Government has substantial amounts of money at its disposal with which to build a decent number of local authority houses. Nobody can accuse the Labour Party in government of failing in this regard. I remind Deputies of the work of former Labour Party Ministers, Jimmy Tully, Liam Kavanagh and Emmet Stagg. They did not let people down. The Government has no respect for anyone who comes from a cottage and those of us from such a background are well aware of it.

The Labour Party would not have allowed 60,000 tenants in private rented accommodation to be forced to apply, through a means-tested procedure administered by community welfare officers, for rent supplement or allowance. The vast majority of those who receive rent supplement are social welfare recipients. As I said when debating a Bill introduced by the then Minister for Social and Family Affairs, Deputy Coughlan, she made a bad situation worse. Someone employed for 30 hours a week will no longer qualify for rent supplement. The full-time work disincentive denies an applicant assistance if one member of the couple works 30 hours per week, even though the household income is low.

It is clear the needs of the working poor who are experiencing housing affordability problems require urgent attention. These people are now literally working to pay the rent. Many of them are paying up to 40% of household income to finance their housing expenditure. While the Minister of State might not like to hear this, it is a bottom-line fact. It is here that the viciousness of the poverty trap can be seen at work. It feeds into poverty and becomes a massive disincentive to work. How can people in receipt of rent supplement take up offers of full-time work, which may not be well paid, and immediately find they will lose rent supplement thus rendering them significantly worse off? As Deputy O'Shea outlined, thousands of our constituents, those on social welfare, lone parents and others, continually tell us of this problem.

We need to change the system and replace the rent supplement with a new form of housing support as proposed by Deputy Gilmore, which would be related to housing need and the cost of housing, the circumstances of the applicants and the rent levels pertaining in a particular area in order to eliminate the poverty trap. This new housing support should not discriminate between those on social welfare and those at work. As Deputy Gilmore outlined the level of support should be tapered as income increases, which would be considerably preferable to the slash-hook method applicable now, where one's entitlement to rent supplement is severed immediately

one exceeds the permitted income limit. This form of housing support is necessary in the interest of fairness and to reduce the financial hardship on working people who need to rent in the private sector. Critically, it would also act as an incentive and reward people who take up work rather than penalise them.

It is clear that a new initiative is needed. I ask all Members to support the Labour Party motion. As Deputy Stagg said it would merely represent a first step.

Mr. M. Higgins: I welcome the opportunity to speak on what is, perhaps, the most important issue that affects modern Ireland. I pay tribute to Deputy Gilmore for the manner in which he has laid out the case regarding housing as, perhaps, the greatest failure of contemporary Ireland. What has happened in housing is socially destructive and has torn the heart out of the economy. It is socially destructive in so far as it represents little less than a complete retreat from social housing. Two people on modest incomes now have no choice but conscription into the economy in the full knowledge that they will spend most of their time commuting without any assurance that they will ever be able to afford a home. It has an effect on children, neighbourhoods and communities.

Like the Minister of State who spoke, I would like to deal entirely with facts. We regularly hear that 80,000 housing units were finished last year. Less than 6,000 of them were social housing units. When I first became a Member of the Oireachtas in the period from 1973 to 1977, we were building more than 20,000 local authority houses per year. What is being built now is less than a quarter of what was being built in the 1970s. The assumption is that people can be pushed from the social into the affordable housing category even though the qualifications are entirely different.

Having given tax breaks and made mistakes in the Finance Act of two or three years ago which allowed people write off rental income against all costs, people were driven into the market for speculative housing, which should be a basic right. It is interesting to consider the facts. Those who no longer own one or two houses, but eight or ten houses, have been able to deal with their income in terms of tax breaks and the Government's approach to housing its citizens is to use €400 million per year as income for these greedy people who have not got enough.

I can answer the question asked by the Minister of State about where that €400 million could be spent. Any of us who have ever reviewed public accounts know it is a matter of what €400 million would serve by way of capital that could be used to provide a proper housing structure. Some 5.8% of total finishes were social housing units, which represents a decline from 2004 when it was 7%. In 2003 it was 8.9% and in 2002 it was 10%. The social partners opened talks with the Government in the full knowledge that one of the great-

est failures in the programme has been the failure to deliver the number of houses the Government, trade unions, farmers and other social partners signed up to. It is inconceivable that this would not be an opening point in the new talks.

Without being emotive we should consider the figures. The national development plan promised 35,500 units. So far in that period only 20,600 units have been provided. To be practical about those who are affected by this issue, is it reasonable that one in five should spend more than one third of their income on paying rent, as outlined in the Economic and Social Research Institute study on the position of tenants? We are depriving people not only of a house, but also of full citizenship by keeping them locked in poverty, which is the net effect because if even one of the two people who share a house works for more than 30 hours, both of them and their children lose the rent allowance. That is not defensible in a civilised society.

Other assumptions are made regarding housing including that we might not have a housing crisis. The suggestion is that sooner or later everybody will be able to be rich. Newspapers frequently run headlines that a particular property has sold for more than €1 million. I remember a former Secretary of a Department telling me how wonderful he felt to be living in Ireland where his sons were paying €500,000 for houses. How wonderful, indeed, that the citizens of the country had been fired on to the market to be available for speculative abuse and at the same time a series of Finance Acts would allow people to move their income without needing to pay even a proportion of it in tax. Meanwhile, at the crack of dawn men and women are driving ever-longer journeys to satisfy the economy and at the same time of the 61,000 who are locked at home because they are getting rent supplement, approximately 3,500 or fewer are on employment-related schemes. The idea is that they can be locked up through the rent supplement scheme when the country is awash with money.

As always for this kind of right-wing politics, the scarce resource of land was available to make a small number of people super rich. It did not really matter that families would not have a roof over their heads. As we go into the new social partnership talks, this is the test that people like me, who have spent nearly 40 years in a trade union, will be watching. After the talks, how many social houses will the Government commit to building? How will the Government explain the shortfall in the houses that have been provided? What will be the reaction to the crazy nonsense of suggesting that all the social housing applicants can be transformed into affordable housing applicants? Given the Construction Industry Federation's strike against mixed housing and that we have abused the 5% provision is it realistic that somehow people will automatically be able to get houses? We need exactly what Deputy Gilmore has proposed. We need to

[Mr. M. Higgins.]

replace the supplement system, which is degrading, and blocking people from entering the workforce and improving themselves. There is a clear discrimination against two people living together where because of the income of one, both are penalised.

With regard to the scarce resource that is land, it is also clear that the Government should use the resources it has in such surplus. If it can give €3 billion to those who do not need it, can it not give instructions and a plan to local authorities to acquire the land and build the houses that social housing applicants need?

Deputies: Hear, hear.

Mr. M. Higgins: Is it not inherently wonderful and natural, as they smugly bump off each other, that 29% of housing in the city I live in is now in the private sector. How controlled is that private sector? I can tell the Government that even in terms of building standards, it is uninspected and

below standard. People are told they should be glad to have anything and if they open their mouths or go to work, they lose their rental supplement. They are told to simply put up with what they have. That is what is creating a huge underclass in terms of housing in this country, and a terrible price will be paid for it.

I was a Member of this Oireachtas between 1973 and 1977 and had the privilege to be a Minister at a Cabinet table, and the excuse that was always given for the good things people wanted was that we did not have resources. This Government has had endless resources, opportunities and time. It has betrayed the most vulnerable people because it is presiding over an entire retreat from social housing. It is encouraging local authorities to retreat from social housing and creating an atmosphere in which the last thing city and county managers want to have is tenants. That is why they are failing in regard to tenant management, housing estate management and upgrading the basic housing that people need and that should be regarded as a right.

The Dáil divided: Tá, 64; Níl, 57.

Tá

Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Browne, John.
Callanan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
de Valera, Síle.
Dempsey, Noel.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Finneran, Michael.
Fitzpatrick, Dermot.
Fox, Mildred.
Gallagher, Pat The Cope.
Grealish, Noel.
Hanafin, Mary.
Haughey, Seán.
Hoctor, Máire.
Jacob, Joe.
Keaveney, Cecilia.

Kelleher, Billy.
Kelly, Peter.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McEllistram, Thomas.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M. J.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
O'Connor, Charlie.
O'Donnell, Liz.
O'Donovan, Denis.
O'Flynn, Noel.
O'Keefe, Batt.
O'Malley, Fiona.
O'Malley, Tim.
Parlon, Tom.
Power, Peter.
Power, Seán.
Sexton, Mae.
Smith, Brendan.
Smith, Michael.
Treacy, Noel.
Wallace, Mary.
Walsh, Joe.
Wilkinson, Ollie.
Woods, Michael.
Wright, G. V.

Níl

Boyle, Dan.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Connaughton, Paul.
Connolly, Paudge.
Costello, Joe.
Cowley, Jerry.

Crowe, Seán.
Cuffe, Ciarán.
Deasy, John.
Deenihan, Jimmy.
Enright, Olwyn.
Ferris, Martin.
Gilmore, Eamon.
Gormley, John.
Gregory, Tony.

Níl—*continued*

Hayes, Tom.
Healy, Seamus.
Higgins, Michael D.
Howlin, Brendan.
Kehoe, Paul.
Kenny, Enda.
Lynch, Kathleen.
McCormack, Pádraic.
McEntee, Shane.
McGinley, Dinny.
McGrath, Finian.
McGrath, Paul.
McManus, Liz.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Murphy, Catherine.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.

O'Dowd, Fergus.
O'Keeffe, Jim.
O'Shea, Brian.
O'Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Perry, John.
Rabbitte, Pat.
Ring, Michael.
Ryan, Eamon.
Ryan, Seán.
Sargent, Trevor.
Sherlock, Joe.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Twomey, Liam.
Upton, Mary.
Wall, Jack.

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

Amendment declared carried.

Question, "That the motion, as amended, be agreed to", put and declared carried.

Adjournment Debate.

Health Services.

Mr. McCormack: Various representations have been made to me recently about the cut-back in the availability of home help. The people cannot understand this given that the Minister said in his Budget Statement that an extra €30 million has been allocated to the home help service, and 1.75 million extra hours, yet home help has been cut back.

In a recent survey 97% of those surveyed said they would like to continue to live in their own homes, in their own environment, for as long as possible, and home help assistants enable them to do that. I have been dealing with a particular case in my constituency since December. Three years ago an elderly Alzheimer's patient in north Connemara, whose son looked after her in her own home, had eight hours home help. Last October the home help was cut back to four hours. Since then I have been unable to have the four hours home help restored. People with Alzheimer's do not improve, rather they are inclined to get worse.

I wrote to the Health Service Executive western area and I was informed in a letter dated 16 December that there are some people in the Clonbur area who would work in the evenings, but as there is an embargo on recruitment the posts cannot be filled. As I was surprised to hear that, I tabled a parliamentary question to the Minister on 25 January and the following is her reply.

My Department has not imposed limits on the recruitment of home help assistants. It is a matter for the Health Service Executive to determine the appropriate staffing mix. . .

I got back to my good friends in the HSE western area and they said that, of course, there is an embargo.

Irrespective of which Minister responds I do not want him or her to read out the prepared script. If that happens I will walk out. I want to know why, given that the Tánaiste and Minister for Health and Children has been allocated an extra €30 million in the budget and, according to her reply, is providing 1.75 million extra home help hours, the poor man in the Clonbur area cannot have the four hours home help service restored to him that he had last October.

To put the matter beyond all doubt, on 8 February 2006 I tabled three questions to the Tánaiste and Minister for Health and Children, in different formats, in case I was slipping up in any way, asking whether there was a cut-back in the number of home help assistants. She stated:

As I indicated to the Deputy in response to a previous question, the Department of Health and Children has allocated an additional €30 million to the home help service in 2006, which will allow for the development of the service. That funding will provide for an additional 1.75 million home help hours in 2006 and not 1.6 million, as I previously advised the Deputy [in December].

The number of hours is increasing but the four hours from which the man in question benefited cannot be restored. A message should be sent to the officials in the Health Service Executive western area stating the home help hours are being cut back and not being restored and that the Tánaiste is talking rubbish.

If we do not keep the elderly in their own communities for as long as possible, it will be a great loss to those communities and the elderly per-

[Mr. McCormack.]

sons' families. The presence of grandparents among their grandchildren can be vital to the development of the latter. I know this because I have grandchildren.

We are doing a grave disservice to people in rural areas and elsewhere if we put the elderly into institutional care unnecessarily. This will happen in the case in question if the necessary home help hours are not restored. It is not too much to allocate to somebody the same number of home help hours he or she was entitled to last October. That was before the budget in which the imaginary €30 million was allocated, thereby increasing the home help hours by 1.75 million.

I have been told to ring various people about this issue. I rang a lady called Mo Flynn and she said it had nothing to do with her and transferred me to somebody else. Will the Minister of State tell the officials of the HSE western area that they have the authority to grant more home help hours? The man who is minding his mother in his own home in Clonbur has a lady available to work the extra four hours if they are restored. However, the HSE tells me there is an embargo on recruitment such that it cannot appoint anybody.

I ask the Minister of State not to read out a prepared script telling me the amount of money or hours allocated because I will walk out if he does so. All I want is for him to ring up the officials in the HSE and state there is no embargo on recruitment, restore the four hours' home help for the man in question and employ somebody to help his mother stay in her home for as long as possible rather than have her put into institutional care. The Minister of State, Deputy Treacy, will give him the names of the person dealing with the Connemara area and the person in charge of home help in the HSE.

Mr. Ring: Hear, hear.

Mr. Connaughton: Hear, hear.

Mr. Ring: They cannot get the bed for him.

Mr. McCormack: They cannot, yet there are four or five beds empty, and six empty in Carraroe.

Minister of State at the Department of Health and Children (Mr. S. Power): I am not sure the Deputy wants me to answer the question.

Mr. McCormack: I do and will walk out if he reads——

Mr. S. Power: If the Deputy wants to walk out, he may do so. That is his prerogative. We will all be walking out at some stage.

Mr. McCormack: I will wait and listen to what the Minister of State has to say.

Mr. S. Power: I am delighted.

The policy of this Government regarding the development and delivery of services for older people is to maintain them in dignity and independence at home for as long as possible in accordance with their wishes, as expressed in many research studies carried out. We try to ensure independence for older people so they can live at home and to encourage and support the care of older people in their communities by family, neighbours and voluntary bodies, where possible. Clearly, therefore, the role of the home help service is vital to the implementation of this policy.

The aim of the home help service is to enable people who would otherwise require residential care to remain at home, where appropriate. It is recognised that the home help service is an essential support to family and informal carers.

In line with the Government's continued commitment to community support for older people, an additional €33 million was allocated in the budget for 2006 to the home help service. Some €30 million will be spent this year and €3 million in 2007. The additional investment will provide 1.75 million home help hours this year and is being implemented in a flexible way by the HSE.

The home help service is, by its nature, a flexible service that responds to service user needs. As a result, the level of service required in individual cases can fluctuate from time to time. I know Deputy McCormack said that, last October, the person in question was in receipt——

Mr. McCormack: I will give him the information tomorrow.

Mr. S. Power: I ask the Deputy to let me finish.

Mr. McCormack: I will give him the information about the person tomorrow.

Mr. S. Power: The point I was making was that the service individuals require can change from time to time and therefore must be flexible. If the Deputy provides me with the precise details, I will certainly follow up the case with the HSE.

To ensure effective prioritisation of the service, assessments are undertaken in the main by locally based public health nurses. They are in the best position to do so. The service is targeted at those persons of high and medium dependency in accordance with their assessed needs.

The HSE is responsible for the operational management of the home help service nationally. It has advised the Department that there are no cutbacks in home help hours and that it is implementing the national roll-out of the additional €30 million allocated to the service for 2006. There is no embargo on the recruitment of staff in the health service.

Mr. McCormack: There is.

Mr. S. Power: Accordingly, public sector pay and employment policies do not prevent the executive from appointing home helps or any other grades to provide health and social services to the public. Pay and employment policies include the social partnership agreements, adherence to approved employment levels and the management of human resources, including staffing mix, in line with service needs and policies overall.

Mr. McCormack: I am walking out in protest. I will have to talk to the Minister tomorrow.

Undocumented Emigrants.

Mr. Connaughton: I congratulate my constituency colleague, the Minister of State, Deputy Treacy, who has been given responsibility for emigrant matters, and I congratulate Deputy Mary Wallace on her appointment to the position of Minister of State at the Department of Agriculture and Food. I thank the Ceann Comhairle for allowing me raise this important matter which concerns the 50,000 Irish citizens trapped as illegals in the United States.

No week goes by in which some parent, brother or sister does not contact me regarding the proposed legislation concerning emigrants to the United States. The problems confronting Irish citizens in the United States are well known. The affected citizens are afraid to return to Ireland for family weddings and funerals. Families are split and many are now beginning to feel the force of the new driving licence legislation passed recently in the United States which will more or less prevent the undocumented from working in a country they love.

In a State of the Union address, President Bush did not seem to stress the immigration issue which must be tackled in the United States. I believed he would give the nudge to the Kennedy-McCain proposals, which appear to be humane, sensible and, above all, administratively possible. They are in the best interests of the United States.

I call on the Taoiseach to instruct his Ministers to discuss, while reviewing St. Patrick's Day parades throughout the United States, the unique problems that beset our 50,000 undocumented Irish citizens in that country and to garner support for the Kennedy-McCain proposals, which will be debated at a meeting of the justice committee at Capitol Hill at the end of March. When the bowl of shamrock is changing hands in the White House on St. Patrick's Day, will the Taoiseach make a special appeal on behalf of undocumented Irish citizens, many of whom want to work and live in the United States but also want to be able to come home to the places of their birth? I ask him to attach great importance to this issue on St. Patrick's Day.

Mr. Ring: I support my colleague Deputy Connaughton. I wish well the Minister of State, Deputy Treacy, who is dealing with emigration, and I congratulate Deputy Mary Wallace on her appointment as Minister of State at the Department of Agriculture and Food.

We are sick and tired of the behaviour of the US Government and it is time we adopted a tougher approach to it. We have pussyfooted for long enough on this issue and thousands of people are meeting every week to discuss it. Last weekend there was a meeting in New York and there have been meetings in Philadelphia, Boston, San Francisco and Washington. The people affected are Irish citizens. We are supposed to have a special relationship with the US Government. How could the same Government allocate 10,500 visas to Australian citizens in recent months? What did the Australian people ever do for America? It was the Irish people who built America and ensured that its economy is as it is today. It is too bad if our Taoiseach and our Ministers cannot secure a special deal for Irish people. A special deal has been reached for people from Nicaragua, Chile and other countries. We want a deal for Irish citizens, once and for all.

I remind the Minister of State and the Taoiseach that there is supposed to be a special relationship between Ireland and the United States. It is time for us to call in a special favour. Like Deputy Connaughton and many Fianna Fáil backbenchers, I am sick and tired of listening to mothers and fathers telling me that their sons and daughters cannot leave the US to come home to bury their loved ones, to attend a wedding or to be present on special occasions. I do not refer to people who have been in the US for six months, but to people who have been there for ten, 15 or 20 years. When the representatives of the Government go abroad this year, I do not want to see the Taoiseach in the US engaging in a charade with a bit of shamrock. He should go there to make a special case for our illegal immigrants and to strike the deal that the US Government owes to the Irish people. We are sick and tired of taking dictation from them. We want a deal for our emigrants. I am worried that the McCain-Kennedy Bill will go down because Irish-American politicians are getting afraid ahead of the elections next year. We need to put pressure on American politicians and the US ambassador to Ireland. We do not want any more short-term arrangements. I want our people to be looked after. I am sick and tired of what I am hearing coming out of the US.

Mr. McGinley: We all agree with that.

Minister of State at the Department of Foreign Affairs (Mr. Treacy): The vulnerable situation of the undocumented Irish in the United States continues to be a matter of deep concern to the

[Mr. Treacy.]

Government and all Members of the Oireachtas. As public representatives, we are familiar with the stresses and strains of the daily lives of the people with this difficult problem. Those of us who represent constituencies in the west of Ireland, in particular, are keenly aware of the impact of this problem on the individuals concerned, as well as on their families at home. I am glad to have an opportunity to assure the House that the Government and the Irish Embassy and consulates in the United States will continue to give this matter the highest priority. The legislative debate on immigration in the US has entered a critical phase. Last December the US House of Representatives passed the Sensenbrenner-King Act, which provides for tough enforcement measures. Wider reform legislation, including measures to address the issue of the undocumented, is likely to be considered in the US Senate next month. The progress being made in the debate brings with it many expectations and a sense of optimism that resolution may be in sight. That we are unable to predict the outcome leads naturally to heightened feelings of anxiety.

At this stressful time for our undocumented Irish and their families, this evening's debate gives me a welcome opportunity to update the House on recent developments in the immigration debate in the USA. I emphasise the Government's commitment to giving every possible support to our undocumented community. What I will say builds on previous debates and on information that my colleague, the Minister for Foreign Affairs, has previously circulated to Members of the Oireachtas. The common cause and commitment of the House to supporting our undocumented community found the clearest possible expression in the all-party resolution that was debated and passed by the House last October. Our interest in this matter is set against the background of the deep affection of Irish people for the United States of America and our great pride in the contribution that Irish people have made and continue to make to developments in that country over the generations. I am glad to have an opportunity to assure the House that the issue of the undocumented Irish continues to be a high priority for the Government, which is acutely aware of its duty to promote and protect their interests to the fullest extent possible. In all its dealings with its key US contacts, the Government emphasises the importance of addressing the vulnerable position of the undocumented Irish in a sensitive and sympathetic way. The Taoiseach made that point during his most recent meeting with the US President, Mr. Bush, as did the Minister, Deputy Dermot Ahern, during his meeting with the US Secretary of State, Ms Rice.

While there have been significant developments in the US Congress, it is clear that the legislative situation there is fluid. Achievement of the necessary compromises continues to be a for-

midable challenge. The Government, which has raised its concerns about the undocumented Irish with its US contacts, recognises the complexity of the issues involved and the need to secure consensus about a comprehensive set of reforms which address the circumstances of the undocumented Irish and the need for increased security of borders. In this context, the Government welcomes the engagement of the US President, Mr. Bush, on this issue. In particular, it welcomes his support for a humane approach that focuses not only on enforcement issues but on the need for overall reform. The Taoiseach looks forward to discussing this issue further with Mr. Bush when they meet next month during his traditional St. Patrick's Day visit to Washington DC.

Deputies are aware that various legislative proposals, including the significant and positive Bill proposed by Senators Kennedy and McCain, were tabled in both Houses of Congress last year. The Government considers that the Kennedy-McCain Bill is the most attractive approach for the undocumented Irish as it includes provisions which would allow undocumented people to apply initially for temporary residence status, with a route to permanent residency. In effect, that would allow the undocumented Irish to travel to and from Ireland freely. As Deputies are aware, that would be a great relief to the individuals and their families in Ireland. The Kennedy-McCain proposal is one of a number of immigration Bills before the US Congress, not all of which are sympathetic to the circumstances of the undocumented Irish. Deputies are aware that immigration is a highly sensitive and frequently divisive issue and that some members of the US Congress are strongly opposed to proposals which would give undocumented people the opportunity to regularise their status. The strength of this opinion was evident, for example, during the passage through the US House of Representatives of the Sensenbrenner-King Act last December. That legislation focuses on the enforcement of immigration legislation without making provision for the regularisation of the residency status of undocumented people. The focus of the debate in the US has shifted to the US Senate. I understand that the chairman of the US Senate judiciary committee has considered the proposals advanced last year by Senators Kennedy, McCain, Kyl and Cornyn and has drafted a compromise text that will form the basis of further discussion. Committee stage consideration of the compromise text may commence early in March.

Acting Chairman (Ms B. Moynihan-Cronin): The Minister of State's time has concluded.

Mr. Treacy: Can I finish my speech? I think the House would like to hear it.

Mr. Ring: That is agreed.

Acting Chairman: Other Deputies are waiting to speak. The Minister of State has yet to read two pages of his script.

Ms McManus: It will take him a few minutes to read two pages.

Mr. Ring: The Minister should be allowed to read it into the record.

Mr. Treacy: I will not take long.

Ms McManus: The Minister of State can continue.

Acting Chairman: Is that agreed? Agreed.

Mr. Treacy: Deputies may recall from the information note the Minister for Foreign Affairs circulated last November that there are indications that the compromise text provides for a temporary guest programme that will be open to those who are undocumented at present. However, it proposes that such people will be required to return to their home countries before applying for re-entry to the US. Senators Kennedy and McCain and their like-minded colleagues are convinced that proposals which require undocumented people to return home before applying for re-entry to the US are not practical and will not encourage such people to come out of the shadows. Senators Kennedy and McCain continue to be active in advocating provisions they consider to be effective and fair. The Government, which is monitoring the situation closely, is confident that the Senators in question, who are good friends of Ireland, will remain deeply involved with the legislation as it is considered by the Senate. In the critical period ahead, as proposals and compromises are put forward, the Government will continue to make known its strong support for the inclusion in the final legislation of the key elements of the Kennedy-McCain Bill.

As I have said, the Government and the Irish Embassy and consulates will continue to engage fully with these issues as part of the wider Irish effort in the US. I am proud to say that the Irish diaspora has earned an important role in that country. Irish people are entitled to inform their local US legislators of their views. I warmly welcome the recent establishment of the Irish Lobby for Immigration Reform, which gives Irish people in the US another powerful tool to give clear expression to their views. I am delighted that Senator Kennedy has expressed his personal appreciation for the initiative that led to the establishment of the lobby. As a reflection of the Government's commitment to supporting the undocumented Irish, the Minister for Foreign Affairs recently announced the allocation of a grant of €30,000 to the lobby to help it to meet its operational expenses. In the short time since it was established, the immigration reform lobby

has held well-attended meetings in New York, Philadelphia and Boston and is organising further meetings. The high level of participation and interest it has generated reflects the Irish community's grassroots support for the approach advocated by Senators Kennedy and McCain. The lobby is working closely with existing organisations in the Irish community, such as the excellent network of Irish immigration centres and GAA clubs. I warmly commend the community spirit of Mr. Niall O'Dowd and others who established the lobby, as well as those involved in the extraordinary network of Irish organisations showing strong leadership on this issue.

The efforts I have mentioned complement the ongoing work of the Government, the Irish Embassy and the network of consulates in the US, which are trying to ensure that the issues which deeply affect our undocumented can be resolved. The Government will consider all options and measures that would address the interests of this vulnerable section of the community. I assure the House that the Government's efforts in support of the undocumented community will continue to increase in the crucial period ahead. The Government's views will be conveyed by our colleagues and diplomats at the highest level over the St. Patrick's Day period in Washington and throughout the US. I thank the House sincerely for giving me an opportunity to update Members on developments regarding Irish people in the United States of America.

Mr. Ring: We want political action.

Mr. Treacy: We are working very hard on it.

Mr. Ring: We are not getting very far.

Sugar Beet Sector.

Mr. Sherlock: I welcome the Minister of State and congratulate her on her appointment. I hope that she will have good news for us. We are asking that the beet growers of Greencore be responsible for a €25 million restructuring levy in 2006. I want her to report on the recent meeting between the Minister for Agriculture and Food and the European Commissioner for Agriculture. The Minister said publicly that a restructuring levy of €25 million would have to be paid if sugar beet is grown in 2006. If this is not paid, then further uncertainty would surround the future of the industry. The Minister must act at this crucial period to convince beet growers that this is a now-or-never scenario. I urge farmer representatives to participate and ensure that sugar will be manufactured in Mallow this year. I understand that Fry-Cadbury's in Rathmore is importing French and English sugar to prepare for the future. If sugar is not manufactured here, other customers will also prepare to shift allegiance to other sugar producers.

The Irish sugar quota is just 1% of the total EU quota. A total of 3,700 farmers grow sugar

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beet and they receive €75 million annually from the production of 72,000 acres of beet crop. The Mallow plant processes 1.2 million tonnes of sugar. I hope that we do not have to say that the Fianna Fáil and Progressive Democrats Government was responsible for closing down the sugar factory owing to lack of effort on its part. The sugar growers to whom I have spoken have told me that they want to keep growing the crop. The workers in Mallow have a right to know what the future holds for them. That depends on the Government and Greencore. The chairman of Greencore recently said at its annual meeting that the company paid £2.1 million when it took over the sugar industry in 1991.

Minister of State at the Department of Agriculture and Food (Ms M. Wallace): I thank the Deputies for their kind wishes. I welcome the opportunity to update the House on this issue. The political agreement on reform of the sugar regime, reached last November, provides that in the event of a decision to cease sugar production in Ireland, a restructuring fund of up to €145 million becomes available for the economic, social and environmental costs of restructuring the Irish sugar industry. The fund is subject to the submission of a detailed restructuring plan for the industry involving factory closure and the renunciation of the sugar quota. The agreement provides that at least 10% of the restructuring fund shall be reserved for sugar beet growers and machinery contractors to compensate notably for losses arising from investment in specialised machinery. That proportion may be increased by member states after consultation of interested parties, provided that an economically sound balance between the elements of the restructuring plan is ensured.

The agreement provides that the restructuring scheme will be funded by a restructuring levy payable by sugar processors in each of three marketing years, starting in 2006-07. For the Irish quota of 199,000 tonnes of sugar, the levy payable would be €25 million in the marketing year 2006-07. The levy is paid by the processor and has no impact on the minimum price for sugar beet for 2006 or subsequent years as set out in the agreement. To facilitate payment of the levy by the processor, the price of sugar remains unchanged in the first two years of the reform.

The publication of the EU legal texts giving effect to the political agreement on the reform was delayed pending the opinion of the European Parliament. The Parliament's opinion was delivered on 19 January and the texts of the draft Council regulations then became available. These texts have been subject to technical discussions at working group level over recent weeks. The Minister for Agriculture and Food met Commissioner Fischer Boel last week in Brussels to discuss a number of issues arising from the texts. At that meeting the Commissioner clarified that

sugar produced in the first year of the reform will be liable to the restructuring levy, but in the event of the quota being renounced for the second year, the levy will not be payable in that or subsequent years.

Another issue raised was the inclusion in the texts of a requirement to deliver beet in the year preceding the year of quota renunciation to qualify for restructuring aid. At Ireland's request this requirement has been dropped from the draft regulations. These will now be presented to the Council of Agriculture Ministers meeting in Brussels next week for adoption.

The European Commission is working on preparing detailed implementation rules which can only be finalised once the Council texts have been adopted. The restructuring scheme will be a complex measure to implement and until all the various legal texts have been adopted, it will not be possible to provide details of the definitive implementation arrangements. We appreciate the need to provide as much clarity as possible on the reforms. The Minister announced last week her intention to use the three-year average of the individual farmers' contracted tonnage of beet for the 2001, 2002 and 2004 marketing years as the reference period for the single payment compensation for sugar beet growers. I thank Deputy Sherlock for giving me the opportunity to clarify that.

Schools Building Projects.

Ms Fox: I thank the Ceann Comhairle for selecting this important matter. I congratulate the Minister of State on her appointment yesterday. I do not speak as often as most in this House, so I hope she sees this as an indication of how seriously I take this matter.

St Catherine's special school in Newcastle, County Wicklow, established an autism specific pre-school in Barnacoyle House in Newcastle in February 2004 to meet the growing demand for children diagnosed with autism spectrum disorder in Wicklow. This facility has become vital to the many families it helps and makes the concept of early intervention a reality. Early intervention makes a major difference in the long-term success of an autistic child. However, the parents of at least nine children are faced with the uncertainty of not knowing whether Barnacoyle pre-school will still operate after 31 March. This will present significant practical problems for parents and children alike, many of whom are now in the routine of attending Barnacoyle which, if disrupted, will cause difficulties for many of the children.

A number of difficulties have also been experienced by parents in trying to pursue many of the services which were promised to them by the Government through various routes. The Education for Persons with Special Needs Act 2004 outlines an individual educational programme to benefit autistic children. There are strict timeframes for these programmes and they must be

carried out within one month of a request by a special educational needs organiser, while they must take no more than two months to complete. However, the reality is that despite individual educational programmes having been requested for a number of children four months ago, their requests have not yet even been commenced. Many children who have been referred by St. Catherine's services have not been dealt with and there have been no letters to parents; there has been nothing at all. The only feedback is that there may be issues regarding the board of management of the school. This is the same board of management which was in place when the Department of Education and Science requested and sanctioned post-primary facilities for autistic children.

It is the easiest thing in the world to come into this House and put down a matter for the Adjournment and to read a speech into the record of the Dáil. However, two and half minutes is not enough time for such a serious issue. This matter is worthy of a meeting between the Minister of Education and Science and a deputation from St. Catherine's school to discuss the many issues and to give them a serious hearing. I earnestly request that this take place as soon as possible.

Ms McManus: I compliment Deputy Wallace on her appointment. There are so few women in this House that it is always a pleasure to congratulate a woman achieving high office. I wish her well.

I welcome the opportunity to raise this matter and I welcome the parents of young children with autism who have taken the trouble to travel to Leinster House tonight at short notice. These parents approached me and other public representatives in County Wicklow due to their deep concern about the future of the educational facility upon which they depend and in which they vest great hope for their children.

I pay tribute to St. Catherine's school and its pre-school facility. The principal and staff do innovative work and their reputation is of the highest standard. The ABA facility opened in 2004, originally under the auspices of the patron, St. Catherine's Services. In 2005 two classes were sanctioned by the Department of Education and Science but it was quickly obvious that demand was greater than what was provided for. St. Catherine's took in an additional nine children and was given to understand that sanction for these children would be forthcoming from the Department. The signals were that if one could prove demand existed, it would be catered for, and it was on that basis that the children were accepted. However, to this day, that sanction has been denied the school.

The parents have now been informed that from 31 March, the service for unsanctioned children will have to be discontinued because of the burden being placed on the patron. It is insupport-

able that parents find themselves in such a terrible situation. I urge the Minister to sanction places for the nine children as well as providing for the ongoing education needs of the children at Barnacoyle.

We must remember that this process does not end on completion of pre-school and that issues relating to these children need to be dealt with into the future. St. Catherine's objective is to provide this vital service for each child up to the age of 18. Surely, in a country awash with money, the Minister can provide for these most vulnerable of our citizens. The Barnacoyle parents group made the following point:

The State has a moral duty to every child to provide the most effective means of education. We as parents feel that the most appropriate form of education to be delivered to our children is ABA.

Surely we can meet that need.

Ms M. Wallace: I thank Deputies Fox and McManus for their kind wishes. I am pleased to have been afforded the opportunity by the Deputies to clarify the position of the Department of Education and Science in regard to St. Catherine's pre-school for autism. I hope what I have to say will be of assistance and guidance on the way forward.

I assure the Deputies that the Department of Education and Science is anxious that children, including children with autistic spectrum disorders, ASD, receive an education appropriate to their needs. In that context, the Department currently funds three classes in St. Catherine's to cater for the needs of up to 18 children with ASD. This funding is to provide for qualified teachers and special needs assistants, as well as an enhanced rate of capitation.

The Deputies will be aware that the National Council for Special Education, NCSE, has responsibility for processing applications for additional special classes. On Wednesday, 1 February, officials in the Department and the NCSE met representatives of St. Catherine's to discuss a range of issues, including a request by it for funding in respect of an unauthorised class for children with ASD. Following this meeting, the officials issued a comprehensive letter on 8 February to the school representatives outlining the Department's and NCSE's position on the various matters discussed at the meeting.

The Department's letter covered a number of matters such as the need for a board of management to be put in place in St. Catherine's, the process for applying for sanction for further classes for children with ASD, training and qualifications of staff and other issues. It is now a matter for the school to proceed in accordance with the process that has been outlined to it in this letter. I point out that at no stage during the meeting did the school representatives indicate to the Department or the NCSE that St. Catherine's

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would close its autistic services from the end of March. The Department of Education and Science first heard of this position through media reports and was surprised at this development, given that there had been no direct contact from the school to this effect.

It will be a matter for the NCSE to process the application and, in doing so, to seek whatever additional information it requires from the school to enable it to make an informed decision. The NCSE can seek advice, if required, from the Department in regard to the application. Factors such as the needs of the individual children, levels of existing provision in the area and geographical location of the proposed attendees are matters that the NCSE will need to consider in processing the application.

The Department will continue to prioritise the issue of special needs education for children with autism and, in co-operation with the NCSE, ensure that all children with special needs are adequately resourced to enable them to reach their full potential.

I thank the Deputies for affording me this opportunity to clarify these important issues. I would encourage the school representatives to follow the process outlined in the letter of 8 February last. With regard to Deputy Fox's request for a meeting with the Minister, I will ask my office to pass that request to the Minister's office tomorrow morning.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Thursday, 16 February 2006.

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 12, inclusive, answered orally.

Questions Nos. 13 to 66, inclusive, resubmitted.

Questions Nos. 67 to 76, inclusive, answered orally.

School Transport.

77. **Mr. Gogarty** asked the Minister for Education and Science if she will report on the progress to date in 2006 in making buses safer and ending the three for two rule; if additional buses have been provided in order that a situation does not arise similar to August and September 2005; and if she will make a statement on the matter. [5711/06]

Minister of State at the Department of Education and Science (Miss de Valera): I am determined to maintain safety at the core of school transport operations at all times. At this stage, apart from a small number of late applicants, seating arrangements for all second level students on buses operating under the post-primary school transport scheme are on a one-for-one basis. I expect that the end of year target to provide one-for-one seating for all students at first and second level will be met.

A contract for the retrofitting of the Bus Éireann school bus fleet with seat belts has been placed. It is expected that this work will commence this month and will take approximately 20 weeks. The work is being organised so as to ensure that there is no disruption to school transport services. In addition, a programme for Bus Éireann to acquire a number of new and modern second-hand buses is well advanced. It is intended that these buses will provide the necessary additional capacity to ensure that no shortfalls arise from the elimination of three-for-two seating arrangements. With regard to the retrofitting of contractors' vehicles, it is anticipated that the Department of Transport will issue guidelines shortly on the fitting and standard of safety belts required.

While I am satisfied with the progress that has been made over the past several months, I am in no doubt that a sustained effort will be required by all concerned as we work towards the stated goal of one-for-one seating, all fitted with seat belts.

Post-Leaving Certificate Courses.

78. **Mr. Howlin** asked the Minister for Edu-

cation and Science if a timeframe for the implementation of the McIver report will be drawn up; and if she will make a statement on the matter. [5733/06]

135. **Mr. Gregory** asked the Minister for Education and Science the specific recommendations from the McIver report that will be implemented in 2006; the funding that has been provided; and if she will make a statement on the matter. [5659/06]

143. **Mr. Deasy** asked the Minister for Education and Science the reason the McIver report has not been implemented; and if she will make a statement on the matter. [5578/06]

153. **Aengus Ó Snodaigh** asked the Minister for Education and Science the cost incurred by her Department *vis-à-vis* the McIver report; and the aspects of the report her Department has implemented. [5788/06]

166. **Aengus Ó Snodaigh** asked the Minister for Education and Science the progress which has been made on the long overdue implementation of the McIver report. [5787/06]

Minister of State at the Department of Education and Science (Miss de Valera): I propose to take Questions Nos. 78, 135, 143, 153 and 166 together.

In the period 2001 to 2003, the cumulative cost of consultancy and other relevant fees relating to the McIver report, including taxes, amounted to just over €130,000.

Improving participation and achievement at every level of education is a key priority of this Government. We have put the resources and supports in place to ensure that there is a wide range of course options available in the further and higher education sectors for young people who wish to continue their studies after second level and for people returning to education later in life.

Adult and further education aim to meet the needs of young early school leavers, to provide second chance education for adults and to provide vocational education and training for labour market entrants and re-entrants. The range of provision in further education to achieve these aims include such full-time programmes as Youthreach, senior Traveller training centres, the vocational training opportunities scheme, post-leaving certificate courses and part-time initiatives such as the back to education initiative and the adult literacy and community education schemes.

Post-leaving certificate, PLC, courses, therefore, represent one option in the adult and further education suite of provision. We have increased the number of PLC places by 60% since 1996/97. Indeed, the number of PLC places approved for 2005/06 is up by more than 1,600 on

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the 2004/05 level. The number of approved places in the sector now stands at 30,188.

Government support for the sector is evident not only in the expansion of approved places and teachers but also in the introduction of maintenance grants for students with effect from September 1998. Tuition fees for PLC courses are waived. The PLC maintenance grant scheme operates on the same basis as in higher education. Over 25% of PLC students were grant holders in 2005 and they received some £23 million in direct support.

PLC students are included in the calculation of non-pay budgets issued to schools in respect of running costs. A supplemental non-pay grant towards running costs specifically for PLC schools is also payable. This amounted to £5.5 million in 2005. Other developments funded by my Department of direct benefit to the PLC sector include the provision of national certification under the Further Education and Training Awards Council and the development of progression links with higher education in the institutes of technology. Government commitment to the sector, by reference to the resources applied in teachers' pay, non-pay running costs, student support and certification costs, is very significant.

The McIver report contains 21 over-arching recommendations, incorporating 91 sub-recommendations. It has been estimated, in consultation with management and staff interests, that the recommendations for staffing would involve at a minimum the creation of at least 800 new posts at a cost of over €48 million. This level of additional provision cannot be considered in isolation from other areas of education.

In their consideration of the needs of the PLC sector into the future my officials have been examining, *inter alia*, the non-teaching educational tasks particular to PLC teachers, the demands on the management side and the challenges presented by the variation in size of the more than 200 PLC providers. When their deliberations have been completed further discussion with the management and union side will be necessary.

Residential Institutions Redress Scheme.

79. **Mr. Penrose** asked the Minister for Education and Science if her attention has been drawn to the fact that many victims of child abuse and organisations that represent them and others who have attended board hearings, including professional witnesses, have expressed serious dissatisfaction with the operations of the board and the secrecy that surrounds its deliberations; her response to these concerns; and if she will make a statement on the matter. [5758/06]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress

Board was established under statute to provide financial redress to victims of child abuse in residential institutions to assist them in their recovery and enhance the quality of the remainder of their lives. The board provides an alternative to victims having to pursue traumatic civil court cases to obtain compensation for their injuries.

The provisions of the Act allow the board to make awards based on a generally lower threshold of proof than is required in taking a case through the courts. Notwithstanding this, the redress bands used by the board in assessing the level of award to be offered to applicants are in line with High Court awards made in personal injuries cases.

An applicant is expected to provide proof of identity, that he or she was resident in an institution, that he or she was injured while so resident and that the injury is consistent with any allegation of abuse that is alleged to have occurred while so resident. Awards are determined by the board having regard to the severity of the abuse and the severity of physical and psychological injury and loss of opportunity resulting from the abuse. An applicant may accept or reject an award or may submit the award for review to the review committee. In the event that the applicant is not satisfied with the outcome of this process, they can reject an offer and commence proceedings in the courts.

The redress board is not a court of law and the making of an award by the board does not constitute a finding of fault or negligence on the part of a relevant person. It is for this reason that the Act stipulates that all hearings must be conducted in private and an individual who chooses to accept an award of the board must agree not to publish any information relating to an application or an award. This confidentiality provision is required to protect the rights of persons, including victims.

In as far as it can, the board conducts its business with as much informality as possible. To assess the appropriate level of award for each case the board must be in a position to examine the evidence before it and to ask questions where necessary. This can, of course, be distressing for some applicants. In order that applicants may be supported through the redress process an applicant may have either a friend or family member accompany them to the board's offices and, while it is not normally possible for them to attend the hearing itself, they may wait for the applicant and be immediately available to them following the hearing. The board will, if requested prior to the hearing, make a counsellor available to support the applicant. Applicants are entitled to legal representation at hearings, the costs of which are met by the board, and most applicants avail of this facility.

The board received 14,768 applications by 15 December 2005 and by the end of 2005 had made awards in 4,477 cases. The vast majority of applicants have accepted the awards offered by the

board and only five awards have been rejected. While the Deputy has referred to people who have expressed dissatisfaction with their experience with the board I am aware that the board itself and officials in my Department have also been contacted by applicants who wanted to express their gratitude for the manner and sensitivity in which their cases were dealt with by the board.

I am also aware that the board has taken account of views expressed about its operations. Officials from the redress board have met with survivor groups on a number of occasions and, where possible, have accepted suggestions made regarding administrative arrangements and procedures. The board is, of course, independent in the performance of its functions.

I believe that the redress scheme is working effectively and sensitively in the interests of survivors and that the board is delivering on its mandate.

Computerisation Programme.

80. **Mr. O'Shea** asked the Minister for Education and Science if her Department has completed the promised audit of information technology hardware in schools; if so, when same will be published; the action she will take to ensure that teachers are appropriately trained to give maximum benefit to the children in their classrooms from the information technology available to them; and if she will make a statement on the matter. [5740/06]

Minister for Education and Science (Ms Hanafin): The National Centre for Technology in Education, NCTE, issued questionnaires for its census of school information and communications technology, ICT, infrastructure for both primary and post-primary schools early last summer. The census follows similar exercises undertaken in 1998, 2000 and 2002 and addresses a range of areas, including the extent of ICT equipment, networking and Internet access, ICT planning and priorities, professional development and technical support. School responses to the census have been gathered and compiled by the NCTE and the Education Research Centre has been engaged to summarise, tabulate and analyse the data therein. A report of the results of the census is currently being finalised and I expect to receive the report in the coming weeks. I can confirm to the Deputy that the results will be published.

On the question of teacher professional development, the NCTE has developed a range of teacher training courses in ICT related areas including: basic ICT skills, ICT pedagogical practice, technical skills such as website design, system management and troubleshooting as well as a range of ICT in special needs courses. These courses are offered locally by the ICT advisory service and made available, in the main, through the regional network of education centres.

Course provision is based on local needs, as assessed by the ICT advisers, which in turn feeds into the ongoing review of course provision nationally by the NCTE. In 2005 some 10,000 course places were provided to teachers within the overall provision at a cost of some €1.8 million.

School Discipline.

81. **Mr. Ring** asked the Minister for Education and Science the number of students expelled from secondary school for the most recent year for which statistics are available; the number of such students who successfully appealed this expulsion with her Department; and if she will make a statement on the matter. [5581/06]

101. **Mr. Kehoe** asked the Minister for Education and Science the number of students at second level expelled from schools in the 2004/05 school year; and if she will make a statement on the matter. [5580/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 81 and 101 together.

In January 2005, the National Educational Welfare Board, NEWB, issued guidelines to the management authorities of all primary and post-primary schools on reporting student absences and expulsions. These guidelines advise that the board of management must report its decision to expel a student to the NEWB. According to its analysis of the annual attendance reports submitted by schools under the Education (Welfare) Act 2000, the National Educational Welfare Board has reported that it was notified of 93 cases of expulsion of students from post-primary schools in the 2004/05 school year.

Under section 23 of the Education (Welfare) Act 2000 schools are required to have in place a code of behaviour detailing the circumstances under which the penalties of suspension and expulsion may be incurred. The Act requires that each board of management formulates a code of behaviour in consultation with teachers, parents and the NEWB. Section 29 of the Education Act 1998 provides for an appeal to the Secretary General of my Department where a board of management or a person acting on behalf of the board refuses to enrol a student, suspends a student for a cumulative total of more than 20 days in an academic year or expels a student from the school.

Statistics on appeals under section 29 of the Education Act 1998 are held on a calendar year basis. In 2005 there were 59 appeals submitted under section 29 of the Education Act 1998 relating to permanent exclusions from post-primary schools. Of these, seven appeals were withdrawn by the appellant, one was resolved at local level and six were resolved with the assistance of a facilitator. The remaining 45 appeals progressed to a

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hearing before a section 29 appeals committee. Of these, eight appeals were upheld and 37 were not upheld.

State Examinations.

82. **Mr. Neville** asked the Minister for Education and Science the reason it is not possible to provide a second opportunity within weeks for students to sit exams in view of the fact that each year a number of students due to illness or bereavement are unable to sit State exams. [5385/06]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations; ensuring the preparation of examination papers and other examination materials; and determining procedures in places where examinations are conducted, including the supervision of examinations.

Notwithstanding this, within the limitations of our examination system every possible effort is made by the commission to accommodate candidates who suffer illness, bereavement or other trauma either immediately before or during the examinations. Each year, arrangements are made to cater for a wide range of emergencies. These include alterations to the standard examination timetable and special sittings in venues such as hospitals. The National Educational Psychological Service, NEPS, also assists schools and students in crisis situations during examinations.

Prior to the establishment of the State Examinations Commission, my Department had over the years considered the issue of a repeat leaving certificate because it was raised regularly. My Department concluded that the constraints, inherent in a terminal and externally examined examination system, resulted in significant difficulties in the provision of repeat examinations.

These constraints derive from: the length of the school year; the timescale required for holding examinations — the leaving certificate timetable covers 13 exam days which is almost three weeks; defining eligibility to enter for repeat exams — it is likely that such facility could not be confined to those who missed the original exam because of illness but would also have to be open to other categories of students such as those, for example, who felt they had not performed to their optimum ability in the original examination; obtaining sufficient additional suitably qualified persons to act as examiners; providing adequate time for the preparation of marking schemes for the repeat examination papers and arranging for comprehensive briefing and training of examiners; providing ample time for those examiners to conduct the marking to a high standard; the pressing requirement of having results available

to feed into the college entry process which is conducted by the CAO and college admissions departments in August of each year; the need for an appeal system for the review of examination results.

When one considers that our State examinations currently operate against the tightest of timescales and to maximum capacity in delivering a high quality product at both leaving and junior certificate levels to strict end-user deadlines, it is considered that it would not be possible to hold repeat examinations and have results available to the deadlines required.

Site Acquisitions.

83. **Mr. Sherlock** asked the Minister for Education and Science if her attention has been drawn to the fact that there has been an increase of 34% in post-primary students at a school (details supplied) in County Cork; and if the purchase of the new site will be authorised. [5384/06]

Minister for Education and Science (Ms Hanafin): Projected long-term enrolments at the school in question have dropped since the proposal for a new school was originally approved. In that context, it is important to confirm that provision of a new second level school is still warranted.

To consider the matter thoroughly, a review of second level education provision in the area is underway in the school planning section of my Department. This review is being carried out in consultation with the school authority. It is taking into account factors such as recent trends in enrolment at the school, the projections for future enrolment, the basis for those projections and the robustness of the projections. The likely impact of recent and projected housing developments will, of course, be considered along with existing school provision in the general area. Additional information has recently been received from the school authority and this is now being examined.

When the review is fully completed, a decision will be taken on how best to provide for current and emerging needs, including site acquisition if this is necessary.

Special Educational Needs.

84. **Mr. Timmins** asked the Minister for Education and Science if her Department has received an application for funding from a school (details supplied) in County Wicklow to enable the school to provide an additional ABA service; the situation regarding same; and if she will make a statement on the matter. [5807/06]

Minister for Education and Science (Ms Hanafin): The Department and the National Council for Special Education met with representatives of the school referred to by the Deputy on Wednesday, 1 February to discuss a range of

issues. Following this meeting a comprehensive letter issued on 8 February to the school representatives outlining the Department's and NCSE's position on the various matters discussed at the meeting. The Department's letter covered a number of matters such as the need for a board of management, the process for applying for sanction for further classes for children with ASD, training and qualifications of staff and other issues.

It is now a matter for the school to proceed in accordance with the process that has been outlined to it in the letter of 8 February. This process involves making application for additional classes for children with ASD through the local special educational needs organiser.

It will be a matter for the NCSE to process the application and in doing so to seek whatever additional information it requires from the school to enable it to make an informed decision. The NCSE can seek advice if required from my Department on the application. Factors such as the needs of the individual children, levels of existing provision in the area and geographical location of the proposed attendees are matters that the NCSE will need to consider in processing the application.

I will continue to prioritise the issue of special needs education for children with autism and, in co-operation with the National Council for Special Education, ensure that all children with special needs are adequately resourced to enable them to meet their full potential.

Literacy Levels.

85. **Mr. Stagg** asked the Minister for Education and Science if she will develop a national strategy to address low literacy levels, as recommended in the final report of the educational disadvantage committee of her Department; and if she will make a statement on the matter. [5750/06]

Minister for Education and Science (Ms Hanafin): This Government is strongly committed to achieving the highest possible standards of literacy for people of all ages. We see this as central to achieving our key objective of social inclusion and have put increased resources in place in recent years to this end. Targeted measures are now in place in schools, in the community and in the workplace to achieve this goal.

At school level, initiatives such as the Reading Recovery programme have been very successful. This programme enables intensive, individualised teaching to be provided to the lowest attaining pupils at an early stage, when intervention can be most successful. By focusing on identifying and assisting children who are having difficulty with reading and writing at an early stage, we can prevent literacy difficulties from becoming entrenched. The number of schools participating in the Reading Recovery programme has doubled in the past year and will be extended further as

the new action plan for educational inclusion, DEIS, is rolled out.

Other measures in the DEIS plan which will ensure a major focus on improving literacy levels in disadvantaged schools include a new family literacy project and a targeted extension of the successful demonstration library project at second level. In addition, the 150 urban/town primary schools with the highest concentrations of disadvantage will benefit from maximum class sizes of 20:1 in junior classes and 24:1 in senior classes.

With regard to adult literacy, the Government's commitment to this area is evident from the fact that funding for adult literacy programmes increased more than 20 fold between 1997 and 2005 — from €1million to €22 million. Client numbers rose in the same period from 5,000 in 1997 to over 33,000 in 2004. The expansion of adult literacy services has included collaboration with FÁS to provide literacy training for people on their programmes, the development of successful workplace literacy initiatives and the organisation of community based literacy projects.

A comprehensive set of measures are, therefore, in place to promote literacy at all levels of the life cycle and the Government will continue to prioritise this area.

Commercial Marketing in Schools.

86. **Mr. Boyle** asked the Minister for Education and Science her views on the levels of commercial sponsorship in schools such as highlighted by the commercial free education campaign; if there are plans to ban such schemes; the steps she will take to ensure that schools do not feel obliged to participate in such schemes out of financial necessity; and if she will make a statement on the matter. [5710/06]

Minister for Education and Science (Ms Hanafin): Commercial marketing in schools can take a variety of forms — from educational materials made available to schools by newspapers to companies offering schemes whereby products are given to the school on the basis of tokens collected by parents. It is at the discretion of management in individual schools to decide what commercial initiatives they want their school to engage with. Clearly some initiatives can be of great benefit to schools. However, others might be seen as putting undue pressures on parents to shop in particular stores.

I recognise the sensitivities attached to the issue of promotion initiatives linking schools, students and parents to commercial activity. However, it would be inappropriate for me to ban all commercial links with schools. I believe that local school management is best placed to ensure that schools only participate in programmes that are appropriate and benefit the school community.

[Ms Hanafin.]

School management should ensure that such schemes do not place undue pressure on parents in terms of requiring additional expenditure, that students are protected from engagement in inappropriate promotional activity and that the schemes are linked to desirable projects serving national educational initiatives.

Disruptive Students.

87. **Mr. Allen** asked the Minister for Education and Science if the task force on student behaviour has recommended legislative changes as part of its proposals; and if she will make a statement on the matter. [5555/06]

Minister for Education and Science (Ms Hanafin): The task force completed its work and produced a final report with detailed recommendations in late January. I am considering the final report and its recommendations at present and I intend to publish the report in the near future. The Deputy will appreciate, however, that I would prefer not to comment further on particular aspects of the task force report until I have concluded my consideration of the full contents of the report.

Vetting of Personnel.

88. **Mr. G. Mitchell** asked the Minister for Education and Science when school boards of management will be vetted by the central vetting unit; and if she will make a statement on the matter. [5562/06]

Minister for Education and Science (Ms Hanafin): Ensuring the protection, health and welfare of children is a key concern for the Government, for parents, for agencies that work with children and for society generally and the Government is determined to do all it can to keep our children and vulnerable adults safe.

In the education sector, vetting is available in respect of prospective employees of children in detention schools as well as special needs assistants, SNAs, and bus escorts to children with special needs. My colleague, Deputy Brian Lenihan, Minister of State with responsibility for children, announced a doubling of the number of staff employed in the vetting unit — which has been relocated to Thurles under the Government's decentralisation programme — to ensure that they can handle a greater volume of requests from employers. The provision of additional staff resources will enable the Garda Síochána's vetting services to be extended to all persons working with children and vulnerable adults. This will include teachers, caretakers, bus drivers and others working with children, whether on a full-time or part-time basis.

The issue of vetting of members of boards of management raises the wider issue of vetting of people who volunteer in the education sector. My

view is that the determining factor in deciding whether or not such persons should be vetted is the extent to which they have unsupervised access to children or vulnerable adults. As the expansion of service provided by the Garda vetting unit is rolled out, I envisage that any board of management members who may have frequent and unsupervised access to children would be included in this category.

Psychological Service.

89. **Mr. Bruton** asked the Minister for Education and Science the number of secondary schools covered by NEPS; and if she will make a statement on the matter. [5560/06]

141. **Mr. McGinley** asked the Minister for Education and Science the number of primary schools covered by the NEPS; and if she will make a statement on the matter. [5559/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 89 and 141 together.

The number of National Educational Psychological Service, NEPS, psychologists has increased from 43 on establishment to 121 at present. The Public Appointments Service has recently established new recruitment panels for NEPS. Regional panels are now in place and my Department is currently in the process of appointing ten new psychologists. Priority is being given to filling vacancies in areas of greatest need. Any increase in the number of psychologists in NEPS will depend on the availability of resources and must also take account of Government policy on public sector numbers.

All primary and post-primary schools have access to psychological assessments for their pupils, either directly through NEPS psychologists or through the scheme for commissioning psychological assessments, SCPA, that is administered by NEPS. Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS and NEPS will pay the psychologist the fees for this assessment directly. Details of this process and the conditions that apply to the scheme are available on my Department's website.

As of February 2006, the NEPS service is now available to approximately 1,623 primary schools, representing approximately 50% of schools and 59% of pupils, and approximately 555 post-primary schools, representing 75% of those schools and pupils. This number does not include schools in the City and County of Dublin Vocational Education Committee schemes, which have their own psychological service.

NEPS provides assistance to all schools and school communities that experience critical incidents, regardless of whether they have a NEPS

psychologist assigned to them. Also, in all schools NEPS processes applications for reasonable accommodation in certificate examinations and responds to queries regarding individual children from other sections of my Department and from the specialist agencies.

Schools Building Projects.

90. **Dr. Upton** asked the Minister for Education and Science if her attention has been drawn to the fact that some schools have had to raise considerable sums to top-up the money allocated to them under the school building programme devolved grant due to the fact that the grant has not been sufficient to carry out the work needed and approved; if this will be addressed under her capital budget; and if she will make a statement on the matter. [5752/06]

Minister for Education and Science (Ms Hanafin): Devolving funding to school management authorities allows them to have control of their projects, assists in moving projects more quickly to tender and construction and can also deliver better value for money. The two devolved initiatives, the small schools initiative and the permanent accommodation initiative, were originally introduced on a pilot basis due to the positive feedback from schools and were extended to cover more schools over the last two years.

The initiatives are not structured on the basis that the Department funding must be supplemented by local fund-raising. They do, however, allow a school to supplement the funding from local resources if they so wish. The critical element is that with devolved authority the school must set the scope of works to match the funding allocated. The Department does not define the precise works to be carried out. A school can make choices within the budget allocated.

Setting the scope of works is the critical first step. Clearly where a school has a known level of resources apart from the Department funding or knows its capacity to raise additional resources it is open to that school to extend the scope of works to include additional facilities. However, if the scope of works is not set appropriately from the outset based on the budget available, there is a risk that the school will be faced with a funding gap when the project is at construction.

The choices to be made within these devolved initiatives rest with the school and that is the cornerstone of any policy of devolution. The school authority knows the budget and must decide what it is capable of building with that budget. The time to identify a problem is at the outset before entering any contract. Schools can raise with my Department any site specific problems or unusual planning stipulations that impose additional costs and these will be examined. Otherwise schools must reduce the scope of intended works so as to remain within budget. A school does not have to

accept the invitation to participate in a devolved initiative and can instead be considered for inclusion in the mainstream school building programme in line with the project's priority band rating.

The feedback has in general been very positive, the number of schools participating has increased year on year and many schools are anxious to be included. I intend to maintain this momentum and I am planning to invite more schools to participate in these initiatives in 2006. I expect to make an announcement in that regard shortly.

Literacy Levels.

91. **Dr. Twomey** asked the Minister for Education and Science her views on the key findings of the recently published *Succeeding in Reading* report; and if she will make a statement on the matter. [5574/06]

Minister for Education and Science (Ms Hanafin): The results of the "Succeeding in Reading" report are very encouraging in one respect as they show that Ireland's high reading standards have remained consistently high. I am concerned, however, about the poor reading achievement among many children attending school in disadvantaged areas. The Deputy may be aware that improving reading standards in disadvantaged schools is a core objective of the new action plan for delivering equality of opportunity in education, or DEIS. Under DEIS, successful initiatives such as the Reading Recovery intensive individualised teaching programme will be extended and a new family literacy project will be put in place. A key aspect of the programme will be an increased emphasis on planning and measuring outcomes to ensure that increased resources mean better outcomes for children.

Other striking findings of the "Succeeding in Reading" report are the important influence that parents have on their children's reading achievement and the importance of principals ensuring that the most experienced teachers are assigned to junior classes. I stressed this latter point in my address to the annual conference of the Irish Primary Principals Network last week.

With regard to the influence that parents have on their children's reading abilities, the survey highlights the long-term, positive effects of reading to children before they start school and regularly reading to them when they are in the Infant classes in primary school. It clearly shows that if parents read to their children at an early stage, the possibility that their children will have difficulty learning to read will be virtually eliminated. I therefore very much agree with the recommendation of the report that parents of pre-school children should be targeted by information campaigns, explaining the importance of reading to children and of providing reading resources in the home. I will give careful consideration to how my Department and schools can assist in improving

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parents' awareness of their role in developing their children as readers.

The "Succeeding in Reading" report provides valuable information to inform practice at school level and to inform policy development at national level.

School Evaluations.

92. **Mr. Naughten** asked the Minister for Education and Science the level of consultation with school pupils which is entered into by her Department as part of the whole school evaluation; and if she will make a statement on the matter.

[5570/06]

Minister for Education and Science (Ms Hanafin): During whole school evaluation at primary and post-primary levels, inspectors from the Department of Education and Science consult with the members of the school community, including parents, teachers, principal teacher and members of the board of management. In post-primary schools where student councils have been established, inspectors meet with the representatives of the students during a whole-school evaluation.

This meeting is intended to provide the students' representatives with opportunities to give their views on the management and organisation of the school, the quality of curriculum provision, the quality of learning and teaching at the school and the quality of support for students. Students' views are also sought on the atmosphere of the school and the extent to which students are involved in decision making. A teacher can be present at these meetings but does not participate in the discussion.

Inspectors engage with students in a variety of ways during all whole-school evaluations at both primary and post-primary level. The interaction with students usually occurs in classrooms — both in mainstream and in support contexts — learning support rooms, resource rooms, and while working with tutors or other personnel. This can involve engagement with the class as a whole or with individual students. Engagement with whole classes includes targeted or open questioning, the assignment of appropriate tasks or the evaluation of skill development. In classes where students are engaged in practical tasks or in group work, the inspector may also engage with groups or individuals as the lesson progresses. These interactions provide the inspector with first-hand insight into the level of student learning and achievement and an understanding of the context of the individual class.

When carrying out surveys of provision in schools as part of thematic evaluations, inspectors also consult students. In recent evaluations of ICT and Traveller education provision in primary and post-primary schools structured interviews

were held with groups of students to obtain their views about the matters being evaluated.

Inspectors' interactions with students and other members of the school community are undertaken in accordance with the professional code of practice on evaluation and reporting for the inspectorate, 2002. The general principles of the code are that inspectors will be consistent, fair and courteous and work with members of the school community in a climate of mutual respect. Inspectors are also committed to basing their judgments on first-hand evidence and to applying evaluation criteria objectively and reliably. It is very important to obtain the views and attitudes of students about educational matters and it is a very important component of the whole-school evaluation process.

Literacy Levels.

93. **Mr. Morgan** asked the Minister for Education and Science if, in view of the multi-generational nature of learning and literacy difficulties here, the accompanying problems of low computer literacy, persistent early school leaving and literacy problems at primary level she is satisfied with her Department's response to these issues; and if she will make a statement on the matter. [5793/06]

Minister for Education and Science (Ms Hanafin): A key focus of the Government's education policy is to prioritise investment in favour of those most at risk and to optimise access, participation and educational outcomes at every level of the system for disadvantaged groups. The Government's commitment to achieving the highest possible standards of literacy both for those in school and for adults of all ages is set in the context of the programme for Government, the national action plans against poverty and social exclusion, and social partnership agreements. Measures include systematically monitoring literacy attainment levels both in schools and among adults; ensuring that pupils with serious literacy difficulties in schools serving disadvantaged communities are supported in improving their attainment levels and providing opportunities for adult learners, particularly in the area of literacy.

Addressing low literacy levels is a key aspect of the new action plan for educational inclusion, DEIS — delivering equality of opportunity in schools, which I launched last year. The action plan aims to ensure that the educational needs of children and young people from disadvantaged communities are prioritised and effectively addressed. It will place a renewed emphasis on the teaching of literacy and numeracy skills in schools and will involve the implementation of a number of specific literacy and numeracy measures, with priority being given to implementation in the schools with the highest concentrations of disadvantage.

The plan provides for a standardised system for identifying levels of disadvantage and a new integrated school support programme, SSP. The school support programme will bring together a number of existing interventions in schools with a concentrated level of disadvantage and build upon them. Approximately 600 primary schools and 150 second level schools will be included in it. The new action plan will be introduced on a phased basis, starting during the current school year. It will involve an additional annual investment of €40 million on full implementation. It will also involve the provision of some 300 additional posts across the education system. The identification process for the new school support programme is nearing completion and my Department will issue an invitation to the schools selected for participation in the programme shortly.

A key underlying principle of DEIS is that of early intervention. It will focus on identifying and assisting children who are having difficulty with reading and writing at an early stage with the aim of preventing literacy difficulties from becoming entrenched. The measures involved will include a new advisory service for primary schools, more access to initiatives such as Reading Recovery, targeted extension of the successful demonstration library project at second level and a new family literacy project. In addition, the 150 urban/town primary schools with the highest concentrations of disadvantage will benefit from maximum class sizes of 20:1 in junior classes and 24:1 in senior classes.

Under the action plan, my Department will continue to progress the position as regards ICT in schools, with priority being given to supporting developments in schools serving disadvantaged communities. The major focus for my Department at present is the roll out of broadband connectivity to all recognised schools. This project is being undertaken in partnership with industry, following the establishment of a three year €18 million joint Government /IBEC — TIF telecommunications and Internet federation fund to fund local connectivity at school level.

The new action plan will place a renewed emphasis on the involvement of parents and families in children's education in schools. The Department and the National Educational Welfare Board, NEWB, will work together to ensure that an integrated approach to children at risk is adopted. The school completion programme, my Department's main programme for tackling the issue of early school leaving, will be integrated into the new school support programme under the action plan.

Progression from primary to second level is recognised as a crucial transition period in a child's education. Under the action plan, a continuing emphasis will be placed on the development of effective transfer programmes by building on the existing work of the home school

community liaison scheme and the school completion programme.

My Department continues to support an expanding range of programmes and initiatives for adults who are experiencing literacy difficulties. Funding for adult literacy has been increased incrementally in recent years from just under €1 million in 1997 to over €22 million in 2005. Client numbers rose in the same period from 5,000 in 1997 to over 33,000 in 2004.

Education Welfare Service.

94. **Mr. Kenny** asked the Minister for Education and Science the number of education welfare officers employed by the NEWB; and if she will make a statement on the matter. [5573/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The Education (Welfare) Act 2000 established the National Educational Welfare Board as the single national body with responsibility for school attendance. The Act provides a comprehensive framework for promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The service is developing on a continuing basis. The total authorised staffing complement is currently 94, comprising 16 headquarters and support staff, five regional managers, 12 senior educational welfare officers — SEWOs — and 61 educational welfare officers — EWOs. In deploying its service staff, the National Educational Welfare Board has prioritised the provision of services to the most disadvantaged areas and most at-risk groups. Five regional teams are in place with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. Towns which have an educational welfare officer allocated to them include Dundalk, Drogheda, Navan, Athlone, Carlow, Kilkenny, Wexford, Bray, Clonmel, Tralee, Ennis, Sligo, Naas, Castlebar, Longford, Tuam, Tullamore, Letterkenny and Portlaoise.

In addition to the staff of the NEWB, there are some 490 staff in educational inclusion programmes whose work involves a school attendance element. My Department is anxious to ensure that the maximum benefit is derived from these substantial personnel resources. Consequently, work is ongoing to develop appropriate protocols for integrated working between the different services involved.

I will keep the issue of the NEWB's staffing under review in light of the roll out of services and any further proposals that the board may put to me about clearly identified priority needs.

Standardised Testing.

95. **Mr. Coveney** asked the Minister for Education and Science when standardised testing will be introduced at primary level; and if she will make a statement on the matter. [5593/06]

98. **Mr. J. O’Keeffe** asked the Minister for Education and Science if she has finalised plans for the introduction of standardised testing, especially as regards the years in which such testing will take place; and if she will make a statement on the matter. [5594/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 95 and 98 together.

I believe that standardised testing on a systematic basis has great potential to enhance the quality of teaching and learning for our students at classroom level and to provide valuable information for parents about their children’s learning. It is also clear that test results, provided on a sampling basis, can also guide policies aimed at improving performance and combating educational disadvantage. I fully agree with the advice of the National Council for Curriculum and Assessment that all pupils should take standardised tests in literacy and numeracy at the end of first class or at the beginning of second class and at the end of fourth class or at the beginning of fifth class.

There is clearly important ground work that must be put in place before committing to specific dates for the introduction of any requirements in this regard for schools and I am eager that this work be completed as soon as practicable. In that context, I have asked the NCCA to prioritise the preparation of guidelines for schools on developing and implementing a policy on assessment, on assessment practice in classrooms and on reporting to parents. I understand that this work is at an advanced stage.

I have also asked the council to advance the preparation of exemplars of pupils’ work to guide teachers’ judgments and also summaries based on the curriculum of what pupils should achieve at each level of their schooling. A national report card for recording and reporting data on pupils’ attainment is also being developed, as is a national policy on the transfer of information from primary to post-primary schools. In tandem with this work, my Department is currently exploring potential implementation models, in advance of entering into discussions with the education partners on the matter.

The question of providing training to teachers on standardised testing is also an issue which has to be considered in the context of any decision to be made on an implementation date. My intention is that we will proceed carefully but as quickly as possible to ensure that the recommendations proposed by the NCCA are implemented in a way that has positive benefits

for children, parents, teachers and the system as a whole. Ongoing progress is being made.

School Transport.

96. **Mr. Howlin** asked the Minister for Education and Science if a review of catchment boundaries for school transport will be carried out in view of the huge demographic changes that have occurred since the boundaries were originally drafted and the confusion caused by some of the maps used to determine eligibility; and if she will make a statement on the matter. [5732/06]

Minister of State at the Department of Education and Science (Miss de Valera): Catchment boundaries have their origins in the establishment of free post-primary education in the late 1960s and were determined following consultation with local educational interests. For planning purposes, the country was divided into geographic districts, each with several primary schools feeding into a post-primary centre with one or more post-primary schools. The intention was, and continues to be, that these defined districts facilitate the orderly planning of school provision and accommodation needs.

Reviews of specific catchment boundaries may be carried out where appropriate. A number of reviews have been carried out over the years where, for example, a new post-primary school is established in an area where previously there was none or, conversely, where a “sole provider” school closes due to declining enrolment. The area development planning initiative, involving an extensive consultative process carried out by the commission on school accommodation, will also inform future revisions to catchment areas.

An area development plan takes account of demographic changes and projects future enrolments for existing schools and new schools if required. Catchment boundary changes will be made where the implementation of the recommendations in an area development plan requires such adjustments. Catchment boundaries have provided and continue to provide a very useful tool in facilitating the orderly planning of school provision and accommodation needs and the operation of the national school transport service.

My Department is aware of a particular case where the map retained in the local transport liaison officer’s office varied from the map held in my Department’s planning section. A copy of the Department’s map, which is the definitive map, has been forwarded to the TLO for the purpose of establishing eligibility under the terms of the school transport scheme.

Pupil-Teacher Ratio.

97. **Mr. Bruton** asked the Minister for Education and Science the number of primary school children in school classes of more than 35; and if

she will make a statement on the matter. [5587/06]

140. **Mr. McGinley** asked the Minister for Education and Science the number of primary school children in school classes of more than 30; and if she will make a statement on the matter. [5595/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 97 and 140 together.

According to statistical returns made to my Department, the number of primary school pupils in September 2004 in ordinary classes of more than 30 but less than 36 was 69,179. The corresponding figure for classes of more than 35 was 4,158.

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 2004/05 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/resource teachers, has fallen from 22.2:1 in the 1996/97 school year to 17.1:1 in 2004/05.

As I indicated in my statement on the recently published Estimates, I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year. The Minister for Finance has committed to a further reduction in class size in the following year. This means that while schools are staffed at present on the basis of at least one classroom teacher for every 29 pupils, over the next two years this will be reduced to 28 in 2006/07 and 27 in 2007/08.

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.

Question No. 98 answered with Question No. 95.

Third Level Education.

99. **Mr. Gilmore** asked the Minister for Education and Science her plans to introduce an aptitude test for applicants to medical education courses; if her attention has been drawn to the fact that such a test has already been developed by the University of Cambridge which is widely used in Britain; the nature of the test she is considering; and if she will make a statement on the matter. [5729/06]

103. **Mr. Connaughton** asked the Minister for Education and Science the type of aptitude testing to be applied to prospective medical students;

and if she will make a statement on the matter. [5563/06]

147. **Mr. Deenihan** asked the Minister for Education and Science the time of year that prospective medical students will be expected to take an aptitude test; and if she will make a statement on the matter. [5565/06]

155. **Mr. English** asked the Minister for Education and Science when medical places will be expanded for Irish students; and if she will make a statement on the matter. [5566/06]

159. **Mr. McCormack** asked the Minister for Education and Science the nature of future testing to be applied to prospective medical students at leaving certificate; and if she will make a statement on the matter. [5564/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 99, 103, 147, 155 and 159 together.

On the 1 February 2006, the Tánaiste and I published the report of the Fottrell working group on undergraduate medical education and training. In addition, the Tánaiste published the report of the postgraduate medical education and training group. These reports represent the most significant review of medical education and training ever undertaken in Ireland and are aimed at responding to the needs of a changing health system and ensuring that medical education in Ireland is sufficiently resourced and developed to maintain our reputation for producing quality doctors into the future.

With regard to medical education, I am increasing the annual number of undergraduate places for Irish and EU students from 305 to 485 and am introducing a separate graduate entry stream which will provide 240 additional places per annum. These increases, which will be phased in over a four year period, will increase the annual number of medical places from 305 to 725. At undergraduate level, an additional 70 places will be provided this autumn, with a further 40 places being provided in 2007 and a further 35 places in each of 2008 and 2009. The Higher Education Authority will begin immediate consultations with the existing medical schools on the provision of the additional undergraduate places.

The authority will also issue a competitive call for proposals to provide the new graduate entry programme, with a view to the places being provided on this programme from 2007. Graduate entry, which will be open to graduates of all disciplines, will allow students to make a decision to enter medicine at a more mature age and should result in a more diverse range of entrants into the profession.

While a number of aptitude tests are mentioned in the Fottrell report, no decisions have been made in this regard. I do not favour the use of interviews to determine aptitude and have

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asked the Higher Education Authority to establish an expert group to develop a standardised test that, drawing on best international practice, will evaluate aptitude and suitability for entry to the graduate programme. This selection test will be in place for 2007. The time of year that students will be required to take the test will be a feature of the expert group report.

The Fottrell report also proposes that all students with 450 leaving certificate points be considered for selection for undergraduate medical education on the basis of a separate aptitude test. While I am a keen supporter of the fairness and objectivity of the points system, I recognise that the pressures on students wishing to study medicine to achieve an almost perfect leaving certificate are excessive and unnecessary. For that reason I am anxious to explore the detailed options around a dual selection process. There is a need to ensure that the revised system will adequately reward strong academic performance, will provide an appropriate evaluation of aptitude and suitability for a career in medicine and will retain public confidence in its objectivity and fairness.

I am, therefore, also asking the HEA expert group to bring forward more detailed proposals on a proposed new undergraduate selection system, to devise an appropriate selection test for use at undergraduate level and to advise on the logistics of its administration. The expert group is to report to me by summer 2006 to allow a clear signal of any proposed changes to be given to the cohort of students entering the senior cycle in 2006. To allow adequate notice to students, the new entry procedures for undergraduate medical education will not be introduced any sooner than September 2008.

Education Welfare Service.

100. **Dr. Cowley** asked the Minister for Education and Science if her attention has been drawn to the fact that there is no educational welfare officer assigned to County Mayo, which means that children who are absenting themselves from school are not being followed up until at least 60 days have passed and that there are serious discrepancies in this system; the reason no educational welfare officer has been approved; when an officer will be appointed; and if she will make a statement on the matter. [4961/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The Education (Welfare) Act 2000 established the National Educational Welfare Board as the single national body with responsibility for school attendance. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

To discharge its responsibilities, the board is developing a nationwide service that is accessible to schools, parents and guardians and others concerned with the welfare of young people. For this purpose, educational welfare officers, EWOs, have been appointed and deployed throughout the country to provide a welfare focused service to support regular school attendance and discharge the board's functions locally. In deploying its service staff, the National Educational Welfare Board has prioritised the provision of services to the most disadvantaged areas and most at-risk groups.

Five regional teams are in place with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. Towns which have an educational welfare officer allocated to them include Dundalk, Drogheda, Navan, Athlone, Carlow, Kilkenny, Wexford, Bray, Clonmel, Tralee, Ennis, Sligo, Naas, Castlebar, Longford, Tuam, Tullamore, Letterkenny and Portlaoise. In addition to the staff of the NEWB, there are some 490 staff in educational inclusion programmes whose work involves a school attendance element.

My Department is anxious to ensure that the maximum benefit is derived from these substantial personnel resources. Consequently, work is ongoing to develop appropriate protocols for integrated working between the different services involved.

My Department has been informed by the NEWB that an EWO vacancy currently exists in County Mayo and that the recruitment process to fill this vacancy is at an advanced stage. Pending an appointment to this position urgent cases in this region are being responded to by the SEWO in Sligo.

Question No. 101 answered with Question No. 81.

Educational Disadvantage.

102. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the recent report *How are our Kids in Tallaght West*; if her Department had any meeting specifically relating to the report; the new measures, sanctions or proposals she proposes to introduce in response to the considerable problems highlighted; and if she will make a statement on the matter. [5789/06]

125. **Mr. Crowe** asked the Minister for Education and Science, in view of the recent report *How are our Kids in Tallaght West*, and its findings, particularly on the scale of educational disadvantage uncovered, the role her Department is playing in the co-ordination of the State's response to the considerable problems outlined in the report. [5790/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 102 and 125 together.

A key focus of education policy is to prioritise investment in favour of those most at risk and to optimise access, participation and outcomes at every level of the system for disadvantaged groups. The wide variety of measures in place in Tallaght and in other similar areas for tackling educational disadvantage and social exclusion reflect these concerns. These measures range from pre-school interventions, supports for tackling children's literacy problems, reduced pupil teacher ratios, increased capitation grants and measures to tackle early school leaving and strengthen ties between the school, the family and the community. In addition, there are interventions in support of youth and in providing "second chance education" for young people and adults.

DEIS — delivering equality of opportunity in schools, the new action plan for educational inclusion, which I launched last May, aims to ensure that the educational needs of children and young people from disadvantaged communities are prioritised and effectively addressed. The plan provides for a standardised system for identifying levels of disadvantage and a new integrated school support programme, SSP, which will bring together and build upon a number of existing interventions for schools with a concentrated level of disadvantage. Approximately 600 primary schools and 150 second level schools will be included in the school support programme.

The new action plan will be introduced on a phased basis, starting during the current school year, and will involve an additional annual investment of €40 million on full implementation. It will also involve the provision of some 300 additional posts across the education system. The key principle of early intervention underpins both the early childhood education measure and many of the literacy and numeracy measures being adopted under the new action plan.

The new school support programme will integrate a number of schemes and programmes that are currently benefiting schools in west Tallaght. Moving to a single programme of supports for all disadvantaged schools will result in a more integrated and co-ordinated approach. I met with Ms Katherine Zappone, the project leader of the childhood development initiative, CDI, in Tallaght last year and the report referred to by the Deputy was one of the issues discussed. The regional office of my Department in Tallaght also participated in the consultative group of regional agencies which provided advice and information in respect of the development of the CDI.

In December 2005, the office of the Minister of State with responsibility for children was established to maximise the co-ordination of policies for children and young persons and will have a range of functions previously under the Departments of Health and Children; Justice, Equality

and Law Reform; and Education and Science. A new early years education policy unit has been established in my Department and it will be co-located in the office of the Minister of State with responsibility for children. Decisions of a policy nature relating to early childhood education, including the new action plan for educational inclusion, will now be pursued as part of the overall strategic policy framework developed by the office of the Minister of State.

Question No. 103 answered with Question No. 99.

Third Level Education.

104. **Ms Burton** asked the Minister for Education and Science if the promised survey on participation in higher education by socio-economic group based on a census of entrants in 2004 and the Clancy studies has been completed; if the results will be published; and if she will make a statement on the matter. [5724/06]

Minister for Education and Science (Ms Hanafin): The report of the study of new entrants to higher education in 2004 is currently being finalised. It is expected that this report will be published shortly.

School Curriculum.

105. **Mr. Quinn** asked the Minister for Education and Science her views on the proposal by the Irish Primary Principals Network that responsibility for preparation for First Communion and Confirmation should transfer from the school to the parents and church; and if she will make a statement on the matter. [5742/06]

Minister for Education and Science (Ms Hanafin): Section 15 of the Education Act 1998 requires boards of management of schools to uphold, and be accountable to the patron for upholding, the characteristic spirit of the school as determined by the cultural, educational, moral, religious, social, educational, linguistic and spiritual values and traditions which inform and are characteristic of the objectives and conduct of the school.

Provision is made for the inclusion of religious education on the curriculum for primary schools. My Department recognises the rights of the different church authorities to design these curricula and to supervise their teaching and implementation. To this end, 30 minutes of the school day is allocated to the teaching of religious education. I understand that a number of pilot projects have been prepared by the Catholic Church whereby preparation for the sacraments is shared between the home, the school and the parish.

Literacy Levels.

106. **Mr. English** asked the Minister for Education and Science the number of children from

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poorer backgrounds with significant literacy problems; and if she will make a statement on the matter. [5575/06]

128. **Mr. Morgan** asked the Minister for Education and Science if her attention has been drawn to the recent report on literacy by the Education Research Centre at a school (details supplied). [5792/06]

165. **Mr. S. Ryan** asked the Minister for Education and Science her response to the report from the Education Research Centre at a school (details supplied) which indicates that there has been no improvement since 1999 in the statistics for the literacy difficulties of poor children which remain unacceptably high; what precisely she intends to do to address this; and if she will make a statement on the matter. [5745/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 106, 128 and 165 together.

The most significant levels of literacy difficulties tend to be concentrated in designated disadvantaged schools. Data on the precise number of children in these schools that have literacy difficulties are not available but a survey commissioned by my Department estimated that the mean proportion of children with serious literacy difficulties was 27% in first and sixth classes and 30% in third class.

The patterns of score differences between pupils in designated disadvantaged primary schools and schools generally suggest that the gap between the two cohorts remains more or less constant from first to sixth class. Studies of reading achievement in Irish primary schools have consistently shown that the socio-economic background of pupils correlates very highly with achievement in reading and that variables related to the home and the community have a determinative impact on reading literacy levels.

I am familiar with the national assessment of English reading, NAER, report and a summary of the report which I launched on 23 January this year entitled "Succeeding in Reading". The report was distributed to all primary schools and boards of management of primary schools in the country. Multiple copies of the summary report and of a leaflet setting out the key finding in the report were sent to all primary schools. I want to ensure that boards of management, principals and teachers are aware of the findings of the report and of the very practical recommendations made in the report about ways to achieve and maintain high standards in reading.

I am, of course, concerned about the poor reading achievement among many children attending school in disadvantaged areas. The Deputy may be aware that improving reading standards in disadvantaged schools is a core objective of the new action plan for delivering equality of oppor-

tunity in education or DEIS. Under DEIS, successful initiatives such as the Reading Recovery intensive individualised teaching programme will be extended and a new family literacy project will be put in place. A key aspect of the programme will be an increased emphasis on planning and measuring outcomes to ensure that increased resources mean better outcomes for children.

A key principle underpinning the DEIS programme is that of early intervention. I believe that schools should have robust systems in place to identify children with reading difficulties at an early stage. Class teachers and support teachers need to collaboratively plan and implement individual programmes for such children and regularly review the programmes to ensure that children make rapid progress in learning to read.

Improving the literacy and numeracy levels of children from disadvantaged areas is a key priority for me. This priority is reflected in the DEIS programme, the implementation of which will be carefully monitored to ensure that the resources and initiatives being put in place lead to better outcomes for these children.

Implementation of Legislation.

107. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science when she expects all the sections of the Children Act 2001 that are under the aegis of her Department to be implemented; and if she will make a statement on the matter. [5739/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): In October 2004, the Government endorsed a joint proposal from the Minister for Justice, Equality and Law Reform and the Minister of State with responsibility for children to examine the scope for rationalising and restructuring the delivery of the State's services in the area of youth justice in accordance with the Children Act 2001. To this end, a project team within the Department of Justice, Equality and Law Reform was established to conduct an overarching analytical review and scoping exercise and bring forward recommendations for any necessary institutional reform.

The report on the youth justice review, a copy of which has been placed in the Oireachtas Library, was examined in the social inclusion institutional framework last June. The Cabinet committee on social inclusion, CCSI, approved the thrust of the recommendations at that time. The CCSI agreed also that proposals on the legal and structural amendments necessary to give effect to the recommendations should be brought to Government before the end of the year.

On 13 December last, the Government noted the youth justice report and approved its publication. The Government agreed also to implement the report's key findings, including the establishment on a non-statutory basis of a youth

justice service, YJS, as an executive office of the Department of Justice, Equality and Law Reform under the strategic direction of the new office of the Minister of State with responsibility for children. This will ensure that all policies and services for children will be developed in a new strategic framework of joined-up Government under that Minister.

It is proposed that the YJS will assume responsibility for all detention services for children under the age of 18. This will require the transfer of legal and administrative responsibilities for the detention of young offenders from the Department of Education and Science to the Department of Justice, Equality and Law Reform. Responsibility for educational services for young offenders in detention and the preparation of a global strategy on such services for all children in special residential accommodation will continue to rest with the Department of Education and Science.

The Government also approved the drafting of the official amendments to the Criminal Justice Bill 2004 necessary to give effect to the proposals arising from the youth justice report and from other related matters. The proposed amendments have been circulated to the Human Rights Commission, to the Office of the Ombudsman for Children and to the Joint Committee on Justice, Equality, Defence and Women's Rights.

The Government is committed to the speedy implementation of the detention provisions of the Children Act. To this end, a cross-departmental expert group is to be set up shortly to examine the future requirements for secure accommodation for offending children under the age of 18 and to plan for the provision of the necessary facilities. The Government agreed to the appointment of a suitably experienced person to head up this group and to take responsibility for the area of detention school services.

Special Educational Needs.

108. **Ms Shortall** asked the Minister for Education and Science if the urgent need to provide support for children with special educational needs in second level schools will be addressed; her response to the joint statement from the ASTI and the JMB that second level schools do not have sufficient resources to respond to the needs of such students; and if she will make a statement on the matter. [5749/06]

Minister for Education and Science (Ms Hanafin): There has been enormous progress over the past number of years in increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs. At second level, approximately 1,641 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that

were in place in 1998 for such pupils. In addition, there are 532 whole time equivalent learning support teachers and approximately 1,088 whole time equivalent special needs assistants, SNAs, in our second level schools.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Pupils attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

With effect from 1 January 2005, the National Council for Special Education, NCSE, has taken over key functions from my Department in special educational provision. The NCSE was formally established as an independent statutory body on 1 October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of my Department but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs.

The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs. The responsibilities of the NCSE include the following: deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level; deciding on applications for special needs assistant, SNA, hours; processing applications for school placement in respect of children with disabilities with special educational needs.

Under the new arrangements, the council, through the local special educational needs organiser, SENO, will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

In addition, my Department's teacher education section has developed a strategy designed to meet the continuing professional development needs of personnel working with children with special educational needs. This involves a major expansion of the range of postgraduate professional training programmes available to teachers in the special needs area and the ongoing development of the special education support service, SESS, to support schools staff locally.

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My Department will continue to ensure that the necessary resources are made available for the education of children with special needs. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Disadvantaged Status.

109. **Mr. Timmins** asked the Minister for Education and Science the number and the schools in Counties Wicklow and Carlow classified as disadvantaged; the way in which these were selected; her plans to add more schools to this list; the names of these schools; and if she will make a statement on the matter. [5806/06]

Minister for Education and Science (Ms Hanafin): Six post-primary and 11 primary schools in Wicklow and three post-primary and two primary schools in Carlow are currently designated as disadvantaged under the disadvantaged areas scheme. Under this scheme, schools are in receipt of such supports as additional supplementary capitation, 95% building grant for building projects, additional teaching assistance as well as participation in the home/school/community liaison scheme and so forth.

A key element of DEIS — delivering equality of opportunity in schools — the new action plan for educational inclusion is the putting in place of a standardised system for identifying levels of disadvantage in our primary and second level schools for the purposes of qualifying for resources, both human and financial, according to the degree of disadvantaged experienced. This standardised system will replace all of the existing arrangements for targeting schools for participation in initiatives to address disadvantage.

A new integrated school support programme will bring together, and build upon, a number of existing interventions for schools and school clusters/communities with a concentrated level of educational disadvantage. Existing schemes and programmes will be integrated into the school support programme on a phased basis over the implementation period. The identification process is currently being finalised and selected schools will be invited to participate in the new school support programme shortly.

Bullying in Schools.

110. **Mr. G. Mitchell** asked the Minister for Education and Science if she will revise and bring up to date the 1993 guidelines on countering bullying behaviour in schools; and if she will make a statement on the matter. [5586/06]

171. **Mr. Wall** asked the Minister for Education and Science if her Department has carried out an evaluation of the effectiveness of anti-bullying

measures in place in schools; if she will introduce a mainstream comprehensive anti-bullying programme, such as the one developed by a person (details supplied); and if she will make a statement on the matter. [5754/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 110 and 171 together.

The evaluation of all school policies, including a policy to deal with bullying behaviour, is part of the whole school evaluation process. WSE involves a full examination of all the varied activities of a school — from teaching standards to the availability of extra-curricular activities, the ethos of the school and the implementation of policies in areas such as bullying and health and safety. The inspection process also includes consultation with parents, staff members and students.

I am acutely aware of the issue of bullying in schools and my Department has in place a multi-faceted strategy to tackle the issue. The education of students in both primary and post-primary schools in anti-bullying behaviour is a central part of the SPHE curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. The SPHE curriculum provides for the development of personal and social skills, including self-awareness, respect for others, self-esteem and communication skills, all of which are important elements in addressing the issue of bullying. In primary education, the issue of bullying is addressed in the SPHE curriculum in the strand “Myself and Others” from infant classes onwards. In second level education, the issue of bullying is addressed from first year onwards in the SPHE curriculum at junior cycle, in the module on “Belonging and Integrating”.

Each school is required to have in place a policy which includes specific measures to deal with bullying behaviour, within the framework of an overall school code of behaviour and discipline. Such a code, properly devised and implemented, can be the most influential measure in countering bullying behaviour in schools. Recently, when I addressed the annual conference of the Irish Primary Principals Network, I asked school principals to ensure that effective policies are in place in their schools and that bullying is not tolerated in any way, shape or form.

My Department, in its “Guidelines on Countering Bullying Behaviour in Schools”, has provided a national framework within which individual school management authorities may meet their responsibilities for implementing effective school-based policies to counter bullying. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of the school. My Department will keep these guidelines under

review with a view to updating them where necessary.

In recent years, there have been a number of pilot programmes which have also addressed this issue. Pilot programmes are utilised as a means of informing possible new initiatives or how best existing provision may be improved upon. The function of pilot programmes is to test and evaluate different ideas and approaches to aid and enhance existing provision. Pilot programmes, when completed, are evaluated in terms of programme content, effectiveness and appropriateness and the recommendations and findings are considered in the context of developing existing programmes and structures which are designed to meet the needs of schools at local level.

An effective framework is in place whereby schools are given guidelines and support in how to tackle bullying. I urge all schools to ensure that they have the procedures in place to deal with bullying so that all children can feel safe and happy at school.

School Evaluations.

111. **Ms Enright** asked the Minister for Education and Science the number of whole school evaluations to be completed in 2006; and if she will make a statement on the matter. [5567/06]

Minister for Education and Science (Ms Hanafin): A total of 57 whole school evaluations are planned at post-primary level for 2006; 230 whole school evaluations at primary level are also planned for 2006. It is not possible at this stage of the year to give an accurate number of actual completions by the end of 2006 for a number of reasons.

The final number of evaluations completed in any year is contingent on, among other things, the availability of inspectorate time for this work in the context of evaluation activity that may be prioritised in other areas throughout the year. In addition, requests at short notice to investigate complaints made to the Department and advisory work arising from unexpected requests undertaken by inspectors can impinge on some of the time available to do this work. It can also happen that some evaluations can transcend the calendar year and whole school evaluations begun towards the end of a year may not be completed until the early part of the following year.

Psychological Service.

112. **Mr. Ring** asked the Minister for Education and Science the average waiting time for an assessment under the NEPS system; and if she will make a statement on the matter. [5572/06]

Minister for Education and Science (Ms Hanafin): My Department's National Educational Psychological Service, NEPS, encourages a staged assessment process, whereby each school takes responsibility for initial assessment, edu-

cational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school's best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually.

Children who manifest very special needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the principal teacher will normally be assessed by the psychologist within that school term. In the case of schools that do not currently have NEPS psychologists assigned to them, such schools have access to educational psychological assessments through the scheme for commissioning psychological assessments, SCPA. Under this scheme, schools can commission assessments from a member of the panel of private practitioners approved by NEPS and NEPS will pay the fees directly to the psychologists concerned. Details of this scheme, including the conditions that apply to it, are available on my Department's Website.

As the arrangements for assessments under the SCPA scheme are made between school principals and individual private practitioners, information on the average waiting time for such psychological assessments is not available in my Department.

Residential Institutions Redress Scheme.

113. **Ms McManus** asked the Minister for Education and Science if final payment has been received on the commitment of the religious congregations to pay €128 million in cash and in kind in the context of the indemnity deal of 2002; the breakdown of those payments; and if she will make a statement on the matter. [5736/06]

151. **Mr. Deenihan** asked the Minister for Education and Science if the transfer of properties and money from the religious congregations has been completed in the context of the indemnity agreement; and if she will make a statement on the matter. [5583/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 113 and 151 together.

Under the terms of the indemnity agreement reached with the religious congregations on 5 June 2002, the congregations agreed to make a contribution of €128 million towards the redress scheme. This was broken down as follows: cash contribution €41.14 million; provision of counselling services €10 million; property transfers €76.86 million.

The congregations paid the cash contribution to the State by way of an initial payment of €12,654,000 on 5 June 2002. The balance was paid

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by four instalments of €7,121,500 in September 2002, December 2002, February 2003 and May 2003 in accordance with the terms of section 7 of the agreement. A further sum of €10 million has been provided for expenditure by the congregations on counselling services for former residents of institutions for children.

The property contribution of the congregations is divided into two separate and distinct schedules of properties as follows. First is properties to be transferred from the congregations to the State, State agencies or local authorities after the date of the signing of the indemnity agreement on 5 June 2002. The total value of these property transfers for the purposes of the indemnity agreement was set at €36.54 million. I can confirm that agreement in principle has been reached with the religious congregations on the transfer of 35 properties under this schedule to the amount of €38.24 million. This figure of €38.24 million includes €4.98 million in cash that was provided by the congregations in lieu of property.

Second is properties transferring from the congregations to the State, State agencies, local authorities or voluntary organisations from 11 May 1999, the date of the Taoiseach's apology to victims of child abuse. The total value of these property transfers for the purposes of the indemnity agreement was set at €40.32 million. I can confirm that transfers of 29 properties to the value of approximately €38.71 million have been agreed in principle under this schedule. This includes cash payments of €5.75 million made by the congregations in lieu of property.

The total value of properties accepted under the agreement, including cash payments made in lieu of property, amounts to approximately €76.95 million. One further site included in schedule A is being referred to an independent valuation expert in accordance with section 9 of the indemnity agreement. The final valuation of this property may require a minor adjustment in the net amount transferring under the property aspect of the agreement.

While arrangements for the legal transfer of properties are the responsibility of the individual transferees, my Department will continue to liaise with the various transferees to ensure that all properties on which agreement in principle has been reached are legally transferred.

School Evaluations.

114. **Mr. Naughten** asked the Minister for Education and Science the timescale for the publication of the first whole school evaluation; and if she will make a statement on the matter. [5569/06]

Minister for Education and Science (Ms Hanafin): I laid a signed copy of the Education Act 1998 (Publication of Inspection Reports on Schools and Centres for Education) Regulations

2006 before the Houses of the Oireachtas on Tuesday, 31 January 2006. The purpose of these regulations was to place a legal obligation on the chief inspector to publish reports prepared as a result of school inspections. Simultaneously, my Department published guidelines on the publication of school inspection reports. These guidelines apply to all whole school evaluations commenced on or after 6 February 2006.

A number of whole school evaluations planned for 2006 had already commenced before 6 February and the reports arising from these evaluations will not be published by my Department.

At post-primary level, inspectors will be conducting the in-school phase of the first whole school evaluations to which the regulations and guidelines will apply in the period 27 February — 3 March. It is expected that written reports will be issued to schools for factual verification four to five weeks later. A period of 20 school days is allowed to the board of management of a school to respond, if it so wishes, to the findings and recommendations of the report. It should be noted that the two week Easter school holiday period will occur during the processing of these reports.

A printed copy of each report will be issued to the school's board, principal, trustees or patron, parents' association and the chief executive officer of the vocational education committee, if relevant. An electronic version of the report, normally accompanied by the school response, will then be prepared and published on the website of my Department. It is expected that publication on the website will occur from mid-May onwards.

At primary level, a number of whole school evaluations to which the publication guidelines and regulations apply will also be underway in February. As in the case of the post-primary evaluations, reports arising from these inspections are also expected to be available for publication from mid-May onwards.

A school or a teacher has the right to seek a review of any inspection as provided for by section 13(9) of the Education Act 1998. Should a school or teacher request such a review, publication will not take place until after the request for a review was processed in accordance with the published procedures on this matter.

Commercial Marketing in Schools.

115. **Mr. Broughan** asked the Minister for Education and Science her views on the increasing number of commercial companies that are advertising their products and shops in schools; the action she intends to take to curb same; and if she will make a statement on the matter. [5726/06]

Minister for Education and Science (Ms Hanafin): Commercial marketing in schools can take a variety of forms — from educational materials made available to schools by newspapers to companies offering schemes whereby

products are given to the school on the basis of tokens collected by parents. It is at the discretion of management in individual schools to decide what commercial initiatives they want their school to engage with. Clearly some initiatives can be of great benefit to schools. However, others might be seen as putting undue pressures on parents to shop in particular stores.

I recognise the sensitivities attached to the issue of promotion initiatives linking schools, students and parents to commercial activity. However, it would be inappropriate for me to ban all commercial links with schools. I believe that local school management is best placed to ensure that schools only participate in programmes that are appropriate and benefit the school community.

School management should ensure that such schemes do not place undue pressure on parents in terms of requiring additional expenditure, that students are protected from engagement in inappropriate promotional activity and that the schemes are linked to desirable projects serving national educational initiatives.

Vetting of Personnel.

116. **Ms Shortall** asked the Minister for Education and Science the categories of school staff that are subject to vetting; the timescale for providing for vetting of all categories of school staff; and if she will make a statement on the matter. [5748/06]

154. **Mr. J. O’Keeffe** asked the Minister for Education and Science if all staff at primary and secondary schools, in addition to teaching staff, will be vetted by the central vetting unit; and if she will make a statement on the matter. [5558/06]

162. **Ms O. Mitchell** asked the Minister for Education and Science if part-time teachers and other part-time school staff will be vetted by the central vetting unit; and if she will make a statement on the matter. [5561/06]

163. **Mr. Coveney** asked the Minister for Education and Science when all teachers will be vetted by the central vetting unit; and if she will make a statement on the matter. [5557/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 116, 154, 162 and 163 together.

Ensuring the protection, health and welfare of children is a key concern for the Government, for parents, for agencies that work with children and for society generally and the Government is determined to do all it can to keep our children and vulnerable adults safe.

In the education sector, vetting is available in respect of prospective employees of children in detention schools as well as special needs assist-

ants, SNAs, and bus escorts to children with special needs. My colleague, Deputy Brian Lenihan, Minister of State with responsibility for children, announced a doubling of the number of staff employed in the vetting unit — which has been relocated to Thurles under the Government’s decentralisation programme — to ensure that it can handle a greater volume of requests from employers. The provision of additional staff resources will enable the Garda Síochána’s vetting services to be extended to all persons working with children and vulnerable adults. This will include teachers, caretakers, bus drivers and others working with children, whether on a full-time or part-time basis.

School Staffing.

117. **Mr. Hogan** asked the Minister for Education and Science the number of males under 30 employed as full-time teachers at primary level; and if she will make a statement on the matter. [5553/06]

Minister for Education and Science (Ms Hanafin): There are currently 860 males under 30 employed as full-time teachers at primary level. Recently I launched a promotional campaign aimed at encouraging more men to consider primary teaching as a career choice. Studies have shown that decreasing numbers of men are applying to become primary school teachers, both in Ireland and across the developed world.

The first phase of the Men As Teachers and Educators campaign has seen newspaper and radio advertisements highlighting the key attributes and strengths of primary school teachers. The campaign is seeking to remind parents, students, teachers, guidance counsellors and all those thinking about career options about the valuable and rewarding work undertaken each day in our primary schools. I hope this campaign will make young men take a look at the valuable contribution they can make through a career as a primary school teacher.

School Curriculum.

118. **Mr. McCormack** asked the Minister for Education and Science if driver education will be included as part of the transition year programme; and if she will make a statement on the matter. [5584/06]

121. **Mr. Connaughton** asked the Minister for Education and Science her views on the introduction of a module on driver education into the second level school curriculum; and if she will make a statement on the matter. [5585/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 118 and 121 together.

The question of introducing a road safety and driver education syllabus into schools has been

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examined by the National Council for Curriculum and Assessment, NCCA, on foot of a report from a task group set up in 2000 and which included representatives of the Department of Education and Science, the Department of the Environment, Heritage and Local Government, the National Safety Council, the Garda Síochána, the Irish Insurance Federation, the Society of the Irish Motor Industry, Rosary College Crumlin, the CCEA Northern Ireland and the NCCA. The NCCA also commissioned a study on driver education in post-primary schools from Dr. Ray Fuller of Trinity College, Dublin.

The NCCA, whose role is to advise the Minister for Education and Science on curriculum and assessment issues, recommended that road safety be addressed within the context of social, personal and health education, SPHE, and that driver education, and specifically learning to drive for pupils aged 17, should not become part of the school curriculum. The NCCA noted that this concurred with the practice in other jurisdictions.

At the start of the 2001/02 school year the National Safety Council, with assistance from my Department, distributed copies of *Staying Alive* — a road safety resource for transition year and the senior cycle — to all second level schools. This pack contained a wide range of learning opportunities and activities on topics such as personal responsibility and decision making, environmental issues and risks and rules for road users. A CD-ROM with additional material downloaded from the Internet was included in the pack along with copies of the rules of the road. In the preparation of the *Staying Alive* resources material, views were sought from a range of organisations with interests in the promotion of road safety. Prior to its issue to second level schools, the material was piloted in 20 schools and the response from teachers in those schools was very positive.

A new high level Government road safety group of which I am a member has met and the role of education in addressing road safety will be discussed in this forum.

Early School Leavers.

119. **Mr. Perry** asked the Minister for Education and Science the rate of school completion at second level; and if she will make a statement on the matter. [5576/06]

152. **Mr. Hogan** asked the Minister for Education and Science the statistical information available on second level retention rates; and if she will make a statement on the matter. [5589/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 119 and 152 together.

The primary source of information on retention available within my Department is the post-primary pupil database. Cohort analysis of the pupil records on this database allows for monitoring of retention through the publicly aided second level school system. To date, two retention reports have been published covering four cohorts of students — those who entered second level education between 1993 and 1996. Of those students who entered in 1996, 94.6% of them sat the junior certificate examination. When adjustments were made to account for departure to private institutions, the leaving certificate retention rate for the 1996 cohort of students was 81.3%.

As regards those who complete the junior certificate but who depart from second level education prior to the leaving certificate, the available statistical evidence indicates that the increasing range of further education and training opportunities available for these students is having a positive impact. CSO data show that the educational profile of 20-24 year olds in Ireland has improved steadily over the last five years, as increasing opportunities have been made available in the further education and training sector. By 2005, 86.1% of 20-24 year olds had attained upper second level education or equivalent, up from 82.4% in 2000. This indicates that there has been an increase in the proportion of young people with at least the leaving certificate or equivalent. Indeed, the level of educational attainment of Irish young people is ahead of the EU average on that measure.

The Government has taken a number of initiatives in recent years to encourage more of our young people to finish school, including the setting up of the National Education Welfare Board and the provision of extra supports for those at risk of dropping out through the school completion programme and the home school community liaison scheme. Also, under the new action plan for educational inclusion — DEIS initiative — which I launched last May, extra resources are being provided to schools serving the most disadvantaged communities to help them to improve their retention rates.

This Government has pursued a dual strategy of both encouraging more young people to finish school and ensuring much greater second chance and further education opportunities for those who left school early. This kind of strategy ensures that young people are empowered to achieve their full potential, be that by sitting the leaving certificate or by pursuing qualifications through other pathways such as Youthreach or FÁS apprenticeships which may be more appropriate to their individual interests. Thus, it is important that the Deputy appreciate that looking at just the level of retention in the formal school system is not a fair assessment of the educational attainment of our young people.

Early Childhood Education.

120. **Ms Lynch** asked the Minister for Education and Science if expansion of the State's provision of early childhood education is planned under her new proposals on educational disadvantage, DEIS; if so, the extent of that provision; and if she will make a statement on the matter. [5756/06]

Minister for Education and Science (Ms Hanafin): The new action plan for educational inclusion, DEIS — delivering equality of opportunity in schools — which provides for a standardised system for identifying levels of disadvantage and a new integrated school support programme, SSP, aims to concentrate early childhood education actions on those children, aged from three up to school enrolment, who will subsequently attend the 150 urban/town primary schools, participating in the new school support programme and identified as serving the most disadvantaged communities. The extension of early education supports to areas served by other primary schools participating in the SSP will be considered after this objective has been achieved.

The identification process is nearing completion and selected schools will be invited to participate in the new integrated school support programme shortly. In December 2005, the office of the Minister of State with responsibility for children was established to maximise the co-ordination of policies for children and young persons and will have a range of functions previously under the Departments of Health and Children; Justice Equality and Law Reform; and Education and Science. A new early years education policy unit has been established in my Department and it will be co-located in the office of the Minister of State. Decisions of a policy nature relating to early childhood education, including the new action plan for educational inclusion will now be pursued as part of the overall strategic policy framework developed by the office of the Minister of State with responsibility for children.

Question No. 121 answered with Question No. 118.

Special Educational Needs.

122. **Mr. Ferris** asked the Minister for Education and Science the number of children with special needs being taught in unsuitable conditions here, such as in toilets, cold corridors and so on. [5791/06]

Minister for Education and Science (Ms Hanafin): The information as requested by the Deputy is not readily available. The National Council for Special Education, NCSE, was established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order, 2003. The NCSE, through local special edu-

ational needs organisers, SENOs, is responsible for processing resource applications for children with special educational needs, from 1 January 2005.

Where a pupil with special educational needs enrolls in a primary or post-primary school, it is open to the school to apply to the local SENO for additional teaching support and/or special needs assistant support for the pupil. In the same way, the school can make an application to my Department's school planning section for additional accommodation to facilitate the requirements of such pupils where the need arises.

Projects to provide special needs facilities attract a band 1 rating under the published prioritisation criteria for large scale building projects. This is the highest band rating possible, reflecting my Department's commitment to ensuring that the requirements of special needs pupils are met as expeditiously as possible.

123. **Ms O. Mitchell** asked the Minister for Education and Science the way in which she will ensure that schools accept applications from students with special educational requirements; if her Department has issued enrolment guidelines to schools; and if she will make a statement on the matter. [5588/06]

Minister for Education and Science (Ms Hanafin): The Education Act 1998 requires all schools to have in place an admissions policy, detailing admission to and participation by students with disabilities or who have other special educational needs. The Act also requires schools to ensure that, as regards that policy, the principles of equality and the right of parents to send their children to a school of the parents' choice are respected.

In formulating its admissions policy a school must ensure it is lawful. In particular, it must act in accordance with section 7 of the Equal Status Act 2000 which, subject to very limited exceptions, prohibits schools from discriminating against people in a number of matters, including the admission or the terms or conditions of admission of a person as a student to the school. My Department has issued schools with an information booklet entitled "Schools and the Equal Status Acts". The booklet identifies ways in which the rights conferred and the duties imposed by this legislation together with the education legislation can be used as building blocks for the creation of an inclusive school.

My Department provides a range of supports to all schools to enable them to welcome students with special educational needs, including the allocation of additional teacher support and special needs assistant support. The nature and level of support provided in each case is based on the professionally assessed needs of the individual student. However, this requires a willingness on the part of schools to be proactive in this area and also a willingness on the part of parents to

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more actively assert their rights in terms of their choice of school.

Currently, under section 29 of the Education Act 1998, parents of a student who has been refused enrolment in a school may appeal that decision to the Secretary General of my Department. Such appeals are dealt with within 30 days of their receipt and where an appeal is upheld the Secretary General is empowered to direct the school to enrol the student. With effect from 1 January 2005, the National Council for Special Education, NCSE, has taken over key functions from my Department in special educational provision. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Computerisation Programme.

124. **Mr. McEntee** asked the Minister for Education and Science if she shares concern that students here are amongst the least positive within the OECD countries when it comes to attitudes to computers; and if she will make a statement on the matter. [5582/06]

Minister for Education and Science (Ms Hanafin): I assume that the Deputy is referring to the OECD recent publication, "Are Students Ready for a Technology Rich World? What PISA Studies Tell Us", which is based on questionnaire responses of 15 year old students and their principal teachers that were administered in spring 2003, as part of the OECD programme for international student assessment, PISA.

In 2003, PISA ran its second three yearly survey of student knowledge and skills and assessed student performance in mathematics, reading, science and problem solving. A total of 32 of the 41 participating countries availed of the option to complete a short questionnaire on students' familiarity with information and communications technology, ICT. The publication, "Are Students Ready for a Technology Rich World?", addresses students' access to ICT, students' attitudes to and use of ICT and the relationship between students' access to and use of ICT and their performance in the PISA assessment.

The survey demonstrates a general improvement in students' access to computers both in school and at home, since the previous PISA assessment in 2000. In terms of Ireland's performance, the average for home access to computers rose from 71% to 87% in 2003 and the average for school access rose from 75% to 89% in 2003. The element of the study relating to student attitudes towards computers is based on an index of student responses to four attitudinal questions about working with computers.

The authors of the report caution that the resulting index does not signify a negative atti-

tude *per se* to computers but rather informs a comparative measure between countries of how enthusiastically computers are perceived by students. The authors note that each index is based on students' reported information and not based on measured or observed information and that students across countries may vary with respect to how they perceive and respond to questionnaire items.

Encouraging positive attitudes among young people to the use of computers as learning tools is an important goal for this Government as we know that ICT has the potential to improve learning opportunities and outcomes where it is integrated successfully into the learning environment in our schools. Some schools have done this with impressive success and the enthusiasm of the children in such schools for using computers, digital media and other ICT is encouraging. Last week, I launched the Digital Schools Award in one such school.

This award will recognise the hard work that many schools have put into integrating ICT successfully into their schools and generating positive attitudes towards ICT among their pupils. It will recognise this work and encourage other schools to strive for excellence in the integration of ICTs into their learning environments also.

The Government has made a major investment in the integration of ICT into teaching and learning in recent years. Since the introduction of the ICT in schools initiative in 1998, there has been significant progress in the development of ICT infrastructure in schools, in enhancing teachers' skills and pedagogical practice and in the development of curriculum and learning resources. This year broadband is being brought to every school, building upon my Department's recent investment of over €20 million in the development of school networks. A wide variety of training courses in the use of ICT in the classroom will also be offered to teachers around the country.

Ensuring that the potential that ICT offers to improve teaching and learning in our schools is realised is a priority for this Government and I can assure the Deputy of our sustained commitment to progress in this area in the years ahead.

Question No. 125 answered with Question No. 102.

126. **Mr. Allen** asked the Minister for Education and Science the ratio of computers to students at both primary and secondary level; and if she will make a statement on the matter. [5591/06]

Minister for Education and Science (Ms Hanafin): The latest statistical data available to my Department is the ICT school census undertaken by the National Centre for Technology in Education, NCTE, in autumn 2002. The 2002 census found that the number of computers in

schools was almost 85,000 with average pupil to computer ratios in primary schools and post-primary schools of 12:1 and 9:1 respectively.

A further census has been conducted by the NCTE in 2005 and follows similar exercises undertaken in 1998, 2000 and 2002. It addresses a range of areas including the extent of ICT equipment, networking and Internet access, ICT planning and priorities, professional development and technical support. School responses to the census have been gathered and compiled by the NCTE and the Education Research Centre has been engaged to summarise, tabulate and analyse the data therein. A report of the results of the census is currently being finalised and I expect to receive it in the coming weeks.

Children Detention Schools.

127. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the level of occupancy of each of the detention centres for children on 31 January 2006; if she has satisfied herself that there are enough residential detention places for children; and if she will make a statement on the matter. [5738/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The occupancy level of each of the five children detention schools on 31 January 2006 is as set out in the table. At present, the overall capacity of the children detention schools, at 114 places, can cater adequately for the number of children committed by the courts. However, my Department is monitoring the position on a continuous basis, in consultation with the special residential services board.

Children Detention Schools	Occupancy on 31 January 2006
Trinity House School	16
Oberstown Girls Centre	3
Oberstown Boys Centre	17
St. Joseph's Special School	28
Finglas Child and Adolescent Centre	12
Total	76

Question No. 128 answered with Question No. 106.

Disruptive Students.

129. **Mr. M. Higgins** asked the Minister for Education and Science when the report on student behaviour will be published; and if she will make a statement on the matter. [5731/06]

Minister for Education and Science (Ms Hanafin): Last year I established a task force on student behaviour in second level schools. This task force produced an interim report in mid-year

and has very recently completed its final report as scheduled. I am at present considering the final report and will arrange for its publication shortly.

I have indicated my clear intention of acting on this issue in a measured and effective manner. To this end, a sum of €2 million has been provided in this year's Estimates to enable the implementation of the task force report to commence this year. I expect to be in a position to make further announcements on the detail of this implementation at the point of publication of the report.

Proposed Legislation.

130. **Ms Burton** asked the Minister for Education and Science when she expects to publish the third level student support Bill; if she intends to revise the method of assessing means in the context of the Bill; and if she will make a statement on the matter. [5723/06]

Minister for Education and Science (Ms Hanafin): In accordance with the commitment in the An Agreed Programme for Government, I plan to introduce a single unified scheme of maintenance grants for students in higher education. This will, I believe, provide for a more coherent administration system which will facilitate consistency of application and improved client accessibility and ensure the timely delivery of grants to those who need them most.

My Department has been engaged in substantial consultations with the key stakeholders to map the most logical and effective arrangements for the future structure and administration of the student support schemes. These discussions have substantially clarified the positions of the stakeholders on the future administration possibilities for student support and their possible role therein. I expect to be in a position shortly to determine the best strategy to give effect to the programme for Government commitment to the payment of the maintenance grants through a unified and flexible payment scheme.

Whatever new arrangements are eventually decided upon will, as I have previously indicated, be provided for in new statutory arrangements through a student support Bill. I hope to be in a position to seek Government approval in the near future for the drafting of the Bill.

Schools Building Projects.

131. **Mr. Durkan** asked the Minister for Education and Science if she will investigate the possibility of accelerating the schools building programme with particular reference to the needs of developing communities or areas of rapid population expansion; and if she will make a statement on the matter. [5765/06]

Minister for Education and Science (Ms Hanafin): This Government has invested in the largest school building programme in the history

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of the State. Between 1998 and the end of 2004, almost €2 billion was invested in school buildings and in the region of 7,500 large and small projects were completed in schools — including 130 brand new schools and 510 large scale refurbishments/extensions. Indeed, funding for school building and renovation projects has increased five fold since 1997. In 2006, €491 million will be spent on school building projects, compared to just €92 million in 1997. This, in its own right, is an increase of over 9% in real terms on the 2005 allocation.

At the end of last year I outlined my spending plans for primary and post-primary schools for 2006. With €491 million to be spent on schools buildings, there will be over 1300 projects active in schools all over the country. This significant investment will allow me to continue to progress our major programme of school building and modernisation which includes improving equipment needed for new technologies and ICT.

I have already started to outline individual schools around the country that will benefit under the various parts of the programme throughout the year, with the announcement of 62 schools that have been given the go ahead to start architectural planning and 740 schools that are being given funding under the summer works scheme to carry out essential small scale projects. I will announce details of the other aspects of the programme as we move through the year.

Principal features of the 2006 building and modernisation programme are: €277 million targeted at primary schools and €204 million in the post-primary sector; almost 200 major school building projects at construction during 2006; 105 primary school projects and 62 post-primary projects advancing in architectural design; further use of fast-track design solutions for primary schools. It is expected that up to 12 primary schools will be built using a standardised design model or a design and build process. The first school built under this model opened in Ballygaddy, Lucan, in September 2005, having taken just ten months to build.

Up to 200 primary schools will receive approval for devolved funding under the small school and permanent accommodation initiatives during the coming year. This is in addition to the 153 schools that will have projects at construction during 2006 under these initiatives. Small school and permanent accommodation initiatives, which were piloted over the last two years, will become a permanent feature of the building programme. This will enable schools to get works done faster by allowing them to run the projects themselves.

With regard to rapidly developing areas specifically, my Department prioritises the provision of new and enhanced educational facilities in these areas. The prioritisation criteria for large scale building projects which were recently revised in consultation with the education partners allocates

a top priority band one rating to school building projects in such areas.

The Government is fully committed to continuing the work that it has started and to consolidating the substantial progress that has already been made to ensure that the needs of schools, regardless of their location, are met as expeditiously as possible.

Educational Disadvantage.

132. **Mr. S. Ryan** asked the Minister for Education and Science the amount of extra money that will be spent to address educational disadvantage in 2006; and if she will make a statement on the matter. [5746/06]

Minister for Education and Science (Ms Hanafin): The total provision for educational inclusion programmes in 2006 is more than €640 million across all levels of education, as compared with almost €600 million in 2005. This includes additional funding for the implementation of measures under the DEIS action plan at pre-school, primary and second-level, additional funding of €7 million for further education programmes and a €20 million increase in provision for third level student support schemes.

The DEIS — delivering equality of opportunity in schools- action plan for educational inclusion, addresses the educational needs of children and young people from disadvantaged communities, from pre-school to completion of upper second level education, that is, three to 18 years. Its core elements comprise: a standardised system for identifying, and regularly reviewing, levels of disadvantage; a new integrated school support programme, SSP, which will bring together, and build upon, some ten existing educational inclusion measures across pre-school primary and second level education.

The new action plan represents a shift in emphasis away from individual initiatives, each addressing a particular aspect of the problem, with the new plan adopting a multi-faceted and more integrated approach. This is the first time that an integrated educational inclusion strategy has been developed for three to 18 year olds in this country. About 600 primary and 150 second level schools will be included in the new school support programme.

Supports will also continue to be provided for schools where the level of disadvantage is more dispersed. The action plan will be implemented on a phased basis over the next five years, starting in the current school year, and will involve an additional annual investment of some €40 million on full implementation. It will also involve the creation of about 300 additional posts across the education system generally. The identification process is being finalised at present and my Department will shortly be in a position to issue an invitation to selected schools to participate in the new school support programme.

School Curriculum.

133. **Mr. Rabbitte** asked the Minister for Education and Science her views on the pedagogy employed in the XLC project in Waterford; her further views on offering such a pedagogy to children in other parts of the country; and if she will make a statement on the matter. [5737/06]

Minister for Education and Science (Ms Hanafin): My Department is currently considering a proposal received from the project to which the Deputy refers and a response will issue directly to the project in due course.

Physical Education Facilities.

134. **Ms O'Sullivan** asked the Minister for Education and Science if the physical education grant will be restored to schools in order that they do not have to depend on commercial companies to pay for sports materials; and if she will make a statement on the matter. [5721/06]

Minister for Education and Science (Ms Hanafin): In October 2000, my Department introduced a physical education grant for all primary schools. Since the introduction of the scheme, my Department provided in excess of €5.5 million in grant aid to primary schools under this scheme to enable schools provide coaching or mentoring in connection with physical education or to purchase resource materials associated with the provision of physical education. Materials and equipment purchased by schools in previous years will generally be available to them for subsequent years.

However, schools may use their general capitation funding to support the implementation of curricula including physical education. Since 1997 the standard rate of capitation grant has been increased from £45 or €57.14 per pupil to €145.58 with effect from 1 January 2006, an increase of almost 155% in the period. The question of providing further grants to support areas of the curriculum will be kept under review as part of the normal Estimates process in the coming years.

Question No. 135 answered with Question No. 78.

Educational System.

136. **Mr. P. McGrath** asked the Minister for Education and Science the main conclusions of the YES consultation process; and if she will make a statement on the matter. [5579/06]

Minister for Education and Science (Ms Hanafin): I expect to receive the report of the Education Research Centre on the YES process within the next few weeks. At that stage, it will also be published and will be available as a resource to those responsible for framing and implementing policy into the future.

School Management.

137. **Mr. Neville** asked the Minister for Education and Science the support services which are available for teachers in view of the high levels of stress amongst teachers and numbers of teachers leaving on early retirement; and her views on whether these services provide enough support for those under pressure due to indiscipline, litigation and so on. [5386/06]

Minister for Education and Science (Ms Hanafin): Opportunities for professional development and the availability of support on a personal level are important in every profession in enabling staff to work to the best of their abilities and to deal with stress. The priority that I attach to providing quality professional development for teachers is evident from the levels of funding provided in successive budgets for this purpose.

Enhanced opportunities for professional development will help teachers to stay at the top of their profession. However, I recognise that just like employees in every other line of work, there will be times during teachers' careers when they might need support on a personal, rather than on a professional level. My Department, in consultation with the teachers' unions and management groups, is developing an occupational health strategy as a supportive resource for teachers. The aim of such a strategy will be to promote the health of teachers in their workplace, with a focus primarily on prevention rather than cure. I will be making an announcement in the very near future on a first initiative under this strategy.

With regard to creating a positive school environment in all our schools in which students and staff can work, the Deputy will be aware that I established a task force to review the issue of student behaviour. I have only recently received the final report of the task force and I expect to be in a position in the near future to arrange for its publication.

Special Educational Needs.

138. **Mr. Costello** asked the Minister for Education and Science if she has responded to information given to her Department on resource teaching hours lost to schools in disadvantaged areas as a result of the introduction of the weighted model of allocation of resource teachers; if teaching hours have been restored to these schools; the detail of such restoration in relation to each school concerned; and if she will make a statement on the matter. [5744/06]

Minister for Education and Science (Ms Hanafin): I take it that the Deputy is referring to a number of inner city schools in Dublin that recently submitted additional information to my Department in relation to their particular circumstances with regard to pupils with special educational needs. This information is currently

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being considered in detail by my officials and a response will issue to the schools in question as quickly as possible.

Psychological Service.

139. **Mr. O'Dowd** asked the Minister for Education and Science the number of NEPS psychologists employed by the service; and if she will make a statement on the matter. [5571/06]

Minister for Education and Science (Ms Hanafin): The number of national educational psychological service, NEPS, psychologists has increased almost three-fold, from 43 on establishment to 121 at present. The Public Appointments Service has recently established new recruitment panels for NEPS. Regional panels are now in place and my Department is currently in the process of appointing nine psychologists, with a further psychologist returning from career break.

Priority will be given to filling vacancies in areas of greatest need. Any increase in the number of psychologists in NEPS will depend on the availability of resources and must also take account of Government policy on public sector numbers.

Question No. 140 answered with Question No. 97.

Question No. 141 answered with Question No. 89.

Early School Leavers.

142. **Mr. Crawford** asked the Minister for Education and Science the number of children failing to make the transition from primary to secondary schooling; and if she will make a statement on the matter. [5590/06]

Minister for Education and Science (Ms Hanafin): Statistical returns made to my Department my primary principals show that, between October 2003 and September 2004, 237 pupils from across all standards left ordinary classes in national schools and did not emigrate or go to any other school within the State. In addition, over the same period, 548 pupils left primary school and the primary principal was not able to confirm if they went on to second level or not. As their destination was not known to the primary principal, it is not possible to say with confidence whether these children made the transfer to second level. Pending the introduction of an individualised primary pupil database which will allow us to track more accurately children's enrolment at school, it is not possible to provide more accurate information or to verify the accuracy or completeness of the above numbers.

The new action plan for educational inclusion, DEIS, delivering equality of opportunity in schools, is designed to ensure that the educational

needs of children and young people from disadvantaged communities are prioritised and effectively addressed. The plan provides for a standardised system for identifying levels of disadvantage. A new integrated school support programme will bring together a number of existing interventions in schools with a concentrated level of disadvantage and build upon these. The Department and the National Educational Welfare Board will work together to ensure that an integrated approach to children at risk is adopted.

Some of the key features of the new programme will be a shift in emphasis away from individual initiatives, each addressing a particular aspect of the problem, to a multi-faceted and integrated approach; the development of effective transfer programmes by building on the existing work of the home school community liaison scheme and the school completion programme — the latter will be integrated into the school support programme; a renewed emphasis on the involvement of parents and families in children's education in schools; planning at school and school cluster level; and target setting and the measurement of progress and outcomes to ensure that the increased investment is matched by an improvement in educational outcomes for the children and young people concerned.

Approximately 600 primary schools and 150 second level schools will be included in the new plan. The plan will be introduced on a phased basis, starting in the current school year. It will involve an additional annual investment of €40 million on full implementation and approximately 300 additional posts across the education system.

Question No. 143 answered with Question No. 78.

Stay Safe Programme.

144. **Mr. G. Murphy** asked the Minister for Education and Science the figure for the number of schools offering the Stay Safe programme; and if she will make a statement on the matter. [5556/06]

160. **Mr. Gilmore** asked the Minister for Education and Science if the Stay Safe programme will be made compulsory in schools; and if she will make a statement on the matter. [5728/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 144 and 160 together.

The issue of child protection and ensuring that all children in every primary school are aware of child protection issues are high priority areas for my Department. The Stay Safe programme is a personal safety programme for children. It is designed to give children the knowledge and necessary skills to help them deal with potentially abusive or threatening situations. However, it is also recognised that the programme must cover

those individuals closely involved with children on a daily basis: parents, guardians and teachers. To this end, professional in-service courses for teachers and parent awareness seminars have been put in place at individual school level. This is in addition to the teaching of a personal safety skills programme to pupils.

The training of teachers, parents and boards of management in the Stay Safe programme and the development of guidelines and procedures for a school policy on child protection is provided by a network of 31 regionally-based teachers who are available to the programme on a part-time basis. This support supplements the assistance provided by the Department of Health and Children which maintains an administrative office for the Stay Safe programme. An initial one-day in-service training seminar on the Stay Safe Programme has been provided for all primary schools. Since the programme was introduced, 99.7% of primary schools have participated in this training.

In respect of schools, the Department does not have an accurate survey of each school in the country which is implementing the Stay Safe programme specifically. It should be noted, however, that while the Stay Safe programme is not mandatory, the teaching of a personal safety programme to ensure child protection is now an integral element of the curricular subject of social, personal and health education, SPHE, and is mandatory in all primary schools. This ensures that child protection issues remain central to teaching and learning in our schools.

However, in order to ensure that the most accurate up-to-date information about the implementation of the 'Stay Safe' Programme in all primary schools in the State, I have instructed officials in my Department to liaise with the relevant personnel charged with the delivery of the Stay Safe programme to examine whether an up-to-date survey of schools is required. The introduction of SPHE as a subject on the revised primary school curriculum combined with the implementation of the national child protection guidelines, "Children First", gave an additional impetus to the Stay Safe programme.

It is a priority of my Department to ensure that a high level of awareness and necessary skills to address child protection issues, which includes the implementation of the Stay Safe programme, are maintained in all schools. For this reason, my Department will continue to support the promotion of child protection within the context of the SPHE curriculum.

School Staffing.

145. **Mr. Penrose** asked the Minister for Education and Science if she has an indication at this stage that more men have applied for primary teaching courses as a result of the campaign to attract more men into teaching; her plans to assess the success of the campaign; and if she will make a statement on the matter. [5743/06]

Minister for Education and Science (Ms Hanafin): The decreasing numbers of males entering the teaching profession is an issue that is of concern to me. I believe that it is important to attract more men into teaching for a number of reasons, not least of which is the positive role models that teachers provide in children's lives and the desirability of having both male and female role models in our schools. I genuinely believe that teaching should be seen as an attractive profession for both men and women. Teaching is fulfilling work which makes a huge social contribution.

This Government wants to attract and reward the best teachers. In addition to increasing teachers' salaries, we have also undertaken other initiatives to enhance the status of the profession, in particular the establishment of the Teaching Council as a professional regulatory body. I have recently launched the report of the primary education committee, "Males into Primary Teaching". The primary education committee was established in order to examine a range of issues in respect of males entering primary teaching and to make recommendations on short-term and long-term strategies to increase the numbers in this regard.

The report draws on the professional insight of key experts in this area, as well as drawing on a number of relevant research studies. The report's findings will be of significant benefit in assisting the development of future policy in this important area. One of the key recommendations in the committee's report is that a co-ordinated promotion campaign, which would encourage boys as well as girls to enter primary teaching, should be undertaken. This promotion campaign commenced on 24 January 2006 and is currently ongoing.

As the Deputy will be aware, many students decide which career they would like to follow early on in their time at school and make subject choices based on this. Hence, the campaign is focused not just on those leaving school this year, but on those who will not leave for another few years. It is, therefore, too early to assess the effectiveness of the promotion campaign but my Department will work closely with the colleges of education to review the outcomes of the campaign in due course.

Youth Services.

146. **Mr. Costello** asked the Minister for Education and Science her plans to further implement the Youth Work Act 2001 in 2006; and if she will make a statement on the matter. [5727/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Youth Work Act 2001 provides a legal framework for the provision of youth work programmes and services to be organised by the Minister for Education and Science, the vocational education com-

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mittees, and national and major regional youth work organisations. Section 1 of the Act provides for sections to be commenced at different stages. Sections 2 to 7 and sections 17, 18 and 24 have been commenced to date. My Department, together with youth work interests, both voluntary and statutory, have been developing the groundwork, including detailed guidelines and procedures, which are essential to the further roll out of the Act in a planned and structured manner.

As a priority for 2005, I identified the capacity development of youth work organisations to assist them in preparing themselves organisationally for the implementation of the Act. To this end, I established a development fund of €300,000 for youth work organisations specifically for 2005 to help them achieve the new standards for approval and engage effectively with the new structures arising from the Youth Work Act 2001. It is my intention that this fund will continue in 2006 and I have sought the advice of the national youth work advisory committee on priority areas for development of youth work organisations in 2006.

Another area to which I attach importance is the capacity development of vocational education committees to carry out the responsibilities set out for them in the Act. Discussions, which have been ongoing in this regard, are at an advanced stage and nearing completion. This important development will enable vocational education committees to assume specific new responsibilities, including the planning and coordination of youth work programmes and services in their areas.

In addition, significant progress has been made with regard to the appointment of an assessor of youth work. This appointment has been identified as a priority in the national youth work development plan 2003-2007. This post was advertised in December 2005 and interviews are due to commence soon with a view to an early appointment. This post is viewed by all involved in youth work, both in the statutory and voluntary sectors, as an essential step forward.

Another key component for the progression of youth work in Ireland is the national youth work development plan. This plan identifies four main goals and proposes some 50 action points to achieve these goals over a five year period. To date, a number of priority action areas have been addressed. In 2003, €80,000 was spent on the implementation of a child protection training programme for the sector. In 2004, €500,000 was made available for the roll out of the plan and was spent on further support for the child protection training programme, development of projects funded under the special projects for youth scheme and increased support to youth information centres and the youth information support partnership.

Building on these initiatives, further progress also continues to be made in the following areas: the establishment of ten new special projects for disadvantaged youth in 2005; the upgrade of 20 single worker special projects to two worker projects in 2005; a review of youth work funding, which is nearing completion; a review of youth information provision, which is nearing completion; continued support of the child protection training programme; continued support of the development fund for youth work organisations; the successful launch of the joint North-South education and training standards committee in Armagh by the Minister of State at the Department of Education and Science with special responsibility for adult education, youth affairs and educational disadvantage, Deputy Síle de Valera, and Minister Angela Smith, Department of Education, Northern Ireland; and continued groundwork for the establishment of the national youth work development unit in the National University of Ireland, Maynooth.

It is intended that further sections of the Act will be implemented on a progressive and phased basis as resources, both human and financial, permit. I am confident that the progressive roll out of the Youth Work Act 2001 will serve to enhance programmes and services for young people at local, regional and national level. Further action areas for development in 2006 and 2007 are being determined by my Department with the advice of the national youth work advisory committee.

Question No. 147 answered with Question No. 99.

Residential Institutions Redress Scheme.

148. **Ms Lynch** asked the Minister for Education and Science if she will inform Dáil Éireann of the highest award paid by the Residential Institutions Redress Board, the lowest award and the average amount awarded; and if she will make a statement on the matter. [5757/06]

157. **Mr. Rabbitte** asked the Minister for Education and Science her views on the assessment of the Comptroller and Auditor General that the final cost of the operation of the Residential Institutions Redress Act 2002 is likely to be in the region of €1.3 billion; the number of awards made to date in 2006 and the amount paid out in settlements; the average amount of such payments; the number of outstanding cases; and if she will make a statement on the matter. [5735/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 148 and 157 together.

The highest award made to date by the Residential Institutions Redress Board is €300,000 and the lowest award is €0.00. The average award currently amounts to €75,000. According to figures supplied by the board to my Department,

the board has finalised 4,955 cases to date. Awards have been made in 4,799 of these cases, of which 322 awards have been made in 2006. The total amount paid out in awards to date is €359.2 million. The board has received a total of approximately 14,800 applications and, at present, it has approximately 9,845 cases remaining to be processed.

At a recent hearing of the Committee of Public Accounts, the Comptroller and Auditor General was asked about estimates for the cost of the redress scheme. In the light of the total number of applications which the board had received by the closing date of 15 December 2005 and allowing for legal and administration costs, he suggested a minimum cost of €1 billion and, based on an average award of €76,000 up to the end of 2005, a maximum cost of the order of €1.35 billion.

The Comptroller and Auditor General also referred to the possibility of the average award decreasing as more applicants are processed and emphasised that any estimates of the ultimate liability arising from the redress scheme are based on assumptions which are impossible to validate and should therefore be treated in a cautionary way.

I would add that the scheme is without precedent and the difficulty in estimating the total cost of the scheme prior to the closing date for applications is illustrated by the fact that over 6,000 new applications were received by the board in the six week period from 1 November to 15 December 2005. While the total number of applicants is now known, any estimate of the final cost of the scheme at this point will still be tentative as the board has over 9,800 cases to process and the level of award provided in these remaining cases may vary substantially.

Also, in making any assessment of cost, one must consider that if the scheme had not been introduced, the State, in all likelihood, would have been engaged in civil court actions which would have been protracted and traumatic for the victims and would have resulted in the State incurring extensive legal and settlement costs. The Government, in establishing the scheme, considered that it was the just and humane thing to do as the State was responsible for children that were placed in institutions by the courts and other public bodies.

School Staffing.

149. **Ms McManus** asked the Minister for Education and Science the progress she expects to make in 2006 in implementing the commitment in An Agreed Programme for Government; and if she will make a statement on the matter.
[5734/06]

Minister for Education and Science (Ms Hanafin): Major improvements in school staffing have been made in recent years with the hiring of

more than 5,000 additional primary teachers. This represents the largest increase in teacher numbers since the expansion of free education. Today there is one teacher for every 17 children, the lowest pupil teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the services provided for children with special needs and those from disadvantaged areas. Under the action plan for tackling disadvantage published in 2005, there will be a reduction in class sizes to 24:1 at senior level and 20:1 at junior level in 150 primary schools serving communities with the highest concentrations of disadvantage. With more than 600 extra resource teachers put in place in this school year, children with special needs are getting more support than ever before. It should be acknowledged how much progress has been made in this area in recent years.

Recently, I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year and the Minister for Finance has committed to a further reduction in class size in the following year. Accordingly, over the next two years, my Department will put 500 extra teachers into primary schools to reduce class size and to tackle disadvantage.

The staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools. The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school.

Next year, this is being reduced to 28 children per classroom teacher and in 2007-08, it will be reduced to 27 children per classroom teacher. Officials of my Department are currently drawing up the revised staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades.

In speaking about staffing in our schools, we have consistently said that priority would be given in the first instance to children in disadvantaged schools and those with special needs. We have done this. And now, in line with the Government commitment, mainstream class sizes are also being reduced.

Early School Leavers.

150. **Mr. Stagg** asked the Minister for Edu-

[Mr. Stagg.]

cation and Science what she intends to do to ensure that young people who have dropped out of school before taking the leaving certificate have the opportunity for further education and training; if she will implement the proposal of the education disadvantage committee that such young people should be monitored and assisted in securing further education and training by the National Education Welfare Board; if she will resource the board to do this work; and if she will make a statement on the matter. [5751/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): Improving participation and achievement at every level of education is a key priority for this Government. We have pursued a dual strategy of both encouraging more young people to finish school and ensuring much greater second chance and further education opportunities for those who left school early. This kind of strategy ensures that young people are empowered to achieve their full potential, be that by sitting the leaving certificate or by pursuing qualifications through other pathways such as Youthreach or FÁS apprenticeships which may be more appropriate to their individual interests.

With regard to encouraging more young people to finish school, a number of initiatives have been taken in recent years, including the setting up of the National Education Welfare Board and the provision of extra supports for those at risk of dropping out through the school completion programme and home school community liaison scheme. Under the new action plan for educational inclusion, the DEIS initiative, which I launched last May, extra resources are being provided to schools serving the most disadvantaged communities to help them to improve their retention rates.

The Deputy refers to the monitoring of young people by the National Educational Welfare Board. Section 29 of the Education (Welfare) Act 2000 provides for the establishment of a register of young persons who leave school to take up employment. I am informed by the National Educational Welfare Board that work is ongoing with regard to establishing this register and a record is kept of all applicants. The register will serve as the basis from which the National Educational Welfare Board can support these young people in making appropriate arrangements for their continuing education and training in consultation with providers and employers.

The board issued an information leaflet to 330,000 families and 4,000 schools in March 2004. The leaflet targeted parents and guardians of children aged between six and 16 years of age and young people aged 16 and 17 who have left school early to start work. It outlined the role that parents and guardians play in ensuring that their children do not miss out on education and train-

ing and also gave information about the National Educational Welfare Board.

The board also launched a new lo-call telephone number to inform parents and guardians about their legal role and responsibilities under the Education (Welfare) Act 2000. It is manned by EWOs and provides practical help to parents and schools on educational issues. The budget allocation for the National Educational Welfare Board in 2006 is €8.15 million; the allocation to the board has increased by more than 25% since 2004 to support it in delivering on its key objectives.

As regards those who leave second level education prior to the leaving certificate, the available statistical evidence indicates that the increasing range of further education and training opportunities available for these students is having a positive impact. Central Statistics Office data show that the educational profile of 20 to 24 year olds in Ireland has improved steadily over the last five years, as increasing opportunities have been made available in the further education and training sector. By 2005, 86.1% of 20 to 24 year olds had attained upper second level education or equivalent, up from 82.4% in 2000. This indicates that there has been an increase in the proportion of young people with at least the leaving certificate or equivalent. Indeed, the level of educational attainment of Irish young people is ahead of the EU average on that measure.

We have put the resources and supports in place to ensure that there is a wide range of course options available in the further and higher education sectors for young people who wish to continue their studies after second level and for people returning to education later in life. The principal objectives of the measures and programmes funded by my Department in adult and further education are to meet the needs of young early school leavers, to provide second-chance education for adults and to provide vocational education and training for labour market entrants and re-entrants.

To ensure that the objectives are a reality, there is a range of provision available in further education. This provision includes such full time programmes as Youthreach, senior Traveller training centres, the vocational training opportunities scheme, post-leaving certificate courses and the part-time initiatives, such as the back to education initiative, the adult literacy and community education schemes. These programmes are funded by the Department and operated and managed primarily by the vocational education committees throughout the country. Further education is expanding. For example, in the literacy sector, the adult literacy client numbers have increased from 5,000 in 1997 to almost 34,000 in 2005.

Post-leaving certificate courses represent another option which is available within the further education suite. The Government's sup-

port for this sector is clear from the fact that we have increased the number of post-leaving certificate places by 60% since 1996/97. Indeed, the number of post-leaving certificate places approved for 2005-06 is up by more than 1,600 on the 2004-05 level. The number of approved places in the sector now stands at 30,188.

Government support for the sector is evident not only in the expansion of approved places and teachers, but also in the introduction of maintenance grants for students with effect from September 1998. Tuition fees for post leaving certificate courses are waived. The post-leaving certificate maintenance grant scheme operates on the same basis as in higher education. There were nearly 8,000 post-leaving certificate grant holders in 2005 and they received some €23 million in direct support. The 2006 Estimates include provision for the cost of the extra 100 teaching posts being provided for the post-leaving certificate courses in the current academic year. They also provide for an increase of 19% in the VTOS non-pay grant in 2006. Post-leaving certificate students are included in the calculation of non-pay budgets issued to schools in respect of running costs. A supplemental non-pay grant towards running costs specifically for post-leaving certificate schools is also payable. This amounted to €5.5 million in 2005.

In conclusion, the Government has put in place a comprehensive system for ensuring that young people who dropped out of school early and that other people who would like to improve their level of education and training after school have access to a variety of different means of doing so.

Question No. 151 answered with Question No. 113.

Question No. 152 answered with Question No. 119.

Question No. 153 answered with Question No. 78.

Question No. 154 answered with Question No. 116.

Question No. 155 answered with Question No. 99.

Education Funding.

156. **Mr. M. Higgins** asked the Minister for Education and Science if her Department offers grant support to non-profit making groups and organisations that provide extra curricular educational opportunities in a school context, at no cost, in areas such as music, science and so on; if her attention has been drawn to the fact that some very good work is being done by such organisations, at the invitation of schools but that they have great difficulty in sourcing funding for their work; and if she will make a statement on the matter. [5730/06]

Minister for Education and Science (Ms Hanafin): My Department does not provide funding for groups such as those referred to by the Deputy. Schools have considerable discretion as to how the funding allocated by my Department should be best utilised in the interests of their students. Should a school accord sufficient priority to a particular extracurricular activity, then the school would be free to engage with the group concerned in this regard.

Voluntary contributions by parents of pupils in recognised schools are permissible, provided it is made absolutely clear to parents that there is no question of compulsion to pay and that, in making a contribution, they are doing so of their own volition. The manner in which such voluntary contributions are sought and collected is a matter for school management, however, their collection should be such as not to create a situation where either parents or pupils could reasonably infer that the contributions take on a compulsory character.

Question No. 157 answered with Question No. 148.

Educational Disadvantage.

158. **Mr. Broughan** asked the Minister for Education and Science the action she intends to take following the publication of a report on participation of Travellers in post-primary education which indicated that only 2% of the young Travellers surveyed remained in school beyond junior certificate; and if she will make a statement on the matter. [5725/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department is concerned to ensure that all young people, including Travellers, have a quality education and that as many as possible remain in post-primary education until they have completed the senior cycle. The needs of the Traveller community are a high priority for me and my Department and substantial investment has been put in place to ensure that they get all the extra supports that they need. For each Traveller student enrolled in a school, my Department provides an additional 1.5 *ex quota* teaching hours per week and a supplementary capitation grant.

In addition, there are 40 visiting teachers located nationwide, the home school community liaison scheme and the school completion programme working in schools and with the Traveller community to ensure that young Travellers attend and remain in school as long as possible. The National Educational Welfare Board has responsibility for school attendance and its education welfare officers work with schools and parents to promote regular attendance, tackle problems of absenteeism and early school leaving and encourage potential early school leavers, including Travellers, to continue in education for as long as possible.

[Miss de Valera.]

There is evidence that these substantial extra investments and support are making a difference. In 1999-2000, there were only an estimated 101 Traveller students in transition year, fifth and sixth year. By 2004-05, there were an estimated 261. We are working hard to improve this further.

In addition to post-primary schools, the education needs of young Travellers aged 16 years and over are also being served through their attendance at Youthreach centres, senior Traveller training centres and FÁS community training centres. In December 2004, there were 245 young Travellers under 18 years attending senior Traveller training centres and another 326 were attending Youthreach. Both programmes are funded by my Department. In addition, there are young Travellers attending FÁS community training centres, which are under the aegis of the Department of Enterprise, Trade and Employment.

My Department continues to evaluate how it can improve the education provision. The DEIS — action plan for educational inclusion — will include a new integrated school support programme which will bring together, and build upon, existing schemes and initiatives. A total of 150 of the most disadvantaged post-primary schools will be targeted under this initiative and Travellers attending these schools will be included.

The inspectorate in my Department is about to publish a report of a survey of Traveller education provision. The report is based on an extensive review of the participation and inclusion of Traveller pupils in 30 primary and six post-primary schools. Its report will provide recommendations that will inform policies and provide strategies to facilitate improving retention of Traveller students to the end of senior cycle.

I am shortly expecting to receive a report on the recommendations for a five-year Traveller education strategy. This report spans the full spectrum of lifelong learning, including post-primary education. This report will also provide recommendations on ways to retain Traveller students to the end of senior cycle. Thus a multi-pronged approach is being taken by my Department to address this issue.

Question No. 159 answered with Question No. 99.

Question No. 160 answered with Question No. 144.

Special Educational Needs.

161. **Dr. Upton** asked the Minister for Education and Science if, in the context of the Education for Persons with Special Educational Needs Act 2004, she will ensure that the necessary professional personnel to carry out assessments are put in place, special education needs organisers receive appropriate training and schools are given the necessary support to cope

properly with special needs students; and if she will make a statement on the matter. [5753/06]

Minister for Education and Science (Ms Hanafin): The Education for Persons with Special Educational Needs Act 2005, also known as the EPSEN Act, was enacted in July 2004. While many sections of the Act have already commenced, the remaining sections relate mainly to the statutory assessment and education plan process for which the Act provides. These cannot come into effect without the National Council for Special Education having an opportunity to present an implementation report to my Department which it must do before 1 October 2006. On 21 October 2005, the council published a call for submissions in the national media on the implementation of the Act. The closing date for submissions was 13 January 2006.

I understand that the National Council for Special Education has recently commissioned Dr. Eileen Winter at Queen's University, Belfast, to undertake research on its behalf on the resource requirements needed to implement assessments as identified in the EPSEN Act. Results from the study will inform the production of the implementation report which will detail how the council will implement the Act. The research is due to be completed in June of this year.

A total of 71 special educational needs organisers, SENOs, commenced employment with the National Council for Special Education on 1 September 2004. The SENO posts were required to provide for an organisation and co-ordination function that is new to the education system. The council, with the assistance of training consultants, developed, prepared and delivered an extensive induction programme for SENOs.

SENOs, although having previous experience of delivering education or other services to children with disabilities, are from a variety of professional backgrounds and training for their new role had to take that into account. Further training focused on decision making within my Department's policy parameters was provided up to the end of the year by my Department's inspectorate and the National Educational Psychological Service from within the Department and National Council for Special Education staff. In 2005, a similar exercise was undertaken for nine SENOs who commenced employment last year. With regard to 2006, provision for training has been made in the 2006 budget with a view to the provision of further structured training for SENOs arising from the evolution of their role and also the implementation of the EPSEN Act.

A new scheme for allocating resource teachers to schools to cater for the needs of children with high incidence special needs, such as mild general learning disability and learning support needs, was introduced in schools in September 2005. Resource teachers will now be in place in the school from the start of the school year so that children who need their assistance can get it straight away.

The new system for allocating resource teachers in primary schools comprises a general allocation for pupils with learning difficulties and those with high incidence disabilities. Applications for individual resource allocations for pupils with special educational needs arising from the more complex low incidence disabilities, such as autism, will be processed by the National Council for Special Education through its network of SENOs and decisions on the applications will be communicated directly to schools by the SENOs.

The Deputy may be interested to know that in September 2003, my Department established the special education support service, SESS, which is based at the Cork education centre. The aim of the service is to enhance the quality of teaching and learning with particular reference to the education of children with special needs. The service provides support for school personnel working with pupils and students with special educational needs in a variety of educational settings, including special schools and special classes.

Professional development and support is available to principals, middle management in schools, class teachers, subject teachers, special-class teachers, resource teachers and special needs assistants. It is open to the management authorities in schools to address any additional training needs for staff employed in their schools through the SESS. I can assure the Deputy that this Government is committed to ensuring that the EPSEN Act is fully implemented.

Questions Nos. 162 and 163 answered with Question No. 116.

School Discipline.

164. **Mr. Crawford** asked the Minister for Education and Science when the report of the task force on student behaviour will be published; and if she will make a statement on the matter. [5554/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that last year I established a task force on student behaviour in second level schools. This task force produced an interim report in mid-year and has very recently completed its final report as scheduled. I am at present considering the final report and will arrange for its publication shortly.

I have indicated my clear intention of acting on this issue in a measured and effective manner. To this end, €2 million has been provided in this year's Estimates to enable the implementation of the task force report to commence this year. I expect to be in a position to make further announcements on the detail of this implementation at the point of publication of the report.

Question No. 165 answered with Question No. 106.

Question No. 166 answered with Question No. 78.

Pupil-Teacher Ratio.

167. **Mr. Durkan** asked the Minister for Education and Science the extent to which she has examined the effect of high pupil-teacher ratios; her plans to address the issues; and if she will make a statement on the matter. [5764/06]

Minister for Education and Science (Ms Hanafin): Major improvements in school staffing have been made in recent years with the hiring of more than 5,000 additional primary teachers. This represents the largest increase in teacher numbers since the expansion of free education. In 1996-97, the average class size in our primary schools was 27. It is now 24. In 1996-97, there was one teacher for every 22 children in our primary schools. Today, there is one teacher for every 17 children, the lowest pupil:teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the services provided for children with special needs and those from disadvantaged areas. Under the action plan for tackling disadvantage published in 2005, there will be a reduction in class sizes to 24:1 at senior level and 20:1 at junior level in 150 primary schools serving communities with the highest concentrations of disadvantage. With more than 600 extra resource teachers put in place this school year, children with special needs are getting more support than ever before. It should be acknowledged how much progress has been made in this area in recent years.

There is more to be done to reduce class sizes further. Recently, I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year and the Minister for Finance has committed to a further reduction in class size in the following year. Accordingly, over the next two years, my Department will put 500 extra teachers into our schools to reduce class size and to tackle disadvantage.

The staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools. The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school.

Next year, this is being reduced to 28 children per classroom teacher and in 2007-08, it will be reduced to 27 children per classroom teacher.

[Ms Hanafin.]

Officials of my Department are currently drawing up the revised staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades.

In speaking about staffing in our schools, we have consistently said that priority would be given in the first instance to children in disadvantaged schools and those with special needs. We have done this and now, in line with the Government commitment, mainstream class sizes are also being reduced.

School Management.

168. **Mr. Sherlock** asked the Minister for Education and Science if the rules for national schools will be updated; and if she will make a statement on the matter. [5747/06]

Minister for Education and Science (Ms Hanafin): The rules for national schools were last published in 1965. Amendments, which have been made in the meantime, have been notified to the relevant school authorities by circular letters issued by my Department. My Department has been considering the matter of preparing a revised version of the rules. However, because of other more pressing and urgent work which requires to be undertaken, it has not been possible to prioritise the preparation of revised rules.

Computerisation Programme.

169. **Mr. G. Murphy** asked the Minister for Education and Science the number of primary and secondary schools with broadband Internet access; and if she will make a statement on the matter. [5592/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department is currently engaged in the roll out of broadband Internet connectivity to all recognised primary and post-primary schools. This project is being undertaken in partnership with industry, following the establishment of a three-year €18 million joint Government-IBEC-TIF, Telecommunications and Internet Federation, fund. The broadband connectivity is being provided via a schools national broadband network supported by HEAnet, which will provide managed Internet access, e-mail, security controls, content filtering and other services designed to enhance the educational process. A broadband support service has also been established to assist schools with advice and information relating to the roll out and ongoing use of their broadband connectivity within the schools network.

As of close of business on Friday, 10 February 2006, the number of schools which have had their basic connectivity service installed was 3,098 and the number of schools which have had their

router installed, either separately or as part of the basic connectivity service, was 2,917. In this regard, the satellite provision for 427 schools contains the necessary functionality and does not require the provision of a separate router.

Physical Education Facilities.

170. **Dr. Cowley** asked the Minister for Education and Science the reason for the failure to allocate funds to provide a sports hall for a college (details supplied) in County Mayo; when the funds will be made available; when this school can expect to commence use of same; and if she will make a statement on the matter. [5328/06]

Minister for Education and Science (Ms Hanafin): My Department is committed to funding the provision of physical education, general purpose and outdoor play areas in schools as part of the school building and modernisation programme. This is being addressed in the context of available resources and the published criteria for prioritising school building projects.

The provision of physical education halls at post-primary level is considered an integral part of the design stage for any major refurbishment programme of existing school buildings, providing always that the site is of sufficient size, or where a new school on a greenfield site is being built. The physical education hall project at the school referred to by the Deputy has been assessed in accordance with the published prioritisation criteria. The project is being considered in the context of the school building and modernisation programme 2006-10.

Question No. 171 answered with Question No. 110.

Work Permits.

172. **Mr. Cuffe** asked the Taoiseach the most recent breakdown for the numbers of the workforce who are Irish, from the most recent accession states to the European Union, from elsewhere within the European Economic Area and elsewhere. [5828/06]

173. **Mr. Deasy** asked the Taoiseach the estimated number of citizens from other EU states that have taken up employment here since 1 January 2004. [6060/06]

The Taoiseach: I propose to take Questions Nos. 172 and 173 together.

The information requested is provided in the tables outlined below. The figures, which are produced by the quarterly national household survey, are considered 'tentative' as the very large migration flows in recent years present a significant measurement challenge in a general purpose household survey such as the QNHS. The main concerns, which are based on international experience, centre around the extent to which the

survey captures minority communities in a proportionate and representative manner. Notwithstanding these concerns, the CSO believes that the estimates presented in the following tables provide a broadly accurate picture of the current situation and recent trends. The figures are subject to review in the light of the results of the 2006 census of population.

Data, on the same basis as that provided in the table below, will be updated tomorrow, 16 February, in the quarterly national household survey release to reflect the position as per the fourth quarter, September-November 2005.

Persons aged 15 years and over classified by nationality and ILO Economic Status

Nationality	Q3 2005				Total
	In employment	Unemployed	Labour Force	Not economically active	
	thousands				
Irish	1,830.6	86.0	1,916.6	1,153.9	3,070.5
Foreign nationals	159.3	10.7	170.0	61.2	231.0
<i>of which:</i>					
<i>United Kingdom</i>	40.5	2.8	43.3	24.6	67.8
<i>EU15 excl. Irl. & UK</i>	21.4	1.1	22.5	4.7	27.3
<i>Accession states EU15 to EU25</i>	53.2	3.4	56.6	5.8	62.3
<i>Other</i>	44.2	3.4	47.6	26.1	73.6
<i>All persons 15 years and over</i>	1,989.8	96.7	2,086.5	1,215.1	3,301.6

Source: Quarterly National Household Survey, Central Statistics Office

Data may be subject to future revision

Date may be subject to sampling or other survey errors, which are greater in respect of smaller values or estimates of change.

Reference period: q3=June to August

Notes:

1. The QNHS sample is not designed to provide detailed nationality estimates and therefore caution should be used when interpreting the data
2. The figures should be regarded as indicative of broad orders of magnitude rather than definitive
3. All estimates are provisional subject to the Census 2006 results.

Estimated number of persons aged 15 years and over in employment (ILO) classified by nationality — QNHS, q1 2004 to q22005

Nationality	q1 2004	q2 2004	q3 2004	q4 2004	q1 2005	q2 2005	q3 2005
	thousands						
Irish	1,723.2	1,722.0	1,779.1	1,766.4	1,771.8	1,779.0	1,830.6
Foreign nationals	112.7	114.1	114.4	127.8	136.5	150.3	159.3
<i>of which:</i>							
<i>United Kingdom</i>	40.5	39.9	34.8	34.3	37.6	37.5	40.5
<i>EU15 excl. Irl. & UK</i>	20.5	23.0	19.4	20.9	22.7	20.9	21.4
<i>Other European</i>	15.8	16.2	25.4	35.0	42.2	54.8	60.2
<i>of which Accession states EU-15 to EU-25</i>	*	*	19.5	28.1	34.9	47.3	53.2
<i>Other</i>	35.9	35.0	34.8	37.6	34.0	37.1	37.2
Total	1,835.9	1,836.1	1,893.5	1,894.2	1,908.3	1,929.3	1,989.9

*The measurement for the Accession states did not commence until q3 2004.

Source: Quarterly National Household Survey, Central Statistics Office.

Data may be subject to future revision.

Date may be subject to sampling or other survey errors, which are greater in respect of smaller values or estimates of change.

Reference period: q1=December to February, q2=March to May, q3=June to August and q4=September to November.

Note:

1. The QNHS sample is not designed to provide detailed nationality estimates and therefore caution should be used when interpreting the data
2. The figures should be regarded as indicative of broad orders of magnitude rather than definitive
3. All estimates are provisional subject to the Census 2006 results.

Residency Permits.

174. **Mr. Cuffe** asked the Taoiseach the most recent breakdown for the numbers of residents in the State who are Irish, from the most recent accession states to the European Union, from elsewhere within the European Economic Area and elsewhere. [5831/06]

The Taoiseach: The estimated population at April 2005 was 4.13 million. The quarterly

Nationality	Thousands	Percent
Irish	3,875.3	93.8
Non-Irish	255.4	6.2
<i>of which</i>		
UK	72.3	1.8
Other EU 15	30.9	0.7
EU 10 (new accession countries)	58.8	1.4
Elsewhere	93.4	2.3
Total	4,130.7	100.0

national household survey, QNHS, provides a breakdown of the population by nationality. This is reproduced for April 2005 in the attached table. However, it should be borne in mind that the QNHS data may understate the true extent of non-Irish nationals. The extent of the understatement may be of the order of 1% to 1.5% of the total population based on a comparison of nationality data taken from the QNHS for the second quarter of 2002 and census 2002.

Consultancy Contracts.

175. **Mr. Durkan** asked the Taoiseach, further to Question No. 188 of 7 February 2006, the cost of all services or advice sought or received by his Department in the past seven years from all sources other than the established Civil Service, by name, firm and other description, including advisers, special advisers, spin doctors, media

consultants or others; if he received written or electronic communication from such people on a daily, weekly or monthly basis; and if he will make a statement on the matter. [5946/06]

The Taoiseach: Further to Question No. 188 of 7 February 2006, details of all public relations services and advice sought by this Department from all sources in the past seven years are detailed in the following schedule.

Year	Name	Purpose	Cost
			€
2005	Nil	Nil	Nil
2004	Carr Communications	Preparatory work on the disability strategy. The main purpose of which was to ensure consistency and quality across the outline sectoral plans and to advise on the arrangements for publication of the Disability Bill, the Comhairle (Amendment) Bill and the outline sectoral plans.	12,100
	Des Geraghty	Promotion of the Affordable Housing Initiative including assistance with general communications issues and interaction with relevant target groups	5,000
2003	Grayling Gilmore	Public relations services provided in 2003 to promote and sustain awareness of Ireland's hosting of the EU Presidency and its positive implications for the country	60,000
2002	Nil	Nil	Nil
2001	Nil	Nil	Nil
2000	Nil	Nil	Nil
1999	Nil	Nil	Nil

There are no public relations staff employed by my Department. However, unestablished personnel involved in media matters within my Department include the Government press secretary and the deputy press secretary. Officials in my Department communicated with the above PR consultants as required during the course of these engagements and, if applicable, a report was sub-

mitted to the Department on the completion of the engagement.

General Practitioner Co-operatives.

176. **Mr. Carey** asked the Tánaiste and Minister for Health and Children the progress which has been made in the provision of an out of hours general practitioner service for the northside of

Dublin for which tenders were invited in late 2005; and if she will make a statement on the matter. [5815/06]

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. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Community Care.

177. **Mr. Carey** asked the Tánaiste and Minister for Health and Children when it is expected that the primary health care centre in Ballymun will be open for treatment of customers; the intended catchment area for the centre; the range of services to be provided there, for example, if a minor injury clinic will operate from there; if the centre will be open on a round the clock basis; the range and level of staffing that will be provided there, particularly in the area of speech and language and social work services; the way in which the centre is expected to impact on accident and emergency services in Beaumont, Mater and Connolly Hospitals; and if she will make a statement on the matter. [5816/06]

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. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

178. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a doctor only medical card will be issued to a person (details supplied) in County Kilkenny; and if a response will be expedited. [5839/06]

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. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

179. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the progress in providing long stay beds for the care of elderly at St. Canice's Hospital, Kilkenny; if the first phase of this work is completed; if the patients concerned have been moved to the refurbished wards and building; when the second phase commenced; the costs involved; and if she will make a statement on the matter. [5840/06]

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, HSE, under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Properties.

180. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children her plans in relation to the land and buildings at St. Canice's Hospital, Kilkenny; if applications have been submitted for the use of these lands by organisations based in Kilkenny associated with specific health issues; if it is intended to sell the property in total; if a commitment will be given, should any of this land be sold, to re-invest the proceeds in the area of mental health care; and if she will make a statement on the matter. [5841/06]

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, HSE, under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

181. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason for the waiting lists for physiotherapy at St. Luke's Hospital, Kilkenny; her plans to relieve the problem; and if she will make a statement on the matter. [5842/06]

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. Accordingly, my Department has requested the parliamentary affairs division

[Ms Harney.]

of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

182. **Mr. Rabbitte** asked the Tánaiste and Minister for Health and Children when it is intended to end the practice of involuntary committal of patients to psychiatric hospitals under the mental health Act of 1945 in view of the unsatisfactory nature of the Act and the serious concerns expressed by human rights groups concerning the procedures used under this legislation; and if she will make a statement on the matter. [5852/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Under the provisions of the Mental Health Act 2001, mental health tribunals, operating under the aegis of the Mental Health Commission, will conduct a review of each decision by a consultant psychiatrist to detain a patient on an involuntary basis or to extend the duration of such detention. The review will be independent, automatic and must be completed within 21 days of the detention/extension order being signed. As part of the review process the mental health tribunal will arrange, on behalf of the detained person, for an independent assessment by a consultant psychiatrist and the commission will also operate a scheme to provide legal aid to patients whose detention is being reviewed by a tribunal.

The Deputy will be aware that the commencement of the legislative provisions for tribunals has been delayed for some time due to an industrial relations dispute. The issue was resolved in late January and the Mental Health Commission is currently putting in place the necessary arrangements for the establishment of mental health tribunals. Accordingly, I hope to commence the relevant provisions of the Act as soon as is feasible in 2006.

While I appreciate the need to implement in full the provisions of the Mental Health Act 2001 as soon as possible, the Mental Treatment Act 1945 does contain a number of safeguards to protect the interests of persons who are involuntarily detained. Such safeguards include the right of appeal, as appropriate, to the Minister, the President of the High Court, the Registrar of Wards of Court, the HSE or the Inspector of Mental Hospitals and the right to complain.

Health Services.

183. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children her views on the residential and non-acute care accreditation scheme that she received from the Irish Health Services Accreditation Board; the action she will

take regarding the proposed scheme; and if she will make a statement on the matter. [5856/06]

Tánaiste and Minister for Health and Children (Ms Harney): My Department has had discussions with the Irish Health Services Accreditation Board about the development and operation of accreditation schemes for residential care and primary care services. The board intends to further develop these schemes in 2006.

General Medical Services Scheme.

184. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if the reason persons (details supplied) in County Mayo who have been told that they no longer remain on a doctor's list will be investigated; and the reason for same. [5861/06]

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. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Allowances.

185. **Ms Enright** asked the Tánaiste and Minister for Health and Children the timeframe involved following receipt of an application for the domiciliary care allowance; when a decision will be made on an application by a person (details supplied) in County Laois in December 2004; and if she will make a statement on the matter. [5886/06]

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, HSE, under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Disabled Drivers.

186. **Ms Enright** asked the Tánaiste and Minister for Health and Children the number of disabled car parking spaces available at Tullamore General Hospital; if she intends to increase this number due to demand; and if she will make a statement on the matter. [5887/06]

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. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

187. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will not downgrade the Children's University Hospital, Temple Street, Dublin, and if she will support its redevelopment; and if Temple Street will be made the main children hospital here. [5908/06]

Tánaiste and Minister for Health and Children (Ms Harney): On 3 February, the Health Service Executive published a report on the delivery of tertiary paediatric services in this country. The HSE commissioned the report at my request.

The report, which was prepared by McKinsey & Co., recommends that best outcomes for children should be provided by one national tertiary paediatric centre which would also provide all secondary paediatric services for the greater Dublin area. Arising from the recommendations, a joint HSE-Department of Health and Children task group is being established to progress matters and to advise on the optimal location for the new facility. The task group's conclusions will inform decisions as regards the Mater-Temple Street project.

Health Services.

188. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children her plans for the formulation of a national stroke care policy; and if she will make a statement on the matter. [5918/06]

Minister of State at the Department of Health and Children (Mr. S. Power): In 2005, I met with the Irish Heart Foundation to discuss *inter alia* services for patients with stroke. Following that meeting, the foundation, with the support of a grant of €70,000 from my Department, convened a national stroke review group, NSRG. The NSRG has representatives from the HSE and from a wide range of relevant professional and voluntary organisations — community health nurses, speech therapists, volunteer scheme and so forth. The group developed a comprehensive research proposal over a period of nine months based on methods used for an audit of hospital and community services in the UK.

The planned research which is due to start on 1 March 2006 is for a national audit of stroke services, to include: an audit of hospital-based stroke services — organisational aspects of care

in acute hospitals, especially organised stroke care; and a clinical audit of stroke care, involving review of clinical case notes for a selected sample of patients; an audit of community-based stroke services, to include surveys of GPs, allied health professionals, patients and carers, and nursing homes.

These audits will provide excellent baseline information on which to benchmark progress in developing stroke services and I understand the entire study is scheduled to take 18 months to complete. The NSRG will monitor progress of the research and use the findings to make recommendations on the development of stroke services. My Department and the Health Service Executive will consider policy implications in the light of this national service audit.

Community Care.

189. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the number of nursing home care packages promised in 2005 on a county basis; the number of nursing home care packages delivered in 2005 on a county basis; and if she will make a statement on the matter. [5919/06]

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, HSE, under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

190. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the number of nursing home care packages promised for delivery in 2006; their expected roll out date; and if she will make a statement on the matter. [5920/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy will be aware that €55 million was allocated to home care packages in the 2006 budget. This is a full year cost, €30 million of which relates to 2006 and which will provide for an additional 2,000 packages this year.

The Deputy's question regarding the roll out of these packages 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 HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Pharmacy Regulations.

191. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children the guidelines which exist to ensure that medical prescriptions are secure and cannot be easily forged in view of the huge problem of addiction to prescription drugs, many of which are fraudulently obtained and sold on the streets; if the bar coding of prescriptions, as is the practice in Britain, is being considered; and if she will make a statement on the matter. [5945/06]

Tánaiste and Minister for Health and Children (Ms Harney): The problem of addiction to prescription medicines relates mainly to drugs which are controlled under the Misuse of Drugs Acts 1977 and 1984. Regulations made under those Acts provide a number of requirements for the security of prescriptions.

Article 13 of the Misuse of Drugs Regulations 1988 specifies the form of a medical prescription for certain controlled drugs under the Misuse of Drugs Acts. The prescription shall be in ink or otherwise so as to be indelible and be signed by the person issuing it with his or her usual signature and dated by him or her; be written by the person issuing it in his or her own handwriting; clearly indicate the name, title, address and telephone number of the person issuing it; specify the name and address of the person for whose treatment it is issued; specify the dose to be taken and in the case of a prescription for a total quantity intended to be dispensed by instalments; and contain a direction specifying the amount and intervals at which the instalments may be dispensed. The total quantity to be supplied must be stated in both words and figures. Section 14 of the Misuse of Drugs Regulations, 1988 specifies that a person shall not supply a controlled drug on a prescription unless the prescription complies with these provisions.

The Misuse of Drugs (Supervision of Prescription and Supply of Methadone) Regulations 1988 control the prescription and supply of methadone. Recipients of methadone must be registered on a central treatment list and methadone may only be prescribed by specially trained general practitioners.

The guidance document entitled Benzodiazepines: Good Practice Guidelines for Clinicians was published in 2002. It provides advice on benzodiazepine prescribing and was issued to all general practitioners. Similar, but less detailed, requirements are laid down for prescriptions for medicinal products other than controlled drugs. The possibility of using barcodes on prescriptions has not been examined in this country. However if such a practice were shown to be successful in other jurisdictions, it would be appropriate to examine the possibility of introducing it in this country.

Mental Health Services.

192. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the figures in regard to persons suffering from depression on an age basis; and if she will make a statement on the matter. [5950/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Information on the number of persons suffering from depression on an age basis is not collected by my Department. It is known however, that depression was the most frequent cause of admissions to Irish psychiatric units and hospitals in 2004 and accounted for 29.5% of all admissions. The age profile of such admissions for persons suffering from depression is as follows:

Age	Number of admissions due to depressive disorders 2004	% of total admissions	Total admissions to psychiatric units and hospitals 2004
Under 16	3	21.4	14
16-19	168	26.6	632
20-24	429	22.1	1,937
25-34	1,024	23.5	4,349
35-44	1,417	29	4,890
45-54	1,326	29.9	4,438
55-64	1,063	34.3	3,097
65-74	678	37	1,833
75 and Over	457	42.3	1,080
Unspecified	1	11.1	9
Total	6,566	29.5%	22,279

Source: Activities of Irish Psychiatric Units and Hospitals 2004 — Health Research Board

Health Services.

193. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the actions or plans her Department has taken to overcome obesity in children; the meetings she has had with the Departments of Education and Science and Arts, Sport and Tourism in regard to the matter; and if she will make a statement on the matter. [5951/06]

Minister of State at the Department of Health and Children (Mr. S. Power): In response to the increase in overweight and obesity in the Irish population the campaign entitled Every Step Counts . . . Small Changes Make the Difference was launched in 2004. This campaign promoted the two main lifestyle areas of healthy eating and regular physical activity. This was followed by a further campaign in November of 2005 entitled Take 5 Steps . . . to a Healthier You. The report of the national taskforce on obesity, which was launched in May 2005, made a number of recom-

mentations designed to enable individuals to make healthy food choices. Additional funding of €3 million has been made available to the Health Service Executive to support the implementation of the report's recommendations.

A multisectoral and multidisciplinary approach is required to implement the recommendations arising from a range of health promotion policies including the report of the national task force on obesity. While officials in the health promotion unit meet regularly with their counterparts in other Departments, the strengthening of these links, including the possible establishment of a new structure, is being actively examined in the Department.

A national nutrition policy is being developed by the Department and it is envisaged that this policy will provide strategic direction on nutrition for the next five to ten years. The target group is young people, aged under 18 years, and the priority actions are obesity and food poverty. A national consultation has taken place and the policy is due to be published in 2006.

Community Care.

194. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children if the Health Service Executive will review a decision not to increase the payment of €5 per week to a person (details supplied) in Dublin 12 to support their aunt; and if they are entitled to a capital payment in view of the status of their aunt; and if arrangements will be made for a detailed reply. [6046/06]

Tánaiste and Minister for Health and Children (Ms Harney): 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 and provided for the levying of a charge in respect of the maintenance of persons in receipt of inpatient services. The regulations were prepared following extensive consultation with the HSE and others.

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. In this regard, charging of patients in long-term care commenced on 14 July 2005, which was after the expiration of 30 days after the regulations were signed. 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. The HSE 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 HSE can examine a person's overall financial situation in view of the person's reasonable expenditure as regards themselves or their dependants, if any. It is a matter for the HSE, 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 any charges levied.

With regard to entitlement to a capital payment, the Government has agreed the key elements of a scheme for the repayment of long stay charges for publicly funded residential care. All those fully eligible persons who were wrongly charged and are alive and the estates of all those who were wrongly charged and died since 9 December 1998 will have the charges repaid in full. The scheme will not allow for repayments to the estates of those who died prior to that date. The repayments will include both the actual charge paid and an amount to take account of inflation, using the consumer price index, since the time the person involved was charged. The scheme will be designed and managed with the aim of ensuring that those who are eligible for repayments receive them as soon as possible and with the minimum possible imposition in terms of bureaucracy. Priority will be given to those who are still alive. Many of those who are eligible for a repayment have been identified as a result of initial payments of up to €2,000, made following my initial announcement in December 2004. These payments will be incorporated into repayments made under the national repayment scheme.

The Deputy's question relates to a specific case that involves the management and delivery of health and personal social services and 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 HSE to arrange to have a reply issued directly to the Deputy in relation to this case.

Medical Cards.

195. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will issue in the case of a person (details supplied) in County Kildare who receives the disability benefit and is prescribed oxygen; and if she will make a statement on the matter. [6050/06]

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. Accordingly, my Department has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

196. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children the proposals she has received from the Health Service Executive to provide a dedicated transport service to Dublin and Cork hospitals for cancer patients in Waterford and elsewhere in the south east; her views on whether patients in the south east have a justified expectation that the Government provide such a service pending the availability of radiotherapy services in the south east, which is some years away; and if she will make a statement on the matter. [6061/06]

Tánaiste and Minister for Health and Children (Ms Harney): The national service plan 2006 of the Health Service Executive provides a commitment to develop proposals to support patients who have to travel long distances to access specialist services, with particular focus in 2006 on those travelling for radiotherapy treatment. I approved this plan in December and it was laid before both Houses of the Oireachtas last month. I made available an additional €9 million to the executive for developments in cancer services in 2006, *inter alia*, to facilitate better access to radiation oncology services, including dedicated transport arrangements.

The Deputy's question also 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.

Child Care Services.

197. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children her views on whether the stark lack of playground and congre-

gation facilities for older children and teenagers is causing a phenomenon whereby older children are using facilities designed for younger children; and if she will make a statement on the matter. [6062/06]

198. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children the initiatives in place to provide playground facilities to older children who cannot be accommodated in facilities designed for primary school aged children; and if she will make a statement on the matter. [6063/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 197 and 198 together.

I have no ministerial function in regard to the direct provision of play facilities for children and teenagers. As the Deputy may be aware, the office of the Minister of State with responsibility for children is currently developing a recreation policy for young people aged 12 to 18 in conjunction with a number of Government Departments and agencies directly involved in the provision of recreation facilities and programmes for young people. The policy will be available in 2006.

The objectives of the policy are to give young people a voice in the design and implementation of recreation policies and facilities; promote structured recreation for young people and examine ways to motivate them to be involved; ensure that the recreation needs of young people are met through the development of youth friendly and safe facilities and environments; maximise the range of recreational opportunities available for young people who are marginalised, disadvantaged or who have a disability; promote relevant qualifications/standards in the provision of recreation activities; develop a partnership approach in developing and funding recreational opportunities across the statutory, community and voluntary sectors; and improve information on, evaluation and monitoring of recreational provision for young people in Ireland. It is intended that the issue of appropriate outdoor facilities for teenagers will be dealt with in the policy.

Tax Code.

199. **Mr. Cuffe** asked the Minister for Finance the reason VAT at 21% is charged on the provision of caring services for the elderly. [5823/06]

Minister for Finance (Mr. Cowen): The application of VAT in these cases is governed by EU law. This requires that private providers of home care services must charge VAT at the appropriate rate of up to 21%. My Department is actively examining, in consultation with the Department of Health and Children, the scope within the rel-

evant EU directives to exempt the provision of such services from VAT in the future.

Local Authority Staff.

200. **Mr. Cuffe** asked the Minister for Finance his plans to make it easier for staff to transfer between local authorities and the Civil Service. [5830/06]

Minister for Finance (Mr. Cowen): In so far as the transfer of local authority staff into the Civil Service is concerned, there are as yet no formal arrangements in place. A staff member of a local authority where suitably qualified may, however, apply to compete in all open recruitment competitions for posts in the Civil Service.

In the second report of the decentralisation implementation group published in July 2004, it was recommended, in the context of the Government's decentralisation programme, that further consideration be given to allowing such transfer. Any changes will be considered in conjunction with the relevant staff interests.

I understand that my colleague, the Minister for the Environment, Heritage and Local Government is responding to the Deputy's question in respect of transfers into a local authority.

Departmental Offices.

201. **Mr. Stanton** asked the Minister for Finance the number of rented properties currently housing offices of the Department of Social and Family Affairs; the amount his Department has paid out in rent in respect of each of these premises used by local and other offices of the Department of Social and Family Affairs per annum each year since 2003; the amount of rent paid by his Department per annum for each year since 2003; and if he will make a statement on the matter. [6037/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works currently rent a total of 96 properties on behalf of the Department of Social and Family Affairs. The annual rent paid by the Commissioners of Public Works on behalf of the Department of Social and Family Affairs for each year since 2003 is as follows:

Year	€
2003	10,116,848.14
2004	10,653,057.10
2005	10,885,564.19

The information requested by the Deputy on the rent paid out in respect of each of the premises used as local and other offices by the Department of Social and Family Affairs for each year since 2003 forms a significant body of work and is being

compiled. It will be forwarded to the Deputy as soon as it is available.

Tax Code.

202. **Mr. Bruton** asked the Minister for Finance the reason tax refunds which apply to persons whose earned income does not reach a taxable figure, do not apply to earnings on interest or dividend income, except if persons are over 65; and his views on a change in this provision. [5819/06]

Minister for Finance (Mr. Cowen): As with most other income, interest on savings is subject to tax. With effect from 6 April 1986, DIRT has been deducted at source from interest paid or credited on accounts with licensed banks, building societies and the Post Office Savings Bank. A similar obligation has since been extended in certain circumstances to credit unions. This retention tax was introduced in the 1986 budget as the arrangements for the taxation of deposit interest up to then were regarded as unsatisfactory and gave undue advantage to some financial institutions. DIRT was subsequently regarded as satisfying an individual's full income tax liability in respect of that interest with effect from 6 April 1993.

DIRT is applied on a very wide basis and there are very few repayment situations, confined to those aged 65 and over and incapacitated persons, where there is no income tax liability. At the time the legislation was introduced, the issue of extending the ability to claim repayments of DIRT was considered and it was decided that refunds for all non-liable persons would not be allowed in the context of a final liability tax. I have no plans to extend the current DIRT repayment rules to cover such cases at present.

On dividend income, I am taking it that the Deputy is referring to dividend withholding tax. This withholding tax is available as a credit against an individual's final tax liability and may be repaid where the individual is not liable for tax.

Flood Relief.

203. **Mr. Deenihan** asked the Minister for Finance if a report on flooding at Ballylongford, County Kerry, is available in his Department following a visit to the village by an Office of Public Works engineer in the spring of 2005; if this report will be published; and if he will make a statement on the matter. [5877/06]

Minister of State at the Department of Finance (Mr. Parlon): A report carried out by the Office of Public Works on flooding at Ballylongford, County Kerry, is now available and will be forwarded to Kerry County Council in the near

[Mr. Parlon.]

future. I will arrange for a copy to be forwarded to the Deputy.

Tax Collection.

204. **Mr. Hogan** asked the Minister for Finance the number of requests for balancing statements made by PAYE taxpayers since 1 January 2005;

the number of such request that have resulted in a repayment of tax to taxpayers since then; the average amount repaid; and if he will make a statement on the matter. [5896/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the following table gives the statistics requested for the period from 1 January 2005 to 10 February 2006.

Number of balancing statements issued between 1/1/2005 and 10/02/2006. <i>Note:</i> Statistics are maintained on the basis of the number of balancing statements issued as against the number of requests received for balancing statements. As a separate balancing statement is issued in respect of each year involved in the review request the figure of 585,738 greatly exceeds the number of requests received.	1/1/2005-31/12/2005: 530,274 1/1/2006-10/2/2006: 55,464 Total: 585,738
Number of requests that have resulted in a repayment of tax. <i>Note:</i> Again this figure represents the number of balancing statements issued from 1/1/2005 to 10/2/2006 that resulted in a repayment and is based on a separate balancing statement being issued for each year.	1/1/2005-31/12/2005: 386,131 1/1/2006-10/2/2006: 39,436 Total: 425,567
(1) The average amount repaid by reference to the number of balancing statements issued.	€567
(2) The average amount repaid by reference to the number of balancing statements issued that resulted in a repayment.	€780

The PAYE tax collection system was designed to collect an employee's tax liability for a year on a cumulative basis over the year. It can only collect the correct amount of tax where the employee has claimed and been granted in the annual notice of tax credits and standard rate cut-off point all the reliefs to which he or she is entitled. Revenue can only allow tax credits-reliefs on the basis of the information that is known to it. If the information on the tax credit certificate is incorrect or if there is a change in circumstances in the course of the tax year, which is not notified to Revenue, then the system will not operate as intended and the tax deducted will be incorrect.

The vast majority of taxpayers are conscious of the credits and reliefs they are entitled to and, where claims are necessary, take the required action. Revenue makes every effort possible to inform taxpayers of their entitlements and where additional tax credits are claimed the necessary adjustments in the taxpayer's affairs are speedily made.

It is, of course, the position that some reliefs need not be claimed or need be claimed only once. Claims that are not required are those where the relief is given at source, for example, pension contributions, permanent health insurance, medical insurance and mortgage interest. Reliefs that need only be claimed once are those that will remain constant in the taxpayer's profile over the year, for example, basic tax credits, PAYE credit, trade union subscription and so forth. In this instance, once claimed the reliefs are automatically carried forward from year to year. The only reliefs that need to be claimed on an ongoing basis are those that are

expenditure-related such as medical expenses relief. It is such claims that give rise to the greater part of repayments of tax and this is because the relief cannot be quantified until after the end of the year.

National Lottery Funding.

205. **Mr. Wall** asked the Minister for Finance the breakdown of the national lottery funding for each of the past five years that is the total allocated to sport, youth activity, the arts, Irish language, health and community activities; if the amounts allocated are the percentage of funding agreed when the fund was first put in place; and if he will make a statement on the matter. [5947/06]

Minister for Finance (Mr. Cowen): Under section 5 of the National Lottery Act 1986, the surplus from the national lottery may be used for sport and other recreation; national culture, including the Irish language; arts, within the meaning of the Arts Act 1951; health of the community; and for such other purposes as the Government may determine. The following additional categories have been so determined: youth, welfare, national heritage and amenities.

Under the legislation, the allocation of funding among the categories is a matter for the Government. There is no specific formula for the allocation of funding among categories. The Government decides on an annual basis how the surplus from the national lottery is to be allocated in the context of the overall Estimates process.

I refer the Deputy to Appendix I of the "Revised Estimates for Public Services" for the

years 2001 to 2005, for details of the national lottery allocations by Vote and subhead in each of the past five years. These subheads broadly correspond to the groupings to which the Deputy refers in his question.

Site Acquisitions.

206. **Mr. Durkan** asked the Minister for Finance if further meetings are required between his Department, the Office of Public Works and Kildare County Council or other bodies or agencies in view of the immediate and pressing need to identify a site for a new school at Kill, County Kildare; if he expects all matters relating to site acquisition to be concluded before the end of the school year; and if he will make a statement on the matter. [6035/06]

Minister of State at the Department of Finance (Mr. Parlon): I refer to my reply to Parliamentary Question No. 107 of 9 February 2006. A number of options are currently being progressed and it is not possible to say whether further meetings between the OPW and Kildare County Council will be necessary at this stage. Every effort is being made to acquire a suitable site for Kill national school as soon as possible.

Tax Code.

207. **Mr. G. Mitchell** asked the Minister for Finance if he will arrange for the Revenue Commissioners to issue a refund of DIRT to a person (details supplied) in Dublin 12. [6047/06]

Minister for Finance (Mr. Cowen): To date the taxpayer has not claimed a refund of deposit interest retention tax, DIRT. The Revenue Commissioners have issued the necessary forms, forms 54D, to the taxpayer for completion. On receipt of the completed forms, the refund will be processed without delay.

Garda Stations.

208. **Mr. Durkan** asked the Minister for Finance the costs to date in 2006, including investigation, assessment, acquisition or other costs, associated with the provision of a new Garda station at Leixlip, County Kildare; the number of sites examined; the costs associated with assessment or examination in each case; when it is expected the Garda station is likely to become available; and if he will make a statement on the matter. [6052/06]

Minister of State at the Department of Finance (Mr. Parlon): No costs have been incurred to date in 2006 in the provision of the proposed new Garda station for Leixlip, County Kildare. Some 16 sites were investigated. As all these sites were examined by OPW architectural staff, no direct

costs were incurred. The part 9 planning consultation process has not yet been completed.

It is not possible to say precisely how long this will take but the Commissioners of Public Works should be in a position to make a formal decision in the matter in a number of weeks. Proceeding to tender invitation, placing of contract and so forth is dependent on the outcome of this process.

Electricity Generation.

209. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources the reason the providers of renewable electricity are obliged to pay the public service obligation levy for the provision of renewable energy. [5827/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Section 39 of the Electricity Regulation Act 1999 provides the statutory framework for the imposition of public service obligations on electricity undertakings by means of ministerial order. This section provides for the recovery, by way of levy on final customers, of the additional costs incurred by the undertaking on which the obligation is imposed in complying with an order made under this section. Under the Act, a final customer is defined as a person being supplied with electricity at a single premises for consumption on those premises.

The relevant order made under section 39 provides that it shall be the duty of suppliers — which includes suppliers of renewable electricity — of electricity to a final customer to invoice the public service obligation levy to each such customer on the basis notified to them by the Commission for Energy Regulation in respect of each electricity account held by such final customer, and to collect from them the amount of the levy payable in respect of each such account in accordance with the provisions of the order.

All appropriate amounts collected are ultimately paid to the undertaking on which the obligation is imposed.

Telecommunications Services.

210. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if, in view of the fact that Stamullen, a village of 2,500 people in the 01 area, has no Eircom broadband service, he will state the position with regard to the roll out of broadband for the local residents of this area; and if he will make a statement on the matter. [5909/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications, including broadband, is a matter in the first instance for the private sector companies operating in a fully lib-

[Mr. N. Dempsey.]

eralised market regulated by the independent Commission for Communications Regulation, ComReg.

Communications Masts.

211. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources if it is allowed to put a Vodafone mast on Richmond Road, Dublin 3; if local residents should be consulted; and if there are health issues involved with this construction. [5943/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Issues relating to the locations of telecommunications masts are not matters for me but for the relevant local authorities under the aegis of my colleague, the Minister for the Environment, Heritage and Local Government.

The Department of Communications, Marine and Natural Resources maintains a watching scientific brief on health issues relating to non-ionising radiation, including mobile telephony. The Department's involvement in matters concerning the health effects of non-ionising radiation, which includes radio frequency emissions from mobile phone base stations, is guided by advice from national and international health authorities, including the World Health Organisation of the United Nations. Mobile telephones are in use internationally. The global limits for non-ionising radiation have been established internationally by the International Commission for Non-Ionising Radiation Protection. There is no scientific evidence that exposure up to these limits is damaging to health.

Human Rights Issues.

212. **Mr. Broughan** asked the Minister for Foreign Affairs the measures which are being taken by the Government at an international level and through membership of European and global institutions to promote human rights in Burma and to bring about the release of Aung San Suu Kyi; and if he will make a statement on the matter. [5906/06]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland takes a consistently strong position on Burma in its bilateral contacts, in the European Union framework and at the United Nations. With its EU partners, it avails of all opportunities to condemn the abuse of human rights and fundamental freedoms in Burma and to deplore the lack of progress towards democracy. Our goal remains an end to human rights violations, the release and restoration of liberty to Aung San Suu Kyi and all other political prisoners and the realisation of democracy, peace and prosperity for the long-suffering people of Burma.

As I have been deeply concerned about the ongoing detention under house arrest of Aung San Suu Kyi, I use every available occasion to highlight her plight and to call for her immediate release. On 24 October last, I marked the tenth anniversary of her detention by issuing a statement calling for her release and the release of all other political prisoners. In my statement on behalf of Ireland to the 60th session of the UN General Assembly last September, I referred to the continuing denial of human rights and democracy in Burma. I stated that it is most acutely symbolised by the continued detention of Aung San Suu Kyi and that her ordeal was not forgotten by the people of Ireland.

On 28 November last, Ireland joined its EU partners in issuing a statement expressing deep concern about reports that Aung San Suu Kyi's detention had been extended. The statement said that the release of all political prisoners would help to facilitate an open and genuine dialogue, involving all ethnic and political groups in Burma, in the interests of national reconciliation and the resolution of Burma's longstanding political and humanitarian problems.

I assure the Deputy that I will continue to raise the issues in question on all possible occasions and to work for real progress in Burma. I am pleased that the UN Security Council held a briefing on the situation in Burma last December. The UN Secretary General is expected to appoint a new special representative on Burma in the near future, to replace Mr. Razali Ismail who resigned at the end of last year. I hope the new special representative and the UN special *rapporteur* on the human rights situation in Burma, Mr. Sergio Pinheiro, will be allowed to visit Burma at an early date to meet all the key players there.

I welcome the fact that the Association of South East Asian Nations recently announced that it would send the Malaysian Foreign Minister as an envoy to Burma. The EU applies a range of sanctions and restrictive measures against Burma, referred to as the EU common position, which is up for renewal in April 2006. In view of the absence of any progress in Burma, Ireland will strongly support the renewal of the measures for a further year.

EU Summits.

213. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will make a document (details supplied) from a meeting of the EU's political and security committee Troika in May 2004, which was attended by Irish representatives, reporting on a meeting with the US in Brussels on 26 May 2004 available to the Houses of the Oireachtas; the persons who were the Irish representatives at this meeting; and if he will make

a statement on the discussions and conclusions of the Troika meeting. [6043/06]

Minister for Foreign Affairs (Mr. D. Ahern):

The document referred to in the Deputy's question is a report of an official level EU-US meeting of 26 May 2004, which was prepared by the general secretariat of the European Union Council of Ministers for the confidential information of European Union governments. While the confidentiality of the document precludes it from being made available, I can inform the Deputy that the meeting formed part of the regular series of exchanges between the EU and the US at senior official level on a wide range of international political and security issues. Ireland was represented at the meeting by its ambassador to the political and security committee of the EU Council of Ministers. Its attendance at the meeting arose as part of its responsibilities as the holder of the Presidency of the Council from January to June 2004.

Swimming Pool Projects.

214. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of public swimming pools in the control of the local authorities here; the number planned; and if he will make a statement on the matter. [5948/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue):

As far as the Department of Arts, Sport and Tourism is aware, there are 74 local authority swimming pool facilities — 64 indoor pools and ten outdoor pools — in this country. Some pools are open on a seasonal basis only. A number of pools which have been closed for some time are being replaced.

The Department administers the local authority swimming pool programme, which provides grant aid to local authorities in respect of the capital costs of a new swimming pool, a replacement pool or the refurbishment of an existing pool. The closing date for receipt of applications under the programme was 31 July 2000. Since then, 56 projects have been or are being dealt with, of which 18 have been completed and 14 are under construction or are about to start construction. The 14 projects in the latter group are in Cobh — replacement, Youghal — new, Drogheda — replacement, Ballyfermot — replacement, Jobstown — new, Clondalkin — replacement, Letterkenny — replacement, Monaghan — replacement, Ballybunion — new, Killarney — new, Askeaton — replacement outdoor pool, Portlaoise — replacement, Portarlington — refurbishment, and Longford — replacement.

Of the 24 other projects which are at various stages under the programme — four at tender stage, 13 at contract document stage and seven at

preliminary report stage — seven are new pools, ten are replacement pools and seven are refurbishments of existing pools. The Department is carrying out an expenditure review of the programme, examining among other things how it has worked to date, the benefits which have accrued to the areas where pools have been built under the programme and what amendments, if any, are required to ensure the effective and efficient delivery of the programme. The question of reopening the programme will be considered following the completion of the review.

Sports Funding.

215. **Mr. Cuffe** asked the Minister for Arts, Sport and Tourism the capital and current spending on dog racing, horse racing and other sports, in the last year for which figures are available; and if he will make a statement on the matter. [5824/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue):

The following table sets out the 2005 current and capital allocation to Horse Racing Ireland and Bord na gCon from the horse and greyhound racing fund.

	Current	Capital	Total
	(€m)	(€m)	(€m)
Horse Racing Ireland	46.84	7.84	54.68
Bord na gCon	8.00	5.67	13.67
Horse and Greyhound Racing Fund	54.84	13.51	68.35

Under the national lottery-funded sports capital programme, which is administered by the Department of Arts, Sport and Tourism, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. In 2005, a total of €56.8 million was paid out in respect of grants allocated under the programme, which is advertised annually.

Under the local authority swimming pool programme, which is administered by the Department, funding is given to local authorities in respect of the capital costs of a new swimming pool, a replacement pool or the refurbishment of an existing pool. Some €14.1 million was paid under the programme in 2005. A total of €34.4 million was allocated to the Irish Sports Council in 2005 to enable it to deliver its various programmes and activities, including the funding of sports organisations.

Swimming Pool Projects.

216. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of public swimming pools that have received capital funding under the lottery grant scheme for each of the

[Mr. Wall.]

past five years; and if he will make a statement on the matter. [5957/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Grant assistance from Exchequer sources is provided towards the capital cost of the “wet facilities” in a new, replacement or refurbished public pool under the local authority swimming pool programme. Under the national lottery-funded sports capital programme, which is administered by the Department of Arts, Sport and Tourism, it is open to local authorities to apply for funding for “dry facilities” which are ancillary to the pools or for a range of other sporting and leisure facilities to combine with the pool to create a municipal multi-sport centre. The local authority swimming pool programme provides for a maximum grant level of 80% of eligible costs, or 90% in the case of disadvantaged areas, subject to a maximum of €3.8 million.

Since 2001, grant aid has been approved for 23 swimming pool projects, of which nine have been completed and are open and 14 are under construction or about to start construction. In 2002, grant aid of €3,809,214 was approved for replacement pools at Ballinasloe and Finglas. In 2003, grant aid of €86,400 was approved for the refurbishment of the pool at Tralee aquadome, grant aid of €3,809,214 was approved for the refurbishment of the pool at Tralee sports and leisure centre, grant aid of €3,809,214 was approved for a new pool at Grove Island in Limerick and grant aid of €1,641,934 was approved for the refurbishment of the pool at Clonmel.

In 2004, grant aid of €3,809,214 was provided for the refurbishment of the pool at Churchfield in Cork city, replacement pools in Tuam, Ballymun, Cobh, Ballyfermot, Drogheda and Letterkenny and new pools at Youghal and Jobstown. In 2005, grant aid of €3,809,214 was provided for replacement pools in Monaghan and Clondalkin, a replacement outdoor pool in Askeaton and new pools at Ballybunion and Killarney. In 2006, grant aid of €3,809,214 was provided for replacement pools in Portlaoise and Longford and the refurbishment of the pool at Portarlinton.

Funding under the national lottery funded sports capital programme has been allocated to sports centres connected to 15 pools since 1999. Some €2 million has been allocated in Ballyfermot, €634,869 has been allocated in Ballymun, €300,000 has been allocated in Birr, €400,000 has been allocated in Churchfield, €450,000 has been allocated in Cobh, €185,000 has been allocated in Dundalk, €640,000 has been allocated in Dundrum, €83,092 has been allocated in Enniscorthy, €5,363,422 has been allocated in Finglas, €1.5 million has been allocated in Killarney, €2,539,476 has been allocated in Letterkenny, €850,000 has been allocated in Monkstown,

€634,869 has been allocated in Portlaoise, €342,829 has been allocated in Tullamore and €500,000 has been allocated in Youghal.

Sports Capital Programme.

217. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the number of different sports that have sought capital funding under the lottery grant scheme for each of the past five years; and if he will make a statement on the matter. [5958/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme, which is administered by the Department of Arts, Sport and Tourism, allocates funding to sporting and community organisations at local, regional and national level. The programme is advertised on an annual basis. In 2002 and 2003, 38 sports were represented in the applications which were submitted; in 2004, 47 sports were represented in the applications which were submitted; in 2005, 44 sports were represented in the applications which were submitted; and in 2006, 45 sports were represented in the applications which were submitted.

218. **Mr. Wall** asked the Minister for Arts, Sport and Tourism if his Department has carried out an investigation or the information his Department has as to the reason such a percentage of grants has not been drawn down from the capital national lottery funding; and if he will make a statement on the matter. [5959/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the Department of Arts, Sport and Tourism's sports capital programme, grants are allocated to sporting and to voluntary and community organisations for the provision of sporting and recreational facilities and equipment. This and the previous Government have provided €394.8 million in funding to 4,923 projects under the programme since 1998.

The Department is continually evaluating the operation of the programme with a view to improving the rate of grant drawdown within the context of the resources available, while ensuring the protection of the public funding allocated without compromising best practice in the requirements for the grant drawdown. In a number of cases each year, delays arise on the part of the grantees in meeting the requirements, for example, in supplying the required legal, financial and other documentation.

As I informed the Deputy in response to a recent question, some 1,070 of the 3,575 grantees in the 2001-05 period have not drawn down a payment. It should be noted that 898 of that 1,070 grantees in question, or 84% of them, were allocated grants under the two most recent prog-

rammes, in 2004 and 2005. I expect that the rate of payments for the grantees will increase considerably in the coming months. Under the guidelines, terms and conditions of the programme, a “sunset clause” provision exists allowing for a grant to be withdrawn if within 15 months of the date of allocation the grantee is unable to satisfy the Department that it is in the process of drawing down the grant. Grants of €12.99 million, which were allocated, have been withdrawn since 2000.

I am hopeful that the rate of withdrawals by the Department will increase still further during 2006, thereby reducing the number of outstanding grants, while taking into account the circumstances — for example, if the project involved is in a highly disadvantaged area or is of significance in terms of a large integrated multi-sport project — in which a timeframe greater than provided in the sunset clause provision is required so that the grantee can deliver the project.

219. **Mr. Wall** asked the Minister for Arts, Sport and Tourism if the guidelines of the application for lottery funding permit clubs to seek grants for tutors, physical education instructors or specialists in the respective fields of art and sport; if not, his plans to provide such guidelines; and if he will make a statement on the matter. [5961/06]

Minister for Arts, Sport and Tourism (Mr. O’Donoghue): The national lottery-funded sports capital programme, which is administered by the Department of Arts, Sport and Tourism, allocates funding to sporting and community organisations at local, regional and national level. The programme is advertised on an annual basis. As it is a capital programme, by definition, applications must relate to capital projects, which for the purpose of the programme are defined as the improvement or construction of an asset or the acquisition of permanently based sports equipment, and do not include support for the employment of specialists of the nature referred to by the Deputy.

Grants are awarded to the national sports governing bodies by the Irish Sports Council, which is the statutory body responsible for the development of sport in Ireland, towards the funding of programmes aimed at increasing participation and improving levels of performance. I am aware that under the programmes provision exists for the employment of specialists in the areas of sports administration and coaching. The Irish Sports Council’s budget for 2006 is €40.9 million, which represents an increase of 19% on the 2005 budget.

The Arts Council, which derives an element of its funding from the national lottery fund, is the principal vehicle for the provision of State aids to the arts. It provides supports across a broad

spectrum of arts activities to a broad variety of groups and is independent in the disbursement of its funds.

Departmental Agencies.

220. **Mr. Carey** asked the Minister for Enterprise, Trade and Employment if it is intended to relocate the services of Enterprise Ireland, currently located in Glasnevin, Dublin 11 to another site; if so, the intended use of the present premises; and if he will make a statement on the matter. [5822/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The issue of Enterprise Ireland’s office accommodation is an administrative matter for the agency itself and authority for decisions regarding its property clearly rests with the agency under section 6 and section 24 of the Industrial Development (Enterprise Ireland) Act 1998. Enterprise Ireland operates from four locations in Dublin and has always sought to unify the agency in order to achieve greater levels of efficiency and cohesion. Furthermore, the leases on two of its Dublin offices will expire shortly presenting an accommodation problem for the agency.

I understand that discussions with staff are ongoing with a view to relocating the agency’s Dublin based offices to East Point business park.

Groceries Order.

221. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of instances since September 2004 in which he brought officials from his Department to briefings or meetings with the Fianna Fáil Parliamentary Party; the briefings or meetings attended solely or predominantly by members of the Fianna Fáil Parliamentary Party; the topics discussed at such meetings; the records kept of such discussions; and if he will make a statement on the matter. [5895/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): On one occasion an official of my Department attended a meeting with the Fianna Fail Parliamentary Party. The meeting took place in November 2005. I requested the official in question to attend the meeting with me in order to provide clarification on technical aspects of my Department’s report on the groceries order. No departmental record was kept of this meeting.

Departmental Agencies.

222. **Mr. Costello** asked the Minister for Enterprise, Trade and Employment if the FÁS training centre at Jervis Street, Dublin 1 is being downgraded; if planning permission has been

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sought for a development on the site or part thereof; and if he will make a statement on the matter. [5917/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): This is a day-to-day matter for FÁS as part of its responsibilities under the Labour Services Act 1987. However, I understand from FÁS that following a review of the management structures in the FÁS Dublin region, it was agreed that, in the context of staff reductions within the organisation, the current level of training activity in the Jervis Street centre does not require the services of both a full-time training centre manager and a full-time assistant training centre manager.

The assistant training centre manager will take day-to-day responsibility for the 12 training courses that currently take place in the training centre and will in turn report to the training centre manager at Cabra, who will assume overall responsibility for training activity on the Jervis Street site. The services offered to FÁS customers will be unaffected.

The question of planning permission for the site is a matter for the proprietors of the Jervis Street building. FÁS has a lease agreement which extends to 2009 and it is the intention of the organisation to remain in this location.

Live Register.

223. **Mr. Deasy** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that 3.97% of the total on the unemployed live register are from Waterford city and county, while 2.59% of the population of the State live in the city and county of Waterford; his views on whether this represents a 50% greater level of unemployment in Waterford than the national average and that it requires urgent attention; the measures he proposes to tackle this unacceptable situation in Waterford; and if he will make a statement on the matter. [6058/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The live register is not designed to measure unemployment. It includes part-time workers as well as seasonal and casual workers entitled to unemployment assistance or benefit. Unemployment is measured by the quarterly national household survey, or QNHS. The QNHS shows that since 1997 unemployment in the south-east region has fallen in line with the decrease in unemployment across the country. In addition, employment in the region has increased by approximately 39%, or 58,200 jobs, over the same period. This compares favourably with the national increase of 35%.

The latest available job vacancy data indicates that the demand for labour in Waterford remains strong with recruitment advertisements in January 2006, 38% higher than January 2005. This strong demand for labour in Waterford reflects the continuing national pattern of significant job vacancies.

The agencies under the aegis of my Department continue to place considerable emphasis on the creation and retention of employment in Waterford. IDA Ireland is seeking to develop Waterford city as the gateway location for the south east in overseas investment. As part of the process of developing the capabilities of the city, IDA works very closely with its partners such as Enterprise Ireland, FÁS, WIT and a range of private sector interests who supply business support services to the city.

The IDA strategy for the south east involves the development of a knowledge-based economy so that the region can compete both nationally and internationally for foreign direct investment. The key greenfield sectors being targeted are pharmaceuticals, medical technologies, ICT and international financial services. The profile of industry in Waterford has been changing over the last few years with companies such as Genzyme, Sun Life and AOL investing in these newer knowledge based services.

In 2005, BISYS hedge fund services established a new operation in the city, with the support of the IDA, which will create 250 new highly skilled, knowledge based jobs over the next five years. In the period 2000 to 2004, the latest date for which IDA figures are available, employment in IDA supported companies in Waterford county has increased by 18.6%, or 873 persons. County data for 2005 will be available from the IDA at the end of February.

Enterprise Ireland reports that in 2005 there was a net loss of jobs in Enterprise Ireland supported companies in County Waterford of 433. The major contributor to this figure was the loss of 380 jobs in Waterford Crystal in Dungarvan. From the beginning of 2003 to date, Enterprise Ireland approved support of over €8.2 million and made payments of over €8 million in County Waterford to support investment in areas such as research and development, capability building and process development.

Enterprise Ireland has provided other supports, including funding for the development of 13 community enterprise centres in the south-east region over the past ten years, four of which are in County Waterford. The aim of these centres is to promote the development of commercial enterprises in local areas. Through its employment offices and training centres, FÁS actively engages with job seekers and those on the live register in the provision of training and job placement.

I am confident that the strategies and policies being pursued by the agencies, together with the ongoing commitment of the Government to regional development, will bear fruit in terms of investment and jobs for the south east in general and County Waterford in particular.

Work Permits.

224. **Mr. Deasy** asked the Minister for Enterprise, Trade and Employment the number of non-EU nationals that have received work permits in each of the years 2002, 2003, 2004 and 2005. [6059/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The total number of work permits granted by the work permit section for the years 2002, 2003, 2004 and 2005 is detailed below.

Year	New Permits	Renewals	Group	Total
2002	23,306	16,547	431	40,284
2003	21,930	25,013	547	47,490
2004	10,004	23,203	801	34,008
2005	7,345	18,960	812	27,117

Departmental Offices.

225. **Mr. Carey** asked the Minister for Social and Family Affairs the progress which has been made by his Department in finding suitable alternative accommodation for its local office in Ballymun as the site of the present local office is likely to be acquired for development; the time-frame for such a move; and if he will make a statement on the matter. [5817/06]

Minister for Social and Family Affairs (Mr. Brennan): The Office of Public Works, which has responsibility for the acquisition of all property for my Department, has obtained a site in Ballymun as part of the regeneration of the area for the building of a new social welfare office. I understand planning permission has been received and construction is to begin by end of 2006 with an 18 month building programme.

Social Welfare Benefits.

226. **Mr. Morgan** asked the Minister for Social and Family Affairs if, under the requirement that in order to qualify for the unemployment benefit or assistance a person must be willing and able to accept a suitable offer of full-time work immediately, certain employment can be deemed unsuitable where the hours of employment include night time hours and the person is a parent of young children. [5818/06]

Minister for Social and Family Affairs (Mr. Brennan): Entitlement to unemployment benefit or unemployment assistance is subject to satisfying certain conditions provided for in law which require, among others, that the person is capable of work, is available for work and is genuinely seeking work. Being available for work means that a person is free to take up employment immediately and is not placing restrictions on the type of work or the hours of work he or she would accept taking into account his/her age, physique, education, skills and other qualifications.

In determining entitlement a deciding officer looks at the circumstances of each case on its own merits. All of the factors mentioned by the Deputy are taken into account and in certain cases the deciding officer may form the view that a refusal to take up night work, for which the person was otherwise qualified, was unreasonable. Any person dissatisfied with a decision of a deciding officer may appeal against the decision to the independent social welfare appeals office.

227. **Mr. Quinn** asked the Minister for Social and Family Affairs the number of persons considered homeless who are currently in receipt of the unemployment allowance; the number of persons considered homeless who are currently in receipt of each of the supplementary welfare allowance, rent supplement, diet supplement and exceptional needs payments; the way in which these allowances would be paid to a person without an address or fixed abode; and if he will make a statement on the matter. [5983/06]

Minister for Social and Family Affairs (Mr. Brennan): Homeless persons have the same entitlements under the social welfare system as other persons and are subject to the same qualifying conditions. If homeless persons are unemployed but capable of and genuinely seeking work, then they can apply for unemployment assistance providing they can provide an address, such as a hostel, at which they can be contacted if necessary. They can be paid basic supplementary welfare allowance if they do not fulfil the conditions for any other primary weekly payment from my Department. In addition, they can also apply for payments such as rent supplementation, diet supplement and exceptional needs payments under the supplementary welfare allowance scheme.

As homeless persons have the same entitlements under the social welfare system as other persons and are subject to the same qualifying conditions, the Department does not maintain specific statistics in relation to the numbers of homeless persons who receive particular payments. This Department employs a variety of payment instruments including payment directly

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into a customer's bank account, payment from the post office or payment by cheque.

The homeless person's unit of the health service executive in Dublin city centre makes supplementary welfare allowance payments to homeless people. The most common payment methods used by the homeless person's unit are payment at the person's nominated post office or payment by cheque directly from the community welfare division.

Social Welfare Appeals.

228. **Mr. Ring** asked the Minister for Social and Family Affairs the reason the disability allowance appeal for a person (details supplied) in County Mayo was disallowed in view of the fact that the person involved had advised his Department by phone call and letter the genuine reason this person could not attend the appeal. [6066/06]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned was scheduled to attend an oral hearing on 13 December 2005 and telephoned in advance to say that he could not attend. In accordance with normal procedures, he was requested to write to the appeals officer with an explanation why he could not attend. As no written explanation was received, the appeals officer considered the case on the evidence available and disallowed the appeal. The person concerned was notified of the decision on 2 February 2006.

The appeals officer has now decided to re-open the appeal and proposes to hold an oral hearing during the week commencing 27 February 2006. The person concerned will be advised of the precise date, time and venue of the proposed hearing when arrangements have been completed. Under social welfare legislation decisions in relation to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in making such decisions.

Public Transport.

229. **Mr. Cuffe** asked the Minister for Transport his plans to allow for the carriage of bicycles during off-peak periods on the Luas. [5832/06]

Minister for Transport (Mr. Cullen): The issue raised by the Deputy is a day-to-day operational matter for the Railway Procurement Agency, RPA, and I have no function in the matter. However, I understand from the RPA that the issue of the carriage of bicycles on Luas was considered prior to the commissioning of passenger services.

The view at that time — which is even more relevant now due to the higher than projected numbers of passengers using Luas, particularly

during off-peak periods — was that only cycles which can be folded to the approximate size of a suitcase should be carried. Unfolded cycles carried on Luas would not only constitute a safety risk to other passengers, particularly in the event of an emergency brake application, but would also significantly reduce the carrying capacity of the Luas. The RPA informs me that it has installed approximately 180 cycle parking spaces in the vicinity of stops on both Luas lines to encourage better interchange between bicycles and Luas.

Road Traffic Accidents.

230. **Mr. Cuffe** asked the Minister for Transport the breakdown for the percentage of deaths and injuries to children in road traffic accidents that occur travelling to and from school. [5834/06]

Minister for Transport (Mr. Cullen): Statistics relating to road accidents, based on information provided by the Garda Síochána, are published by the National Roads Authority, NRA, in its annual road accident facts reports. The most recent report, now entitled "Road Collision Facts", relates to 2004 and is available in the Oireachtas Library and on the NRA website.

In 2004, seven children under the age of 15 lost their lives and 536 were injured in collisions. This represents 1.8% of fatalities and 6.8% of injuries in that year. The statistics do not provide a breakdown in relation to road deaths and injuries to children in road traffic accidents that occur travelling to and from school.

231. **Mr. Ardagh** asked the Minister for Transport the measures that are being taken to reduce the number of road deaths here. [5835/06]

Minister for Transport (Mr. Cullen): The Government road safety strategy 2004-06 sets a primary target of a 25% reduction in road collision fatalities by the end of 2006 over the average annual number of fatalities in the 1998-2003 period. Achievement of the target would result in no more than 300 deaths per annum by the end of the period of the strategy. This is an ambitious target and one which will require the continued commitment to a strategic, integrated approach by all of the road safety agencies. However, the recent increase in road deaths is a cause of concern and places the challenge of meeting the target set for the end of 2006 into stark focus. As of midnight on 13 February, 55 people lost their lives on our roads, the same as on that date last year.

Progress depends in the first instance on a continued emphasis on the approach that underpins the strategy. A major independent review of the previous strategy confirms that basing the

primary target on the achievement of progress in the areas of speeding, drink driving and seat belt wearing remains the correct approach and these remain the key areas of the strategy.

Significant initiatives identified in the strategy that have been realised to date include the introduction of a new system of metric speed limits through the passage of the Road Traffic Act 2004 and the establishment of the new Garda traffic corps. The new speed limits structure featured a reduction in the speed limit in all rural, regional and local roads from 60 miles per hour to 80 kilometres per hour, which equates to 50 miles per hour.

The establishment of the dedicated traffic corps in 2004 by the Minister for Justice, Equality and Law Reform under a distinct management structure under the command of an assistant commissioner addresses a particular commitment given by the Government. The corps, when it is fully staffed, will provide the basis for the achievement of the significant gains in road safety that emanate from consistent high levels of traffic law enforcement.

Other major proposals identified in the strategy such as the plans to establish a system of private sector operation of speed cameras under the auspices of the Garda, the further extension of the operation of the penalty points and fixed charge systems, and the question of the introduction of a more general basis for the carrying out of preliminary roadside alcohol testing of drivers are being advanced.

I will bring forward legislation during the current Dáil session for the purpose of extending the basis for which a roadside breath test can be requested and also to provide a statutory basis for the engagement of private sector interests in the operation of a speed camera programme under the direct control and guidance of the Garda. I have also recently announced the extension of the penalty point system from the existing five offences to 35 offences in early April. The emphasis of this extension is on offences that relate to driver behaviour which is the greatest single contributory factor in road collisions.

Public Transport.

232. **Mr. English** asked the Minister for Transport his plans to provide extra buses on route 109 specifically from Dublin on Friday evenings to ease overcrowding; and if he will make a statement on the matter. [5854/06]

Minister for Transport (Mr. Cullen): The provision of public bus services on specific routes is a commercial and operational matter for bus operators. However, there is a requirement on the State bus companies to notify my Department of any proposals to operate new bus services or to alter any existing services. My Department has

received and is currently processing a notification from Bus Éireann for amendments to the 109 service. In accordance with long standing practice, details of all applications received in my Department remain confidential until a decision is made.

Aviation Security.

233. **Ms O. Mitchell** asked the Minister for Transport if all EU states have passed legislation to accept liability for so-called dirty bombs which detonate on their national territory; if not, which EU states have yet to do so and the reason therefor; and if he will make a statement on the matter. [5921/06]

Minister for Transport (Mr. Cullen): In common with the other member states, Ireland provided indemnities to the aviation sector when essential insurance cover was withdrawn in 2001. We enacted legislation to provide for this and, in view of the large liabilities involved, we provided a “sunset clause” which resulted in the legislation expiring at the end of 2002. Unlike in Ireland a number of the other member states already had suitable legislative arrangements.

In order to be in a position to provide similar cover if essential insurance is again withdrawn from the aviation sector, the Oireachtas enacted legislation in July 2005 — the Air Navigation and Transport (Indemnities) Act 2005 — which will enable Ireland to issue indemnities for the aviation industry in Ireland. This is necessary because of the expiry of the 2001 legislation and it puts Ireland in a similar situation to the other member states.

Currently, aviation insurers have withdrawn war and terrorism cover in relation to dirty bombs risks for aircraft hulls — that is, the actual aircraft themselves. However, airlines have been willing to continue without this cover, since it is not compulsory to have it. Third party and passenger liability cover, which is compulsory under EU law, is expected to be withdrawn at some stage this year — precisely when is not certain. In view of the enactment of the 2005 Indemnities Act, I am satisfied that Ireland is ready to respond quickly to that withdrawal.

In the time available it has not been possible to obtain exact details of the position in other EU member states. My Department has asked the European Commission for this information and, as soon as a reply is received, I will arrange for it to be forwarded to the Deputy.

Road Safety.

234. **Ms Shortall** asked the Minister for Transport the estimate of the typical cost per case to the Medical Bureau of Road Safety in its investigation and analyses of convicted drink drivers. [5940/06]

Minister for Transport (Mr. Cullen): The Medical Bureau of Road Safety was established in November 1968 under Part V of the Road Traffic Act 1968. The bureau's principal function is to carry out analyses, for their alcohol content, of specimens of blood, urine and breath provided for the Garda by people suspected of drink driving offences. The bureau also analyses blood and urine samples for the presence of drugs.

The bureau issues certificates in respect of the results of these analyses, which may be used as evidence in prosecutions for such offences. The bureau is also responsible for the provision of equipment for the taking of blood and urine specimens, and the approval, supply and testing of apparatus for indicating the presence and the concentration of alcohol in breath. It also undertakes research on intoxicated driving.

The bureau does not currently provide average costings per specimen analysis but I have asked my officials to discuss with the bureau the provision of such information in the future.

235. **Ms Shortall** asked the Minister for Transport, further to Question No. 141 of 1 February 2006, if he will use the opportunity of the informal meeting of the EU Council of Ministers in March 2006 focusing on road safety issues to request the inclusion of an interlock system in the EU motor vehicle type-approval system; and if he will make a statement on the matter. [5941/06]

Minister for Transport (Mr. Cullen): I will bear in mind the Deputy's suggestion in attending the informal Council meeting.

Community Development.

236. **Mr. F. McGrath** asked the Minister for Community, Rural and Gaeltacht Affairs the reason a centre (details supplied) has not been allowed access to funding under the young people's facilities and services fund; if this group will be given the maximum support. [5843/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The centre referred to in the Deputy's question has received substantial funding of €3,221,647 from the young people's facilities and services fund to cover construction and fit out costs. I understand that a small saving was made in the main construction costs. However, this funding is being used on the ongoing further capital development of the centre.

Additionally, funding for the employment of a centre manager, youth worker, an administrator and a porter-cleaner was sanctioned from the fund, as well as a contribution towards the running costs of the youth element of the facility. The amount allocated to the provision of the above services for the youth element of this

centre to date is €543,550. The centre continues to receive an annual allocation under the young people's facilities and services fund to cover the above staffing and running costs.

I am convinced, having regard to the above, that the young people's facilities and services fund is generous in its support to this centre for the provision of youth services and programmes.

Rural Development.

237. **Mr. Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs when he expects Comhairle na Tuaithe to complete its national countryside recreation strategy; when he expects this report to be published; if he intends to implement its recommendations in full; and if he will make a statement on the matter. [5980/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Comhairle na Tuaithe is currently working on the development of a national countryside recreation strategy. The first phase in the development of the strategy involved consultation with interested parties. Some 190 submissions were received in answer to a call in national and provincial papers and by letter to stakeholder organisations. The work of drafting the countryside recreation strategy is proceeding and Comhairle na Tuaithe is, at present, examining the submissions received.

It is expected that this work will be completed during the first half of this year. I look forward to receiving the draft strategy from Comhairle na Tuaithe following its consideration of the issues arising. I will consider the question of publication when I receive the draft strategy. I will, of course, carefully consider any proposals which Comhairle na Tuaithe makes in the draft strategy which will help inform policy decision in the wider rural development domain.

Road Network.

238. **Mr. McGinley** asked the Minister for Community, Rural and Gaeltacht Affairs the action he has taken to ensure that the western road corridor will be completed within the timeframe of Transport 21, in view of the route's importance to rural development; and if he will make a statement on the matter. [5984/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I presume the Deputy is referring to the Atlantic corridor from Letterkenny to Waterford. I will continue to work with my colleague, the Minister of Transport, to ensure its completion within the timeframe of Transport 21. I am satisfied that the commitment in Transport 21 to this road will be fulfilled as outlined.

Grant Payments.

239. **Mr. Walsh** asked the Minister for Agriculture and Food if payment of the full amount of the single farm payment will be made to a person (details supplied) in County Cork. [5848/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted applications for consideration in respect of both the new entrant and the private contract clause measures of the single payment scheme. Following processing of his application he was notified that his new entrant application was successful and that the years 2000 and 2001 would be excluded from the calculation of his single payment. His request to transfer entitlements by way of private contract clause was also successful.

However, as the person named did not declare an eligible hectare, on his 2005 single payment application form, for each entitlement held by him, the payment was based on the number of entitlements equivalent to the number of eligible hectares declared. The applicant can benefit from the full single payment in 2006 if he declares an eligible hectare for each entitlement held by him on his 2006 application form.

240. **Mr. Hayes** asked the Minister for Agriculture and Food when payment will issue to a person (details supplied) in County Tipperary under the cow and beef premium schemes. [5893/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the 2004 special beef premium scheme, in respect of 38 animals, was received from the person named on 31 December 2004. Following initial processing of the application, it was found that ten of these animals were not compliant with the cattle movement monitoring system at the date of application, that is, they were not recorded as being in the herd of the person named. The applicant was informed of this by letter of 3 March 2005 and was further advised by letter, dated 6 April 2005, that these animals were to be rejected in accordance with the EU regulations governing the scheme, resulting in a reduction in payment.

Where non-compliance is found, the resultant penalty is applied to all bovine schemes in the year. Accordingly, a reduction penalty of 36.36% was imposed on the applications lodged by the person named under both the 2004 special beef premium scheme and the 2004 suckler cow premium scheme. This penalty was reflected in the payment which issued to the person named. The person named was also advised that this decision was made on the basis of the facts and evidence available and was advised of his right to appeal. To date, no such request has been received.

241. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food when payment under the milk premium category of the EU single payment scheme will issue to a person (details supplied) in County Cork. [5897/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration in respect of the inheritance measure of the single payment scheme. Following processing of his application, he was notified that his application was accepted. Payment in respect of the inherited entitlements amounting to €5,076.63 issued to him on 1 December 2005. The remaining €3,906.42 in respect of the decoupled dairy premium will issue to him shortly.

242. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food when payment of the dairy premium will issue to a person (details supplied) in County Cork who has already received payment of the EU single farm payment. [5898/06]

Minister for Agriculture and Food (Mary Coughlan): The decoupled dairy premium was based on the eligible milk quota held by dairy farmers on 31 March 2005, provided that they had delivered milk produced on their holding during the 2004-05 milk quota year, or prior to 15 May 2005. As the person named did not meet this requirement, he was not eligible for the dairy premium.

However, the person named submitted an application for an allocation of entitlements from the single payments scheme national reserve under categories C and B (iv). Category C caters for farmers who, between 1 January 2000 and 19 October 2003, sold the milk quota into the milk quota restructuring scheme and converted their enterprise to a farming sector for which a direct payment under livestock premia or arable aid schemes would have been payable during the reference period 2000 to 2002.

Category B 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. Investments can include purchase or long term lease of land, purchase of suckler and-or ewe quota or other investments.

It should be noted, however, that the rules governing the single payment scheme stipulate that an applicant who is found to be eligible under more than one category in the reserve may only receive an allocation of entitlements under whichever category is most beneficial to him.

The position is that over 23,000 applications for an allocation of entitlements from the national reserve were received when account is taken of

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farmers who applied under more than one category. Processing of these applications is continuing and the intention is to make allocations to successful applicants at the earliest opportunity.

The Department will be in touch with individual applicants as soon as their applications are fully processed when formal letters setting out the Department's decision will be issued.

243. **Mr. N. O'Keefe** asked the Minister for Agriculture and Food when payment of the EU single farm payment will issue to a person (details supplied) in County Cork who has submitted the necessary documentation in relation to the inheritance of entitlements under this scheme. [5899/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the 2005 single payment scheme on 10 May 2005. He also applied to have entitlements transferred to him by way of inheritance. Following processing of this application, he was notified on 14 February 2006 that his application to transfer entitlements by way of inheritance was successful. Payment of the single payment will shortly issue to the person named.

244. **Mr. Walsh** asked the Minister for Agriculture and Food if payment of the single farm payment will be awarded to a person (details supplied) in County Cork. [6044/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the single payment scheme was received from the person named on 12 May 2005. An on-farm cross compliance inspection was carried out on this holding on 25 October 2005, which has resulted in a 5% payment penalty due to findings of CMMS non-compliance. The application has now been fully processed and payment of €28,108.72, reflecting the 5% penalty, will issue shortly.

Food Safety Standards.

245. **Mr. Gormley** asked the Minister for Agriculture and Food if arrangements have been made to search at ports and airports for food products in the possession of people entering here from affected areas; if food products have been confiscated; and if she will make a statement on the matter. [3094/06]

Minister for Agriculture and Food (Mary Coughlan): The personal import into the EU for one's own consumption of meat, meat products or milk products by passengers coming from third countries has, since January 2003, been prohibited under Community law. Transport operators who bring passengers from third countries into the EU are required to bring the ban to the

attention of passengers. Bins have been provided in the main airports for the surrender of any animal product that has been inadvertently carried. Arrangements have been put in place in co-operation with customs and excise and An Post to extend the scope of these controls to cover postal packages also.

During 2005 a total of 1,054 personal import seizures of animal products were undertaken, comprising 5,121.8kg. The majority of these seizures comprised meat and meat products and included a small percentage of poultry products coming from countries such as China, Thailand, Nigeria and the Philippines where outbreaks of high pathogenic avian influenza infection have been confirmed.

Deportation Orders.

246. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform his views on the request from the students council, staff members and parent teacher association of a school to allow a person (details supplied) to remain here. [5837/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The case to which the Deputy refers is the subject of a well defined statutory process which is set out in section 3 of the Immigration Act 1999. That process requires me as Minister, in determining whether to make a deportation order in relation to a person, to consider a range of factors including any representations duly made on behalf of that person. As a consequence I assure the Deputy that the representations to which he refers, together, of course, with other relevant representations and issues, will be taken into account by me in making a decision.

Child Care Services.

247. **Mr. Hayes** asked the Minister for Justice, Equality and Law Reform when a grant will issue to a person (details supplied) in County Tipperary who has applied for funding for their montessori school. [5838/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, responsibility for the National Childcare Investment Programme 2006 to 2010 has been assigned to the Department of Health and Children as part of the establishment of the new office of the Minister of State with responsibility for children, under the Minister of State at the Department of Health and Children, Deputy Brian Lenihan.

Capital grant assistance of €3,788 was awarded to the private provider in question under the equal opportunities children programme for 2000 to 2006 some time ago. I understand from inquiries I have made that Pobal, formerly known as

Area Development Management Ltd., which administers the programme, is currently in dialogue with the private provider and is awaiting outstanding information from them in order to progress the approval of grant assistance to contract stage.

Criminal Prosecutions.

248. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform, further to Question No. 463 of 7 February 2006, if the Director of Public Prosecutions has recommended that the person in question be charged with drug supply; and if they have been so charged. [5850/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As stated in my earlier reply to the Deputy, this is a Garda operational matter which is currently ongoing. In these circumstances, I am not at liberty to comment on any aspect of the case.

Garda Investigations.

249. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform if the investigation into the way in which documents from his Department, relating to Ireland's EU presidency, were found on an illegal dump at Eskra, County Tyrone, in February 2004 has been completed; and if so, if he intends to make the findings of this investigation public. [5855/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that following a report received from a journalist that some documents, which appeared to originate in my Department, were allegedly found in an illegal dump site in County Tyrone, my Department reported the matter to the Garda Síochána. I have been informed by the Garda Síochána that, following investigation, there was insufficient evidence of a criminal offence to warrant a prosecution in this case.

Road Traffic Offences.

250. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform the number of penalty points awarded for the non-wearing of safety belts for the year 2005 for Garda divisions (details supplied) in County Limerick; and if he will make a statement on the matter. [5862/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The awarding of penalty points is a matter for the Department of Transport. I am informed that Department does not record the locations where the non-wearing of a safety belt is detected and in respect of which penalty points are issued.

Garda Investigations.

251. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform the assistance which will be given to a person (details supplied) in Dublin 10; and if he will make a statement on the matter. [5865/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that a sergeant has been appointed to liaise with the person referred to by the Deputy. The Garda is aware of, and is addressing, the issues raised by the person. I understand that Garda records have been updated and a warning notice posted on the PULSE recording system.

Visa Applications.

252. **Ms Enright** asked the Minister for Justice, Equality and Law Reform if he can confirm receipt of an application for a holiday visa by a person (details supplied); the status of this application; and if he will make a statement on the matter. [5879/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This application has only recently, on 10 February 2006, been received by my Department's visa section and is pending assessment.

Public Order Offences.

253. **Mr. Deenihan** asked the Minister for Justice, Equality and Law Reform when he will respond to the issues raised by an association (details supplied) in County Kerry at a meeting on 1 December 2005; and if he will make a statement on the matter. [5894/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my answer to Parliamentary Question No. 521 on Tuesday, 14 February 2006.

Crime Levels.

254. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform the value of property stolen for each of the years 1998 to 2005, inclusive, and also the value of stolen property recovered for each of the years 1998 to 2005, inclusive. [5944/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will contact the Deputy again when the information is to hand.

Garda Investigations.

255. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform if he has received a request regarding the need to open again the investigation into the cause of the Stardust fire; and if he will make a statement on the matter. [5989/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to refer the Deputy to my response to Questions Nos. 1098 and 1150 on 25 January 2006. The position remains that any further submission which the Stardust victims committee or its representatives wishes to make on this matter will be carefully examined. To date no such submission has been received.

Crime Prevention.

256. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform the steps he intends to take to control the growing and harvesting of magic mushrooms on State lands. [6039/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will be aware that the Tánaiste and Minister for Health and Children recently obtained Government approval for the banning of magic mushrooms in their raw state under misuse of drugs legislation.

Control exemptions are a matter for my colleague, the Tánaiste and Minister for Health and Children, and I understand that the Minister has made an exemption order to provide for exemptions in certain limited circumstances. The Department of Health and Children has been requested to communicate to the Deputy the details of these exemptions.

Regarding enforcement, the Garda Síochána will continue to investigate all suspected breaches of the misuse of drugs Acts and, where warranted, pursue prosecutions.

Garda Complaints Procedures.

257. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the reason he rejected the request of the Garda Representative Association to permit the Garda Síochána to make complaints to the Ombudsman Commission. [6042/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This matter was discussed with the Garda Representative Association on several occasions before the Garda Síochána Act 2005 became law.

I do not consider it appropriate that the specific measures in that Act relating to the establishment of the Ombudsman Commission, which were designed right from the beginning to instill public confidence in a new system for dealing with complaints by members of the public against the

police, should allow for complaints by one member of the force against another to be dealt with on a similar basis. This issue is primarily a matter of discipline which is properly the responsibility of Garda management under the Commissioner as head of the force.

However, I have no difficulty with the idea that there should be a means whereby any person, including members of the Garda Síochána, can report in confidence allegations of corruption and malpractice within the force. That is why section 124 of the Act, which came into force on 1 August 2005, provides for the making of regulations establishing a charter which will contain specific guidelines to deal with this matter. Work is proceeding apace on the drafting of the regulations which require consultations with the Commissioner, the Ombudsman Commission and, in due course, the new Garda Inspectorate.

International Agreements.

258. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the steps which are being taken to ensure that Ireland ratifies the 2005 Council of Europe Convention on Action Against Trafficking in Human Beings; if it is proposed to introduce special protection for victims of trafficking that accord with the provisions of the convention; and if he will make a statement on the matter. [6049/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Council of Europe Convention on Action Against Trafficking in Human Beings is currently under consideration by my Department. Legislation which will criminalise trafficking in human beings for the purpose of their sexual and labour exploitation as provided for in the EU framework decision on combating trafficking in persons is at an advanced stage of preparation in my Department. This legislation will also take account of the Council of Europe Convention on Action against Trafficking in Human Beings.

The issue of what, if any, additional protection is required for victims of trafficking, in accordance with the provisions of the convention, is also being examined in my Department.

Teacher Training.

259. **Mr. Wall** asked the Minister for Education and Science the costings *per capita* regarding the provision of training for physical education teachers; and if she will make a statement on the matter. [5956/06]

Minister for Education and Science (Ms Hanafin): The Higher Education Authority allocates core recurrent grants to the universities and designated institutions as block grants which are allocated internally as between the various

academic and other departments at the discretion of the universities and institutions. The average unit cost of an undergraduate physical education student for the year 2005-06 is approximately €9,012 per annum.

Commercial Marketing in Schools.

260. **Mr. Sargent** asked the Minister for Education and Science her views on the current levels of commercial sponsorship in schools, such as highlighted by the commercial free education campaign; her plans to ban such schemes; the steps she will take to ensure that schools do not feel obliged to participate in such schemes out of financial necessity; and if she will make a statement on the matter. [5846/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, commercial marketing in schools can take a variety of forms, from educational materials made available to schools by newspapers to companies offering schemes whereby products are given to the school on the basis of tokens collected by parents. It is at the discretion of management in individual schools to decide what commercial initiatives it wants its school to engage with. Clearly, some initiatives can be of great benefit to schools. However, others might be seen as putting undue pressures on parents to shop in particular stores.

I recognise the sensitivities attached to the issue of promotion initiatives linking schools, students and parents to commercial activity. However, it would be inappropriate for me to ban all commercial links with schools. I believe that local school management is best placed to ensure that schools only participate in programmes that are appropriate and benefit the school community.

School management should ensure that such schemes do not place undue pressure on parents in terms of requiring additional expenditure, that students are protected from engagement in inappropriate promotional activity and that the schemes are linked to desirable projects serving national educational initiatives.

School Evaluations.

261. **Ms Enright** asked the Minister for Education and Science when a whole-school evaluation on all primary and secondary schools will be available to the public; and if she will make a statement on the matter. [5876/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the regulations and guidelines concerning publication of inspection reports, which I published in late January 2006, provide that inspection reports arising from whole-school evaluation, subject inspections, programme evaluations and thematic

inspections commenced on or after 6 February 2006 will be published. All of these inspections evaluate, as appropriate, the work of the school as a whole or the work of the school in delivering an area of the curriculum. The reports describe aspects such as the contributions of school management and school planning, as well as the quality of learning and teaching, and learning outcomes. The findings of the evaluations presented in each report take cognisance of the context in which the school or subject team or subject teachers in the school is operating.

All of the above reports arising from the general inspection programme for schools and centres for education will be published in their entirety and in accordance with the principles and procedures described in the guidelines on the publication of school inspection reports. A number of whole-school evaluations planned for 2006 had already commenced before 6 February 2006 and the reports arising from these evaluations will not be published by my Department.

At post-primary level, inspectors will be conducting the in-school phase of the first whole-school evaluations to which the regulations and guidelines will apply in the period from 27 February 2006 to 3 March 2006. It is expected that written reports will be issued to schools for factual verification four to five weeks later. A period of 20 school days is allowed to the board of management of a school to respond, if it so wishes, to the findings and recommendations of the report — it should be noted that the two week Easter school holiday period will occur during the processing of these reports.

A printed copy of each report will be issued to the school's board, the principal, the trustees or patron, the parents' association and the chief executive officer of the vocational education committee, if relevant. An electronic version of the report, normally accompanied by the school response, will then be prepared and published on the website of my Department. It is expected that publication on the website will occur from mid-May onwards.

At primary level, a number of whole-school evaluations to which the publication guidelines and regulations apply will also be under way in February. As in the case of the post-primary evaluations, reports arising from these inspections are also expected to be available for publication from mid-May onwards. A school or a teacher has the right to seek a review of any inspection as provided for by section 13(9) of the Education Act 1998. Should a school or teacher request such a review, publication will not take place until after the request for a review is processed in accordance with the published procedures on this matter.

Disadvantaged Status.

262. **Mr. Carey** asked the Minister for Education and Science the way in which a school, set up in September 2005, can have its entitlement to disadvantaged status established; and if she will make a statement on the matter. [5821/06]

Minister for Education and Science (Ms Hanafin): A key element of delivering equality of opportunity in schools, DEIS, the new action plan for educational inclusion, is the putting in place of a standardised system for identifying levels of disadvantage in our primary and second level schools for the purposes of qualifying for resources, both human and financial, according to the degree of disadvantaged experienced. This standardised system will replace all of the existing arrangements for targeting schools for participation in initiatives to address disadvantage.

The identification process involved a new survey carried out in May 2005 by the Educational Research Centre, ERC, of all mainstream primary schools and the updating by it of existing data sources on the levels of disadvantage in second level schools. As a result of the identification process, approximately 600 primary schools, comprising 300 urban-town and 300 rural, and 150 second level schools will be included in a new school support programme, SSP. The identification process is nearing completion and we anticipate being in a position to issue an invitation to selected schools to participate in the new integrated school support programme shortly.

Arrangements are also being made whereby schools established subsequent to the carrying out of the survey by the ERC can be assessed for possible inclusion in the school support programme. These arrangements will be communicated to schools in the near future.

Schools Building Projects.

263. **Mr. Cuffe** asked the Minister for Education and Science the capital spending on school buildings construction, including siteworks, in the last year for which figures are available. [5825/06]

264. **Mr. Cuffe** asked the Minister for Education and Science the capital spending on school car parks in the last year for which figures are available. [5826/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 263 and 264 together.

The school building programme is structured around a number of component elements or sub-programmes. These include large scale building projects, various devolved minor works initiatives, site acquisitions, remediation programmes,

provision of temporary accommodation and the small schools initiative. Data within my Department are recorded and stored by reference to these component parts rather than the specific categories to which the Deputy refers. As a result, it is not possible to disaggregate the actual spend in any one year on either site works *per se* or on car parking.

It would be expected that virtually every project involving the delivery of new facilities at a school will have both car parking and site works as intrinsic elements to the overall works. My Department expended in excess of €619 million in 2005 across the education sector in respect of capital works.

School Accommodation.

265. **Ms Shortall** asked the Minister for Education and Science if her attention has been drawn to the unsatisfactory accommodation of a school (details supplied) in Dublin 9; and the assistance which will be provided by her Department to secure better facilities for the school. [5866/06]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has made an application for a new school building. As part of the assessment of this application, officials in the school planning section are carrying out an overall review of all-Irish provision at primary level in the area concerned. This review will take into account current and future demographics, planned housing developments and the likely demand for all-Irish primary education in the area in the future. It will also take account of the most cost effective manner in which this can be delivered. The outcome of this review, which will be carried out as quickly as possible, will inform a decision on the school's application for capital grant aid.

School Transport.

266. **Ms Enright** asked the Minister for Education and Science if a bus shelter can be provided (details supplied) in County Offaly to accommodate children waiting for a school bus to travel to a school; and if she will make a statement on the matter. [5888/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department does not provide funding for bus shelters. The provision of bus shelters is a matter for the relevant local authority.

Schools Building Projects.

267. **Ms Enright** asked the Minister for Education and Science when additional accommodation will be provided for a school (details

supplied) in County Laois; and if she will make a statement on the matter. [5889/06]

Minister for Education and Science (Ms Hanafin): An application for additional accommodation has been received from the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and progress on the project will be considered in the context of the school building and modernisation programme from 2006 onwards.

268. **Ms Enright** asked the Minister for Education and Science the position with regard to progress at a school (details supplied) in County Offaly; the band rating of this school; when a new school will be provided; and if she will make a statement on the matter. [5890/06]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. The school in question was listed in my announcement of April 2005 as a project to progress through architectural planning up to pre-tender stage, that is, up to and including advanced architectural planning.

The school is currently at stage three, developed sketch scheme, of architectural planning. Additional information has been requested with regard to the stage submission. On receipt of this information, my Department will be in contact with the school authorities. Progression of projects to construction will be considered in the context of the school building and modernisation programme for 2005 to 2009.

Grant Payments.

269. **Ms Enright** asked the Minister for Education and Science if there have been further developments following her reply to Question No. 298 of 14 December 2005 (details supplied); and if she will make a statement on the matter. [5891/06]

Minister for Education and Science (Ms Hanafin): Following the Deputy's previous parliamentary question, information on the course in question and the funding provided to candidates while they are at sea as part of this course was sought. This information has been received and is currently under consideration within my Department. A response will be furnished directly to the Deputy as soon as possible.

Physical Education Facilities.

270. **Ms Enright** asked the Minister for Education and Science when a sports hall will be provided for a school (details supplied) in County

Cavan; and if she will make a statement on the matter. [5892/06]

Minister for Education and Science (Ms Hanafin): My Department is committed to funding the provision of physical education, general purpose and outdoor play areas in schools as part of the school building and modernisation programme. This is being addressed in the context of available resources and the published criteria for prioritising school building projects.

The provision of PE halls at post-primary level is considered an integral part of the design stage for any major refurbishment programme of existing school buildings, provided that the site is of sufficient size, or where a new school on a green field site is being built. The PE hall project at the school referred to by the Deputy has been assessed in accordance with the published prioritisation criteria which were revised last year following consultation with the education partners. The project is being considered in the context of the school building and modernisation programme 2006 to 2010.

School Curriculum.

271. **Mr. Crowe** asked the Minister for Education and Science her views on whether basic sign language should be included in the curriculum at all primary schools; and if so, the attempts which have been made to realise this situation. [5910/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the primary curriculum was revised in 1999 and is being implemented on a phased basis. I have no intention of introducing further curriculum change at primary level until the new curriculum is well bedded down. However, I am aware that some second level schools offer sign language courses to their students, particularly as part of the leaving certificate applied programme, and I consider this a very worthwhile initiative.

272. **Mr. Crowe** asked the Minister for Education and Science if modern Irish republican history will be introduced into the school curriculum here. [5911/06]

Minister for Education and Science (Ms Hanafin): The modern Irish history sections of the current history syllabi provide for the study of the origins and development of republicanism. For example, in their study of the revolutions of the late 18th century, junior certificate students learn about the United Irishmen, Wolfe Tone and 1798. Later, they follow Irish history through the 20th century. Similarly, the revised leaving certificate history syllabus which was introduced in 2004 and will be examined for the first time in 2006 includes a range of topics that relate to

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republicanism. For example, one topic which can be studied is the pursuit of sovereignty and the impact of partition between 1912 and 1949. The full content of the syllabus is available at www.education.ie.

The leaving certificate syllabus also provides students with opportunities to study aspects of republicanism through a research study which must be completed using appropriate sources on a topic chosen by the student and through a documentary question which requires students to study a topic from primary and secondary sources.

School Staffing.

273. **Mr. Crowe** asked the Minister for Education and Science if an end will be put to the unfair and illogical policy of State payment of private school teachers and public subsidisation of these schools in general. [5912/06]

Minister for Education and Science (Ms Hanafin): The State has traditionally paid the salaries of teachers in fee paying schools for a number of reasons. Considerations of State support for minority religions have been important, given that much of the fee paying sector has traditionally been made up of Protestant schools and those with a minority religious ethos. Practical considerations are also important. For example, if fee paying schools were to close and the pupils were to move to the non-fee paying sector, the cost to the State would be higher as non-fee paying schools get capitation funding as well as provision by the State for the costs of teachers' salary. The funding of teacher salaries in fee paying schools by the State has been a long standing feature of our education system and one continued by successive Governments.

School Curriculum.

274. **Mr. Crowe** asked the Minister for Education and Science if an attempt has been made to introduce a more continually assessed system into schools. [5913/06]

Minister for Education and Science (Ms Hanafin): Assessment for both the junior and leaving certificates is currently conducted by the State Examinations Commission in a variety of ways. While all subjects are assessed by means of a terminal written examination, the use of additional modes of assessment which are completed in advance of the June examinations is increasing. For example, the revised junior certificate science syllabus which will be examined for the first time in 2006 requires students to carry out practical course work prior to the written paper which will account for 35% of the total marks.

For the leaving certificate, assessment of the languages Irish, French, German, Spanish, Italian, Russian and Japanese includes an oral examination. In agricultural science, agricultural economics, engineering and construction studies students complete a project while, in the case of the latter two subjects they also sit a practical examination in May. The assessment of art also includes separate practical components. Music has an aural test and a practical performance test in addition to the written paper and, in some cases, depending on the elective chosen, an additional written paper or portfolio. There are also course work elements in home economics, religious education and link modules of the leaving certificate vocational programme.

In the revised history and geography syllabi for leaving certificate which will be examined for the first time in 2006, 20% of total marks will be allocated to a research study and a geographical investigation, respectively. Candidates will complete these in advance of the terminal written examinations.

In the leaving certificate applied programme, assessment takes place over two years. Credits are awarded for the satisfactory completion of modules, the performance of student tasks and performance in the written terminal examinations. Final examinations count for 34% of the overall mark.

In the context of its proposals for senior cycle reform, I have asked the NCCA to consider the best way of examining each subject in future. I am anxious that all subjects are examined in a way that is appropriate to their content and objectives, while maintaining the integrity and fairness of the examination system.

Departmental Spending.

275. **Mr. Crowe** asked the Minister for Education and Science if she intends to bring spending on education as a percentage of GDP in line with Nordic countries, which would involve a 25% increase in education spending over the next three years. [5914/06]

Minister for Education and Science (Ms Hanafin): Expenditure on education has increased dramatically in recent years. The budget for my Department has more than doubled from €2.9 billion in 1997 to €7.5 billion being provided in the 2006 Estimates. Voted expenditure this year will be 9%, or €570 million, higher than last year. This enormous increase in investment is clear evidence of how much this Government believes in education, not just as a key driver of our economic prosperity but as a vital tool for improving people's lives.

We have used the extra resources for education in recent years not just to ensure excellence at all levels but also to provide extra supports for

children with special needs and those from disadvantaged backgrounds. We have also invested in the largest school building programme in the history of the State. We are rightly proud of our record in prioritising expenditure on education. Indeed, the latest 'Education at a Glance' report from the OECD showed that the rate of increase in public expenditure on education in Ireland over recent years is the third highest of all OECD countries.

Education Policy.

276. **Mr. Crowe** asked the Minister for Education and Science her views on whether free education is a right for all; and if so, the measures which have been implemented in making this a reality. [5915/06]

Minister for Education and Science (Ms Hanafin): The State is obliged under Article 42.4 of the Constitution to provide for free primary education. Accordingly, there can be no levy on parents of children attending a school, nor can any child be refused admission because of the non-payment of a voluntary contribution by his or her parents.

It is a fundamental principle of the free second level education scheme that no charge be made in respect of instruction in any subject of my Department's programme for secondary schools, recreation or study facilities where all pupils are expected to avail themselves of them as part of the school programme or any other activity in which all pupils are required to take part. Accordingly, it would be a breach of my Department's policy for post-primary schools involved in the free second level education scheme to demand or levy a fee.

However, voluntary contributions by parents, or charges for optional extras over and above what is provided for in the general school programme, are permissible provided that it is made absolutely clear to parents that there is no question of compulsion to pay and that, in making a contribution, they are doing so of their own volition.

This Government is strongly committed to improving participation and achievement at every level of education. We have put the resources and supports in place to ensure that our children get the highest standard of education. With an increase of some 9%, day-to-day expenditure on education will exceed €7 billion for the first time in 2006.

The increased provision for 2006 will allow me at both primary and second level to cater, *inter alia*, for additional teaching resources for schools, increased *per capita* grants, new and refurbished accommodation and improved school transport services.

It will also allow for further enhancements in the numbers of support teachers and special needs assistants for children, special school transport, special classes in mainstream schools and special schools for children and adults with special educational needs. Provision has also been made for the implementation of the new action plan for tackling disadvantage. Measures in the plan range from pre-school interventions, supports for tackling children's literacy problems, reduced pupil-teacher ratios, increased capitation grants and measures to tackle early school leaving and to strengthen ties between the school, the family and the community. In addition, there are interventions in support of youth and in providing second-chance education for young people and adults. It will also involve the provision of some 300 additional posts across the education system.

This Government has shown a sustained determination to expand and improve education services over recent years and will continue to prioritise them for resources and supports in the years ahead.

School Meals.

277. **Mr. Crowe** asked the Minister for Education and Science if she supports the provision of breakfast and lunch in all primary schools; and, if so, the position regarding same. [5916/06]

Minister for Education and Science (Ms Hanafin): The provision of school meals is primarily funded by the school meals programme, administered by my colleague, the Minister for Social and Family Affairs, and involves both an urban scheme operated by 36 participating local authorities and a local projects scheme, which operates at both primary and second level. Under the urban scheme, 55,000 pupils benefited in 2005 while 63,000 benefited under the local projects scheme. Total expenditure in 2005 was over €8 million. Additional funding is also available under educational inclusion measures operated by my Department.

My Department has been working in close cooperation with the Department of Social and Family Affairs to ensure that the resources available for school meals are used to best effect and to further expand school meals provision in schools serving disadvantaged communities.

Delivering equality of opportunity in schools, DEIS, the new action plan for educational inclusion, provides for a standardised system for identifying levels of disadvantage and a new integrated school support programme. The programme will bring together a number of existing interventions in schools with a concentrated level of disadvantage and build upon them.

Approximately 600 primary schools and 150 second level schools will be included. The new action plan will be introduced on a phased basis,

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starting during the current school year. It will involve an additional annual investment of €40 million on full implementation. The identification process for the new school support programme is nearing completion and my Department will be issuing an invitation to the schools selected for participation in the programme shortly.

Under DEIS, all primary schools and second level schools included in the new school support programme will have access to the school meals programme on a phased basis, with co-ordination being provided at school cluster level.

School Staffing.

278. **Mr. Wall** asked the Minister for Education and Science the number of physical education teachers employed by her Department; the number of places available at Limerick University for physical education courses; the number of physical education teachers who qualified in each of the past five years; her plans in tandem with the university to increase the number of places;

Enrolments and Graduates of UL's B. Ed. in Physical Education

	1999/2000			2000/2001			2001/2002			2002/2003			2003/2004			2004/2005		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
Enrolments	59	89	148	63	95	158	65	98	163	72	119	191	92	144	236	104	153	257
Graduates	16	20	36	11	21	32	20	22	42	12	21	33	17	27	44			

Source: UL Annual Returns

Physical Education Facilities.

279. **Mr. Wall** asked the Minister for Education and Science the number of primary schools that have facilities to provide field sports as part of their school complexes; the number that lease or have agreements with sporting clubs to provide such facilities; and if she will make a statement on the matter. [5954/06]

Minister for Education and Science (Ms Hanafin): The information is not readily available in the format requested by the Deputy. However, with regard to physical education facilities in schools generally, the physical education curriculum has been designed on the basis that facilities in schools may vary. Many primary schools have a general purposes room and practically all schools have outdoor play areas which are utilised for teaching different aspects of the physical education programme. In addition, many schools use adjacent local facilities, including public parks, playing fields and swimming pools.

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. In this regard, the

her plans to initiate such courses elsewhere; and if she will make a statement on the matter.

[5953/06]

Minister for Education and Science (Ms Hanafin): My Department approves the quota of teachers for individual second level schools and vocational education committees each year. The appointment of teachers to posts within the approved quota is a matter for the authorities of the schools concerned. The information requested by the Deputy regarding the number of physical education teachers employed in second level schools is not readily available within my Department.

I understand from the Higher Education Authority that there has been a significant increase in the number of students enrolled on the bachelor of education in physical education programme in the University of Limerick over the past five years, as indicated by the accompanying table. I further understand that proposals regarding physical education courses are currently being developed in a number of institutions and I have asked to be kept informed of developments.

provision of multi-purpose space and outdoor play areas for primary schools will continue to be considered within the design brief for new schools and for renovation or extension projects. This will be done in the context of available resources and the published criteria for prioritising school building projects.

The Deputy may also be aware that the Department of Arts, Sports and Tourism is currently undertaking a national audit of sports facilities in communities around the country which will provide useful information on facilities available to schools.

280. **Mr. Wall** asked the Minister for Education and Science her plans to increase class periods of time for physical education instruction at primary, secondary and third level schools or colleges; if she is satisfied with the current periods of time; and if she will make a statement on the matter. [5955/06]

Minister for Education and Science (Ms Hanafin): At primary level, physical education is one of seven curriculum areas within the revised primary school curriculum which was introduced in 1999. It recommends a minimum of one hour

of physical education per week for all classes. As part of the phased introduction of the primary school curriculum, the delivery of in-service training to teachers around the content and methodologies of the physical education curriculum began during the 2004/05 school year and will be completed this year. Additional days are provided to schools to facilitate planning for the introduction of this curriculum area. All primary schools will be expected to implement the physical education curriculum from September 2006.

In accordance with the rules and programme for secondary schools, all second level schools should provide physical education as part of the curriculum. The programme that each school delivers should be based on the Department's approved syllabi and the teaching hours should be registered on the school timetable. The syllabi have been developed on the basis of a time allocation of two hours per week.

The phasing in of a revised physical education curriculum for junior cycle commenced in September 2003. The junior cycle physical education support service has been in place since then to support teachers in the implementation of this curriculum.

Physical education is an integral part of the leaving certificate applied programme. All leaving certificate applied programme students must take two modules, leisure studies and health related fitness and there are four additional modules from which they can make further choices.

The physical education curricula at both primary and second level have been developed on the understanding that facilities available to schools vary. Consequently, they offer a level of flexibility that allows each individual school to design a programme that can be delivered using the resources and supports available to it. Apart from the formal curricula, schools can take a range of measures to encourage physical activity among students during the school day and many provide extensive, broad-based programmes of co-curricular physical activities that are highly rewarding for both pupils and teachers alike. In particular, schools play a major role in nurturing and promoting the involvement of students in sporting activities in the wider community. Sports organisations such as the Gaelic Athletic Association, Basketball Ireland and the Football Association of Ireland provide extensive opportunities for such participation.

Third level courses do not include physical education unless as part of a designated course.

Schools Building Projects.

281. **Mr. McGinley** asked the Minister for Education and Science if an application has been submitted to her Department for an extension to a school (details supplied) in County Donegal; the

extra accommodation requested; the stage the project has reached; and if she will make a statement on the matter. [5985/06]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of additional ancillary accommodation has been received from the school referred to by the Deputy. The long-term accommodation needs of the school are being examined at present. When this is completed the building project required to address the long-term accommodation needs of the school will be considered in the context of the School Building and Modernisation Programme 2006-2010.

282. D'fhiafraigh **Mr. McGinley** den Aire Oideachais agus Eolaíochta an bhfuil iarratas déanta chun na Roinne chun scoil (sonraí tugtha) a mhéadú agus a dheisiú, cén obair atá i gceist, cén chéim ag a bhfuil an t-iarratas faoi láthair agus cén uair atá sí ag súil go rachaidh an tionscnamh ar aghaidh; agus an ndéanfaidh sí ráiteas ina thaobh. [5986/06]

Minister for Education and Science (Ms Hanafin): Táthar i mbun na chéad chéimeanna den bpleanáil ailtireachta i gcomhair an tionscadal tógála don scoil dár thagair an Teachta. Luadh an scoil sin sa bhfógra a chuir mé amach in Aibreán 2005 mar thionscadal a rachadh ar aghaidh tríd an bpleanáil ailtireachta go dtí go mbeadh sé ag an gcéim díreach roimh chéim na tairisceana, is é sin le rá go rachadh sé chomh fada leis an bpleanáil ailtireachta is faide ar aghaidh agus tríd sin fhéin. Chun an tionscadal seo a chur ar aghaidh chomh fada leis an gcéim is gá, tá oifigigh mo Roinne tar éis doiciméid éagsúla a iarraidh agus a fháil ó Údaráis na Scoile agus ar a bhFoireann Deartha d'fhonn a n-aighneacht chéim a 3 a chríochnú — pleananna/costais mhionsonraithe. Tá an doiciméadú is déanaí a fuarthas ón bhFoireann Deartha dá scrúdú faoi láthair agus ansin beidh m'oifigigh i dteagmháil arís le hÚdaráis na Scoile maidir leis na chéad chéimeanna eile atá rompu agus iad ag cur an tionscadail ar aghaidh.

Breithneofar cur ar aghaidh na dtionscadal chomh fada le Tógáil i gcomhthéacs an Chlár Tógála agus Athnuachain Scoile 2005-09.

283. D'fhiafraigh **Mr. McGinley** den Aire Oideachais agus Eolaíochta an bhfuil iarratas déanta chun na Roinne chun scoil (sonraí tugtha) a mhéadú agus a dheisiú, cén méadú atá ceadaithe agus cén staid ag a bhfuil an tionscnamh faoi láthair; agus an ndéanfaidh sí ráiteas ina thaobh. [5987/06]

Minister for Education and Science (Ms Hanafin): Tugadh údarás cineachta in Eanáir 2006 don scoil atá i gceist tairiscintí a iarraidh. Tá

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cead pleanála don tionscadal seo faighte ó Chomhairle Chondae Dhún na nGall cheana fhéin.

Special Educational Needs.

284. **Mr. Bruton** asked the Minister for Education and Science if her attention has been drawn to the fact that some children with ADHD have lost the support of a classroom assistant after having that support for two years and are falling further behind as a result of an apparent policy change that now views classroom assistants as a resource only for children with care needs, whereas children with ADHD can only get access to the allocation of certain hours with a resource teacher; the reason such a change of policy has been made; and if an assessment of the child's progress could be the basis for reconsideration of its application in individual cases. [5988/06]

Minister for Education and Science (Ms Hanafin): I assume the Deputy is referring to special needs assistant, SNA, support in schools. There has been no policy change with regard to SNA support in schools; it has always been the case that SNAs are a non-teaching support only for children with care needs.

The number of special needs assistants in our schools has increased dramatically in recent years. There are now nearly 6,000 special needs assistants in our primary schools, compared to just 300 in 1998. There are nearly 1,000 special needs assistants in our second level schools in the current school year — an increase of approximately 450 special needs assistant posts on the previous school year. SNAs are employed as and when they are needed. Applications for SNA supports are processed by the National Council for Special Education and once children have been verified as needing SNA support it is put in place as quickly as possible.

School Accommodation.

285. **Mr. Durkan** asked the Minister for Education and Science if she has received detailed plans or costs in respect of the provision of required facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [5994/06]

Minister for Education and Science (Ms Hanafin): My Department's officials wrote to the school authorities in October 2005 giving approval to proceed to stage three, detailed plans and costs, of architectural planning. Pending receipt in my Department of the stage three submission from the school authorities no further progression can be made on this project.

286. **Mr. Durkan** asked the Minister for Education and Science if she will report on progress in the matter of extra facilities required at a school (details supplied) in County Kildare; if the amended stage two report has been completed; and if she will make a statement on the matter. [5995/06]

Minister for Education and Science (Ms Hanafin): In December 2005 my officials requested the school authorities to submit a revised sketch scheme as an addendum to the original stage two report, developed sketch scheme. This has recently been received and is being examined by my officials. When the assessment is complete they will be in further contact with the school authorities.

287. **Mr. Durkan** asked the Minister for Education and Science if the report in respect of a school (details supplied) in County Kildare has been fully examined in her Department; if she expects to commence progress at an early date; and if she will make a statement on the matter. [5996/06]

Minister for Education and Science (Ms Hanafin): Tenders for this project were returned in late October and the tender report was received in my Department in late December. Examination of the report by my Department's technical staff is nearing completion. My Department will be in contact with the school management as soon as possible.

School Staffing.

288. **Mr. Durkan** asked the Minister for Education and Science if she intends to improve pupil-teacher ratio at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [5997/06]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of the school referred to by the Deputy for the 2005-06 school year is a principal and 21 mainstream class teaching posts. This is based on an enrolment of 588 pupils at 30 September 2004. The school also has three learning support-resource teaching posts, two special class posts and two temporary language support posts.

It is open to the board of management of a primary school to submit an appeal, under certain criteria, to the primary staffing appeals board. The board adjudicates on appeals on mainstream staffing allocations in primary schools and operates independently of the Department. The board's decisions are final.

Major improvements in school staffing have been made in recent years with the hiring of more than 5,000 additional primary teachers. This rep-

resents the largest increase in teacher numbers since the expansion of free education. Currently there is one teacher for every 17 children, the lowest pupil teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the services provided for children with special needs and those from disadvantaged areas. Under the action plan for tackling disadvantage published in 2005 there will be a reduction in class sizes of 24:1 at senior level and 20:1 at junior level in 150 primary schools serving communities with the highest concentrations of disadvantage. With more than 600 extra resource teachers put in place this school year, children with special needs are getting more support than ever before. It should be acknowledged how much progress has been made in this area in recent years.

There is more to be done to reduce class sizes further. Recently I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year, and the Minister for Finance has committed to a further reduction in class size in the following year. Accordingly, over the next two years my Department will put 500 extra teachers into our schools to reduce class size and to tackle disadvantage.

The staffing of a primary school is determined by reference to the enrolment of the school on the 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools.

The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007-08 it will be reduced to 27 children per classroom teacher. Officials of my Department are currently drawing up the revised staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades.

In speaking about staffing in our schools, we have consistently said that priority would be given in the first instance to children in disadvantaged schools and those with special needs. We have done this. And now, in line with the Government commitment, mainstream class sizes are also being reduced.

Schools Building Projects.

289. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in advancing the proposals in respect of extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [5998/06]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. The school in question was listed in my announcement of April 2005 as a project to progress through architectural planning up to pre-tender stage, that is, up to and including advanced architectural planning.

In order to bring this project to the required stage, my Department's officials have requested and received various amendments to the stage three submission, detailed plans and costs, during 2005. Most recently my Department's officials wrote to the school authorities on 21 September 2005 with some further queries and a response has been received. This will be examined as soon as possible and my officials will then be in further contact with the school authorities with regard to the next steps involved in progressing this project. Progression of projects to construction will be considered in the context of the school building and modernisation programme 2005-2009.

School Staffing.

290. **Mr. Durkan** asked the Minister for Education and Science the progress which has taken place to address requests for extra teachers at a school (details supplied) in County Kildare having regard to the rapidly expanding population; and if she will make a statement on the matter. [5999/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school is determined by reference to the enrolment of the school on the 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools.

The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007-08 it will be reduced to 27 children per classroom teacher. Officials of my Department are currently drawing up the revised

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staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades.

With regard to the specific school referred to by the Deputy, the enrolment in the school at 30 September 2004 was 148 pupils which warranted a staffing of one principal and five mainstream class teaching posts for the 2005-06 school year. However, the school was granted two extra mainstream class teachers for the 2005-06 school year under developing school criteria due to a projected increased enrolment of 187 pupils on 30 September 2005. In addition, the school also has one learning support-resource post and one temporary resource post.

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 my Department's website.

Schools Building Projects.

291. **Mr. Durkan** asked the Minister for Education and Science if she has studied the stage two submissions in respect of a school (details supplied) in County Kildare; when she expects this examination to be completed; and if she will make a statement on the matter. [6000/06]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. My Department's officials wrote to the school authorities in September 2005 advising them that they should now proceed to prepare and submit a stage two submission, outline sketch scheme. The school authorities had expected to have the submission with my Department by the end of November 2005 but this has been revised to February 2006. As the board of management is the client for this project, responsibility for ensuring that this timeframe is maintained lies with it. Further progression of its project can be made when the stage two submission is received.

Schools Building Projects.

292. **Mr. Durkan** asked the Minister for Education and Science when examination of the tender report will be completed in respect of a school (details supplied) in County Kildare; if some indication can be given as to the likely timescale for the provision of the proposed facilities; and if she will make a statement on the matter. [6001/06]

Minister for Education and Science (Ms Hanafin): The tender report for the proposed extension at the school to which the Deputy refers has recently been received by my Department and is being examined. The school will be contacted in the matter as soon as this examination is completed.

293. **Mr. Durkan** asked the Minister for Education and Science the degree to which the proposal to relocate a school (details supplied) in County Kildare has progressed; if she is prepared to expedite the procedure; and if she will make a statement on the matter. [6002/06]

Minister for Education and Science (Ms Hanafin): The management authority of the school in question, County Kildare Vocational Education Committee, is progressing plans to relocate the school and extend capacity to 1000 pupils. A formal planning application has been lodged with the local authority. The authority has asked for further information which the consultants are now in the process of providing.

School Accommodation.

294. **Mr. Durkan** asked the Minister for Education and Science the timescale within which she expects to bring all schools here, at primary and secondary level, up to a reasonable standard in terms of building accommodation or other facilities; and if she will make a statement on the matter. [6003/06]

Minister for Education and Science (Ms Hanafin): The Government has invested in the largest school building programme in the history of the State. Between 1998 and the end of 2004, almost €2 billion was invested in school buildings and in the region of 7,500 large and small projects were completed in schools, including 130 brand new schools and 510 large scale refurbishments or extensions. Funding for school building and renovation projects has increased fivefold since 1997. In 2006, €491 million will be spent on school building projects, compared to just €92 million in 1997. This, in its own right, is an increase of more than 9% in real terms on the 2005 allocation.

As the Deputy will be aware, at the end of last year I outlined my spending plans for primary and post-primary schools for 2006. With €491 million to be spent on schools buildings, more than 1,300 projects will be active in schools all over the country. This significant investment will allow me to continue to progress our major programme of school building and modernisation which includes improving equipment needed for new technologies and ICT. I have already started to outline individual schools around the country which will benefit under the various parts of the programme throughout the year, with the

announcement of 62 schools which have been given approval to start architectural planning and 740 schools which are being given funding under the summer works scheme to carry out essential small scale projects. I will announce details of the other aspects of the programme as we move through the year.

The principal features of the 2006 building and modernisation programme are: €277 million targeted at primary schools and €204 million in the post-primary sector; almost 200 major school building projects at construction during 2006; 105 primary school projects and 62 post-primary projects advancing in architectural design; further use of fast-track design solutions for primary schools.

It is expected that up to 12 primary schools will be built using a standardised design model or a design and build process. The first school built under this model opened in Balgaddy, Lucan in September 2005, having taken just ten months to build, and up to 200 primary schools will receive approval for devolved funding under the small school and permanent accommodation initiatives during the coming year. This is in addition to the 153 schools which will have projects at construction during 2006 under these initiatives. Small school and permanent accommodation initiatives, which were piloted over the last two years, will become a permanent feature of the building programme. This will enable schools to get works done faster by allowing them to run the projects themselves.

I assure the Deputy that the Government is fully committed to continuing the work it has started and consolidating the substantial progress already made to ensure the needs of schools throughout the country are met over time.

Pupil-Teacher Ratio.

295. **Mr. Durkan** asked the Minister for Education and Science the extent to which pupil-teacher ratios in County Kildare compare with other parts of the country; her plans in this regard; and if she will make a statement on the matter. [6004/06]

Minister for Education and Science (Ms Hanafin): Information on the pupil teacher ratio is not available in my Department on a county basis. Major improvements in school staffing have been made in recent years with the hiring of more than 5,000 additional primary teachers. This constitutes the largest increase in teacher numbers since the expansion of free education. Today there is one teacher for every 17 children, the lowest pupil teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the

services provided for children with special needs and those from disadvantaged areas. Under the action plan for tackling disadvantage published in 2005, there will be a reduction in class sizes of 24:1 at senior level and 20:1 at junior level in 150 primary schools serving communities with the highest concentrations of disadvantage. With more than 600 extra resource teachers put in place this school year, children with special needs are getting more support than ever before. It should be acknowledged how much progress has been made in this area in recent years.

Recently I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year. The Minister for Finance has also committed to a further reduction in class size in the following year. Accordingly, over the next two years, my Department will put 500 extra teachers into primary schools to reduce class size and tackle disadvantage.

The staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools. The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Schools with only one or two teachers have much lower staffing ratios than this — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this will be reduced to 28 children per classroom teacher and in 2007-08 it will be reduced to 27 children per classroom teacher.

Officials of my Department are drawing up the revised staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades. In speaking about staffing in our schools, we have consistently said that priority would be given in the first instance to children in disadvantaged schools and those with special needs. We have done this and now, in line with the Government commitment, mainstream class sizes are also being reduced.

296. **Mr. Durkan** asked the Minister for Education and Science the extent to which efforts have been made or are likely to be made to address the issue of high pupil-teacher ratios in schools throughout County Kildare; and if she will make a statement on the matter. [6005/06]

Minister for Education and Science (Ms Hanafin): Major improvements in school staffing have been made in recent years with the hiring of

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more than 5,000 additional primary teachers. This constitutes the largest increase in teacher numbers since the expansion of free education. In 1996-97, the average class size in our primary schools was 27. The figure is now 24. In 1996-97 there was one teacher for every 22 children in our primary schools. Today there is one teacher for every 17 children, the lowest pupil-teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the services provided for children with special needs and those from disadvantaged areas. Under the action plan for tackling disadvantage published in 2005, there will be a reduction in class sizes of 24:1 at senior level and 20:1 at junior level in 150 primary schools serving communities with the highest concentrations of disadvantage. With more than 600 extra resource teachers put in place this school year, children with special needs are getting more support than ever before. It should be acknowledged how much progress has been made in this area in recent years.

There is more to be done to reduce class sizes further. Recently I announced that I have secured sufficient funding to provide even smaller classes in our primary schools in the next school year. The Minister for Finance has also committed to a further reduction in class size in the following year. Accordingly, over the next two years my Department will put 500 extra teachers into our schools to reduce class size and to tackle disadvantage.

The staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools. The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Schools with only one or two teachers have much lower staffing ratios than this — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this will be reduced to 28 children per classroom teacher and in 2007-08 it will be reduced to 27 children per classroom teacher.

Officials of my Department are drawing up the revised staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades. In speaking about staffing in our schools, we have consistently stated that priority would be given in the first instance to children in disadvantaged schools and those with special

needs. We have done this and now, in line with the Government commitment, mainstream class sizes are also being reduced.

Psychological Service.

297. **Mr. Durkan** asked the Minister for Education and Science the extent to which she intends to meet the psychological assessment needs at primary and secondary level throughout County Kildare; and if she will make a statement on the matter. [6006/06]

Minister for Education and Science (Ms Hanafin): All schools in County Kildare have access to psychological assessments for their pupils, either directly through my Department's National Educational Psychological Service — NEPS — psychologists or through the scheme for commissioning psychological assessments — SCPA — which is administered by NEPS. Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist directly the fees for this assessment. Details of this process and the conditions that apply to the scheme are available on my Department's website.

NEPS provides assistance to all school communities which experience critical incidents, regardless of whether they have a NEPS psychologist assigned to them. Also, in relation to all schools, NEPS processes applications for reasonable accommodation in certificate examinations, RACE, for the State Examinations Commission, SEC.

In common with many other psychological services, NEPS operates a staged model of service to schools, whereby an initial referral usually leads to a consultation and provision of advice to teachers and parents on appropriate teaching and management strategies. Progress is kept under review and only those children who fail to respond to these interventions will need to see a psychologist. This allows the psychologists to offer early appointments to children who are in urgent need of support and early advice to teachers in respect to those children whose needs are perhaps less pressing but still need additional help in school.

The number of National Educational Psychological Service psychologists has increased from 43 on establishment to 121 at present. Five NEPS psychologists are currently involved in servicing County Kildare. The Public Appointments Service recently concluded a new recruitment competition for the appointment of educational psychologists to NEPS and my Department is in the process of appointing a number of psychologists from the panels. Two appointments are

scheduled to be made to the south western area of the eastern region, servicing south and west Dublin, County Kildare and part of County Wicklow, from this process.

Bullying in Schools.

298. **Mr. Durkan** asked the Minister for Education and Science her proposals to identify and address the issue of school bullying at all levels; if she has identified the way in which to deal with this issue; and if she will make a statement on the matter. [6007/06]

Minister for Education and Science (Ms Hanafin): I am acutely aware of the issue of bullying in schools and my Department has in place a multi-faceted strategy to tackle the issue. The education of students in both primary and post-primary schools in relation to anti-bullying behaviour is a central part of the SPHE curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. The SPHE curriculum provides for the development of personal and social skills, including self-awareness, respect for others, self-esteem and communication skills, all of which are important elements in addressing the issue of bullying.

In primary education the issue of bullying is addressed in the SPHE curriculum in the strand, *Myself and Others*, from infant classes onwards. In second level education the issue of bullying is addressed from first year onwards in the SPHE curriculum at junior cycle, in the module, *Belonging and Integrating*. Each school is required to have in place a policy which includes specific measures to deal with bullying behaviour, within the framework of an overall school code of behaviour and discipline. Such a code, properly devised and implemented, can be the most influential measure in countering bullying behaviour in schools.

Recently, when I addressed the annual conference of the Irish Primary Principals Network, I asked school principals to ensure effective policies are in place in their schools and bullying is not tolerated in any way, shape or form. My Department, in its guidelines on countering bullying behaviour in schools, has provided a national framework within which individual school management authorities may meet their responsibilities for implementing effective school based policies to counter bullying. These guidelines were drawn up following consultation with representatives of school management, teachers and parents and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of the school. My Department will keep these guidelines under review with a view to updating them where necessary.

Schools Building Projects.

299. **Mr. Durkan** asked the Minister for Education and Science the progress which has taken place since the beginning of 2006 in respect of a project (details supplied) in County Kildare; and if she will make a statement on the matter. [6008/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that a new eight classroom school was delivered for the north Kildare school project in 2003. My Department has not received an application from the school for any extra facilities.

300. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to the need to meet the accommodation requirements and other facilities needed at a school (details supplied) in County Kildare; if this project will be advanced in view of the pressing need; and if she will make a statement on the matter. [6009/06]

306. **Mr. Durkan** asked the Minister for Education and Science the extent to which progress is reported in relation to the settlement of primary and secondary level facilities at Clane, County Kildare; if this assessment will have full regard to the immediate and long-term needs of the area; when she expects to make an announcement arising from this assessment; and if she will make a statement on the matter. [6016/06]

313. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6025/06]

314. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6026/06]

315. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6027/06]

316. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6028/06]

317. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6029/06]

318. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6030/06]

319. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this

project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6031/06]

320. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6032/06]

321. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6033/06]

322. **Mr. Durkan** asked the Minister for Education and Science the progress to date in 2006 in regard to the provision of the facilities required as determined by the school authorities at a school (details supplied) in County Kildare; the remaining developmental stages to be processed and the likely timescale; the extent to which she expects to be in a position to meet the requirements as set out; when she expects work to start on this project in view of the urgency generated by demographic trends; and if she will make a statement on the matter. [6034/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 300, 306 and 313 to 322, inclusive, together.

The school planning section of my Department has received applications for major capital funding from the management authorities of the schools to which the Deputy refers. The applications have 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.

Schools Building Projects.

301. **Mr. Durkan** asked the Minister for Education and Science the extent to which arrangements have been put in place to facilitate the pro-

vision of extra school facilities required at a school (details supplied) in County Kildare; if she is satisfied that the proposals are likely to meet the future needs of the area and region in view of the demographic changes; and if she will make a statement on the matter. [6010/06]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. Officials from the Department of Education and Science visited the school in question in June of last year to carry out a technical inspection of the existing accommodation and to assess the needs of the pupils attending the school.

The school authorities have embarked on a major redevelopment programme which is currently at a very early design stage. They are assessing the needs into the future of the residents with special needs on the campus and outreach facilities and the many support services and industries around them.

The school's design team is preparing a development control plan for the site, of which this school forms part, and the Department of Education and Science is awaiting its response before the project can proceed further. In the meantime a member of the Department's inspectorate has drafted a schedule of overall accommodation to reflect the current educational needs of the pupils attending the school.

302. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the area development plan for the N4/M4 corridor; the extent to which she expects her proposals for the areas in question to be put in place in 2006; and if she will make a statement on the matter. [6011/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the local area development plan for the N4/M4 corridor outlines the Department of Education and Science's long-term educational strategy at both primary and post-primary level for the area concerned. The recommendations in the plan are being considered in the context of the school building and modernisation programme from 2006 onwards subject to the prioritisation criteria for large scale building projects.

Special Educational Needs.

303. **Mr. Durkan** asked the Minister for Education and Science the number of requests on hand for provision of psychological, speech and language therapy requirements, remedial, resource or other special needs teaching; the extent to which she expects to respond positively

to these requests at an early date; and if she will make a statement on the matter. [6012/06]

Minister for Education and Science (Ms Hanafin): The National Educational Psychological Service, NEPS, does not normally keep waiting lists of children requiring assessment in the sense of lists of names that are dealt with in chronological order. NEPS encourages a staged assessment process, whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with its assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school's best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually.

Children who manifest very special needs in school, and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the principal teacher, will normally be assessed by the psychologist within that school term.

Schools without NEPS psychologists assigned to them have access to educational psychological assessments through the scheme for commissioning psychological assessments, SCPA. Under this scheme, schools can commission assessments from a member of the panel of private practitioners approved by NEPS and NEPS will pay the fees directly to the psychologists concerned. Details of this scheme, including the conditions that apply to it, are available on the Department of Education and Science website. The prioritisation of urgent cases for assessment is a matter for the school principal in the first instance.

The Deputy will be aware that a new scheme for allocating resource teachers to schools to cater for the needs of children with high-incidence special needs such as mild general learning disability and learning support needs was introduced in schools in September 2005. Resource teachers will now be in place in the school from the start of the school year, so that children who need their assistance can get it straight away. The new system for allocating resource teachers in primary schools comprises a general allocation for pupils with learning difficulties and those with high incidence disabilities.

The Deputy may also be aware that the National Council for Special Education, NCSE, became operational from 1 January 2005. The council now has responsibility for the allocation of resource teaching provision, together with special needs assistant support, where appropriate, for pupils with special educational needs

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arising from the more complex low incidence disabilities, such as autism.

The provision of therapy services for people with disabilities, including speech and language therapy, is a matter for the Health Services Executive and funding is provided to the HSE for such purposes.

School Staffing.

304. **Mr. Durkan** asked the Minister for Education and Science if consideration will be given to appointing a second teacher to the 13 one-teacher schools here; and if she will make a statement on the matter. [6013/06]

Minister for Education and Science (Ms Hanafin): The mainstream teacher allocation of all primary schools, including one-teacher schools, is determined by reference to the enrolment of the school on the 30 September of the previous school year. The staffing schedule is outlined in a circular which is issued annually to all primary schools. In addition, such schools may be eligible for additional teacher or special needs assistant allocations in accordance with the criteria for the allocation of special needs resource. A detailed review of the position of the 13 one-teacher schools with fewer than 12 pupils enrolled on the 30 September 2004 is being undertaken and will be completed as speedily as possible.

Pupil-Teacher Ratio.

305. **Mr. Durkan** asked the Minister for Education and Science the number of primary or second level schools here which have a higher than average pupil-teacher ratio; and if she will make a statement on the matter. [6014/06]

Minister for Education and Science (Ms Hanafin): The Department of Education and Science does not keep figures on pupil teacher ratio, PTR, on a school-by-school basis. However, significant improvements have been made in the PTR nationally at both primary and second level in recent years. At primary level, the PTR has dropped from 22.3:1 to 17.1:1 between 1996-97 and 2004-05. This reflects the fact that 5,000 extra primary teachers have been hired by the Government in recent years. In the case of second level, it has fallen from 16:1 in the 1996-97 school year to 13.4:1 in the 2004-05 school year.

Question No. 306 answered with Question No. 300.

Schools Building Projects.

307. **Mr. Durkan** asked the Minister for Education and Science if she has issued approval of

contract documents in respect of the proposed new school at Ardclough, County Kildare; the timescale for the project; and if she will make a statement on the matter. [6017/06]

Minister for Education and Science (Ms Hanafin): Draft contract documents have issued to the Office of Public Works. This documentation is now being examined by the Office of the Chief State Solicitor.

308. **Mr. Durkan** asked the Minister for Education and Science the position regarding the appointment of a design team for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [6018/06]

310. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the appointment of a design team in respect of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [6020/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 308 and 310 together.

The schools to which the Deputy refers were included in my recent announcement of 62 large scale building projects which have been approved to progress under the school building and modernisation programme. These will be progressed by way of the appointment of a design team under the Department's capital programme for 2006.

The building section of the Department of Education and Science will shortly provide information to the schools concerned on how their projects will be advanced on foot of this announcement.

309. **Mr. Durkan** asked the Minister for Education and Science the position regarding the appointment of a design team for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [6019/06]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers is one of those which, as I announced in January, would commence planning for a new school building with immediate effect.

The first key step in this process is the appointment of a suitably qualified design team. At an information seminar held recently in Tullamore by the school building section of the Department of Education and Science, the mechanics of appointing design teams and planning for the building of a school were explained to representatives from all 62 schools listed in my January announcement. As some of the schools will be responsible for appointing and delivering their

own building project, this seminar was of crucial importance to them.

It is intended that a large percentage of these schools will be built using innovative methods such as standardised design model or design and build process, which have been successfully introduced by the Department of Education and Science in recent years. Officials in the school building section are currently assessing each project with a view to assigning each an appropriate build and procurement method and in the coming weeks the roll out of advertisements seeking design team consultants for the projects will begin.

Question No. 310 answered with Question No. 308.

School Staffing.

311. **Mr. Durkan** asked the Minister for Education and Science if she will increase staff numbers at a school (details supplied) in County Kildare in anticipation of an increase in the next school year; and if she will make a statement on the matter. [6021/06]

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 general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 29 children in the school.

Next year this is being reduced to 28 children per classroom teacher and in 2007-08 it will be reduced to 27 children per classroom teacher. Officials of my Department are currently drawing up the revised staffing schedule necessary to achieve that. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades.

The mainstream staffing of the school referred to by the Deputy for the current school year is a principal and nine mainstream class teachers based on an enrolment of 243 pupils at 30 September 2004. The school also has one permanent learning support-resource post, one permanent special class post and the services of a shared permanent learning support-resource post, a shared temporary resource post and a shared temporary language support post all based in the school.

According to data submitted to my Department by the board of management, the enrolment in the school on 30 September 2005 was 248 pupils. The staffing for the 2006-07 school year will be determined on the basis of this figure and in accordance with the revised staffing schedule, which my Department will be issuing to schools in the near future.

Educational Needs.

312. **Mr. Durkan** asked the Minister for Education and Science if she has fully examined and assessed the educational needs at primary and secondary level including special needs in the Kill, Naas and Sallins areas of County Kildare, with particular reference to existing and future requirements and keeping in mind the existing and proposed development in the area; if children at all levels can expect a school place; and if she will make a statement on the matter. [6022/06]

Minister for Education and Science (Ms Hanafin): I am aware that the areas to which the Deputy refers, like many areas located within close proximity to Dublin, continue to experience population growth, a position that almost inevitably places some strain on existing educational provision. I am pleased to inform the Deputy that a range of significant measures has been undertaken by my Department to address the current and future need for pupil places in the areas in question. While the information sought is not readily available in the format requested by the Deputy, the following is an outline of the measures undertaken by my Department to ensure that there are adequate places available in these areas to meet demand.

In the Naas locality, at primary level, an entire new school has been provided at Killashee while temporary accommodation has been provided at Scoil Corbain, St. Conleth's and St. Mary's national schools and St. Conleth's Naofa. Temporary accommodation has also been approved at Caragh national school, Gaelscoil Nás na Ríogh and Scoil Naomh Brighde.

A brand new state of the art, 16 classroom school, together with a double autistic unit, was also opened last September in Naas town. This project, in particular, will assist in easing any difficulties for primary pupil places that may exist in Naas. A brand new state of the art, 16 classroom school is planned for Gaelscoil Nás na Ríogh. This project has been approved to commence architectural planning this year. Additionally, there are proposals to improve accommodation at St. David's national school and Two Mile House national school. The long-term accommodation needs of the national schools at Ballycane, Caragh and the Convent of Mercy are also currently being assessed.

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At post-primary level, the management authority of St. Patrick's post-primary school, County Kildare VEC, is currently progressing plans to relocate the school and extend capacity to 1,000 pupil places. Additionally, an extension project is under construction at St. Mary's College, which will increase capacity at the school to 900 pupils. A similar extension is under construction at Meánscoil Iognáid Rís and further accommodation needs at the school are currently in planning.

At Sallins national school, a seven classroom extension is under construction. When completed, this extension will increase capacity from nine to 16 classrooms. An extension to bring the school up to 24 classrooms commenced architectural planning this year.

In relation to Clane, in 2004, St. Patrick's boys' school was given capital funding which enabled the school to build two mainstream classrooms and three resource rooms. The school authority recently applied for further additional accommodation. At post-primary level, Clane community school has applied for additional accommodation. Both applications are currently being assessed in the school planning section of my Department.

Regarding provision for pupils with special educational needs, SEN, my Department's policy is to ensure the maximum possible integration of children with such needs into ordinary mainstream schools. Where mainstream provision is not appropriate, children can be catered for in special schools which are dedicated to particular disability groups. There are 107 special schools in the country at present. These schools cater for children from four to 18 years of age and each school enjoys a significantly reduced pupil teacher ratio and other staffing supports. Additional special needs assistant, SNA, support is provided if deemed necessary. Special schools also receive increased rates of capitation funding.

Children with SEN can also attend special classes attached to ordinary mainstream schools. All special classes enjoy the same increased levels of staffing and funding as are made available to the special schools. Children with SEN attending special classes attached to ordinary schools may also, where appropriate, be integrated into ordinary classes for periods of the school day.

A general allocation scheme has been introduced under which mainstream primary schools have been provided with resource teaching hours, based on enrolment figures, to cater for children with high incidence SEN such as dyslexia and those with learning support needs. All schools were notified of their general allocation for the 2005-06 school year last May.

The Deputy will be aware that the National Council for Special Education, NCSE, through the local special educational needs organiser,

SENO, is responsible for processing applications from schools for special needs supports such as resource teaching hours and special needs assistant, SNA, support for children with low-incidence SEN, on the basis of applications in respect of individual pupils. Once a school has been advised of its general allocation and the SENO has allocated hours and SNA support if appropriate in respect of pupils with low-incidence SEN, it is a matter for the school authority to recruit the relevant staff.

There has been enormous progress made over the past number of years in increasing the number of teachers in our schools who are specifically dedicated to providing education for children with SEN. At primary level there are now approximately 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. This compares to under 1,500 in 1998. Indeed, one out of every five primary school teachers is now working specifically with children with special needs.

At second level, approximately 1,637 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 532 whole time equivalent learning support teachers in our second level schools.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and-or SNA support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Pupils attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

Enormous progress has also been made in increasing the number of SNAs in our schools who specifically cater for the care needs of children with special educational needs. There are over 7,200 whole time equivalent SNAs in primary and second level schools supporting children with special needs.

All of these initiatives represent huge capital and human resource investment and demonstrate my commitment to meeting the needs of the areas concerned. The school planning section of my Department will keep the position under review to ensure that any additional emerging needs are met as expeditiously as possible.

Questions Nos. 313 to 322, inclusive, answered with Question No. 300.

School Accounts.

323. **Mr. Stanton** asked the Minister for Education and Science if directives or regulations have been issued with regard to auditing of accounts or primary school procedures in place to govern the way such audits are to be carried out; the frequency of such audits; and if she will make a statement on the matter. [6038/06]

Minister for Education and Science (Ms Hanafin): Section 18(2) of the Education Act 1998 provides that, except in the case of a school established or maintained by a vocational education committee, a board of management shall keep all proper and usual accounts and records of all moneys received by it or expenditure of such moneys incurred by it and shall ensure that in each year all such accounts are properly audited or certified in accordance with best accounting practice. Accounts kept in pursuance of this section shall be made available by the school concerned for inspection by the Minister and by parents of students in the school, in so far as those accounts relate to moneys provided in accordance with section 12 of the Act.

At primary level, section 19 (iv) of the constitution and rules of procedure for boards of management state: “the school accounts shall also be available for audit by officers of the Department of Education and Science and officials of the Comptroller and Auditor General’s Office if requested”.

Vocational Training Opportunities Scheme.

324. **Mr. Deasy** asked the Minister for Education and Science the number of applications received and the number of places provided under the vocational training opportunities scheme in each of the years 2002, 2003, 2004 and 2005; if her attention has been drawn to the fact that the number of people in receipt of unemployment assistance is currently over 86,000; her further views on whether the number of vocational training opportunities scheme places needs to be substantially increased to make a significant contribution to assisting people in receipt of unemployment assistance to return to work; and if she will make a statement on the matter. [6055/06]

Minister of State at the Department of Education and Science (Miss de Valera): The vocational training opportunities scheme, VTOS, provides full-time second chance education and training opportunities for unemployed adults who are at least 21 years of age and in receipt of specified social welfare payments for at least six months. The scheme is funded by my Department and operated through the 33 vocational education committees, VECs. The maximum number of

places that can be filled annually is 5,000. My Department does not keep figures on the number of applications made to the VECs for places on VTOS courses.

There are a number of other options available to unemployed adults in further and higher education. For example, people in receipt of social welfare payments, including unemployment benefit and unemployment assistance, may return to education and training programmes under the Department of Social and Family Affairs’ back to education allowance scheme. They may also qualify for an approved third level programme, or post-leaving certificate programmes. The back to education initiative, part-time, for which there are over 7,000 places available annually, is another option for adults wishing to return to education and training.

325. **Mr. Deasy** asked the Minister for Education and Science the number of applications received and the number of places provided under the vocational training opportunities scheme in each of the years 2002, 2003, 2004 and 2005 in Waterford city and county. [6056/06]

Minister of State at the Department of Education and Science (Miss de Valera): The vocational training opportunities scheme, VTOS, provides full-time second chance education and training opportunities for unemployed adults who are at least 21 years of age and in receipt of specified social welfare payments for at least six months. The scheme is funded by my Department and operated through the 33 vocational education committees, VECs.

Over the years 2002 to 2005, City of Waterford VEC was given an allocation of 200 VTOS places per year. Over the years 2002 to 2005, County Waterford VEC was given an allocation of 100 places per year. Almost all of the allocated places were filled by both VECs. As the scheme is administered by the VECs, information on the number of applicants to participate in it in any VEC area is not furnished to my Department.

There are a number of other options available to unemployed adults in further and higher education. For example, people in receipt of social welfare payments, including unemployment benefit and unemployment assistance, may return to education and training programmes under the Department of Social and Family Affairs’ back to education allowance scheme. They may also qualify for an approved third level programme or post-leaving certificate programmes. The back to education initiative, part-time, for which there are over 7,000 places available annually, is another option for adults wishing to return to education and training.

Defence Forces Recruitment.

326. **Mr. Timmins** asked the Minister for Defence the position regarding the height restriction for females who wish to join the Defence Forces; the changes he has made; the process which has been carried out to change the regulations; when legislation to change same will come before Dáil Éireann; and if he will make a statement on the matter. [5863/06]

Minister for Defence (Mr. O'Dea): The Government is committed to a policy of equal opportunity for men and women in the Defence Forces — Army, Air Corps, Naval Service — including the Reserve Defence Force, and to the full participation by women in all aspects of Defence Forces activities.

In effect this means that women are eligible on the same basis as men for participation in operational and ceremonial activities, for assignment to all military appointments and educational and training courses and for promotion. All female personnel undergo the same training and receive the same military education as their male counterparts. In order to encourage increased participation by women in the Defence Forces my predecessor decided in March 1998 to reduce the height requirement for all female recruits to 162.5cm — 5 ft. 4 ins. This height requirement now also applies to male recruits.

The Defence Forces actively encourage female applicants by: advertising — where possible, all graphical advertisements and booklets produced for the Defence Forces show both male and female personnel and emphasise that all applicants are assessed on an equal basis; recruitment fairs — stands at recruiting fairs are generally staffed by male and female personnel; visits to schools — when the Defence Forces are invited to give talks at all female or at mixed schools, every effort is made to have a female speaker.

Over the past eight years, the strength of female personnel in the Permanent Defence Force has increased from 244 at the end of 1997 to 529 at the end of December 2005. This constitutes an increase of over 100% in the number of females serving over this period.

On 5 August 2005 I wrote to the Departments of Education and Science and Justice, Equality and Law Reform along with a number of outside organisations seeking their views and recommendations on how more women might be encouraged to enlist in the Defence Forces. All the replies have now been received, the last on 17 January 2006, and are being examined. After this examination I propose that officials, civil and military, of the Department of Defence will meet with representatives of each of the organisations who made submissions along with the Representative Association of Commissioned Officers, RACO, and the Permanent Defence Force Other

Ranks Representative Association, PDFORRA, to consider the ideas and suggestions and to see what, if any, improvements or changes can be made to the programme of recruitment so as to encourage more females to join the Defence Forces.

Public Access Roads.

327. **Mr. Ó Feaghail** asked the Minister for Defence if his Department has received requests from Kildare County Council for special funding towards the cost of providing sheep grids on all public access roads to the Curragh Plains; and if he will make a statement on the matter. [5867/06]

Minister for Defence (Mr. O'Dea): Kildare County Council approached my Department in 2001 concerning a proposal being considered by the council at that time to install sheep grids and horse gates on all public access roads to the Curragh. In developing this proposal the council identified 23 locations where grids or gates would be required and sought a contribution from my Department towards the costs of any such works. The estimated cost was in excess of €1 million.

The Department informed Kildare County Council that it was not agreeable to providing such funding. Responsibility for the maintenance and upkeep of public access roads to the Curragh rests with Kildare County Council. In addition, it is the position of the Department that the question of the keeping of sheep on the Curragh is a matter for the sheep rights owners.

Waste Disposal.

328. **Mr. N. O'Keeffe** asked the Minister for Defence the reason for the delay in having refuse removed from land owned by his Department. [5905/06]

Minister for Defence (Mr. O'Dea): My Department holds two small plots of land on a laneway which was part of the former military barracks in the locality in question. In recent years there has been unauthorised encroachment upon those plots by another party and my Department is addressing the matter of that encroachment in consultation with the Office of the Chief State Solicitor. The Department's properties officer plans to include a visit to this property shortly, at which time he will deal with the issue of refuse.

Public Service Staff.

329. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his plans to make it easier for staff to transfer between local authorities and the Civil Service. [5820/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Separate processes apply in the case of recruitment to posts in local authorities and the Civil Service. There are no formal arrangements at present for the direct transfer of staff between the sectors. However, a civil servant may apply for any post in the local authority service that is offered by open competition provided that he or she possesses the required qualifications. I understand my colleague, the Minister for Finance, will respond to the Deputy's question on the transfer of staff in local authorities into the Civil Service.

Greenhouse Gas Emissions.

330. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government

Table 1 — Emissions for the past five years

Greenhouse Gas Emissions	1999	2000	2001	2002	2003
CO ₂ Emissions (Kt)	42,133.27	44,159.74	46,460.47	45,808.14	44,449.95
Total Emissions (Kt CO ₂ equivalent)	66,888.81	68,968.25	70,741.77	69,384.50	67,554.47
Percentage above 1990	23.92%	27.77%	31.06%	28.55%	25.16%

I understand the EPA will shortly publish information on greenhouse gas emissions in 2004 and revised greenhouse gas emissions data from 1990 to 2003. The revised data will be based on a number of improvements in both the methodologies and data used to calculate greenhouse gas emissions, which have recently been adopted by EPA.

The ten highest emitting installations of carbon dioxide for 2003, the latest year for which verified emissions figures are available, are listed in Table 2. All of the listed installations are participating in the EU emissions trading scheme and therefore have had their emissions capped from 2005 onwards.

Table 2: Top ten highest producers of CO₂ emissions

Installation	CO ₂ emissions (tonne)
ESB — Moneypoint	5,430,607
ESB — Poolbeg	2,125,326
CRH plc (Irish Cement Platin)	1,417,631
Aughinish Alumina	1,067,406
Huntstown Power Company Ltd.	1,019,763
Quinn Cement Ltd.	937,124
ESB — Tarbert	935,883
Synergen (Dublin Bay Power Plant)	919,500
CRH plc (Irish Cement Limerick)	811,471
Edenderry Power Ltd.	810,680

331. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the progress by his Department in making

the level of emission of carbon dioxide here for each of the past five years; the top ten highest producers of CO₂ emissions for the years in question; and if he will make a statement on the matter. [5836/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The EPA is responsible for the collation and publication of inventories of greenhouse gas emissions, which are prepared on an annual basis pursuant to UN and EU obligations. Table 1 sets out the published figures for both carbon dioxide and total greenhouse gas emissions, excluding absorption of greenhouse gases from land-use and forestry, for each of the five most recent years for which figures have been published, together with increases on 1990 emissions in percentage terms.

arrangements to meet Ireland's international commitments on greenhouse gases and gases that contribute to the problem of acid rain; the fundamental changes that his Department regards as a priority arising from the meeting of these international commitments; his programme of implementation of such change to meet these international commitments; and if he will make a statement on the matter. [5851/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland is committed, pursuant to the Kyoto Protocol, to limiting growth in greenhouse gas emissions to 13% above 1990 levels in the 2008 to 2012 commitment period. In 2003, the latest year for which published figures are available, Ireland's emissions were approximately 25% above the 1990 level. I also refer to the reply to Question No. 330 on today's Order Paper.

The national climate change strategy provides the basis for Government policy and action to reducing greenhouse gas emissions in the most efficient and equitable manner and for ensuring that Ireland meets its commitments under the Kyoto Protocol. While my Department has overall responsibility for the strategy, it is a matter for Departments with direct responsibility for each sector identified in the strategy to implement the optimum mix of policies and measures to control and reduce Ireland's overall level of greenhouse gas emissions.

Among the measures that will facilitate reduced emissions of greenhouse gases are higher standards of energy conservation provided for in

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the building regulations, the development of planning guidelines on wind energy and reducing emissions from waste facilities. Progress is also demonstrated in more efficient power generation plants, support for renewable energy, improvements in public transport, tax incentives for more fuel-efficient cars and for the introduction of biofuels.

A review of the national climate change strategy has been under way in my Department to assess progress in its implementation and to identify possible additional measures for Ireland to meet its Kyoto Protocol target in the most cost effective way. I intend shortly to publish this review as a consultation document which will inform the preparation of a revised strategy.

A portion of Ireland's Kyoto target will also be achieved through emissions reductions by installations participating in the EU emissions trading scheme. This scheme commenced in 2005 on a pilot basis and will continue throughout the Kyoto Protocol commitment period 2008 to 2012. The Government will also avail of the flexible mechanisms in the Kyoto Protocol, which will allow it to meet part of its obligation by purchasing credits for carbon reductions sufficient to address any shortfall. The necessary institutional arrangements for the purchase of credits by the State are currently being put in place. They include the recent announcement by the Minister for Finance, in the context of budget 2006, of the designation of the National Treasury Management Agency as the purchasing agent for the State and the provision of an initial €20 million in 2006 to fund the purchase of credits.

In April 2005, the Government approved a national programme on transboundary pollutants for the progressive reduction of national emissions of transboundary pollutants by 2010. The pollutants concerned — sulphur dioxide, nitrogen oxides, volatile organic compounds and ammonia — contribute to acidification, eutrophication and ground level ozone. The National Emission Ceilings Regulations 2004 specify emission ceilings for the above four pollutants to be achieved by 2010. A number of measures which would tie in with the achievement of the ceilings were already being actively pursued under existing and planned legislation and policies, including cleaner fuels and vehicles, integrated pollution control licensing, organic solvent emissions reduction and a voluntary agreement with the solid fuel industry.

My Department has also submitted a national emission reduction plan for large-combustion plants to the European Commission. The plan, under Directive No. 2001/80/EC on the limitation of emissions of certain pollutants from large combustion plants, requires significant reductions of emissions of sulphur dioxide and nitrogen oxides

from older ESB power plants and boilers in Aughinish Alumina from 2008.

The 2005 national programme sets out a number of significant developments in policies and measures in various sectors since 2003. A downward trend in emissions since 2001 is projected to continue to 2010, although it is clear that the nitrogen oxides ceiling in Directive No. 2001/81/EC on national ceilings for certain atmospheric pollutants presents significant challenges for Ireland, including the possibility that measures to achieve it could be disproportionately costly. The directive is due to be reviewed by the European Commission in 2006, taking into account the Thematic Strategy on Air Pollution, published by the Commission in September 2005.

This strategy significantly updates EU policy on air quality. It takes a medium perspective to 2020 and aims to cut the annual number of premature deaths from air pollution-related diseases by almost 40% by 2020, from the 2000 level, while also substantially reducing the area of forests and other ecosystems suffering damage from airborne pollutants. The national programme, which will be updated in 2006, recognises the synergies between reducing transboundary pollutants and the measures under the national climate change strategy.

Waste Management.

332. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government if he intends issuing new guidelines to local authorities on waste permits; and if he will make a statement on the difficulties builders are encountering disposing of rubble. [5859/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Last summer, I published the draft Waste Management (Facility Permit and Registration) Regulations and the draft Waste Management (Collection Permit) Regulations as part of a public consultation process. These draft regulations amend the Waste Management (Permit) Regulations 1998 and the Waste Management (Collection Permit) Regulations 2001, respectively.

Public advertisements invited relevant stakeholders and other interested parties to submit comments on the draft regulations to my Department. In excess of 50 comprehensive submissions were received, several of which came from stakeholders with an interest in the building/construction industry. My Department is currently examining all of the submissions in detail with a view to incorporating any necessary amendments into both sets of draft regulations. I will issue relevant guidelines to all local authorities once the new regulations are formally made.

On the more general issue of waste in the building industry, my Department has for a number of years been engaged, in partnership with industry, in developing standards and raising awareness to improve waste management practices. This is being done through the national construction and demolition waste council, NCDWC. In September 2004 the NCDWC launched the voluntary construction industry initiative, which involves all key participants in the construction industry committing to a series of specific actions to increase the levels of recycling in this waste stream. In tandem with this, my Department has developed draft best practice guidelines on the preparation of waste management plans for construction and demolition projects. The plans introduce the concept of on-site construction and demolition waste management plans which will apply to projects above certain specified thresholds.

Following a period of public consultation the guidelines have been finalised and are being put to the council for its formal endorsement. I expect to be in a position to publish the guidelines shortly.

Road Safety.

333. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government if his Department has received requests from Kildare County Council for special funding towards the cost of providing sheep grids on all public access roads to the Curragh plains; and if he will make a statement on the matter. [5869/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The improvement and maintenance of non-national roads in its area is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act 1993. My Department has not received any request from Kildare County Council for funding towards the provision of sheep grids on non-national roads.

Water and Sewerage Schemes.

334. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government if his Department is in receipt of an application from Kildare County Council for funding towards the upgrade of the village sewerage system at Kilberry, County Kildare; and if he will make a statement on the matter. [5870/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has no proposals from Kildare County Council regarding a sewerage scheme at Kilberry, Athy, County Kildare, nor was such a proposal included

in the list of schemes submitted by Kildare County Council in November 2003 in response to my Department's request to all local authorities to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The priority lists were taken into account in the framing of subsequent phases of the water services investment programme, published in 2004 and 2005. I envisage that local authorities will be afforded an opportunity in 2006 to undertake fresh assessments of their needs and priorities which will be considered in future phases of the programme.

Road Network.

335. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government the correlation between the amount of money provided by his Department to Kildare County Council for non-national roads and the council's own provision for works on such roads in the past five years; and if he will make a statement on the matter. [5871/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Details of non-national road grants paid by my Department to Kildare County Council and the council's own resources expenditure on non-national roads for each of the years 2001 to 2005 are set out in the following table. Own resources expenditure is based on returns received from Kildare County Council.

Year	Grant Payments	Own Resources
	€	€
2001	21,148,246	4,190,135
2002	23,340,437	1,608,064
2003	11,834,028	7,416,637
2004	17,453,601	7,673,826
2005	22,210,525	8,609,700 (estimated)

Homeless Persons.

336. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government the criteria used to define whether a person is homeless; the number of nights a person must spend on the street or in a hostel to be defined as homeless; and if he will make a statement on the matter. [5982/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Decisions as to the homeless status of individuals are matters for the local authority concerned. The definition of home-

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lessness in the Housing Act 1988 provides for a wide range of circumstances on the basis of which, in the opinion of the authority, a person may be deemed homeless.

The independent review of the implementation of homeless strategies, which I published last week and which is being made available to the Oireachtas Library, recommended that the definition of “homelessness” should be revisited

to produce a clearer, unambiguous understanding of what homelessness means for measurement and funding purposes, and that this should be used as the basis for a common information gathering system establishing the causes, extent and nature of homelessness and rolled out to all areas of the country. This issue will be taken forward in the context of a revised Government strategy on homelessness, to be prepared by my Department having regard to the independent review.