



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 14 November 2006.

Ceisteanna—Questions	
Taoiseach	597
Minister for Social and Family Affairs	
Priority Questions	609
Other Questions	624
Adjournment Debate Matters	631
Leaders' Questions	631
Requests to move Adjournment of Dáil under Standing Order 31	643
Order of Business	646
Citizens Information Bill 2006: Second Stage (<i>resumed</i>)	653
Private Members' Business	
Health Services Motion	678
Message from Select Committee	709
Adjournment Debate	
Court Procedures	709
Suicide Incidence	712
Single Farm Payment	715
School Accommodation	718
Questions: Written Answers	721

DÁIL ÉIREANN

*Dé Máirt, 14 Samhain 2006.
Tuesday, 14 November 2006.*

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

*Paidir.
Prayer.*

Ceisteanna — Questions.

Task Force on Active Citizenship.

1. **Mr. Rabbitte** asked the Taoiseach the progress made to date by the task force on active citizenship; and if he will make a statement on the matter. [28250/06]

2. **Mr. J. Higgins** asked the Taoiseach when the new task force on active citizenship last met; and when he expects the next meeting to take place. [29225/06]

3. **Mr. Sargent** asked the Taoiseach if he will report on the work of the task force on active citizenship; and if he will make a statement on the matter. [30667/06]

4. **Mr. Kenny** asked the Taoiseach when the task force on active citizenship last met; and if he will make a statement on the matter. [30788/06]

5. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the work of the task force on active citizenship; and if he will make a statement on the matter. [34473/06]

The Taoiseach: I propose to take Questions Nos. 1 to 5, inclusive, together.

The task force on active citizenship has held four plenary meetings since its appointment. The last meeting took place on 26 October last and the next meeting is scheduled for 30 November. In addition, the task force has set up five sub-groups which meet on a regular basis and are consulting organisations in different sectors.

The task force has also engaged in a major public consultation exercise and has circulated over 14,000 copies of its consultation document to individuals and organisations across the country, as well as seeking submissions through its website. The written consultation process began

in July and over 1,000 submissions have been received. As part of this process, the task force hosted regional consultation seminars around the country. I attended the first of these on 14 September in Croke Park. The aim of these regional seminars was to explain the work of the task force and hear the views and ideas of individuals and groups on active citizenship in Ireland today. More than 300 people attended the meeting in Dublin. Subsequent seminars have been held in Monaghan, Sligo, Galway, Cork and Tullamore, all of which have been well attended.

The task force's work programme also included specific consultation exercises to get the views of young people and a survey has been commissioned from the ESRI. The Forum on Europe organised a plenary session on the subject of active citizenship in mid-October. In recent months, the chairperson and members of the task force have been meeting a range of interested individuals and groups around the country.

The efforts of the task force have stimulated a wide-ranging debate on the issue of active citizenship and this, in itself, is an important outcome. The results of this consultation process will inform the final report of the task force, which the Government hopes to receive next year.

Mr. Rabbitte: Does the Taoiseach recall the Green Paper of 1997 and the White Paper of 2000 on supporting voluntary activity? How does the current task force exercise differ from the work teased through in these papers? Is the Taoiseach suggesting the conclusions of the White Paper are being implemented inadequately? Why is it necessary to go through this process again?

The Taoiseach: I was very involved in the development of the White Paper and the process was managed by a former Deputy and Minister of State, Chris Flood. It was a far more limited exercise than the task force. It related to community activism and involvement and it did useful work. I received the final report and most of the recommendations have been implemented and funded.

Regarding progress made in implementing the recommendations of the White Paper on voluntary activity, more than €5.48 million over three years was allocated to the funding scheme to support federations, networks and umbrella bodies — the kinds of groups at whom the White Paper was aimed. If one was not involved in such a group, one would not benefit as it did not extend to the wider community. A sum of €1.83 million was provided to fund a scheme for training and support in the community and voluntary sector. Both of these schemes, under the White Paper, were committed to supporting voluntary activities and a range of grants, running to millions of euro, were paid out through the Department of Community, Rural and Gaeltacht Affairs.

[The Taoiseach.]

The White Paper made significant progress in promoting volunteerism, encouraging corporate responsibility and beginning the process of philanthropy. It covered a range of bodies but nothing like the Taskforce on Active Citizenship for those active in community development associations. I pointed out at the time that if all the activities occurred during the day, a great deal of involvement would be lost because this would favour only full-time activists.

The broad principles of the White Paper remain and it is appropriate that the mechanism for addressing these be adjusted to appropriately reflect wider developments and structural changes. Everything in the White Paper was of benefit but it focussed largely on community activity and full-time activity which is not what active citizenship is about.

Mr. Rabbitte: Does the Taoiseach know how many submissions the Taskforce on Active Citizenship has received? How does it intend to proceed and when will it report? In terms of what the Taoiseach said on the difference between voluntary activity and active citizenship, would he agree that the main impediment to active citizenship is the modern lifestyle and demands on people's lives? The poor delivery of public services, for example, may see a person caught on the West-Link toll bridge for an hour and 20 minutes twice a day and he or she will not have much time to train the under 11s team. Inadequate public services — poor public transport and so on — are the real restriction on people's freedom.

An Ceann Comhairle: The Deputy should ask a question.

Mr. Rabbitte: In asking the Taoiseach if he agreed with me, I was using a form of generic introduction to the questions I am putting to him. Are inadequate public services not the most serious impediment to active citizenship?

The Taoiseach: More than 1,000 submissions have been made to date, most of them from national organisations such as sporting and community bodies as well as individuals. It may be worth quoting again the four terms of reference of the task force. The first is to “review the evidence regarding trends in citizen participation across the main areas of civic, community, cultural, occupational and recreational life in Ireland”. It has, therefore, a very broad remit. The second is to “examine those trends in the context of international experience and analysis”. Plenty of these kinds of studies have been done in most developed countries. The third is to “review the experience of organisations involved in the political, caring, community, professional and occupational, cultural, sporting and religious

dimensions of Irish life regarding influences, both positive and negative, on levels of citizen participation and engagement”. The final one is to “recommend measures which could be taken as part of public policy to facilitate and encourage (i) a greater degree of engagement by citizens in all aspects of Irish life and (ii) the growth and development of voluntary organisations as part of a strong civic culture”.

In the course of its work, the task force has been consulting individuals and organisations throughout the country at every level, from large business to people who deal with the most marginalised in society, to find out their experiences and the influences they believe would help shape citizens' participation and engagement. The task force hopes to report next year, although I am not sure when it will do so. Rather than imposing a time limit, it is more important that the exercise is done fully and completely so that the report comes up with recommendations that we can all take forward.

I have no doubt that under the terms of reference all of the kinds of issues the Deputy mentioned and many more will come forward. That will shape what we have to do to deal with the issues of the future.

There are pluses and minuses involved. More and more workplaces are scheduling working time into four day and 39 hour weeks, as against what used to be the case in the past when we had 40 and 50 hour weeks. All the other issues that are pluses and minuses, including traffic and the fact people are working rather than unemployed, will, I am sure, be reflected in the final report. More importantly, it will include recommendations that we can take forward and will affect all the community, not just those who are involved in community-based organisations on a full-time basis or practically as a career.

Mr. Sargent: I am trying to decipher the Taoiseach's reply. What does he mean by the phrase “recommendations that we can take forward”? As Deputy Rabbitte pointed out, since 2000 a number of attempts have been made to increase the level of volunteerism and active citizenship. They include the White Paper on Supporting Voluntary Activity published in 2000 and the Tipping the Balance report published in 2002 by the national committee on volunteering. Has an evaluation be done of the recommendations made in these two reports? If not, is it possible to carry out such an evaluation? Will the Taoiseach cite the recommendations from these reports which have been implemented? What has been the outcome of these efforts to date?

On a more specific matter, is the Taoiseach in a position to inform the task force on active citizenship, which includes among its membership many busy people, what the Government has

done or will do to help fulfil one of the terms of reference he cited, namely, “to facilitate and encourage (i) a greater degree of engagement by citizens in all aspects of Irish life and (ii) the growth and development of voluntary organisations”? The terms of reference include facilitating and encouraging a greater degree of engagement by citizens and the growth and development of voluntary organisations. Will the Government indicate when the charities legislation will be published and implemented, given that it covers a huge proportion of voluntary activity? Registration will enable voluntary groups to demonstrate their bona fides to the public.

Will the Taoiseach tell the House when freedom of information legislation will be reviewed and the restrictions rolled back, given that it is another important aspect of active citizenship?

The Taoiseach: The charities legislation is an absolute priority. I checked yesterday and it is at an advanced stage. We hope it will be in the House early in the new year. Parliamentary counsel will work on it full time until Christmas.

The Indecon report does precisely what Deputy Sargent asked to advance the key principles of the White Paper on supporting voluntary activity, which came out of the work done by the group chaired by Chris Flood. That forms an important part of the information under consideration in the Department of Community, Rural and Gaeltacht Affairs. There are vast sums of money going into what was ADM Limited, now Pobal. Millions are going into the sector in addition to what was put in five years ago, before this work started. It is a well funded and highly staffed area. One sector of it employs 800 or 900 people on a full-time basis, although they may be on contracts, but huge numbers work in the entire area.

There was a lot of talk after that of federations, networks, umbrella bodies and full-time work but that is not the broad sense of citizenship — people who are full time or working in community bodies — it is about the citizenship of the country. That is the model in other countries. Obviously, all issues of modern life would be included in any report. Circumstances and lifestyles change over time and this feeds into activity. Active citizens are involved in a broader range of projects than 20 years ago, with more organised activities and competitions taking place year-round. The position has changed. Some of the activities require funding and some do not, they simply require structures.

The Deputy asked what I meant by taking this forward. I asked the task force not to report on everything that happens but to make broad recommendations that we can implement to improve the sector. We know what happens but we need concrete proposals that we can implement to progress active citizenship.

Mr. Sargent: I have a brief question based on what the Taoiseach said.

An Ceann Comhairle: I call Deputy Kenny.

Mr. Kenny: I would not like to keep down Deputy Sargent with his brief question. This is an acceptable idea with a feel-good factor. On 14 September, when the Taoiseach spoke at the launch of the task force, he pointed out that there are now 160 nationalities living in the country from outside the jurisdiction and that Ireland is a country in transition, a process that will continue. From that point of view, however, no non-national was appointed to the task force and no ethnic groups from abroad are represented on it. That appears to contradict the Taoiseach's remarks that there are 160 nationalities here. Has the task force been given a remit to hold meetings exclusively with the different ethnic groups here from abroad who are and will continue to be part of our country? The mixes of the races in the next 25 years will bring about a very different change in Ireland again. The Taoiseach might deal with that.

The two most precious things people have now are probably time and good health. The other day at 6.15 a.m., I was in Lucan doing some work on traffic analysis, and the extent of goodwill from many thousands of people who wish to help in this whole business of creating strong community was palpable. It is being directly inhibited because of obstructions to the implementation of practical policies. Does the Taoiseach envisage different Departments, particularly the Department of the Environment, Heritage and Local Government, introducing measures to ease the pressure on people, which would have a parallel effect of giving them more time to involve themselves where they want to in the development of their communities, thereby creating better lifestyles?

I will give another example. I was in Swinford recently and I met cancer care people. They have collected €750,000 for a CAT scan facility. That involved fundraising walks, marathons and related activities. Does the Taoiseach see that people would expect these facilities to be provided by the State from taxpayers' revenue? The amount of time going into that operation, to use a pun, could otherwise be devoted to the overall development of the community.

In such a case, we could use people's precious time far more effectively in the interests of the elderly, frail, vulnerable, illiterate, innumerate and those who need help along the way from a very young age up. So much good could come out of this energy if it were to be harnessed in an overall and comprehensive way.

The Taoiseach: There were two questions. The membership of the task force on active citizenship includes people from a range of diverse

[The Taoiseach.]

backgrounds. It was not feasible to be totally comprehensive in terms of representation from the different sectors. I stated that here in the House. There are literally hundreds of people who represent all kinds of groups who want to be on it. I am sure they would all be useful, but it just was not possible to include them all.

Many of the groups with members on the task force, including trade unions, the church, businesses and youth organisations, would themselves have many members from ethnic minorities. They pointed that out and were well able to convey their viewpoints. From the outset, the chairperson of the task force made it clear it would undertake an extensive consultation process which provided opportunities for contributions from all possible stakeholders. That process included a round table discussion with ethnic minorities groups, facilitated through the broad umbrella of the National Consultative Committee on Racism and Interculturalism. That has worked well, so it is being well represented.

Representatives from ethnic minorities also participated at the consultation seminars with the task force. This participation ensured the perspective of ethnic minorities is fully reflected in the deliberations of the task force. The whole question of integration is well covered.

Clearly there are people caught up in the pressures of life, including traffic moving to and from work. Perhaps a proportion of those would help if they had that time at their disposal. As public services and public transport improve, I hope it will have an effect. I have not noticed to date any significant change in the areas that do not have difficulties. What tends to happen in active citizenship is that people who are busy, attracted to doing their bit for their community, such as for organisations like Active Age, will do it. It is not affected by what happens in their working day. It seems busy people will make the time no matter how they operate.

If a person is not in traffic or commuting long distances, that person will have more time. The logic is that there should then be more time to be engaged in other pursuits. That is a valid and fair point. People are starting and finishing earlier. It is quieter earlier in the evenings. The cycle of life has changed massively from what it was a decade or even five years ago. Facilitating people getting from A to B and back in the evenings allows people to give some of their spare time. So many people are on the roads because they are actively engaged in the economy and in educational service. There is a noticeable difference when the schools are on holidays. One of the reasons is there are 1.3 million people involved in the education system.

There is no doubt about the good work undertaken by the many organisations which raise so much money for so many different charities. This

is active citizenship and it is a good thing in itself. The State spends significant amounts on capital expenditure items. It is not a bad thing that in some areas these issues are raised through the good work done by groups because it will never be the case that the State will be able to afford to fund every single facility. People always strive for a higher standard and better equipment and it will not always be possible for the State to provide this everywhere. People will always put in the effort to do it themselves. I do not think such active engagement will ever cease and it can be regarded as active citizenship in its own right.

Caoimhghín Ó Caoláin: Given that it is presumed that one must be a citizen in order to be an active citizen, is the Taoiseach aware it is taking up to two years for applications for citizenship to be processed in this jurisdiction and that this compares with a period of some five months in the neighbouring island and just over 12 months in Canada and France—

An Ceann Comhairle: I suggest a question to the line Minister. I do not think it arises out of these particular questions. The Deputy is expanding it into the remit of another Minister.

Caoimhghín Ó Caoláin: I thought it would. These are members of our society. I ask the Taoiseach whether he agrees—

An Ceann Comhairle: The Deputy should ask a question on the task force on active citizenship.

Caoimhghín Ó Caoláin: My question relates to the task force on active citizenship. Would the Taoiseach agree that the people to whom I have referred would play an important and useful role in society if given the opportunity? Will the Taoiseach introduce any measures to speed up that processing system?

Has the Taoiseach noted that the task force points out in its consultation paper that being an active citizen includes civic participation such as voting in elections? Has he noted the voter turnout in general elections over the years and specifically from 1987 with a turnout of 73%, 68% in 1997 and only 62% on the last occasion?

Does the Taoiseach see a role for the task force in encouraging voter participation and the active participation of citizens in all electoral endeavours, including in the run up to the general election next year?

The Taoiseach: On the first issue, vast resources have been devoted to helping the process. There are literally hundreds of people working in the process of examining and expediting applications for citizenship. Other countries have different processes for citizenship and they do not have the same appeals system which can include re-appeals and High Court injunctions. The

Australian system is very effective and it does not have a waiting list. Persons who enter Australia illegally are thrown out so the system is always up to date and it is a very simple operation. Our system is far more humane and it seems at times that people are allowed appeal endlessly. It operates in a manner based on fairness, human rights and the Geneva Convention. I do not think we should compare ourselves with other countries. Major effort and resources are being put in to expedite the system so that people are not unduly delayed or frustrated in their applications. While there are problems — we all deal with them on behalf of people — the system is much better than it was.

The question of people exercising their democratic franchise is an issue of active citizenship and it has been raised in the plenary sessions and working groups. If people are involved, committed and interested, then they will have a greater stake in society and will be more inclined to vote. While I do not know what the task force will report on this, I feel it is a related issue. In other European countries and elsewhere there has been evidence of disengagement. People have withdrawn from community and resident activities. They have withdrawn from health, bridge, sports and recreational clubs. The same trend is influencing voting. The more people engage and involve themselves with society, the more it will help to increase voting participation. That is the theory anyway, but we will see what the working group has to say later next year.

Mr. Sargent: Does the Taoiseach appreciate how frustrating it would be for someone involved in a voluntary group to hear him say that the sector is well staffed? The Remember Us group in my area is an organisation comprising 70 families with children with intellectual disabilities. It has depended entirely on voluntarism since 1998. For the sake of one administrator, those volunteers have been burning out year by year to the point where the organisation itself is endangered.

The Taoiseach was associated with the Special Olympics organisation and knows it well. It has been left high and dry following the withdrawal of six people seconded to it from the Bank of Ireland.

An Ceann Comhairle: The Deputy should put a question to the Taoiseach.

Mr. Sargent: Those volunteer trainers are gone. Does the Taoiseach not realise that there is a need for the staffing to which he refers to be targeted in a way that protects the bedrock of remaining volunteers? They should be supported in a tangible way. Is there any way that those organisations can appeal to what he called a well staffed sector so that staffing can be more targeted? These staff would hopefully be pro-

ductively used to ensure that those organisations do not go to the wall. That is a real risk——

An Ceann Comhairle: As with Deputy Ó Caoláin's, the Deputy's questions would be better put to the line Minister.

Mr. Sargent: I agree with the Ceann Comhairle. I would not have raised this had the Taoiseach not said that the sector was well staffed. I felt I had to respond to that.

An Taoiseach: The Deputy is either misrepresenting me or was not listening to me. I gave one example of a single sector that had approximately 800 people working in it. I am not saying they are not needed or that they are not under pressure. Under the White Paper on voluntary activity, we have moved to put substantial resources into pay for individuals working full-time in the sectors. That is not to say that some sectors are not hard pressed — of course they are. Some sectors are entirely run by volunteers even on a full-time basis. Many of the health organisations do not have full-time staff, even though they operate on a full-time basis. There are people manning telephones and doing clerical work etc. This is a very good example of active citizenship. Substantial funds, running to millions of euro, have been allocated to a large range of organisations in the voluntary community sector. These funds often go to fund full-time staff.

One could say those resources can be switched around. To deal with this, the organisation would have to contact the relevant Minister and Department. This highlights why we need more active citizenship and more people to become involved in these areas.

As the Deputy said, many professional people give their spare time to help organisations which work with autism, disabilities and people who are suicidal or have been raped. A large number of professional people give their time voluntarily in organisations. I meet many of these groups, as I am sure does Deputy Sargent. I do not mean to take from the fact that we are putting large sums of resources into national, regional and local organisations.

Mr. Sargent: Will the Taoiseach respond to——

The Taoiseach: It is a difficult job.

Commemorative Events.

6. **Mr. Rabbitte** asked the Taoiseach the proposals the Government has for a commemoration ceremony for the 1916 Rising at Easter 2007; and if he will make a statement on the matter.
[28251/06]

7. **Mr. Rabbitte** asked the Taoiseach if the Government has plans to commemorate the 90th anniversary of the meeting of the first Dáil in January 1919; and if he will make a statement on the matter. [28252/06]

8. **Caoimhghín Ó Caoláin** asked the Taoiseach the commemorative events planned by his Department for 2007; and if he will make a statement on the matter. [30578/06]

9. **Mr. Kenny** asked the Taoiseach his proposals for significant commemorative events, planned for the coming 12-month period; and if he will make a statement on the matter. [30790/06]

10. **Mr. Sargent** asked the Taoiseach the Government's plans for commemorative events in 2007 and 2008; and if he will make a statement on the matter. [34121/06]

11. **Aengus Ó Snodaigh** asked the Taoiseach his plans to commemorate the 91st anniversary of the 1916 Rising in 2007; and if he will make a statement on the matter. [34610/06]

12. **Mr. J. Higgins** asked the Taoiseach the Government's plans for commemorative events in 2007. [35925/06]

The Taoiseach: I propose to take Questions Nos. 6 to 12, inclusive, together.

The commemorative programme organised for the 90th anniversary of the rising has been very successfully implemented this year. I am satisfied that the national response and appreciation justified the considerable effort. I thank the all-party Oireachtas group for its support in developing the programme. It contributed significantly to achieving the appropriate balance and content in the commemorations.

I propose that arrangements for 2007 and the years continuing toward the centenary be discussed by the all-party group before the Government adopts any particular proposals with regard to this important strand of our national history. Without prejudice to this consultation, I am inclined towards the development of an alternative military ceremonial, centred on the GPO, involving a sustainable commitment for the Defence Forces over the coming years towards the centenary. I would be satisfied to include the commemoration of the 90th anniversary of the first Dáil among the issues to be considered by the all-party group.

As we progress in the 21st century across the centenary anniversaries of the salient events of the social, cultural and political movement towards independence, it is important that we sustain a consensus view on a suitable commemorative programme. Our history is deeper and anniversaries arise of events across many centur-

ies. There will be many other commemorative initiatives besides the centenary programme for the rising. Officials in my Department are looking at a number of interesting possibilities. Having regard to the many possible themes and treatments, including programmes of events abroad, and mindful of previous commemorations, separate announcements will issue in this regard over the coming months from my office and from other Ministers.

Mr. Rabbitte: I take it that no new commemorations are contemplated. May I ask the Taoiseach about the campaign that has been under way for some time for an appropriate commemoration of the famine and whether the Government has formed any view on that issue? The view of those campaigning is that the Government is positive towards it. That may be down to the Taoiseach's easy facility to communicate positive vibes when the situation is otherwise. If it is positive, which it should be, he will, no doubt, tell me.

Did I understand that the Government may contemplate commemorations of 1916 outside key anniversaries in some non-military fashion? Does the Taoiseach contemplate such a non-military commemoration for 2007? Did he say this is subject to consultation with other parties? My colleague, Deputy McManus, advises me that the all-party committee met once last Easter but has not met since. Will the Taoiseach clarify whether the Government intends to proceed with a commemoration next year? Is he saying a commemoration of the first Dáil is not ruled out by the Government and that, in the relevant year, this significant landmark development in our history is likely to be commemorated?

The Taoiseach: I said I propose the arrangements for 2007 and the years approaching the centenary will be discussed at the all-party group before the Government adopts particular proposals as regards this important strand of our national history. Included in that debate will be the 90th anniversary of the First Dáil. The 75th anniversary was commemorated in the Mansion House in 1994, so the question is when another one should be held. If the committee feels strongly we should, I will be supportive.

As regards 1916, I said, without prejudice to consultation I believe should take place within the committee, I currently favour the development of an alternative military ceremony centred on the GPO. This, however, will not be a large military parade which would require the large-scale resources and commitment of the Army.

Mr. Rabbitte: There will be no main alternative to a military parade.

The Taoiseach: No, what I envisage is a military parade, but much smaller in numbers. Perhaps it should be built around an occasion,

rather than a full military parade. What happened this year would not be sustainable for every anniversary of Easter Week. Nonetheless, there should be a commemorative event each year, but it does not have to be on the same scale.

As regards the Famine, I have met representatives from some of the groups that have written to me. If we can find a suitable way to commemorate it, I would be in favour. Deputy Rabbitte is aware that the suggestions vary from a national holiday, to a designated day of remembrance to annual and localised commemorations. I have told those involved that if we can agree on a particular event, I will consider it. However, there is a range of events every year. Some 20 years ago this House did a very good job in introducing a national day of commemoration that covers many events, particularly people who died at home or abroad, either under the Irish flag or that of the United Nations. Every year there is a great amount of pressure for commemorations. It is a good thing that we commemorate such events, and the list of programmes is already in place for next year, many of which will have commemorative stamps and events.

There is the 400th anniversary of the Flight of the Earls, the 400th anniversary of St. Anthony's College, Louvain, the 350th anniversary of the death of Luke Wadding, the 400th anniversary of the Honourable Society of King's Inns, the 150th anniversary of the opening of the National History Museum, the 50th anniversary of the Treaty of Rome, the centenary of the national anthem, the 300th anniversary of the birth of John Wesley's younger brother, Charles and the 50th anniversary of the Institute of Public Administration. There is the Viking heritage and a visit to a reconstructed longship in 2007, to commemorate the 8th to 11th centuries. There is passionate interest in these by groups which make tremendous presentations to me. Whatever Deputy Rabbitte believes about my ability to make them feel good, most of them will be highly annoyed that I will not devote the entire commemorative budget to their respective needs. He will appreciate there is a small amount of resources available. Every year I find myself giving bad news to ten or 15 organisations, and we pick very few. That is the hard reality.

Priority Questions.

Social Welfare Appeals.

85. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of appeals processed by way of oral hearing by the social welfare appeals office in 2004 and 2005 respectively; the number of same which were decided in favour of the appellant; the number of appeals processed by the social welfare appeals office in these years

and average timescale for same; and if he will make a statement on the matter. [37969/06]

Minister for Social and Family Affairs (Mr. Brennan): The social welfare appeals office plays a pivotal role in ensuring welfare customers have an independent review mechanism when they are dissatisfied with a decision made by my Department and want to appeal the outcome. During 2004 some 14,000 appeals were processed, 6,000 by way of oral hearing. The equivalent figures for 2005 were 13,400 and 5,600 respectively. Favourable decisions to customers were given in 2,600 cases in 2004 and 2,500 in 2005.

The social welfare appeals process is a quasi-judicial process and it is necessary for the appeals officer to be satisfied that he has all the facts before making a decision on a case. Furthermore, the appeals officer must give the person making the appeal and the deciding officer the opportunity to make their views known on the facts of the appeal. In addition, it may be necessary to have a further examination carried out by a medical assessor of my Department where illness or disability is involved.

Oral hearings are granted at the discretion of the appeals officer, usually in circumstances where there is a conflict in the evidence presented by both parties or where an oral hearing is required by the appellant in order to present his or her case. Gathering all the evidence takes time and impacts on the speed at which appeals can be decided. Given the logistics involved in organising oral hearings, the length of time for processing appeals is increased by approximately eight weeks. Some 75% of all appeals were processed within 12 weeks in 2004 and 13 weeks in 2005. On average all appeals were cleared within 20 weeks in both 2004 and 2005.

The Department introduced a right of review in 2002 to ensure customers who received adverse decisions could have them reviewed in the light of any new evidence they brought forward. Customers whose claims are disallowed or who are otherwise dissatisfied with a decision are advised they should bring any new facts or evidence to the attention of the deciding officer in the first instance for re-examination and, if appropriate, a revised decision. They are informed this right is in addition to their right of appeal. They can seek a deciding officer review before making an appeal or can do both concurrently. The right of appeal to the social welfare appeals office remains an option if the review by the deciding officer is not fruitful.

Additional information not given on the floor of the House.

The review process is speedier than the appeals process and in 2005, 3,300 of the appeal cases were disposed of by way of review. Improving processing times remains a major objective of the

[Mr. Brennan.]

social welfare appeals office. However, it is necessary at all times to ensure progress in this regard is achieved in a manner that is not in conflict with the demands of justice and the requirement that every appeal be fully investigated and examined on its merits.

Mr. Stanton: I pay tribute to the appeals office for the work it does. Does the Minister agree there is a problem with the number of cases being appealed? The problem seems to be getting worse and the numbers are increasing. The number of cases decided in favour of the appellant has also increased. Does the Minister agree that something must be done at the deciding officer stage to prevent so many cases being appealed? Is the Minister aware that over 60% of cases revised by the deciding officer or appealed in 2005 were decided in favour of the applicant? That is a high percentage. Many of these cases should not have had to go so far.

Will the Minister review the methods used by deciding officers to ensure people do not have to use the appeals process in the great numbers as is happening at present? There should not then be a delay in getting benefits to which, according to the appeals officer, people are entitled. An adjustment must be made.

What notice do deciding officers take of decisions by appeal officers? Does the appeals officer set the standard for the deciding officer? Does the Minister agree matters seem to be getting worse, not better, in this regard? More and more cases are going to the appeals office and at that stage, more of them are being decided in favour of the appellant, which indicates they should not have gone there in the first place.

Mr. Brennan: There were 13,419 appeals in 2005, 47% of which had a favourable outcome for the appellant, that is, they were either fully or partially allowed or resolved by way of a revised decision on the part of a deciding officer. The same figure of 47% also applies to the previous year. A total of 41% of cases going to appeal were disallowed, which was much the same as the previous year. A further 12% were withdrawn or otherwise not pursued. Hence in 2005, of the 13,000 cases that went to appeal, 47% received a favourable result.

I can see the Deputy's point in that one can draw a couple of conclusions from such figures. For example, given such a high rate of successful appeals, one could question why one should bother going through the process at all. However, this is a quasi-judicial function and one must keep this issue in proportion. Last year, the Department received more than 1.75 million claims, most of which were fairly automatic and did not have any associated problems. However, of the 1.75

million claims, 13,000 were appealed and 47% of the latter were successful after an appeal.

This process is independent and I join the Deputy in complimenting those involved. While pressure is maintained on this issue, it is not simply a question of resources. Like any quasi-judicial case, such matters have their own time-frame. Sometimes, one is obliged to get more information from the applicant and must wait for it to become available. Similarly, one might be obliged to acquire information from financial institutions and consequently must contact and have discussions with them. Moreover, oral hearings are heard. Procedures are in place that one cannot necessarily chop too finely and it takes a matter of months before an appeal can be processed.

Mr. Stanton: Will the Minister examine this issue to ascertain whether an adjustment is required, given that many appeals are turned around, and rightly so, by the appeals office? Why is the information from the applicant requested at the deciding officer stage? Why must it go to the appeals stage as the Minister suggests? Does the Minister agree that something must be done in this regard as approximately 6,000 people are put through the stress and strain of being obliged to go through the appeals office, although they should not have been obliged to do so in the first place? Moreover, this issue appears to be worsening. Will the Minister talk to his officials in the Department to ascertain what can be done to assist at the deciding officer stage?

Mr. Brennan: As the Deputy is aware, a new system has been in place since 2002. I am sure he has advised constituents about it. Applicants can return to the deciding officer for a review of his or her decision if new information comes up. It is not a question of failing to consider such information. In many cases, this can speed up matters and 25% of them were resolved by way of revised decisions on the part of deciding officers. This is a fairly new device that is beginning to work and to take a number of cases out of the system much earlier. If the Deputy is asking me to keep this issue under review and ascertain whether we can continue to improve the appeals system, I will continue to do so.

Money Advice and Budgeting Service.

86. **Mr. Penrose** asked the Minister for Social and Family Affairs if, in regard to his recent interview on a television station and subsequent press statement, he will outline the steps he will take to secure a reduction in the interest rates charged to low income families; if, in particular, he has instructed his Department to prepare legislation to make it illegal to charge exorbitant interest rates to such people; and if he will make a statement on the matter. [37770/06]

88. **Mr. Stanton** asked the Minister for Social and Family Affairs his views on the 50% increase in clients accessing the money advice and budgeting service over the past four years; if this increase is indicative of the failure of poverty strategies to address the social and financial exclusion suffered by low income groups in Irish society; and if he will make a statement on the matter. [37970/06]

Mr. Brennan: I propose to take Questions Nos. 86 and 88 together.

The money advice and budgeting service, MABS, provides assistance to people who are overly indebted and need help and advice to cope with debt problems. It is a countrywide service, delivered through 52 independent companies, and in 2006 had a total budget of more than €16 million. The number of clients seeking the assistance of the service has grown year on year. Last year, 27,000 people availed of the service compared to 18,000 in 2001. The growth in demand for the service can be attributed to the increase in the availability of credit generally in the economy and to the quality of the service provided by MABS advisers.

Since 1997, the Government has made significant inroads in tackling poverty and social exclusion. Overall expenditure on social welfare has increased from the equivalent of €5.7 billion in 1997 to a projected figure of €13.5 billion in 2006. The number of people on the live register has fallen by more than 100,000 and investment in social welfare and other social services has brought about real and lasting improvement in the living standards of the most vulnerable people in society. It is estimated that approximately 250,000 people have been lifted out of consistent poverty during the past decade. In 2004, the EU-SILC survey showed a significant reduction in the consistent poverty rate from 8.8% in 2003 to 6.8% in 2004, thus continuing a downward trend over the period since 1997. This shows that Government anti-poverty policies are working.

MABS was set up specifically to assist people who are on low incomes by providing debt and money management advice. The evidence from the new MABS information system, which has been rolled out to all MABS offices in the past year, is that the service has been particularly successful in reaching this group. To date in 2006, more than 10,000 new clients have approached the service. While approximately 52% of clients were on social welfare, a significant number of people, that is, 30%, were in employment. Most people approached MABS on their own initiative as they were aware of the service and the assistance it offered. MABS has proved successful in meeting the needs of such clients and is very well regarded by people who seek advice in managing their finances.

The issues that give rise to problems of over-indebtedness for people are highly complex. The cost and availability of credit for people on low incomes is a significant aspect of the problem. I am particularly concerned about the difficulties many people on low incomes face in accessing mainstream and cheap forms of credit.

I have announced my intention to bring proposals for legislation to provide a statutory basis for MABS before the Government shortly. The objective of this legislation will be to put in place a modern and streamlined structure that will be geared to meet the changing nature of the problems debt poses, particularly for people on low incomes. The research findings will be considered specifically in this context. Furthermore, my Department will continue its consultations with the Financial Regulator and other key interests in regard to the options available to strengthen the role of MABS in tackling the problems that arise for people on low incomes in getting access to the full range of mainstream financial services.

Last year, I met the Financial Regulator and the Combat Poverty Agency and initiated research to find out more about the nature and extent of this debt and the report will be available to the Financial Regulator shortly. I refer to the report being undertaken together by the Financial Regulator and the Combat Poverty Agency.

Additional information not given on the floor of the House.

The regulation of money lending comes under the Consumer Credit Act 1995. The Financial Regulator has significant powers to grant or refuse licences to money lenders and a strict regime is in place to ensure compliance with the regulatory code for moneylenders. I have had discussions with the Financial Regulator about our shared concern in respect of these issues.

Following our meeting, the Financial Regulator, together with the Combat Poverty Agency, initiated research to find out more about the nature and extent of financial exclusion in Ireland, as well as the barriers faced by people on low incomes in accessing a wide range of financial services. The report will be available to the Financial Regulator shortly.

The findings of the research, together with the comprehensive statistical data now emerging from the new MABS information system, will make a significant contribution to our knowledge about the problems of debt in Ireland and the situations that leave people on low incomes vulnerable to high cost credit services.

Mr. Penrose: I thank the Minister for his reply. I hope he is not creating a false dawn for many people or that he is not creating a smoke and mirrors effect. He launched a fairly strong attack, which I supported, on licensed moneylenders during a recent interview. He referred to a significant

[Mr. Penrose.]

increase in those seeking help from MABS. Is he preparing legislation that would make it illegal for such licensed moneylenders to charge such exorbitant rates of interest to low income families? I refer to families that are dependent upon social welfare and low incomes. He has indicated that in one case, a legal lender charged 39% interest to people who were borrowing to pay for family events, both anticipated and unanticipated, such as first communions, bereavements and Christmas, of which we are on the cusp.

Why did the Minister's predecessor launch an attack upon MABS by taking away its facility and ability to allow such people to be given €10 to €20 per week from MABS, almost as a subsidy? It was essential for such people who were trying to get out of the grip of moneylenders. MABS played a key role in this respect, apart from the excellent work it does nationwide and for which Members salute it. Members also support the legislation to be introduced to strengthen its role and to streamline the service.

Will legislation be brought forward to curtail or restrict the rates charged to such unfortunate people by simply making it illegal to do so? Why are the financial institutions charging exorbitant rates? Has the Financial Regulator a role in this regard? Has the Minister spoken to the credit union movement — the poor person's bank? This movement has always been willing to help and might open up avenues of access for such people. It might increase the access of people on low incomes to credit when they are obliged to borrow.

I will put this another way. People who are on low incomes or on social welfare must expend what they have on basic necessities to keep themselves alive. I refer to expenditure on clothes, food, fire and fuel, after which little remains. Is the position of such people not exacerbated by the enormous increases in fuel and electricity costs? Consequently, greater numbers of such people must resort to borrowing to meet their normal demands, as well as both planned and anticipated events. Would it not be far worse if the Society of St. Vincent de Paul had not spent approximately €50 million last year helping those people with inadequate incomes? What would the situation be like if the various organisations throughout the country did not help? Are those people who charge exorbitant rates not simply preying on the vulnerable? Matters would be even worse were it not for the intervention of MABS.

A total of 46 moneylenders are licensed by the Financial Regulator. These people are allowed to charge an annual percentage rate of up to 188% for loans, payments of which are collected each week by door-to-door salesmen. Was it not this scenario that drove Tralee Credit Union to publish a few weeks ago a leaflet entitled Keep the

wolves from the door this Christmas? This leaflet encouraged members of the credit union to turn to it rather than to moneylenders. Such promotions also have been run by Waterford Credit Union, Newry Credit Union, St. Francis Credit Union in Ennis and Finglas Credit Union in a bid to wean people away from moneylenders. A problem exists when all these very responsible institutions, particularly credit unions, are taking an active and positive step in this regard.

Will the Minister take steps to bring forward a promotional campaign to ensure that people are diverted away from those moneylenders who are charging exorbitant rates, particularly as we head into the month of Christmas when there are so many demands, particularly in low-income households, and people are pressurised by the strength of advertising for various toys and gadgets? Parents in such households often feel under pressure and it is surely an opportune time to step forward. Above all, is the Government not contributing to the situation in which people find themselves by increasing various forms of indirect tax, thereby diminishing the level of income available to these people and forcing them to go elsewhere to borrow money, often for necessities?

Mr. Brennan: The findings of a major report entitled *Do the Poor Pay More?*, which was produced some time ago, and other research make it clear that poor people pay more for loans. Apart from banks, the Consumer Credit Act 1995 envisaged moneylenders as a sector. Under the Act, a person must charge a minimum of 23% to be considered a moneylender, as opposed to a financial institution or bank. The legislation does not set out any maximum limit. I instructed my officials to hold meetings with the Financial Regulator and such meetings are ongoing. I also instructed my officials to seek legal advice — that is being done — as to whether it is possible to amend the Consumer Credit Act in the forthcoming MABS legislation.

The MABS legislation will streamline MABS, give it national leadership and focus and, without interfering with the voluntary nature of MABS, which I am very keen to retain, bring a new professional national structure and leadership to the service. As this Bill travels through the Houses of the Oireachtas, I will be very anxious, if at all possible, to insert a section into it which will deal with this matter. Every time I think out loud, the Deputy opposite accuses me of doing just that, but I will probably not change my ways now.

One possibility is thrown up by the fact that the Financial Regulator grants an annual licence to every moneylender. We do not control interest rates but the Financial Regulator is allowed to take the level of interest rates into account in deciding whether to issue an annual licence. In theory at least, it is open to the Financial Regulator to decide that he does not like the rate of

interest but whether this would be sufficient or would need to be combined with other matters affecting the application is the area on which I have sought advice.

I have been very transparent in this regard. I hope I do not raise people's hopes unnecessarily. At the same time, it is important that I am transparent in carrying out this kind of work. As soon as I receive very solid legal advice and we conclude our talks with the Financial Regulator, I will be able to decide whether a section can be inserted into the MABS Bill, which the Government is committed to bringing forward in the next few months, as the Deputy is aware.

Mr. Stanton: If things are so good in Ireland, why are more and more people being forced to go to MABS for advice on financial and budgeting matters? Is the Minister concerned about the rising levels of personal debt? Does he agree with the consumer debt surveys carried out by the IIB Bank and ESRI in 2005 and 2006 which show that personal debt among Irish consumers increased by 11% between 2005 and 2006 to an average personal debt level, excluding mortgages, of €6,000? Is the Minister concerned about this finding?

Has the Minister any comments to make about people in employment who are forced to MABS, in other words, the working poor? Has he any figures relating to these people? Is the Government concerned about the total number of new clients who have gone to MABS — more than 10,000 this year — and that out of a total debt of €64 million, the average personal debt is over €6,000 per person? Does the Minister agree that his policies are not working? If they were working, fewer, rather than greater, numbers of people would be forced to go to MABS and fewer numbers of people would be in poverty. Yet the trend has gone the other way. Does the Minister agree that the increase in interest rates and house, gas and electricity prices, many of them Government-driven, are also having an impact? What plans does the Minister have for addressing these issues and helping these people, many of whom are young people with families who are struggling to survive?

Mr. Brennan: Deputy Stanton is aware that we increased the number of units that pensioners could avail of for electricity and gas, beginning in October in the case of gas and January in the case of electricity. This move will protect pensioners against the recent increases in electricity and gas prices and is a positive step.

I agree with Deputy Penrose's comments about encouraging people to make greater use of credit unions. They are fine institutions with a very good history and wonderful integrity and I encourage people to look to them rather than to moneylenders, even those which are legal.

Deputy Stanton asked me my views about the 10,075 new people who approached MABS this year. The majority of these clients were aged between 26 and 40. They were mainly single people or single parents with children. Just over 50% of them were in receipt of a social welfare payment and 30%, or just under 3,000, were working. A high percentage of people — 70% — had no second income coming into the household. Most people had approached MABS of their own accord. As the Deputy rightly pointed out, the average personal debt is €6,000.

The Deputy's question regarding why so many people still need support or are borrowing money if we are doing so well is a good one. One could also ask why debt everywhere is increasing if the country in general is doing so well. Everyone acknowledges that the country is powering ahead. There should be no debt in the country, we should all be able to pay off our debts, if we are doing so well, but the reality is that whatever level of society or income one is at, one has commitments to meet and bills to pay. One's expectations also increase. The credit that was dealt with 20 years ago was secured to pay routine bills like electricity, gas, coal and food. By and large, the situation today is nothing like that. Some of the figures I have seen and the figures I have just quoted relate to credit card bills and loans for cars, motorcycles, bicycles and short holidays, all of which are legitimate, but people's expectations have risen.

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

Mr. Stanton: Is the Minister talking about relative income poverty?

Mr. Brennan: The Deputy knows my views on this. I suppose it is relative——

An Leas-Cheann Comhairle: We must proceed to Question No. 87.

Mr. Brennan: It could be argued that fewer people should seek assistance from the MABS as the country gets richer but, as expectations increase, that is the reason more people seek assistance from it.

Mr. Stanton: That is not right. It does not ring true.

Mr. Brennan: It relates to credit card bills.

Mr. Stanton: That is a cop out. The Minister is in denial. He has not shown any concern in his responses.

Homeless Persons.

87. **Mr. Boyle** asked the Minister for Social and Family Affairs if his Department has responded,

[Mr. Boyle.]

or intends to respond, to the Make Room campaign (details supplied) to end homelessness by 2010; and if he will respond to critiques made of programmes run by his Department that are meant to assist those who are homeless and in general seeking access to housing. [37771/06]

Mr. Brennan: The Make Room campaign makes a number of proposals relating to rent supplements which are provided under the supplementary welfare allowance scheme. The campaign recommends that rent caps, namely the specified limits on the amount of rent that an applicant for rent supplement may incur, be reviewed to reflect the real market cost of renting. The rent limits have, in my view, a very important role in assuring that the existence of the rent supplement scheme does not artificially increase market rents. Setting rent limits higher than are justified by the market would have a distorting effect leading to a more general rise in rent levels. This in turn would worsen the affordability of rental accommodation unnecessarily, with a particular negative impact for tenants who are not in receipt of rent supplement.

The Department is reviewing the current limits at present in order to determine what limits should apply from January 2007 onwards. The review is taking account of prevailing rent levels in the private rental sector generally, together with detailed input from the Health Service Executive which administers the scheme on the market situation within each of its operational areas.

The review includes consultation with the Department of Environment, Heritage and Local Government and the Private Residential Tenancies Board. In addition, a number of the voluntary agencies working in this area are being consulted including those involved in the Make Room campaign. The objective of this process is to ensure that the new rent limits reflect realistic market conditions throughout the country, and that they will continue to enable the different categories of eligible tenant households to secure and retain suitable rented accommodation to meet their respective needs.

The campaign has called for a root and branch review of the rent supplement scheme. In this regard a fundamental review of all aspects of the supplementary welfare allowance scheme, including the rent supplement scheme, has recently been completed, as part of my Department's series of evaluations under the Government's expenditure review initiative. I propose to publish a report of the findings of that review shortly.

Mr. Boyle: Given that the Minister has concentrated on one narrow aspect of the Make Room campaign, will he comment on the overall aim of this campaign which comprises four respected

national organisations, namely, the Society of St. Vincent de Paul, Threshold, the Simon Community and Focus Ireland? The basis of this campaign is a political goal to end homelessness in Ireland by 2010. I can accept the Minister would argue that tackling this problem is a matter for several Departments with responsibility in the area of direct housing provision. The campaign lists six specific goals, including responding to what people need, more and better housing, support to leave homelessness, renting on a low income, proper standards on renting and tackling poverty and preventing homelessness. I argue that direct responsibility for achieving four of those six goals comes under the work of his Department, in particular the goal of tackling poverty and preventing homelessness. This campaign and these organisations request that all Government policies be poverty proofed. I was under the impression this was meant to be a goal of Government policy making as a result of partnership agreements but the making of that request by these organisations, which are involved in meeting the needs of those of our citizens who are going without basic needs such as housing, seems to indicate it is not.

In concentrating on one particular area, namely people on low income who rent, the Minister seems to have set his face against reviewing the rent caps, which according to the organisations involved need to reflect the real market cost of renting. We will have to wait and see whether his review achieves that.

The Minister might also respond to other requests made by this campaign. One request is that rent supplement be paid in advance rather than in arrears because those who choose to rent and have to rent under the rent supplement scheme are put at a disadvantage to those who have to pay money upfront. Other requests include the extension of the rent supplement scheme to people working more than 30 hours a week on a means tested basis and a root and branch review of rent supplement scheme to ensure adequate support is in place to meet housing costs for those in social housing and private rented accommodation.

I put it to the Minister that a fairly questionable statistic or lack of statistic arose during recent questioning of a value for money report on the rent supplement scheme at a meeting of the Committee of Public Accounts. Some 40% of all rents are paid by the State in the form of the rent supplement, but there seems to be no co-ordination in regard to many of the new apartments built under section 23 funding, which have benefited twice through tax reliefs by way of the money invested in building the apartments and rent achieved subsequently from them. There is no joined up Government thinking between the Revenue Commissioners, the Department of Finance and the Department of Social and Family

Affairs to address the fact that some developers here get a treble benefit from the State, while those in need of housing are being left to one side. We see gross enrichment of developers because of the need to house many of our citizens.

Mr. Brennan: I join the Deputy in complimenting the Make Room organisation and its component organisations. I have no difficulty with their objectives and what they want to achieve. We are making good solid progress in that direction generally.

On the question of rent caps, I concentrated on the rent supplement scheme because, I suspect, the question is also tabled to other Departments and I chose to deal with the part of it that referred to my Department, namely the rent supplement scheme.

I have rehearsed the argument here for being cautious about increasing the cap. If we account for 40%, or almost that percentage, of the rental market in the State and if we set the figure too high, we will up drag rents; and if we set the figure too low, we will not do enough for the people who need our support for rent supplement. Therefore, we have to set it at a figure that is practical and almost ensure there is tension in this respect to ensure we do not drag up figures in the market. All the evidence and advice available to me suggests we must set the figure at a very practical level to prevent our being a market leader and leading the rents upwards.

The current limits are being reviewed for January next. In setting them, we will take into account the points made by the Deputy. We are examining the possibility of setting them in a much more regional sense. Rents in one area are different from those in another. We will probably fine tune them substantially around regions and take account of the type of people involved. For example, single male accommodation is a particular problem area.

The Deputy's point about linking tax relief under section 23 to the State's need in this area is an interesting idea. The Government has not approached the issue on that basis. I do know whether rent relief could be restricted as to the eventual use of a property. I doubt if we could say that one could only have a 23% tax break on a property provided it is used by a local authority or by the State. I have not considered that proposal but it is an interesting thought. Off the top of my head, it seems fraught with all sorts of legal difficulties in terms of specifying that a property must be used for that purpose. I encourage the Deputy to advance the idea to see if it can be bottomed out and whether there is any room for its progression. Tax breaks are currently available to developers for a range of properties and the State enters the market in terms of securing

accommodation and constructing its own properties.

Social Welfare Benefits.

89. **Mr. Crowe** asked the Minister for Social and Family Affairs if he proposes to introduce reforms to the family income supplement regarding the eligibility criteria, the amount of the payment, and the way he now intends to increase its low uptake. [37931/06]

Mr. Brennan: Family income supplement is designed to provide support for people on low earnings with child dependants and provide the incentive for them to remain in, or take up, employment. Recent improvements to family income supplement include the change of assessment from a gross income basis to net income, the increase to €20 per week in the minimum payment and, in budget 2006, the refocusing of income thresholds to include additional gains for larger families. This resulted in increased payments of between €11.40 and €169.20, depending on earnings and family size.

In addition to significant increases for families on FIS, other reforms include substantial increases in each budget to child benefit rates which directly benefit 1 million children. Approximately 80,000 families benefit from the €40 per child increase in the back to school clothing and footwear allowance. More than 350,000 children qualified for the €1,000 a year early child care supplement, one third of whom are children of lone parents and 41,000 child care places were created since 2000 under the equal opportunities child care programme.

With regard to the level of take-up on FIS, it is not possible to estimate with certainty from administrative sources the number of families which may be eligible but do not apply for their FIS entitlements. However, research undertaken by the ESRI in 1997, based on the results of the Living in Ireland survey, suggested at that time that fewer than one in three potentially eligible claimants had made a claim and been awarded payment of FIS. Since those with a higher entitlement are more likely to avail of the scheme, the take-up in expenditure terms was then estimated to be somewhat higher, at between 35% and 38% of potential expenditure.

To establish an up-to-date view of the factors influencing the level of FIS take-up, my Department will commission a specific research project with the objective of designing and undertaking a proactive take-up campaign for a sample of parents who may have earnings within the FIS income thresholds. The project will also examine whether access barriers exist and, if so, how they can be addressed.

In addition, it will assess whether alternative mechanisms to enhance take-up of FIS can be implemented and whether access to the scheme can be improved. To ensure families are made

[Mr. Brennan.]

aware of the FIS scheme generally and of recent improvements in particular, my Department undertook a nationwide awareness campaign recently to promote and encourage a greatly increased take-up of FIS for working families on low incomes.

I was very pleased with the response to the campaign as a total of 10,357 new FIS applications were received in the first nine months of this year compared with 5,489 for the corresponding period in 2005.

Additional information not given on the floor of the House.

As of last Friday, 11 November, 21,427 customers were in receipt of FIS compared with 16,356 this time last year. This increase in the numbers of persons receiving FIS is a positive development and we will build on it to ensure families eligible for FIS are encouraged to apply for the scheme and every opportunity is taken to promote awareness of the benefits of the scheme.

Mr. Crowe: I thank the Minister for his reply. The only part of the question not answered was on whether he proposes to increase the amount of the family income supplement. Many people consider that, through FIS, the State subsidises employers who pay low wages while others consider it a support for people on low wages. Does the Minister accept that having a job in itself is not a guarantee that one lives in a poverty-free household? Approximately 14% of households in poverty are headed by people in low-paid employment. Therefore, it is imperative schemes such as this are taken up.

The Minister can assist the working poor by increasing the thresholds of the family income supplement and I again ask him to do so. Did the Minister examine the eligibility criteria? It is part of the question. One of my constituents job-shares and works 35 hours over two weeks. She receives €530 per month but she is short three hours' work per week to qualify for FIS, which requires 19 hours work per week. She pays €50 per week for child care. Does the Minister accept that flexibility could be introduced for people such as this? The woman also pays for fuel, food, mortgage, maintenance on the house and transport to and from work. She does not have much money for herself and her family.

The Minister said that take-up of the scheme is extremely low. I welcome the higher take-up in Dublin detailed by the Minister in his reply. Many people consider we have two approaches to this matter. The Department chases those who owe it money from welfare over-payments, and rightly so, but the same energy is not used to chase those owed money.

Many people in low-income jobs come from low educational backgrounds. Perhaps part of the reason for low take-up of the scheme is that people are not aware of it. As well as advertising

the scheme, a proactive campaign by the Department is also necessary. Perhaps the Department will telephone those workplaces where people are on low incomes and inform the wages clerk or the workers that the money is available.

In many cases people are frightened to take up FIS because they fear they may upset their employers or that they will lose a different benefit. With publicising the scheme, all those fears, imagined or otherwise, must be addressed.

Mr. Brennan: Family income supplement is an important scheme. It is targeted as it supports families on low incomes. In answer to the Deputy's question on increasing the supplement, we made strong moves on the family income supplement in almost every budget. We will certainly consider making similar improvements in the coming budget. I am committed to the scheme and hope to continue to improve the number of people taking it up and the amount of the benefit.

To qualify for FIS one must be in full-time employment, work at least 19 hours per week, have at least one child and have an average weekly income of below the designated income threshold for the family. Last year the threshold for a family of three children increased from €497 to €565 per week and that for a family of four children increased from €522 to €630 per week. This allowed 21,000 people to apply for FIS. The scheme cost the Exchequer €106 million this year and it is a major instrument.

We will continue to improve thresholds and will examine re-running the publicity campaign we held last year which brought in 10,000 new FIS applicants. As more and more people become aware of how the scheme works, the numbers availing of it increase substantially.

Other Questions.

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Social Welfare Benefits.

90. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will extend the carer's allowance to all those currently providing care for elderly relatives or persons with disabilities; if he will make specific provision for such measures in budget 2007; and if he will make a statement on the matter. [37616/06]

413. **Mr. Durkan** asked the Minister for Social and Family Affairs if in the context of budget 2007, he will increase the number of qualifiers of carer's allowance; and if he will make a statement on the matter. [37967/06]

414. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of known persons currently caring for those in need of care; the number who receive a payment; his plans to increase the number of recipients of payments in

line with the total; and if he will make a statement on the matter. [37968/06]

Mr. Brennan: I propose to take Questions Nos. 90, 413 and 414 together.

Supporting and recognising carers in our society is and has been a priority of the Government. Weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

According to the census of 2002, approximately 148,750 people provide care for someone for at least one hour per week. Of these, 48,500 people provide personal care for more than 29 hours per week or approximately four hours per day. More than 14,300 of this group are employed for more than 15 hours per week.

At present, only approximately 27,100 people are in receipt of carer's allowance. A further 1,400 people are in receipt of carer's benefit. As a result of the extension of the respite care grant to all full-time carers regardless of their means, approximately 34,000 grants are now paid, including more than 8,300 grants to people not in receipt of carer's allowance or carer's benefit. Applications for the 2005 grant continue to be received.

In line with other social assistance schemes, a means test is applied to the carer's allowance to ensure limited resources are directed. This means test has been eased significantly over the years. Following budget 2006, since April, the earnings disregard for a couple has been set at €580 per week, which is equivalent to gross average industrial earnings. This means that a couple with two children can earn up to €32,925 per annum and still receive the maximum rate of carer's allowance as well as free travel, the household benefits package and the respite care grant. In accordance with the new social partnership agreement, Towards 2016, I am committed to expanding, subject to available resources, the income limits for carer's allowance and I am aiming to keep the level of the disregard in line with average industrial earnings.

In budget 2006, I announced the largest increases in the weekly rates of payments to carers representing increases of over 17% for recipients of carer's allowances. I also increased the level of the respite care grant from €1,000 to €1,200 per year from June 2006.

Additional information not given on the floor of the House.

I have also made other improvements to the supports available to carers from my Department. From June this year, I increased the number of hours that a carer may work and still receive a carer's allowance from ten to 15 hours per week. I also extended the duration of the carer's benefit scheme from 15 months to two years. The dur-

ation of the associated carer's leave scheme has also been extended to two years.

Recommendations involving additional expenditure can only be considered in a budgetary context. However, I am always prepared to consider changes to existing arrangements where these are for the benefit of recipients and financially sustainable within the resources available to me. I will continue to bring forward proposals that recognise the valued and valuable contribution of carers in a tangible way.

Mr. Stanton: Is it Government policy to maintain older people and people with disabilities in their own homes for as long as possible? To that end, does the Minister agree there are those, mainly women, who have given up their jobs to care for such people at home? Does the Minister also agree that it is most unfair that these people are not recognised or rewarded in any way because their spouse or partner has an income which puts them outside the means test levels as laid down by his Department? Does he agree that such people are providing a major service not only to those they are looking after, but also to the State? It is now time for the State to recognise the work of those people in their own right by giving them an allowance to encourage them and others to carry on this work. I take it that it is Government policy to maintain people in their own homes for as long as possible.

Since this issue was last raised in the House, what has the Minister done for young carers? Such people are looking after older relatives or siblings in their own homes. They are providing this great work but the Government has made absolutely no move to support them or even recognise the fact that they exist. Is the Minister committed to providing a national carers' strategy anytime soon?

Mr. Brennan: I am committed to providing a national carers' strategy, which is one of the commitments into which the Department has entered. We have commenced that work in the Department and are setting about a consultation process with the various organisations concerned with the carers' strategy.

The Deputy has raised the issue of young carers with me many times. The reason it does not move forward is because there is no agreement on it. One must be 18 to obtain the carer's allowance and anyone below that age should not be a carer. That is my point.

Mr. Stanton: But they are there.

Mr. Brennan: They should be at school.

Mr. Stanton: They are there anyway and they are going to school.

Mr. Brennan: I know, but I have not considered introducing a payment or a support for carers under 18 because I am not yet convinced — if the Deputy can convince me, that will be fine — that it would be of help to them. We should be trying to encourage them to pursue their own careers and deal with the caring issue in another way, if that is possible.

Mr. Stanton: It is not happening.

Mr. Brennan: One might not be doing them any favours by instituting a payment to them, for example.

Mr. Stanton: It would be good even to recognise they are there.

Mr. Brennan: I know, but one might not be doing them any favours if a carer's allowance was introduced for 16-year-olds.

Mr. Stanton: The Minister should not ignore them.

Mr. Brennan: I am just putting that point to the Deputy — I do not think one would be doing them any favours by providing a carer's allowance for 16-year-olds. It is something we will probably not agree on, however.

With regard to the Deputy's first question, it is Government policy to try to keep people in their own communities and in their own homes. That is why, as I stated, that carers allowances, carers benefits and respite care grants have been increased dramatically in recent years. I have listened carefully to the points made concerning these matters, including Deputy Penrose's recent document. Calls to remove the means test are made regularly in the House and I continue to keep an eye on it but, as of now, I am not convinced. If one has that kind of money, which is approximately €150 million, it is better to use it to improve the carer's allowance thresholds, carer's benefit and respite care grants — particularly the first two. In that way, the money would be more focused. Removing means tests brings in many people who have good means. I do not want to go there lightly with €150 million of taxpayers' money. While I will continue to have an open mind on the matter, that is my current position.

To answer the Deputy's question directly, it is Government policy to continue to keep people in their own homes and communities. We will continue to improve the lot of carers and will have that opportunity in the forthcoming budget.

Mr. Penrose: As the Minister has indicated, I have a particularly strong view on this matter. I attended a carers' presentation by Ms Ann Egan and her colleagues. I left that event renewed in my determination and vigour to put this matter at the top of any political agenda. That is what

the Labour Party will do. The Minister should stop pussyfooting around and abolish the means test, even though it would cost €145 million to do so. We currently have a 12 or 13-page application form for the means test, which Einstein could not complete. That is nonsense. The Minister has many people in his Department examining such forms while others travel to carry out means tests. Does the Minister realise that Ireland is the most means tested country for social provision? In this respect, we topped the league of 15 EU countries and have not improved with the expansion to 25 member states.

The Minister is a bright accountant. Does he agree that in the 2002 census 150,000 people classified themselves as carers? The figure will probably be greater when the results of this year's census are published. If those people chose to leave their loved ones in State-run institutions, they would find there is no room, whereas private nursing homes could cost €600 per week. It would cost over €2 billion if all such people were cared for in institutions, while paying carers €180 represents a saving to the State. The Minister is now going to get away with paying €145 million or €150 million. On the basis of a cost-benefit analysis, there is no question which way the pendulum is swinging.

We owe it to carers to pay them because we have received caring on the cheap up to now. We have disgraced ourselves by not paying some and not acknowledging their contribution, while giving others 20 cent per hour for looking after people in their own homes. We call ourselves a caring society but what society would insult people in that way? What society would put people through a degrading means test to get something to which they should be automatically entitled? They should be thanked and recognised for the work they have done over the years. Their role should be acknowledged and we should pay money for such services. We wasted money on electronic voting and PPARS. We should be looking after people and not machines or other equipment.

Mr. Brennan: I know the Deputy is passionate about this matter.

Mr. Penrose: I am and I make no apology for it.

Mr. Brennan: I have acknowledged the Deputy's passion for removing the means test for carers.

Mr. Penrose: There will be no Labour Party in Government unless it is done.

Mr. Durkan: Hear, hear.

Mr. Brennan: I understand the Deputy's position. It is almost a role reversal because normally

the Labour Party argues for a means test so that we can focus on poverty and helping those who need support.

Mr. Penrose: The case is unarguable.

Mr. Brennan: Normally, that is the position of the Labour Party, so I am a bit surprised—

Mr. Penrose: The principle of universality applies in this case.

Mr. Brennan: —the Deputy is arguing for the removal of a means test, which means people with very good means—

Mr. Penrose: If that were the case, why give medical cards to people over 70?

Mr. Brennan: —would be in receipt of State money.

An Leas-Cheann Comhairle: The Deputy should allow the Minister to reply.

Mr. Penrose: Dr. Smurfit is over 70 so he can get a medical card.

Mr. Brennan: Yes, but he does not need a carer's allowance as well.

Mr. Durkan: He would get it if he went to the Minister.

Mr. Penrose: He need not take it if he does not want it.

Mr. Boyle: Does the Minister accept the figures, as presented to Members of this House by the Carers' Association, which show that while 15,000 people are in receipt of the carer's benefit, 125,000 people are involved in caring in this country? Some 50% of carers are over 60. The impediments that prevent people from obtaining carers benefits include means testing or already being in receipt of other social welfare payments. There is a huge disparity between 125,000 carers and the 15,000 people to whom the Minister for Social and Family Affairs can currently offer support under existing rules; he may wish to comment on this.

Why did the Minister not include Question No. 162 in his answer when addressing this issue? It relates to the recent court case where a settlement was reached with a gay couple when one partner chose to give up full-time employment to care for the other. The Minister said in press statements at the time that this did not represent a precedent. There are many people in relationships in this country with partners who require full-time care. The Minister might use this opportunity to comment on the case mentioned.

Mr. Crowe: I attended the funeral of a young girl with special needs this morning and the woman sitting beside me had a child suffering from the same impairment. I asked if she would go to the graveyard and she said she could not as there was nobody to look after the child. This gives a window on the circumstances facing many families acting as carers. Her husband sought to take time off work but could not and no one else in the area would look after the child. She knew the deceased child and bereaved family intimately, yet could find no support.

Census figures suggest 40,000 carers provide 43 or more hours of unpaid help per week. What will we do to help such families?

Mr. Durkan: Further to the Minister's reply to Deputy Stanton's questions, is he not aware of cases throughout the country where young family members have to care for the entire family due to tragic circumstances experienced by parents? Is it not long past time to recognise their efforts and bring the limit to below 18 years of age where it is evident that the person giving the care is capable of doing so?

Can the Minister indicate to the House, in anticipation of the budget, the extent to which he has costed the expense of providing payment to all carers throughout the country? If he has not done this, why not?

Mr. Brennan: The Deputy is asking for the cost using the means test, which is in the region of €150 million. I am open to suggestions but, at the moment, I am not in favour of paying carer's allowance to 14, 15 and 16 year olds.

Mr. Durkan: What about 17 year olds?

Mr. Brennan: They should be at school.

Deputy Crowe has raised a specific case and there is a respite care grant in existence to give carers time off. However, if an emergency arises I can see that arranging such cover in time could be a problem and one may be at the mercy of neighbours.

All Deputies have the figures relating to this issue as they have been given to the House on many occasions. At present the law states one must be a full-time carer with an allowance for up to 15 hours of outside work. According to the census, 84,000 carers of the 150,000 mentioned offer care for up to two hours per day and a further 16,000 offer care for under four hours per day. This means 100,000 of the 150,000 carers referred to give care for under four hours per day. One can argue that those giving four hours care per day should receive carer's allowance but we have not gone in that direction; we have dealt with full-time care issues. Some 7,957 people give care for over four hours and under six hours per day and 40,000 give care for over six hours per day. As the Deputy knows, we currently pay

[Mr. Brennan.]

carer's allowance to 27,000 people at an estimated expense, this year, of €281 million.

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 Connolly — the need to discuss the implications of both the Teamwork report and the Pat Joe Walsh report for health care services in the north-east region; (2) Deputy Cuffe — the need to address the high rate of suicide among young Travellers; (3) Deputy Twomey — the reason farmers are awaiting payment of the single farm payment; (4) Deputy Ring — the position regarding the accommodation in a school in County Mayo; (5) Deputy Cowley — the shortage of beds in Beaumont Hospital to accommodate persons awaiting brain surgery; and (6) Deputy Costello — the need for the Minister to establish an induction course for new members of the Judiciary and to establish transparent sentencing structures for the Judiciary.

The matters raised by Deputies Costello, Cuffe, Twomey and Ring have been selected for discussion.

Leaders' Questions.

Mr. Kenny: Last Friday Professor O'Neill's report was published on the Leas Cross nursing home where more than 105 people died. It stated that no judgment had been formed where there is a difference of opinion. This is not to say nobody made a judgment, it is a handy, catch-all stating no judgment has been formed.

Opinions differed and patients died, all on the watch of this Government. They were mistreated, neglected and they died. In China this is called human rights abuse, here it is called systems failure. The Government is supposed to prevent such occurrences, never mind stop them. The Departments responsible in this case came, saw, read, watched and knew, yet did nothing. They are still doing nothing. We heard about the industrial schools and how this could never happen again, but it has and, according to the report, it could be happening elsewhere around the country.

In fact, the only thing that has changed is time because, on the evidence of the report, we have merely swapped institutional abuse of our young for institutional abuse of our aged, which is a national scandal. Stopping this requires a Government that takes action because it has first taken responsibility. This means naming Ministers and public servants who must take responsibility and be accountable.

Wrongs were not merely done and systems did not merely fail; people carried out those wrongs. On the Taoiseach's and the Government's watch we have failed the elderly and continue to do so. This is not only about money, as the Taoiseach knows, it is about lives. Is there anyone to blame? Is there anyone on the Government side of the House who will accept any modicum of responsibility or accountability for what we witnessed, knew and saw on our television screens as exposed by Deputy O'Dowd, "Prime Time" and others?

The Health Service Executive, HSE, has shown no accountability. It suggested, if one read the report and the submissions, there is no evidence people did anything wrong. The evidence is that a combination of factors came together resulting in a wrong outcome. That is some indictment.

I ask the Taoiseach, as Head of Government, for his opinion on this. Who does he think is responsible and accountable and what does he intend to do about it?

The Taoiseach: We have discussed the Leas Cross Report by Professor Desmond O'Neill for a considerable time and I am glad it has been published. It has identified many deficiencies in the standard of care for older people in that nursing home and in the actions required to uphold those standards. The deficiencies in care are deeply upsetting to the families of those who died in the Leas Cross nursing home and to many others also. The Government understands their distress and will lead the legislative actions and funding decisions to ensure high standards of care are upheld in all nursing homes, public and private, in the State. We have been doing so for some years in fact and there are legislative issues that need to be significantly strengthened, as I said last year when these issues came to light. We know from Professor O'Neill's report and other earlier reports that complaints and warnings were not given the attention they warranted. This is a matter of deep regret.

Professor O'Neill did not engage in an exercise in blame, nor did he recommend disciplinary action but some people involved have challenged his assessment. The report has been sent to the Garda and the Medical Council for their consideration because matters arise that must be examined.

Our priority, as Deputy Kenny asked, is to prevent such events occurring again. The Government is finalising its work on the health Bill 2006, with a view to publication this session. This legislation will create a thorough and robust system of inspections and establish, for the first time, a statutory office of the chief inspector of the social services within the health information and quality authority, which will have specific statutory responsibilities for the registration and inspection of all nursing home places, both public and

private. The chief inspector will inspect homes against the regulations governing them and standards set by the HIQA.

The Bill will also strengthen and modernise the registration and deregistration process. New standards for all long-term residential care facilities for older people have already been prepared. The Minister for Health and Children published the draft heads of the Bill, a 122 page document, in the spring. We received dozens of submissions following publication and the valuable comments received have informed the Government's work on the Bill. I will not go through the long list of submissions received from different bodies and groups.

The nursing home regulations, under which the Health Service Executive carries out inspections of private nursing homes, were introduced in 1994. They will be replaced by the new regulations to be made under the proposed legislation, with the objective of strengthening the standards of care for residents in nursing homes.

As I have said on this issue on many occasions, it is a matter of deep regret that these events took place. It is even more regrettable that warnings were not heeded. It is now our task to deal with the issues and I have outlined how we propose to do this.

Mr. Kenny: The Taoiseach continues to defend the actions of the Health Service Executive arising from the O'Neill report into the Leas Cross nursing home. Does he accept that anybody on the Government side has responsibility for this matter? Did the former or current Ministers for Health and Children, Deputies Martin and Harney, respectively, or the former or current Ministers of State at the Department, Deputies Callely and Seán Power, respectively, know anything about Leas Cross? Is there any evidence in the Department that any of this quartet of Ministers knew anything about it given that information appeared to be available far in advance of the "Prime Time Investigates" programme?

The Taoiseach referred to legislative action. The HIQA is all about process. Is the Taoiseach prepared to accept a proposal, published by the Fine Gael and Labour parties today, to establish an over-arching patient safety authority? Such a body would change the culture and ethos and make the patient the real centre of attention in the health system. I am concerned by evidence suggesting that the problems described by Professor O'Neill may well be continuing in other places.

The Taoiseach defended the HSE, which has stated it is implementing all of Professor O'Neill's recommendations. This is patently untrue and what is happening is wrong. On 21 June, Professor O'Neill recommended that: "Residents (and their families) of any nursing homes that scored poorly in the ERHA tendering process in

2005 for Heavy Dependency/Intermediate Care Beds should be informed of this as a matter of some urgency, as there is a high likelihood that there are residents with high or maximum dependency in all of these nursing homes". The HSE indicated it was implementing this recommendation but we learn today that it has ignored it since last June and refuses to implement it. Is this not another example of the system coming before the individual and the process being more important than the patient? Is it a case of finding a reason for not putting the interests of patients and families first? Is it not time this function was removed from the HSE and a patient safety authority was established and given an over-arching remit in which the patient, as distinct from the process, systems, analyses and the blather in which the HSE is engaged, is the central focus?

As I stated, old people were maltreated, neglected and died. Did four Ministers in the Taoiseach's Government have any knowledge of this matter? Given the difference of opinion on the issue, will anybody accept responsibility or be held accountable for the fact that 105 people died in Leas Cross nursing home?

The Taoiseach: I will not try to rewrite or argue about Professor Desmond O'Neill's report. We asked Professor O'Neill to produce this report and he has presented it. It would not be helpful for any of us to state he did or did not say this or that or should have said something else. He has presented his report and does not get into the blame game or recommend disciplinary action.

Deputy Kenny asked whether Ministers or senior people in the HSE, most of whom were not even in place when this issue emerged because the executive had just been set up, knew what was happening or were involved. For me to be critical of the people who are now trying to rectify these issues would be totally groundless.

Ms O. Mitchell: God forbid anyone would be held accountable.

The Taoiseach: If Deputy Kenny is asking me, as he almost implied was the case, whether people were totally negligent, did not care about what was happening to the elderly or treated matters as of no concern to them——

Mr. J. O'Keeffe: They were incompetent.

The Taoiseach: ——or whether they were incompetent, I do not believe that the senior people in the then health boards were responsible for that.

Dr. Twomey: What about the former Ministers, Deputies Martin and Callely?

An Ceann Comhairle: The Taoiseach is entitled to be heard without interruption. Seven

[An Ceann Comhairle.]

minutes are available for each leader's question. The leader of the Fine Gael Party has already used seven minutes. The least the Taoiseach is entitled to is to be heard without interruption.

The Taoiseach: As I said, the report has been submitted to the Garda and the Medical Council for their consideration and both bodies are examining it.

Mr. Kehoe: Pass the buck.

The Taoiseach: Deputy Kenny believes the legislation and procedures are process and a waste of time.

Mr. Howlin: He did not say that.

The Taoiseach: That is what he said. He said it was blather, process and useless.

We are endeavouring to deal with this situation and there is no need to repeat what I have said in this regard. This was a horror for the families and relatives and we must now put a system in place.

Mr. F. McGrath: The Taoiseach has been in power for nine years.

The Taoiseach: It is not just a process. Legislation will provide, for the first time, for the establishment of a statutory office of a chief inspector for social services with statutory responsibilities for the registration and inspection of all nursing home places, both public and private. The chief inspector will inspect the homes against the regulations governing them and standards which will be set in law.

As legislation goes, the Act is not old. It was passed only 12 years ago but requires to be modernised. New standards for the long-term residential care of people have already been prepared and the relevant legislation will shortly be before the House.

Resources for older people were mentioned in the report. We are spending €1.2 billion and we will continue to increase funding substantially this year, which is almost over, and in 2007. The new funding scheme has brought the budget for the nursing home subventions scheme to €160 million this year. Only a small amount was available for this scheme when we started it. We have also trebled the number of home care packages to more than 3,000. These special care packages started only five years ago and we have increased funding for them to €142 million.

Mr. Stagg: The Government cut the home help service in my constituency. The Taoiseach is engaging in a smoke and mirrors exercise.

The Taoiseach: We are preparing a new policy to overhaul the system of financial support for people in long-term care. Deputy Kenny asked if these things are happening in other places. We have done everything we can with the HSE and its senior and regional staff to ensure that regulations on the level of inspections of work carried out in nursing homes are implemented across the health board system. The Minister for Health and Children made a statement about this on Friday.

Mr. J. O'Keeffe: The Taoiseach should try putting a few competent Ministers in charge.

Mr. Rabbitte: I refer to the Taoiseach's announcement ten days ago, when he said out of the blue that the Government proposes to have a referendum on the rights of the child. We are no clearer ten days later on whether the Government thought this through or what is intended. The Minister of State, Deputy Brian Lenihan, has given half a dozen interviews, diplomatically pouring treacle on our heads but we still do not know the intention of the amendment.

Does the Taoiseach agree there are many things the Government can do without a referendum? I refer him to today's report by the End Child Poverty Coalition, which points out that child poverty rates in Ireland are among the highest in Europe, with no fewer than 60,000 children living in consistent poverty, that one third of children in lone parent households live in consistent poverty and that deprivation is highest in households with children.

The Government target to eliminate child poverty by 2007 in the national anti-poverty strategy has not just no realistic prospect of being achieved but the inequality in our society is widening. We all know poverty in Ireland is spatially diffuse but we also know there are geographic areas where multiple disadvantage is clustered. How can the Taoiseach's Government justify such private affluence living cheek by jowl with public squalor? Does he accept that social welfare increases alone will not address this issue? Specifically, does the Taoiseach agree with the Labour Party proposal that 5% of the national development plan be allocated to these areas of concentrated deprivation? These areas of poverty have been well mapped out, all of the literature exists. A Marshall Plan is needed to transfer resources to these areas of concentrated disadvantage. What is the Government's position?

The Taoiseach: Indicators that have been well analysed, with the UN figures only recently coming out, show that we have lifted 250,000 from consistent poverty, including 100,000 children, over the last few years. The figures used internationally show 6% suffer from consistent poverty and we continue under the national anti-poverty strategy to put resources in place. Social

welfare expenditure has doubled in the last six years. Improvement in social welfare rates have led to substantial increased spending on families: one in every three euro spent in the State goes on welfare. Every week 1 million people receive welfare payments, helping them all to one extent or another. The UN human development report, which we must submit figures to annually, states we have continued to increase social transfers substantially, resulting in real improvements in the living standards of those in poverty. The latest EU survey shows that increased resources devoted to social welfare and other services are having a significant impact and mentions the initiatives we have taken in recent years to tackle disadvantage.

If Deputy Rabbitte is asking if I agree with the measures implemented in recent years, taking into account the welfare, health and housing budgets to deal with marginalisation and deprivation, I do. We must continue to do that. The large increases in child benefit we have introduced in recent years have also helped. All of this is necessary, desirable and must continue. The Cabinet committee on social inclusion is dealing with these measures and implementing decisions.

Does Deputy Rabbitte agree that we have made substantial impacts in these areas? I agree with him that we must continue this. We must remove the causes, reduce pupil-teacher ratios and continue renovating accommodation or building more desirable and family-friendly homes. All of these issues are massively costly but we are doing them.

If Deputy Rabbitte is asking how do we equalise wealth so everyone is equally wealthy, I do not have a ready solution and it is no good trying to answer that question.

Mr. Stagg: That is like something the Minister for Justice, Equality and Law Reform would say.

The Taoiseach: The huge social spending we have undertaken should be acknowledged and it is having a major effect, as has been calculated by every local and international body that has looked at the issue.

Mr. Rabbitte: I agree with the Taoiseach that the last 12 years of prosperity have had some trickle down effect in the geographic areas I referred to. I am disappointed, however, to see the Taoiseach follow his Minister for Social and Family Affairs in attacking the statistics as distinct from attacking poverty. The fact remains that 60,000 live in consistent poverty. I never raised any question about us all being equally wealthy, as the Taoiseach put it. How can he use such a term when we are talking about 60,000 children living in poverty, about thousands of children going to school who would not have a meal in the morning if it were not for breakfast clubs, about areas I do not need to name where

we can physically see the different strands of deprivation concentrated together?

I did not ask any of the questions the Taoiseach sought to answer, I asked if he accepts there is a necessity to declare war on poverty in the relatively small number of geographic areas where multiple disadvantage is concentrated and if the upcoming national development plan offers the obvious opportunity to do that.

Perhaps the failed RAPID experiment could be resurrected. The Government ran up a 23% increase in public spending in advance of the last general election and as soon as the election was won, the savage 16 cuts in social welfare were introduced. The cruellest cut of all was pulling the rug from under the RAPID programme, with the €1.9 billion promised to underpin the plans prepared in these areas gone as soon as the plans were submitted. That was the cruellest cut by the Government and the former Minister for Finance.

I am asking the Taoiseach if, in the new national development plan, the political will exists on the Government side to address this issue. Some of the Taoiseach's Ministers believe inequality is necessary to drive our society. We do not believe that on these benches. Tackling inequality ought to be a political priority now in a country of our prosperity. Yet there are people living in areas where unemployment is five times the national average.

An Ceann Comhairle: I ask the Deputy to give way to the Taoiseach.

Mr. Rabbitte: Children are going to school depending on that school laying on a warm breakfast for them. Some 60,000 children are living in consistent poverty. These are the statistics, which are well-established. There is no point in us arguing about EU or United Nations measurements or anything else. The most recent EU measurement I have states that 21%—

An Ceann Comhairle: I ask the Deputy to give way to the Taoiseach, please.

Mr. Rabbitte: —are at risk from poverty.

The Taoiseach: I gave the figures at the outset. Deputy Rabbitte has asked me if I agree we must continue these policies of assisting areas that are marginalised and disadvantaged. Of course I do.

The point I must make is that we have had significant success because of the formation of the budgets we have introduced in the last number of years, where the less well-off people have got huge increases under the Department of Social and Family Affairs. These include child benefit, tackling disadvantage, increases in social welfare or income support. Over 80% of child income support is accounted for in child benefit. A dec-

[The Taoiseach.]

ade ago it was less than 30%. This is enormously helpful.

We have made significant changes to family income supplement in the past number of years, all the time focusing on working families on low incomes or those who have no employment. That has had a significant effect. The amount of claims we now have for family income supplement shows we are targeting the correct people and families.

We have relaxed the means test for various payments, giving disregards in people's income so they can receive benefits. For those working, people on the national minimum wage are not taxed. We have brought in the back to school allowances, and the Minister, Deputy Brennan, has made significant increases in that and the footwear allowances.

School meals were very limited even five years ago. We are now spending over €10 million on that programme, and I do not think the figure was €1 million five years ago. They are very important for people who would not get meals, and we see this in school attendance reports. People in disadvantaged areas now come to school early in the morning because it is the only way they will get a meal. Clearly there is a problem, and that is the reason we put resources in place to deal with that. We have put in place significant assistance for one-parent families. The biggest act we have carried out is to try to give dignity to people who are less well-off and give them work.

With regard to the RAPID programme, we are allocating literally hundreds of millions of euro to the refurbishment and rebuilding of social housing and facilities. We are spending €2 billion on social housing, and a large proportion of the money from the Department of the Environment, Heritage and Local Government is going into pulling down old flat blocks and renewing other flat blocks. The programme set out ten years ago that would have gone on for the next 40 years is now effectively done. Areas like Ballymun and Cherry Orchard have been rebuilt.

I agree with Deputy Rabbitte that we must keep doing this. I would like to hear people recognising in this House that it takes the UN body, the EU body and the OECD to acknowledge what we have done here in five years would not have happened in 50 years if it was not for this Government.

Deputies: Hear, hear.

Caoimhghín Ó Caoláin: The Taoiseach may recall that earlier this year the head of the HSE, Professor Brendan Drumm, stated it would really frighten the public if the true facts were published on the incidence of MRSA in hospitals and the numbers of people whose deaths were brought

about either directly or indirectly by MRSA, with it being the critical or a contributory factor. Those were the words of Professor Drumm. Would the Taoiseach agree the reality is that not only do we not know, but Professor Brendan Drumm does not know the full and true extent of this real horror story going on daily around our hospital sites?

One thing we can certainly agree is that this is an alarming and growing problem which must be of concern to every citizen. I wonder if the Taoiseach is aware, as I have become aware in the recent past particularly, that such is the extent of the growing concern about the incidences of MRSA in our hospitals, many people are now afraid to present for admission to hospital? This is particularly true for older citizens.

When I questioned the Minister, Deputy Harney, about this issue over the past couple of weeks, she gave statistics comparing this State with the North of Ireland and regions in Britain. She claimed we fared well from the comparison. However, she failed to state that the island of Ireland and the island of Britain, collectively with Greece, have the worst record of MRSA in all of Europe. The incidence of MRSA in this State is 70 times that in the Netherlands.

Given that the infections contracted and the deaths which result for so many people are absolutely preventable with proper hygiene, management and vigilance, would the Taoiseach advise us of the steps he, the Minister, the Department and the HSE are taking to tackle this very serious problem? Will he encourage, for example, our hospitals to inform patients and the relatives of those who have died with MRSA present at the time of death of the facts and truth of the situation? The hospitals are currently not doing this.

Will the Taoiseach encourage, as I asked of the Minister for Justice, Equality and Law Reform last week, other coroners throughout the country not to wait for the coroners Bill but to emulate the Dublin City Coroner's request for the information to be proffered before the issuance of a death certificate? Will the Taoiseach accept that as the 1995 guidelines for the prevention of MRSA infection have not been properly implemented, and that urgent action is now required to address this serious problem, there must be much great proactivity on the part of all those who can bring about best practice within each of our hospital sites?

The Taoiseach: I addressed this at some length earlier this year, in the spring. The HSE has been indicating to the Government for the last year or so that it has changed its process and procedures in public hospitals with regard to MRSA. It recruited one of the international specialists in this area, an eminent person involved with the issue on the international stage, to bring our stan-

dards up to that of other countries. There is a range of well-documented reasons the problem is different on these islands than in the Netherlands, as well as other problems. I will not go into that.

The difficulty is that most of this relates to hygiene standards, and the acceptance that clinical practice has not been up to the standards it should have been. There are now officers in each of the hospitals dealing with these matters and enforcing them. There are health audits and a whole set of procedures and protocols, from washing hands to swabs, theatre treatment to gowning up. An enormous range of procedures have been put down across the hospitals.

These hygiene standards are making a significant impact, as we have seen from the audit reports. The HSE has pointed out that these practices must continue to be implemented. It concerns cleaning standards, cleaning contract standards, procedures in wards and staff such as medical teams moving from ward to ward. These issues were not implemented previously. As everybody has always known, infection can lead to contamination of one kind or another, and cross-infections can lead to death.

This does not only relate to MRSA, as there is a whole range of infections. Everybody knows MRSA, but I have heard ten or 15 infections in presentations on this issue.

The Deputy asked me about the coroner's report. It is not just a matter for the Dublin coroner but for a number of coroners to give the full extent. It is best for the coroner's report to give the facts to families. From the Government point of view, the Minister for Health and Children, Deputy Harney, has tackled the issue of resources head on.

Mr. J. Breen: She has not. I am a victim of the MRSA superbug, and the Government has done nothing.

An Ceann Comhairle: The Deputy should allow the Taoiseach to continue without interruption.

Mr. J. Breen: The families of MRSA victims will tell the Taoiseach that. He did nothing but stand there and waffle.

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

Mr. J. Breen: I am a victim of the MRSA superbug and I nearly lost my life as a result, then the Taoiseach stands up and waffles. Nothing is happening and the families of MRSA victims will tell him that. What is the Minister doing? She is doing nothing.

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

Mr. J. Breen: I will not sit and listen to waffle.

An Ceann Comhairle: Deputy Breen, I ask you to allow the Taoiseach to continue without interruption.

Mr. J. Breen: I am a victim of the MRSA superbug.

An Ceann Comhairle: If the Deputy wishes to raise the issue in the House, the Chair will facilitate him but not at Leaders' Questions which is confined to the leaders of the three parties in opposition.

The Taoiseach: The Coroners Bill is being prepared. I understand there is no difficulty preventing the coroners giving the full reports, but I will raise that issue because the families should be given the full facts and details and there is no reason that should not happen.

Caoimhghín Ó Caoláin: We must accept that Deputy Breen's intervention is totally and absolutely understandable. We have seen the tremendous anger and fear as a result of the greater awareness of MRSA. I welcome his intervention.

An Ceann Comhairle: I suggest the Deputy should not welcome disorder in the House.

Caoimhghín Ó Caoláin: I know the Ceann Comhairle would take that position but I have very little time. As demanded by MRSA and Families Network, the campaigning group, will the Government set up a national directorate for the inspection, prevention and control of MRSA and other hospital-acquired infections? That is a critically important point. The seriousness of this issue cannot be overstated. I cited here only a week ago the incidence of a lady who presented at one of our hospitals for the removal of a kidney stone, contracted bed sores and MRSA in her ankles as a result of same, and left with both her legs amputated. This is a very serious problem.

Last evening I met a family in County Donegal whose wife and mother is now several weeks over the original scheduled timeframe for her presence in hospital. The reason is suspected MRSA but again the hospital authorities are not being open with the family and they have not acknowledged what is the reason for her long, protracted and current serious state of health. We must get to a point where the truth is shared at all times and where families and those who are victims in hospitals are told the full facts.

Is the Taoiseach aware that the measures outlined in the 1995 guidelines do not apply beyond the hospital sites? With reference to the Leas

[Caoimhghín Ó Caoláin.]

Cross report, it is critically important that these measures are extended to all care facilities, not only hospitals but nursing homes and community settings as appropriate? Will the Taoiseach heed the call of MRSA and Families Network, specifically for the Health Information and Quality Authority to expand its role and responsibilities to include hospitals, nursing homes and other settings and to report its findings directly to the national directorate? I appeal to the Taoiseach.

The Taoiseach: The legislation will be before the House shortly and Deputies will be able to put their points of view. The Health Service Executive authority has made it very clear to us that it has put together and is endeavouring to implement inspections and hygiene standards to defeat infections and cross infections, to implement protocols for gowning, washing and transfers of food covering a range of areas in hospitals and hospital-related areas to address the substantial problems that have existed over the past few years. The hygiene audit, which has been published in an open and transparent manner, shows where the improvements have been made and where there are still difficulties. Dedicated staff have been assigned to a unit the aim of which is to overcome not just MRSA but a range of infections that have always existed in hospitals and health facilities throughout the world.

On the question of transparency in dealing with patients and families who have lost people, the Government believes all these issues should be dealt with in a transparent manner. There is no reason anybody should not be given full details of post-mortems or other procedures. This has been the practice in the health service, it is Medical Council policy and it should be done.

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. I propose to deal with these topics separately and I will call on Deputies in the order in which they submitted their notices to my office.

Mr. Connolly: I seek the adjournment of the Dáil under Standing Order 31 to debate the following matter of urgent public and national concern: the implications for the health care services in the north-east region of the HSE-commissioned Teamwork report which proposes the centralising of services in the new regional hospital on an as yet undetermined site and without adequate replacement services in place, and the Pat Joe Walsh report which is being used to further scapegoat and diminish a distinguished general hospital that has served the people of Monaghan well for more than 74 years.

Mr. Sargent: I seek the adjournment of the Dáil under Standing Order 31 to deal with a matter of urgent national and international importance, the shipment of plutonium through the Irish Sea on the British Nuclear Group ship, *Atlantic Osprey*, the danger that this shipment could be targeted by those with malicious intent and the unsuitability of the ship in question for carrying such highly radioactive materials.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to debate the following specific and shocking matter of public interest requiring immediate consideration: the disgraceful conduct of and the use of batons by gardaí at Bellanaboy, Glencastle and Bangor, County Mayo, on Friday, 10 November, as shown by the national broadcasting service and the urgent need for members of the force to be held to account and for all members to receive training in human rights compliance methods and protest policing up to the standard of international best practice. This was a disgraceful attack on the right to protest by—

An Ceann Comhairle: It is not appropriate to go beyond the notice submitted to my office.

Aengus Ó Snodaigh: The jackboot approach to this—

An Ceann Comhairle: The Deputy was told that the notice he had submitted was totally unacceptable.

Mr. Morgan: Hold the Ministers to account.

Aengus Ó Snodaigh: I did not read that notice.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to debate an issue of urgent public importance, the need for an accurate register of electors to be established, the need for extra time and resources to be allocated to this issue to ensure its completion, to provide full, accurate and inclusive democratic mechanisms at the next election and future elections and the urgent need to ensure that all those entitled to be on the register of electors are on it and all those who are not entitled to be on the register are removed from it.

Mr. Finneran: I seek the adjournment of the Dáil under Standing Order 31 to debate the following specific and important matter of local and national interest requiring urgent consideration: the proposed closure of the Glanbia factory at Roosky, County Roscommon, with the loss of the remaining 85 jobs and the disgraceful treatment handed down to the village of Roosky and its people by the Glanbia company when it has already pocketed €30 million by way of an insurance claim following a fire at the factory in

2002, with the loss of more than 400 jobs and the ultimate insult by refusing a management buy-out which would have protected these remaining 85 jobs.

Mr. Costello: I seek the adjournment of the Dáil under Standing Order 31 to discuss the following matter of urgent public concern: that prior to sitting on the Bench, new members of the Judiciary would participate in an induction course and that a transparent structure on policy be established for sentencing for offences and that the Director of Public Prosecutions would also establish a transparent mechanism for communicating the basis for his decisions in controversial cases to those directly affected.

Mr. F. McGrath: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the proposal to close off existing pension schemes to new members and to introduce an inferior scheme for trade union members; the urgent need to support AMICUS members on this important issue; and I call on the Bank of Ireland to do something urgently about low industrial relation standards and call on all elected Members of the Oireachtas to support AMICUS members on this matter.

Mr. Boyle: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, that the Minister for Justice, Equality and Law Reform make a statement to the House with a debate to follow on the resignation of Judge Brian Curtin and that the terms of reference of the Committee on Article 35.4.1° of the Constitution and Section 39 of the Courts of Justice Act 1924 be changed to allow this committee to remain in being, report on the process it has pursued and how this process might be improved.

Mr. Gormley: I seek the adjournment of the House under Standing Order 31 to raise a matter of national importance, namely, that the Minister for Justice, Equality and Law Reform make a statement on the House, to be followed by a debate, on the constitutional and legal impact of yesterday's Supreme Court ruling on the Baby Ann case.

Mr. J. Breen: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of local and national importance, namely, the failure of the Ministers for Transport and Communications, Marine and Natural Resources to advance the purchase of an appropriate site to house the Doolin coastguard and rescue service. Each of the past three weeks have seen a loss of life due to drowning and has necessitated the deployment of the rescue services on each occasion. The Cliffs of Moher and the west Clare

area have a large volume of tourist traffic all year round and it is imperative this matter, which I first raised with the Minister in October 2005, is resolved as a matter of urgency.

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

Order of Business.

The Taoiseach: The Order of Business shall be as follows: No. 17, Citizens Information Bill 2006 — Second Stage, resumed; and No. 4, Industrial Development Bill 2006 — Order for Second Stage and Second Stage. Private Members' business shall be No. 56, motion re the establishment of a patient safety authority.

An Ceann Comhairle: There are no proposals to put to the House on the Order of Business.

Mr. Kenny: In view of the number of motions tabled under Standing Order 31 which the Chair considered to be out of order, when will the Chief Whip introduce his proposals for Dáil reform so the House might become more effective? Has the Taoiseach decided when the House will discuss the Morris tribunal report and the Harris report on the decline of spoken Irish in the primary school system? When will Operation Freeflow be announced? I have been to Lucan, Clondalkin and Firhouse and the people there are under serious pressure.

The Taoiseach will be aware that the British Chancellor of the Exchequer, Gordon Brown, announced a £50 billion contribution to Northern Ireland over five years, assuming the parties return to the Assembly. We all support this and have given the Taoiseach our support in respect of the St. Andrews Agreement. The Taoiseach last week mentioned infrastructural developments towards Letterkenny and the Erne waterway. Will the Government announce what funding it will provide before the critical 24 November deadline for the naming of the First Minister and Deputy First Minister designate? This would show how serious we are.

Níl an tAire, an Teachta Ó Cuív, anseo le fada an lá. Níl a fhios agam cá bhfuil sé, tá sé ag dul thart ar fud na tíre an t-am ar fad. An bhfuil a fhios ag an Taoiseach cá bhfuil sé agus an bhfuil eolas ar bith aige faoin tuarascáil a bheidh á chur ar fáil aige chun na Dála faoin chinneadh atá le déanamh as ucht na pobalbhreithe thíos i Dingle, nó Daingean Uí Chúis, faoi meon na ndaoine a bheith sáite isteach sa dlí ansin? In the Minister for Justice, Equality and Law Reform, I know the Taoiseach has an expert translator beside him and he has already given a full and comprehensive explanation of what I said. I thank the Minister.

The Taoiseach: He said I should tell the Deputy to table a question and he would get an answer from the Minister.

Mr. Howlin: The freedom of information Minister.

Mr. Rabbitte: That sounds true.

The Taoiseach: I will be more helpful to the Deputy. The Minister, Deputy Ó Cuív, will meet Kerry County Council on 17 November. We will await the outcome of that.

Mr. Durkan: That will be worth writing home about.

Mr. J. O’Keeffe: They will need earplugs.

Mr. Rabbitte: They will be sorry about that. They will need a pint after that meeting, but whether they drive home or not is another matter.

The Taoiseach: I would say the bars will be long closed by then.

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

The Taoiseach: The debate on the Morris tribunal report was put back because the Opposition’s spokespersons and others were caught up in the Judge Curtin issue. There were three separate reports and the Tánaiste is ready to debate them.

Mr. Kenny: What about my other questions?

The Taoiseach: I have asked the Minister to deal with the Harris report and have asked the Whips to arrange a debate. Operation Freeflow will commence on 28 November.

Mr. Kenny: What is the response to the question on Northern Ireland?

The Taoiseach: We have outlined our position over recent weeks. The Minister for Finance has met the parties and given a detailed speech in Derry outlining our position. We have also made clear our position on the Ulster Canal; the Minister for Community, Rural and Gaeltacht affairs has met the parties.

Mr. Kenny: Has a figure been put on that?

The Taoiseach: Yes.

Mr. Kenny: Is the Taoiseach saying there will be a figure?

Mr. Rabbitte: Does the Government understand that the Secretary of State for Northern

Ireland, Peter Hain, will announce elections in the House of Commons later this week?

Has the Government set its face against any provision to improve the reliability, accuracy and quality of the electoral register? I read in today’s newspapers that notwithstanding the fact that—

An Ceann Comhairle: After Deputy Kenny’s contribution, I suppose it is necessary to remind the House that we are still dealing with the Order of Business.

Mr. Rabbitte: I am grateful for that sir.

Mr. Kenny: The Chair is the only Member who can be returned at the next election with flaws in the electoral register.

Mr. Rabbitte: There are 600,000 inaccuracies in the electoral register. We do not know how many people entitled to vote are not on it.

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

Mr. Rabbitte: Does the Government intend to introduce the brief, one paragraph amending Bill necessary to extend the deadline of 25 November and allow the register to be refurbished so we can rely on it?

While the Tánaiste is briefing the Taoiseach he reminds me that—

An Ceann Comhairle: I would prefer if the Deputy would stick to the Order of Business.

Mr. Rabbitte: I am on the Order of Business, believe me. Last week I asked the Tánaiste what happened the judicial misconduct Bill. This falls even within the Chair’s narrow parameters for the Order of the Business. Given recent events, the collapse of the amendment in 2001, the withdrawal of the judicial misconduct Bill and the promise of a new Bill some three and a half years ago, when are we likely to see what is now called the Judicial Council Bill?

The Taoiseach: Earlier this year Members called for a campaign to update the electoral register. More than 1,500 field workers carried out the most extensive process we have had in 20 or 30 years. A related publicity campaign was also conducted. This is the result of what people called for.

Mr. Rabbitte: What does the Taoiseach mean when he says this is what people called for? We called for an accurate electoral register.

The Taoiseach: The work is done.

Mr. Stagg: It was done badly.

Ms O'Sullivan: It is a mess.

Ms McManus: Another fine mess.

The Taoiseach: I do not know how anybody can say, when 1.25 million households were called on, information was circulated, there was an extensive publicity campaign—

Mr. Howlin: Is it accurate?

The Taoiseach: A register will never be accurate because the day after it is finished, somebody will move house or move to another area.

Mr. Durkan: It is valid for a year.

The Taoiseach: Let us be frank. The people who did not respond, or who should not have been on the register, were removed from the draft register.

Mr. Kehoe: People responded.

The Taoiseach: There is still plenty of time for people to get on the register if they wish. They can do so.

Mr. Kehoe: In some cases a representative called to their houses.

The Taoiseach: The legislation has been here for some time. We wanted to have a constitutional referendum to deal with these issues some years ago. That Bill has been with the Judiciary for some time. A number of models for dealing with it have been put to the Judiciary and the Minister intends to bring legislation forward shortly.

Mr. Rabbitte: May I ask the Taoiseach to refer to Mr. Peter Hain?

The Taoiseach: The issues on the legislation are not yet complete. If the legislation were brought forward in its draft form, it would provide for an election in the spring, probably late February or early March.

Mr. Rabbitte: Does the Taoiseach believe Mr. Hain will make that statement in the House of Commons this week?

The Taoiseach: Although the date for the draft legislation is Thursday or Friday, discussions on that and several other issues are ongoing. If the legislation comes out in its current form, that will happen.

Mr. Sargent: In light of the Ceann Comhairle's decision to refuse my request for the adjournment of the Dáil under Standing Order 31, with promised legislation in mind, will it be possible for the Government to give any time to ensure

the issue of the *Atlantic Osprey* shipment is immediately debated?

An Ceann Comhairle: To which legislation does Deputy Sargent refer?

Mr. Sargent: I will tell the Ceann Comhairle. As taxpayers' money was spent on the case, the Government should have known about it, but apparently did not.

An Ceann Comhairle: We will not debate it now. If the Deputy wishes to have it discussed in the House, the Chair will facilitate him in the appropriate way.

Mr. Sargent: There is no armed escort. The UK Government says al-Qaeda is seeking nuclear material.

An Ceann Comhairle: Deputy Sargent cannot ride roughshod through the rules of the House.

Mr. Sargent: Certainly not, but this issue is urgent. The Ceann Comhairle said I could deal with it by parliamentary question next Wednesday. As this ship will be docked in Cherbourg next Tuesday, the Chair is making a mockery of parliamentary procedure.

An Ceann Comhairle: The Chair will facilitate Deputy Sargent. He could have had it on the Adjournment this evening if he had wished.

Mr. Sargent: I could have, and that would not have been regarded as urgent in the eyes of those who see this matter as a threat to the health of this nation. The promised legislation that should at least refer to this is the British-Irish Agreement (Amendment) Bill. That will not be dealt with by next Tuesday. Will the Government promise a debate before then?

The Taoiseach: That legislation will arise this session.

Mr. Hogan: Does Ireland contribute to a fund for fast-tracking people in various crafts via 17-week crash training courses? In the context of the employment agency Bill, which is on the Order Paper, will the Government bring forward proposals to deal with this inferior training programme with which a lack of standards and quality is associated?

An Ceann Comhairle: That is a question for the line Minister.

The Taoiseach: The legislation will come forward next year.

Caoimhghín Ó Caoláin: Regarding the Taoiseach's response to my leader's question, can he clarify whether the heads of the Bill to provide

[Caoimhghín Ó Caoláin.]

for the establishment on a statutory basis of the health information and quality authority and the office of the chief inspector of social services have been agreed? He referred to consultation. Has that consultation process concluded?

An Ceann Comhairle: That is not relevant to the Order of Business.

Caoimhghín Ó Caoláin: When will the Bill be published and will it be enacted in the course of this Dáil?

The Taoiseach: The heads of the Bill were published in the spring. There were a large number of submissions, which have been dealt with by the Tánaiste and Minister for Justice, Equality and Law Reform. The consultation process is finished and the Bill has been drafted. It is hoped that the legislation will be taken at the commencement of the next session.

Mr. Sherlock: Is it proposed to bring in legislation to enable what the Minister for Health and Children has stated to be Government policy to transfer grounds from public hospitals to private companies to build private hospitals? Is it necessary to have legislation and will it be introduced?

The Taoiseach: There is no need for legislation.

Mr. J. O’Keeffe: The issue of judicial conduct has been under discussion recently and there is a proposal to establish a judicial council to provide effective remedies for complaints about judicial misbehaviour, including lay participation in the investigation of complaints. What is the position on that Bill? Before the Taoiseach replies, I remind him that the 2004 legislation programme provided that this Bill should come before the Oireachtas in 2005. We have not yet seen it.

The Taoiseach: Although I have already answered this, I will answer it again. It has been with the Judiciary for consultation since last March. The Tánaiste has had discussions with the Judiciary. We hope to get its views before we can move forward, but we are ready to do so.

Mr. J. O’Keeffe: I urge that the matter be expedited.

Mr. Stagg: I thank the Taoiseach and the Minister for Communications, Marine and Natural Resources for agreeing to introduce the short Bill I suggested to allow the broadcasting of television signals to Britain. I assure the Taoiseach that the Labour Party will accommodate the Bill’s going through the House as quickly as necessary. Hopefully we will see it before Christmas.

The Tribunals of Inquiry Bill 2005 was before the Dáil early in the session, but seems to have

disappeared. Does the Government intend to bring it back before the House?

The Minister for the Environment, Heritage and Local Government indicated that a short Bill to extend the time for the draft register would be considered. Given the amount of work that was done, the draft appeared late, leaving a shorter period for people to be notified. The Government would have our support if it indicated that the short Bill on that matter would be forthcoming.

The Taoiseach: I thank Deputy Stagg for his remarks on the communications Bill and will bring his remarks on the other Bill to the attention of the Minister for the Environment, Heritage and Local Government.

Mr. Durkan: I wish to ask about the glaring lack of adequate provision of broadband and ancillary facilities throughout the country and the likelihood of this situation continuing for some considerable time. Would the Taoiseach consider, as I have suggested previously, withdrawing the Electronic Communications Bill due before the House shortly and consider replacing it with a more comprehensive piece of legislation that would deal with the issue? In view of the extensive use of the Internet by paedophiles who have targeted children, with tragic results in the UK recently, would it be possible to introduce a revision of that Bill or something more serious to electronically track this practice through the system? I have previously suggested this in the House and the European Commission has also suggested it. My final question is on the e-voting technology, which is still swinging around in the mid-distance. Is it true that the Defence Forces have inquired as to its potential use, not necessarily for target practice—

An Ceann Comhairle: That would be a question for the line Minister.

Mr. Durkan: The Defence (Amendment) Bill is before the House and could be the vehicle—

An Ceann Comhairle: I am not sure whether the e-voting—

Mr. Durkan: I have heard a rumour that the Defence Forces have inquired to what use they could put the e-voting system and I am sure the surrogate father of e-voting would be delighted to hear that.

Mr. Cullen: He is not in the House.

Mr. Durkan: The surrogate father is in the House.

The Taoiseach: The electronic communications Bill will be published this session. Subject to con-

sultation, the defence (amendment) Bill will also be this session.

Mr. Boyle: On secondary legislation, has the Government any plans to introduce the necessary regulations under the most recent Local Government Act, to allow the establishment of new town councils? Will he accept that the failure to do so to date is causing difficulties with boundary revisions, as between county councils and borough councils?

The Taoiseach: Perhaps the Deputy will table a question to the Minister. I do not have that information.

Mr. Kehoe: A number of weeks ago, a question was asked in the House on legislation about drug testing for drivers. Has the Cabinet discussed any such legislation in the past number of weeks or are there any plans to publish a Bill? I shall be requesting at the meeting of the Whips tomorrow that the O'Neill report on Leas Cross nursing home is debated in the House and I hope to get a satisfactory answer.

What is the present position on the Civil Law (Miscellaneous Provisions) Bill and will this be done and dusted before the Christmas recess?

The Taoiseach: The Civil Law (Miscellaneous Provisions) Bill is awaiting Committee Stage. On the drugs issue, I understand the conclusions of the deliberations of the Medical Bureau of Road Safety on this are being awaited.

Citizens Information Bill 2006: Second Stage (Resumed).

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

Mr. Crawford: I welcome the opportunity to say a few words on the Citizens Information Bill 2006, as it is one of the major strands of the national disability strategy. It is meant to establish a personal advocacy service, operated by the Citizens Information Board, to assist people with disabilities in accessing health and social services. It will support in particular groups such as the National Disability Authority, NDA, and Inclusion Ireland. It is clear that advocacy services for people with disabilities are underdeveloped in Ireland. Those providing services, including community volunteers are becoming increasingly aware of the need for more services. The 2004 Comhairle report, Developing an Advocacy Service for People, showed that Ireland still has a significant population of people with disabilities resident in institutions. Perhaps this Bill will create a greater awareness of that.

An independent advocacy service is essential if people with disabilities are to be fully included in the process of service provision. This was dis-

cussed during the debate on the disabilities Act. This will give people with disabilities, who may be unable to seek services for the themselves, an opportunity to put forward their views and requests on the range of services they receive. In this regard, the definition of social service as outlined in the Bill, is to be welcomed.

The whole issue is certainly important, but it must be made clear where the services are to be based and who will benefit. I think about a young neighbour of mine with cerebral palsy; while there are excellent services for someone like this in Dublin, the problem lies in getting there. Once there, the person will receive all the necessary help to get back to the bus, train or whatever. It is all right if someone has the finance or wherewithal to travel to these centres but it is important to emphasise that although the service may be based in Dublin, it should be available for all. Another issue concerns the fact that the service must be applied for by each individual in writing. We must realise that some people cannot do this for themselves and therefore they must receive all the support and advice that is available. We must ensure that everyone entitled to services derives benefit from them.

In the last few days we have heard a good deal not just about the disabled, but also the elderly. I cannot help thinking about the Leas Cross situation and, unfortunately, others. I wonder how matters will be dealt with or whether the advocacy service in years to come will be the subject of ministerial excuses, as at present, with regard to systems failure. That term absolutely frightens me, because we have seen what happened at Leas Cross through the "Prime Time" programme and the information that has come out since. Nobody is being held responsible. Nobody is facing any career handicap as a result, in terms of finance, change of post or whatever. As someone from a farming background, I find this impossible to understand. If we are to treat the issue of disability, the elderly and all that in an even-handed manner, we must ensure that those in charge are held responsible and, if they are not doing their job, treated accordingly.

I met a farmer today from County Monaghan, who has a disability. He was not fit to fill in the forms for himself. He was dependent on the advisory service set up by this State to look after him. When forms arrive late it is he who suffers, not the Teagasc adviser or that organisation. I had another case, last week, of a widow in a similar situation. She has received her bill for €3,300, but is not getting any funds. I raise these matters in the light of this issue of "systems failure". It is much too simple a phrase, and much too serious when we are dealing with the elderly and disabled. I want to ensure that when this Bill goes through the House, that Deputy Brennan, as the Minister in charge, will ensure we are not back here in two or three years time or whatever,

[Mr. Crawford.]

talking about some disabled person who has fallen through the cracks because of systems failure. That to me is extremely important.

We must also have a safe service. Only last Thursday the Oireachtas Members from my constituency, which of course includes the Ceann Comhairle, met the Minister for Health and Children, along with all the councillors for the area. We had to listen for two hours to talk about safe systems. It all depends on one's viewpoint. We have seen 17 deaths as the result of safety failure in the services being provided for disabled and older people in particular. I am thinking of one family who lives 500 m from Monaghan General Hospital, a father, a mother and a disabled daughter. The father got a heart attack and died on his way to Cavan hospital, leaving his ill wife and his handicapped daughter. The Almighty has been good, taking all three of them in a short period. Who decides what is safe and what is not? We must ensure people feel safe when systems such as this are introduced.

Care of the disabled is important in respect of this Bill. As a former member of the Joint Committee on Social and Family Affairs, I discussed this situation at length, but problems continue. I recently encountered an aged person to whom a carer's allowance was not made available because the doctor could not fill in the right boxes to demonstrate need for full-time care. There is no way anyone would allow the person to remain in the house alone. We need a common-sense approach, ensuring the maximum number of people, whether elderly or disabled, remain in their homes for as long as possible.

At some time during his brief appearance in the House the Taoiseach referred to the threefold increase in the home care packages. While this is not directly under the control of the Minister for Social and Family Affairs, it is connected to the care of the elderly and the disabled. We find the situation totally different on the ground. As Oireachtas Members we receive more representations about securing care for elderly people than any other issue. People only realise the complications when confronted with sickness or disability. There is system failure in the case of someone with an amputated leg who received 12 hours of home help in Donegal and who experienced a reduction to two hours of home help when he moved to Carrickmacross, County Monaghan. It took me a long time to trace this case to discover whether the person was on the register.

If this Bill is to be successful, proper use must be made of the home help and home care systems. Great people are undertaking great work but they are curtailed by lack of funding or understanding from more senior people. The personnel in the Department will be surprised if I do not mention the carer's allowance and the

method of payment. Over past years, including the era of the Celtic tiger, we have failed to provide a structure whereby an old age pensioner or a widow can receive carer's allowance. This is crazy. If the person is in receipt of a contributory widow or widower's pension, he or she can work full time and it will not affect the pension. However, if the person is capable of caring for a parent or disabled child in the home, the person is only entitled to one social welfare payment. If I can persuade the Minister to re-examine this situation in advance of the budget, I may have done someone some good.

If one is caring for two people, he or she can claim 100% of the carer's allowance for one person and 50% for the other. Can we not ensure that if one is caring for one person and in receipt of a contributory or non-contributory social welfare payment, one is entitled to at least 50% of a carer's pension for keeping someone out of a retirement home? Achieving this would be a job well done and would be recognition of the job carers are doing.

I wish to raise another matter that is not relevant to this Bill but which concerns citizenship. Some months ago I came across a couple who have lived in Ireland for seven years. They are entitled to citizenship, which is important to them. The man is a labourer in a local factory, the woman is a part-time carer attached to Monaghan General Hospital and they have three children attending university. The couple must pay €7,500 in fees because the application for citizenship has not been processed. The fees do not include maintenance costs. The Taoiseach states that we should not compare ourselves to others but if these people lived in Northern Ireland or Britain, the application would have been processed in five to seven months. They see the comparative disadvantage in Ireland. They wish to remain in Ireland, having established it as their home. I will raise this matter with the Minister's colleagues and have already written to some of them. It is a serious disadvantage.

I could have said much more if I had time to study the Bill at length. I welcome the provision whereby the social welfare appeals office and the Ombudsman will play a role. The social welfare appeals office is useful in other cases. Problems still exist for disabled people. There has been an increase in funding but in my home area there is a major problem with respite. The amount of respite space is limited.

It is good when parents are lucky enough to receive €1,250, or whatever the sum is now, as a respite grant towards relief from being carers. However, if they are to get away for a break of a week, ten days or a fortnight from looking after a disabled person, it is extremely important for them to have somewhere they can trust and where they know the person will be safe and cared for. In the main, a single unit in Cootehill

caters for counties Cavan and Monaghan. I urge that this area be looked after very seriously. Most families today want to look after their handi-capped members at home. That said, the north Monaghan carers group has done a tremendous job. It has now established nine or ten home units, each housing five or six people. This is fantastic and at least people who are approaching the end of their days know that their loved ones have somewhere to go and be cared for.

I have spoken to Mr. Dan Grogan about this and he has asked me publicly a number of times to try to see whether, through the health boards or some other means, an effort can be made to ensure that sufficient respite places are available. He has informed me that up to 70 families require respite to be able to take some holidays. Obviously, if the beds were allocated over a period, that number of bed spaces would not be required. However, it gives some indication of the scale of the problem in one part of a single constituency. The Minister should examine this issue seriously.

Mr. Mulcahy: With the permission of the House, I wish to share my time with Deputy Callanan.

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

Mr. Mulcahy: I welcome this Bill and the Minister to the House. I thank him for the Government's commitment to both the Bill and the entire national disability strategy. The Minister will agree that any society should be judged on the manner in which it treats those who are less fortunate or more vulnerable than others, such as the elderly, children and people with disabilities. While Ireland is coming from a low base, much has improved and hopefully much more will improve in future.

I believe that, when enacted, the Citizens Information Bill will provide a valuable tool to people with disabilities. For the first time, they will have access to dedicated professional personal advocates, who will be able to represent them before all the institutions of the State and to ensure they receive all their entitlements. This is a welcome step forward. In recognising this, I also wish to recognise those volunteers who provided such a service for years, possibly on an *ad hoc* or voluntary basis, in a quiet and unsung manner. I hope they will continue to be involved in such an important area of activity.

It is important that the personal advocates are well trained. While there may be some provision for it in earlier legislation, the Bill itself does not go into great detail regarding the training of personal advocates. They should undergo a rigorous training procedure in order that they can both properly represent their clients and be pro-

fessional with a complete knowledge of the range of services available to people with disabilities.

My second point pertains to the definition of disability. I understand it has been debated for a considerable time and I have no problem with the definition before the House. Does this definition include elderly people who are infirm? I refer to those who are not actually sick but who may be in their late 80s or 90s. If one considers the definition before the House, such people might well qualify. I suggest that infirm people in their late 80s or 90s are people with a restriction in their capacity "to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment".

I hope the Minister understands my point because, from time to time, many elderly people genuinely require an advocacy service that is almost on a similar basis to that for people with disabilities. The emphasis should be on achieving results on the ground. There is no point having many personal advocates if results are not achieved. I will provide some practical examples. In my constituency, elderly people or those with a disability who need a simple handrail in their house can face a wait of between six months and two years before an occupational therapist is sent by the Health Service Executive. Thereafter, it can take two to three years before the installation of the handrail in question. This is ridiculous and I draw the attention of the House to this issue. I do not make a political point in this regard and hope for cross-party acknowledgment of this issue.

The system for handrails is farcical and it should not take four years to install one. It should be a simple matter in which, for example, a general practitioner certifies that a handrail is required and a quick and easy method of installing one is undertaken. I ask the Minister to become involved in this matter as a bureaucratic quagmire between the Departments of Social and Family Affairs and Health and Children appears to be in operation. Results are not being achieved on the ground. There is no point having personal advocates to state that a person needs a handrail if it takes four years to install.

Much progress has been made, certainly in Dublin, and many bus routes have switched to being accessible to the disabled. I recently helped to secure such a route in Ballyfermot. However, many routes in Dublin are not yet accessible to the disabled and a deadline should be imposed. I ask the Minister to liaise with the Minister to Transport in this context and to state that, within two to three years, all modes of public transport in Dublin city will enable access to the disabled. When I succeeded in introducing such a bus route to Ballyfermot, I met someone who had not left home for ten years because they were alone and

[Mr. Mulcahy.]

in a wheelchair which could not be brought on to a bus. This is not acceptable in any civilised society.

While I am in favour of personal advocates, there must be real change. In the area of public transport — the Minister is interested in this issue himself — small changes can have a major impact. The Luas is disabled access-friendly and is a great success, as are many other modes. However, regarding the buses, both in Dublin and nationwide, CIE, Bus Éireann and anyone who supplies bus services in this State should be informed that a deadline of two to three years has been imposed, after which all buses must be accessible to the disabled. This is what I mean by results on the ground.

I welcome the change of name from Comhairle to the Citizens Information Board, which is a good idea. Much more action is required to deal with practical issues. I am also glad the Bill contains several appeal mechanisms as some people who may be turned down will be unhappy about it and consequently will wish to lodge an appeal.

While the Government's budget in this regard has been increasing exponentially, this work must continue. As I noted at the outset, one measures the quality of civilisation within a society by how it helps those who cannot help themselves. This is a tremendously important area. We cannot simply say that every problem will disappear with the introduction of personal advocacy personnel. There must be a parallel track approach. The changes on the ground must be paralleled by changes in the law and in enforcement procedures. I look forward to the day when we can stand up and say we are at the top of the league in Europe in terms of the way we help people with disabilities.

Attitudes have undoubtedly changed for the better in Ireland. Resources have also changed and the number of people with disabilities involved in all aspects of society has increased considerably. The older attitudes appear to be dying out but there is much more to be done. We should be very ambitious in this regard. We are increasing our overseas aid budget significantly, a move I support, and I hope we are now significantly increasing the funding available to disability groups. I very much support the Bill. I thank the Minister for putting it before the House and wish him every success on its successive Stages.

Mr. Callanan: I welcome this Bill which provides for a high quality, consumer-focused integrated information service on all aspects of social and civil services to assist people in securing their rights and entitlements. It provides for the drawing together of three separate existing channels of information under one clearly visible and easily accessible brand name, citizens information. It

provides for the delivery of a one-brand citizens information service through more than 230 citizens information centres, the Internet and a single telephone number and the harnessing of new emerging technologies to further improve and expand the availability of information. It delivers a commitment to increasing funding to allow the new citizens information board to increase, improve and expand information services and additional funding for the development and facilitation of advocacy services which will provide for the assignment of a personal advocate for persons with disabilities to assist them in overcoming barriers to full participation in society.

The Bill provides for the appointment of a director of personal advocacy services who will be responsible for the management and control of the service and arrangements for an independent appeals process if the applicant is dissatisfied with the decision regarding his or her eligibility for the assessment of a personal advocate. It provides for the undertaking of nationwide high profile information and awareness campaigns by the citizens information board on specific social services and welfare issues and an increased and targeted emphasis on the provision of a clear and accessible information for all immigrants in respect of their rights, entitlements and supports.

This Bill will make people with disabilities aware of their rights to different schemes, such as the disabled person's grant which is administered by local authorities and provides for alterations to dwellings, such as a downstairs bedroom and en-suite bathroom and central heating, for suitable applicants. The motorised transport grant provides an allowance towards the cost of adapting a car to suit a person with a disability. The Bill will put a strong onus on all local authorities to ensure that wheelchair-accessible footpaths are constructed to make all public places more accessible.

I compliment the Government on taking seriously the funding of facilities for people with special needs, but there is much more to do. We must ensure that residential and respite care is available to people when they need it. The major question in the minds of elderly parents with a son or daughter with special needs is who will look after their child if anything happens to them. We must assure these people that the necessary facilities will be in place and ensure that there are special education facilities as many children with special needs can do extremely well at school. We must ensure that people with disabilities are allowed to take up employment if they so wish. There is a reluctance among employers to employ people with disabilities, which we must get over. This reluctance may be related to insurance and other matters but the Government must ensure that employers employ people with disabilities who want to work.

I compliment the Minister on his work in respect of carers because this issue is very much tied up with disability issues. The discarding of €580 of income means that many more people can now receive the carer's allowance. When people came to our clinics years ago and asked us whether they would qualify for the carer's allowance, we had to politely and gently inform them that there was no way they would qualify for it. A considerable number of people who now attend our clinics receive the carer's allowance.

The Irish Wheelchair Association has lobbied us from time to time to mainstream the employment of their carers. Most of its people are employed through FÁS and, unfortunately, when three years have elapsed, the person minding them must leave. A bond exists between the person with a disability and his or her carer so it is difficult for a new person assuming the carer's role. I ask that the employment of such people, particularly in the Irish Wheelchair Association, be mainstreamed. The cost involved cannot be that high and it is very important that such mainstreaming takes place.

I compliment the Minister on the significant work he has carried out in the area of disability and caring for the elderly. He is a caring Minister, which is not surprising given that he is from County Galway.

Mr. Quinn: Like other Deputies, I wish to speak briefly about this Bill. I have read the debates to date and recognised their tenor in that this measure must be seen in the context of a series of other Bills that the Minister is attempting to introduce. The context must also be seen against the background of interdepartmental co-operation. We saw a fairly graphic example of the failure of interdepartmental co-operation in the relatively simple matter referred to by Deputy Mulcahy. This case could be replicated in many other ways. I ask the Minister to address these issues either in his reply or on Committee Stage with my colleagues, Deputies Lynch and Penrose.

Like everyone else in this House, I represent a constituency. Many of my constituents regard me more as an advocate than a legislative representative. Most of the work many of us do takes the form of advocacy, whether in respect of the housing authorities or the Department of Social and Family Affairs. However, dealing with the Department of Social and Family Affairs is now an absolute delight in comparison with what it was five or ten years ago, which is to the credit of successive Ministers. This is probably because of the professionalism involved, the resources available and the efficiency of decentralisation in terms of the way in which aspects of the social welfare programme have been handled.

The Minister will recall when much of our time as public representatives was spent attempting to penetrate organisations such as the Revenue

Commissioners or the Department of Social and Family Affairs to get a response and, when everything else failed, putting down parliamentary questions for written reply, which gummed up the entire system. As one who has experienced the change, I am happy to say we have moved on from there.

I have some concerns. According to the Disability Federation of Ireland, there are approximately 400,000 people affected by disabilities in this country. I understand that this number does not include relatives and immediate family members. The disability area is complex and I do not purport to be in any way knowledgeable about it, other than the knowledge I gleaned through my experience in the building industry and construction standards and requirements for the accommodation of people with disabilities. In my experience, people with disabilities — some disabilities are permanent while others are of a temporary nature, such as physical injury or ageing, are the best and strongest advocates for their needs when they have the wherewithal to do so.

The second best advocates in my experience have been their immediate family, invariably a parent or a partner. It is against that background that the Minister should seriously pursue the abolition of the means testing of the carer's allowance.

6 o'clock Deputy Penrose spoke about this in his contribution and it is a point we have made on a number of occasions, including at the time of the 2002 general election.

I acknowledge that universalism is not accepted by many people in the political establishment, particularly on the right of centre spectrum of this body politic, but the administrative costs in terms of assessing a person's means and the intrusion that involves in a person's life, who has made choices, sometimes not necessarily voluntarily, to take on the responsibility of being a carer, adds insult to injury and undermines the carer's ability to provide the kind of caring service that he or she would like to provide and which the recipient needs. I strongly suggest that the Minister addresses this issue when replying. It will be raised again on Report Stage.

The Bill is confined specifically to a name change, to changing the name of Comhairle, to which I will return, and the introduction of the concept of advocacy director. The advocacy director will assign resources to people who presumably are deemed for a host of reasons to require the full-time assistance of an advocate. The Minister might indicate when replying from where these advocates will come, how they will be selected and who will pay them? What will be the nature of the contract between them and the person for whom they will become an advocate? What will be their contractual relationship? How can they be fired if the relationship does not work out well? Who will monitor their progress in

[Mr. Quinn.]

terms of a task of, say, contacting Dublin Corporation, the Department of Social and Family Affairs or the Health Service Executive to secure the provision of an aid as simple as ten or 12 pieces of twisted metal with holes drilled in them to enable a person grip a rail as they climb the steps to his or her hall door?

I am not expert in this area but as a legislator these are the sorts of issues I would like clarified on Committee Stage because considerable money will be spent in this area. I have no problem with the spending of such money but I have a big problem with it being wasted. People would like to know what these advocates will do that is different from what is currently being done. In the case of people who have a communications problem, be they blind, deaf or unable to speak, I fully understand the need for such an advocate to make telephone calls or communications on behalf of such people, and such persons account for a relatively small spectrum of the total population of people who are classified as having disabilities. The Minister might clarify those points and elucidate on the body of labour who will fill these posts. Will they come from the ranks of FÁS employees who are, as Deputy Callanan referred to, assistants for people in wheelchairs? Many of the representations we receive are from people who have developed a relationship with their FÁS employee and who do not want to lose their assistant, but the employee's three years in that role are up and he or she has to move on. I accept the Minister is not responsible for FÁS, although in some respects it would not be a bad idea if there was a closer liaison between the two, but that is a debate for another time.

I want to turn to another area of advocacy for people with disabilities, to which Deputy Crowe referred. I have dealt with two cases recently of parents whose six to nine year old children were identified in the primary school system as needing educational psychological assessment. These children's teaching needs and ability to stay in mainstream education and to perform adequately was such that they required an assessment test, on the outcome of which it would be determined whether they would qualify for a special needs teacher.

I have some experience of this issue on two fronts. My wife was secretary of a board of management in a primary school for a while and this issue arose regularly. The Dublin Docklands Development Authority intervened with the 20 primary schools in its catchment area to assist them on a number of fronts. One of the areas it assisted was in helping people to get access to these tests.

The two constituency cases I have dealt with in the past four weeks were such that the school concerned advised the parents that their children must have this test because the school could not

move forward without it. These are cases of intellectual disability in the area of learning. Responsibility for this area does not compartmentalise into the Minister's Department or the Department of Health and Children, but families do not compartmentalise their lives. There needs to be some linkage in the delivery of such service provision.

The children concerned got on the waiting list for the Lucena Clinic, the child centre in Orwell Road, with which the Minister is no doubt familiar, where there is a waiting list of 900 and a capacity throughput in the order of three or four per month. These children will be eligible to do their leaving certificate on the basis of that throughput. These parents do not need another advocate. I know that is not the intention of the Bill because the children concerned are not disabled in the same way as are other people with disabilities. There will be a credibility gap in public perception terms if this advocacy service is announced by way of a press release — the Minister regularly issues press releases on a Sunday afternoon, about which we read on a Monday — and in this context somebody will say “Where is the beef?”

It sounds wonderful that a person who is disabled will have an advocate to assist on his or her behalf and that this advocate will help the person get what he or she needs and that to which he or she is entitled. However, if other advocates, part-time advocates, public representative advocates and the best advocates of all, the parents of children involved who leave no stone unturned, cannot get what is required in regard to a relatively simple issue, simple in the sense that it is not complicated, namely, the carrying out of a test that a child requires, there will be a gap in perception between what is promised and what is delivered.

The Dublin Docklands Authority paid privately for the assessment of cases, which involved a cost of €200 a case. The students concerned were able to get the assessment within a matter of weeks or months, depending on the availability of the psychologist, and they were then able to get back into the education system and be taught by a special needs teacher who was required. Those children came back more or less on to the mainstream track where it was possible and feasible and got to a point where they were able to participate in mainstream education with their peers and have a reasonable prospect of an acceptable outcome.

The Minister in his reply to this debate or on Committee Stage, when these issues will be teased out by Deputies Penrose and Lynch on behalf of the Labour Party, might deal with these issues, which I would like answered so that I can advise people in my constituency on them. A number of disability organisations are located in

Dublin South-East and therefore I am familiar with some of the work they do.

I want to turn to the other aspect of the Bill, the name change. I read about this in a newspaper but I did not hear the Minister's explanation for this and therefore I may be inadequate in the comments I make, or the Minister may have addressed some of them already. Why is the name change necessary? Comhairle has become its own brand. Aer Lingus is its own brand and it does not have to be translated into a descriptive name. Is this being done simply to facilitate people who do not have a knowledge of the Irish language in the sense that those of us who have gone through the system here have some knowledge of it, with the Minister having a better knowledge of it than I have? What is the thinking behind this name change? Whatever about the logic of it, the implementation of a brand change and a name change through an organisation that has the number of centres and outreach facilities that were described earlier will be substantial.

I gather from some of the comments raised by my colleagues that there is no budget yet for this change and no estimate of the cost involved. Having regard to some of the private organisations which have engaged in rebranding, name changing and all that is associated with it and given the standards we have set for ourselves, all the documentation and printed material with the old Comhairle logo will be dumped. There may be a convincing case for it, but I have not heard it. I will not prejudice my response but I will ask the question. Even if the case is convincing, it should be matched against a cost-benefit analysis which sets the value of the name change against the estimated cost and states what difference it will make.

Comhairle as an organisation is well-recognised by many citizens. The citizen advice centres which we had previously were changed. In his contribution, Deputy Boyle queried the fusion between the NRB and the old citizens advice bureaux. The changes were made by various people at different times. I may well have sat at a Cabinet table and agreed with the person who proposed it. However, its logic seems to have been unpicked and we now face this name change. In the course of the Minister's reply, will he clarify this matter if he has not already adequately addressed it?

A cost-benefit analysis must be done. The level of wastage associated with this Administration is such that people's tolerance of it is at a point where they are no longer phased by it. The Minister, Deputy Noel Dempsey, stated the €50 million which was blown away on the voting machines is a drop in the ocean in the context of the total budget. That is the beginning of the path to hell in terms of cost overruns. The name change should not be proceeded with unless a cost-benefit analysis case can be made for it.

Mr. Haughey: I wish to share time with Deputy Andrews.

It is safe to say this Bill will be keenly received by all Members of the House. Once again, the Minister for Social and Family Affairs, Deputy Brennan, deserves to be congratulated on a worthwhile, beneficial and tidy piece of legislation. There seems to be no end to the enlightened measures emanating from his office, whether it be increases in the fuel allowance or the removal of constraints on the use of free travel passes, to name but two. This Bill will open avenues for people across the State, in particular the disabled whose lives will, I believe, be greatly improved once this legislation is passed.

In publishing the Bill, the Minister rightly identified an anomaly in the ease of public access to information. In response, he reformed the system to enable people get a clear idea of where they stand in terms of State support and wider issues they may come across in everyday life. The Bill will rehabilitate information services across the country. The world can be a bewildering place and it is reassuring to know one will soon be able to pick up a phone, log on to a website or walk into one of more than 230 citizens information centres and gain advice, support or simply basic information on a subject which may be familiar to some, but confusing to others.

For example, I am sure many first-time buyers do not have full details regarding the ins and outs of mortgages, the options available to them or how they will work. It might be discouraging for people to go to a mortgage adviser if they think they might be pressed into doing business without being fully sure of the entire situation. Instead, in the future, they will be able to approach one of the improved citizens information gateways and get a straightforward and impartial explanation without any pressure or fuss. The same stands for many other topics in an expansive range.

Public access to information on services provided by the State is crucial. The hard work we do here every day in this democracy would be wasted if the people were not able to take full advantage of the State due to a lack of awareness. This new service will ensure people can be aware and well-versed in their rights and entitlements. The new citizens information brand presented here will ensure this service is well known and I hope it will become a well-established part of our society.

I used an example of a first-time buyer previously, but others are in more serious need of help which could critically affect their quality of life. Dealing with a disability is extremely difficult not only for those with the disability, but also for their family and friends. It can be harrowing, stressful and sometimes painful. Every Member hears stories of such pressures first-hand at clinics and on the doorsteps. Often, people are left trying to cope without adequate support and they

[Mr. Haughey.]

get tired of constantly battling to ensure they have access to all to which they are entitled. This battle will end in victory for the disabled once this Bill is passed. It will legislate for the creation of an advocacy service for the disabled which I firmly believe will make a tremendous difference to those affected by a disability.

With this Bill on the Statute Book, disabled persons who approach the citizens information board will be assigned a personal advocate who will represent, assist and support them in ensuring they receive in full everything to which they are entitled. The advocate will be trained and knowledgeable about the social welfare system. They will be dedicated to the people they represent. This will relieve unnecessary stress for the disabled and their families, who will be assured of independent, professional advice. It will ensure an improved quality of life and allow people to concentrate on fulfilling their potential as individuals and citizens of this State.

The Government has committed itself to fully addressing the needs of the disabled and this is a major landmark and integral part of that commitment cemented in the national disability strategy. In 2005 alone, approximately €3 billion was spent on addressing disability issues, compared to €800,000 million in 1997. In addition, €2 billion was spent on income supports for people with disability, illness and their carers. This is a significant financial outlay, which I hope will continue to grow.

Ireland is changing at a fantastic rate and this legislation is practical recognition of this on the part of the Government. The restructuring of the citizens information board, including a reduction in the number of members and an increase in their period in office, will help ensure that the provisions contained in this Bill are put into operation to the maximum effect and fostered so they are maintained at the highest level.

This is the position not only in terms of the personal advocacy service, but the broader citizens information strategic plan intended to run to 2009. The board will work closely with the Government in implementing this plan, which is built on the four strategic priorities of integrated information, service delivery, advocacy and social development and accessibility. It was developed following extensive consultation with key stakeholders, including statutory and voluntary bodies, Departments, State agencies and the board and staff of Comhairle. This plan will affect everyone in the State and future immigrants to Ireland. It will affect those struggling with the terrible burdens of poverty, illness and disability.

A total of €55 million will be provided to the board over the next year and everyone will agree this will be money well spent. The focal point of this reform plan, the personal advocacy service, will be given additional funding. I am eager to see

this initiative offered complete financial support, so it can reach its full potential. This Bill could make a world of difference to individuals, families and households across the country and I wholeheartedly commend it to the House.

Mr. Andrews: I thank Deputy Haughey for sharing his time and I agree with what he said. It is a real opportunity for people with disabilities to break out of various cycles of disadvantage caused to them. The issue I would like to highlight is employment. If an advocate for a person with a disability does nothing else, I hope he or she will assist that person to find employment. It has become more difficult for people with a disability to find employment. Because of the over-regulation of employment it is now harder for an employer to take somebody on as an employee if that person has a disability, consistent medical requirements and accessibility issues. If he or she did nothing else, an advocate could address such problems.

One stark statistic emerged from a recent meeting I had with the spinal injuries action association. In Switzerland, 90% of people who suffer a spinal injury are able to find employment within the first two years, whereas the equivalent figure in Ireland is less than 20%. Many people with a disability are currently sitting at home following the aggravated trauma of injury in addition to suffering isolation and disconnection from a society in which they had played a full role heretofore. Those comparative figures mean there is something missing.

As Deputy Haughey said, it could be a watershed for the hundreds of people concerned who could and should be in employment, if an advocate was able to represent them directly. Such an advocate could bring to their attention information about courses, supports, services and resources.

Over the past two or three years, we have had a great debate about rights issues. Many people have said that the legislation should be rights-based rather than a Bill that, while similar, is not exactly the same. As we now have much more assessment of needs, there is a problem with the constitutional position. In future, we must also address the issue of whether we should have a constitutional provision for people with disabilities.

Deputy Quinn said that advocacy is built into the Irish political system, which is correct. As politicians we are constantly acting as advocates, steering people toward services to which they are entitled, but the contents of this Bill will reduce the need for backbenchers to do some of this work. Quite frankly, that is a good thing, although such work is central to our democracy and something of which I am very protective. Many people are sophisticated and intellectual about clientelism but we are always no more than

24 hours away from talking to constituents. We are never more than an e-mail, phone call or text message away either. That linkage with the voters is crucial and there is no equivalent in western Europe.

I remember canvassing outside Lansdowne Road on the occasion of an international match. It is slightly outside my constituency but people were coming there from my constituency by DART. A Frenchman came up to me and said "I can't believe that you're standing here; if you were a politician in France you would be annihilated and slaughtered because that is the level of hostility there." In Ireland, however, public representatives have a two-fold role in this regard — not only do we direct people to services but we also enhance our democracy. I have absolutely no problem in defending what others witheringly refer to as clientelism. I consider it to be advocacy of democracy in the raw and something we should be proud to protect. The Bill proposes to establish a statutorily-based service for people with disabilities, which is a great development and an extension of what we do.

Yesterday, I met representatives of the Carmona services, which are run by the St. John of God order. They provide services for people with intellectual disabilities and, clearly, resources are always a problem. One of the worst problems is the lack of residential places for older adults with intellectual disabilities. Such persons might be aged 40 or 45 and are now living longer. Their parents are in their late 60s or early 70s and in certain circumstances are unable to cope with challenging behaviour, physical and mental health problems and intellectual disability. Through the Bill's provision of advocacy, we will be able to allow access for such people to the required services.

During the course of the meeting with the Carmona representatives a situation was highlighted which is central to many of the problems facing our health sector in the provision of services, which this Bill is designed to address. The public representatives present asked the Carmona people how they went about getting approval for a service, course or other things they wished to provide for their clients. First, they have to make contact with the local office in Bray. If Bray agrees to provide the service, they must then contact their own governing body, the St. John of God order. To approve the request, the latter body must go to Naas, the famous central unit of the HSE. Naas must then check with Bray that this service is an appropriate one and has been agreed with Carmona. If that is agreed, Naas contacts the St. John of God order and tells them that it is all right to carry on with this service. The St. John of God order then contacts Carmona and the service is approved.

By my reckoning, that is a total of six steps before such a service can be approved. If

holidays, loss of files or other delays are included, there may be a six-month gap between the identification of a problem and its solution. In addition, the longer these problems are left unsolved the harder it will be to reverse their worst effects. There is something wrong at the core of the health system if it is that difficult to provide such benefits.

I spoke about employment and structural problems but we also discussed the provision of social and recreational opportunities at the Carmona meeting. As we all know, the special Olympic games were a huge success but there can be a long gap in the provision of the services to which I have just referred. One of the problems being experienced in Carmona is that while there are hundreds of volunteers they cannot undertake the work they wish to do without the provision of trained staff. This is one of the areas for which resources are not available. We should be examining the key issue of life-enhancing — the current buzzword is value-added — activities that would make the lives of those suffering from disabilities tolerable at least, if not an awful lot better. In Dún Laoghaire, those working in this area simply want to bring people out shopping or to the cinema, yet they cannot do so because trained staff are not available. This runs contrary to the core issue the Taoiseach has been talking about concerning active citizenship. We have a great cohort of volunteers ready to undertake crucial and noble work but they are unable to do it because the Government cannot turn on the tap to provide the necessary resources. That is wrong.

The Bill will provide for a team of advocates and Deputy Haughey spoke about a budget of €55 million. In that case, we will have a body of corporate knowledge that can be built up in the country and will provide the context for proper policy decisions and resource allocation in the sector.

I warmly welcome the Bill, which will make a great difference. I commend it to the House.

Mr. F. McGrath: I thank you, a Leas-Cheann Comhairle, for the opportunity to speak on this new and important legislation, the Citizens Information Bill, whose purpose is to improve services for people with disabilities. Before going into the details of the legislation, let me first outline the reality facing many families of those with disabilities. We have a long way to go and I will point out some of the cases that exist in this country.

St. Michael's House has the largest waiting list for residential care nationally. There are 296 people awaiting residential places for 2006 and over 74% of these people live on the north side of Dublin. To reduce the waiting list they need 70 places per year. It is not a great figure and any progressive government could deliver on this.

[Mr. F. McGrath.]

Regarding the ages of parents of St. Michael's House service users living at home in 2006, 42 service users' parents are between 21 and 30 years of age, 199 are between 31 and 40 years of age, 408 are between 41 and 50 years of age, 284 are between 51 and 60 years of age, 283 are between 61 and 70 years of age, 181 are between 71 and 80 years of age and 51 are between 81 and 90 of age.

I suggest the Government target the most needy first. I am struck by some of these figures especially those relating to families with parents between 81 and 90 years of age and between 71 and 80 years of age. Any progressive Government, any radical Minister for Health and Children and any sensible Minister for Finance would use the budget to address these figures.

My daughter uses the secondary service in St. Michael's House. The figures for residential places show that in 1993 the Government gave 16 places and by 2006 it gave 17 places. There is something radically wrong with that. In 2000 and 2001, 70 and 71 places, respectively, were allocated to St. Michael's House and these are the figures we should implement in this year's budget.

The figure for residential waiting lists nationally is 1,893, within which is the St. Michael's House figure of 296. We must be sensible and target resources and the implementation of policy to deal with older parents who have children with intellectual disabilities on waiting lists.

I commend St. Michael's House on some of the excellent projects it has, particularly taking adults with intellectual disabilities out of institutions and placing them in quality care homes. I know many of these projects and have many friends who use facilities where five or six adults with intellectual disabilities share a lovely four or five bedroom house under the care of St. Michael's House. This is far superior to locking those people in institutions.

I also commend St. Michael's House on the work it has done on St. Mary's Hospital and Special Residential School, Baldoyle. The facility was handed over for €100 and is now worth approximately €30 million on the property market. There are radical new ideas there relating to adults with autism and other intellectual disabilities and we should support them in these services.

I have a special interest in intellectual disabilities, but there are also many bright, articulate and talented people with physical disabilities in our communities who, with a little support, want to make a contribution to society. I met a 21 year old man with a physical disability at my clinic in my constituency and he had a fantastic mind, excellent IT skills and a great interest in current affairs, particularly foreign affairs. He is the type of young man who should be sought by the Civil

Service, possibly the Department of Foreign Affairs. There is a need for young people with an interest in foreign affairs and human rights. I urge the various Departments to work hard to break the 3% threshold.

I commend the likes of Dublin City Council. When I was a city councillor in 1999 the aim was to have 3% of the workforce comprised of people with disabilities. Within 12 months this figure reached 4.3%. That represents a couple of hundred people out of a couple of thousand and they are making a massive contribution. Dublin City Council has shown a very inclusive approach and is making a contribution to broader society. These are sensible solutions on which we are working.

The budget of two years ago was progressive on the funding of people with disabilities but we must continue with the issue. We must not give money to the wealthy in society in the coming budget. If there is money to be spread around it should go to the Department of Social and Family Affairs and towards disability issues. Good luck to those with two houses and two cars, but they should not be top of the pile when it comes to funding in this budget.

The Citizens Information Bill is a key element in improving services for people with disabilities. The combination of this Bill, the Disability Act 2005 and the Education for Persons with Special Educational Needs Act 2004 is intended to convey clearly the Government's intention to have an effective combination of legislation, policies, institutions and services in place to support and reinforce equal access for people with disabilities. I think every Member of this House will support the ethos and vision of this section of the legislation.

The purpose of the Bill is to amend the Comhairle Act 2000 to confer enhanced and additional functions on Comhairle involving, *inter alia*, the introduction of a personal advocacy service specifically aimed at people with disabilities. This Bill also seeks to change the name of the statutory body to the citizens information board, to make certain changes to the term of office and membership of the board and provide for related matters.

Sections 1 and 2 provide for definitions and terms used in the Bill, including disability, social service, chief appeals officer and voluntary body. The definition of disability used is that contained in section 2 of the Disability Act 2005 and other definitions are included in relevant sections as appropriate.

Section 5 provides for the details of the personal advocacy service, including the provision of a personal advocacy service to qualifying persons by personal advocates who are designated as such by the chief executive of the citizen's information board. There are many strong advocates for the disabled, particularly groups like Down Syn-

drome Ireland, of which I am a member, the Disability Federation of Ireland and Inclusion Ireland. There are many people who have made a major contribution and I urge the Government to listen to these advocates because they are a strong voice that we could use regarding this legislation.

We should seriously consider prioritising certain aspects of the budget for 2007. Achieving the full inclusion of people with disabilities in Irish life must continue to be a priority for the Government. Inclusion Ireland, which I support, calls on the Government to show its commitment to people with disabilities by putting in place the resources required to clear the backlog of demand for services and income supports. The positive economic forecast for 2007 shows resources are available to the Government. Commitments to people with disabilities have also been made in the new social partnership agreement, *Towards 2016*.

I also appeal to the leadership of the trade union movement to focus on the issue of disability. *Towards 2016* includes a strong section addressing the inclusion of people with disabilities and I appeal to all trade union members, from the leadership to the average member, to push the disability issue because it is an important human rights issue.

We in Ireland are often very good at discussing human rights as they pertain to other countries, and rightly so, but we must also ensure we address the issue as it relates to our own citizens. We must remind ourselves that these are the brothers, sisters, parents and children of people who pay their taxes every week.

The Education for Persons with Special Educational Needs Act 2004, the Disability Act 2005 and the national disability strategy impose significant obligations on Departments and public bodies to work to ensure a fairer deal for people with disabilities who have been excluded from our economic success story. No longer should the question be one of ensuring an equal distribution of resources, we must go one step further. A progressive, sensible Government would ensure that people with disabilities not only receive their fair share of the cake but are involved in running the bakery. I commend the many talented people with disabilities and their advocates.

I have a series of priorities for 2007, the first of which is to review current funding arrangements and end waiting lists for services for people with intellectual disability. This year 1,906 people require a residential service, while 1,877 others require a respite service. Residential and respite services must be provided to high standards. Even in the past week, I have met families who receive fewer respite care hours than other families because they are considered to be stronger. They also need support and time to themselves, particularly the parents of adults with autism, because

they care for their son or daughter most of the time. This is a difficult task at times, as I am aware from direct experience. We must, therefore, ensure respite services are available to all families caring for people with disabilities.

Inclusion Ireland has called for an independent audit of the national intellectual disability database, NIDD, in previous budget submissions. The NIDD cannot be an effective planning tool unless it is consistently monitored and the information collected is related to the needs of the individuals in question. The 2005 report of the Comptroller and Auditor General on the provision of disability services by non-profit organisations shows that nearly 90% of all intellectual disability services and 50% of physical and sensory disability services are provided by this sector at a cost in 2004 of almost €1 billion. Addressing the Committee of Public Accounts on 29 June 2006, the Comptroller and Auditor General stated:

At an early stage it became clear that although national databases had been developed to inform future needs and research, they were of limited value in assisting in the planning and managing of disability services. However, they showed that there were significant unmet needs.... Tackling this need requires a more holistic approach to planning the provision of services and greater integration of services procured from the voluntary sector into national plans.

The urgent need for voluntary organisations, private sector entities and statutory authorities to co-operate closely has been evident in recent days and will be highlighted again during the debate on the Leas Cross nursing home report in Private Member's business tonight.

The Competition Authority, in its submission to the Department of Health and Children on the strategic review of disability services, highlighted that there is little incentive under current funding arrangements to allow for greater competition in this area, thus leading potentially to more innovative services. I call on the Department to undertake an immediate review of current arrangements for funding services for people with an intellectual disability. This must include publication of the Department's strategic review of disability services, the ring-fencing of money for new residential services and a separate allocation of funding, to be specified, for those already availing of services whose needs have significantly changed or who are in substandard services. There is no excuse for substandard services. All funding for new places should be linked to each individual's assessment of need and identified by a pin number listed on the NIDD and a separate fund should be available for the emergency cases that arise every year.

I say to the Minister for Finance that a sum of €100 million plus €55 million capital will be required to start this investment programme in 2007, with a commitment to a similar level of

[Mr. F. McGrath.]

resources for each of the following years. As matters stand, the €900 million overall funding package announced as part of the national disability strategy for the period from 2006 to 2009 will not solve the problem of residential services. A portion of this money should be used to encourage innovative service arrangements to enable people to live independently in their own communities and receive supports in their own homes if that is their preferred choice. I encourage people to examine the sensible idea of offering people a choice. If an elderly parent of an adult with an intellectual disability wishes to remain at home, there is no reason he or she should be placed in residential care. A sensible Minister with a creative mind would ensure the necessary supports were provided at home to people in this position.

My second priority for 2007 is to increase the number of respite places in the community for children and adults over a three-year period. A specified number of these places should be ring-fenced for children and adults with significant disabilities and challenging behaviour. A sum of €5 million should also be allocated to facilitate pilot schemes to develop alternatives to centre based residential respite places.

My third priority is to complete the programme to transfer people with intellectual disabilities who are inappropriately placed in psychiatric hospitals. The number of people listed in the national intellectual disability database as requiring a specific intellectual disability placement is such that there is no excuse for further delay in ending this situation. The health strategy, Quality and Fairness — A Health System for You, published in 2001 designated 2006 as a date for completion of the transfer programme to the community. The transfer of people to nursing homes in the absence of national standards and inspections should not be an option, however. A sum of €25 million and a further €25 million in capital funding should be ring-fenced for this purpose in 2007. Standards and inspections, another prominent issue in recent days, are also needed.

My fourth priority concerns income and will require ending the means testing of the carer's allowance, the extension of the full disability allowance to people living in institutions and the introduction of a disability payment of €40 per week, initially for people currently in receipt of means tested social welfare payments. The cost of removing the means test for the carer's allowance would be in the region of €150 million per annum, while the introduction of a full disability allowance for those in residential institutions would cost approximately €1.5 million. The introduction of a disability payment would cost a further €160 million. I have supplied figures to cost the sensible solutions I have proposed to address the issues of disability.

It is important that we do not overlook young teenagers in second level education who need

support. This problem has arisen in my constituency in the past 12 months. Unlike some famous, private, fee-paying schools which appear to bang the doors shut on people with intellectual disabilities, a number of creative second level schools in north Dublin and elsewhere in the city have opened their doors to young children with intellectual and physical disabilities. These schools need support. It is not acceptable, for example, to have one learning support teacher in place for 500 pupils.

While I commend the Minister for Education and Science on investing significant resources to address the needs of children with disabilities in the primary sector, we must also wake up to problems in second level education. It is a scandal that proper services are not available to many young teenagers in secondary education. It is not acceptable that some young citizens, the children of taxpayers, have no access to services. I commend the schools that have the vision and courage to admit children with disabilities and do their best for them at a time when other schools are locking them out. If this process continues, we will have a two-tier education system in which the poorest and weakest children attend certain schools, while the brightest and most affluent attend other schools. This type of apartheid in the education system is unacceptable.

As a parent and strong advocate of people with disabilities, I urge the proper implementation of the Bill and demand, as a matter of right, proper services and support for all those with disabilities.

Mr. M. Moynihan: I welcome the Citizens Information Bill, the aim of which is to modernise the provision of information on all social services to all citizens, information that should be available to everyone. All public representatives have first-hand experience of providing as much information as possible to citizens. I congratulate the Minister for Social and Family Affairs and his staff on bringing this Bill into the House and the work they have done on it.

Many Members spoke about the effect this Bill will have on people with intellectual disabilities. It would be remiss of me not to congratulate those involved in St. Joseph's Foundation in Charleville. They do excellent work for those with intellectual disabilities from my part of County Cork and parts of County Limerick. As public representatives, we work hard with community groups and sporting organisations to advance the facilities available to them. The work done by the staff and management of St. Joseph's Foundation for people with intellectual disabilities is unmatched in any community group. I wish them well. They are always seeking funding to expand their services and it is good to see they have not lost their appetite. They formed the organisation in 1968 and have pushed the boundaries on funding for a wide range of initiatives ever since.

As many Members know, often citizens are not aware of their rights and entitlements. A week ago I met the Carers Network for an informal discussion on the information and support available from the State. Anomalies have arisen with PRSI and pensions and many people have found they are unable to claim their full State pension at 65 or 66. Information is sent out by both the State and individual Deputies but there are issues such as the farm retirement pension, where people stopped paying PRSI because they thought it was no longer necessary. When they reach the age of 65, however, the State pension is no longer available to them.

Problems exist throughout the system. Women who left the workforce to work full time in the home and returned to work when their families are raised have a gap in payments that reduces their pension. We must look at these anomalies to ensure that those who have given up their PRSI contributions should be able to find information about paying PRSI to ensure they will receive a State pension. I come across people who feel hard done by as a result of this.

I welcome the proposal in the Bill to communicate with all citizens, particularly the most vulnerable in society, including those with disabilities. The Bill introduces a personal advocacy service for those with disabilities who have, for one reason or another, trouble obtaining social services. This is an encouraging initiative that assigns personal advocates to people with disabilities who often face difficulties when applying for social services. This clearly shows the Government's commitment to deliver for those in our society with a disability and to give them the greatest possible chance of full integration into society.

The advocacy functions are clearly defined in the Bill as assisting, supporting and representing the people when trying to obtain a social service, pursuing any appeal on behalf of that person and providing support and training. The appointment of a director of personal advocacy is a vital step towards ensuring that what is proposed in the Bill is successful in its operation. I am encouraged that all queries can now be dealt with under the banner of citizens information. Prior to this, various groups dealt with various issues.

We must seize the opportunity to sell the citizens information concept to the public. An advertising campaign will inform people of the new service and the easily accessible website that replaces the old site, which has served its purpose, and a single telephone number, essential components in this new structure. The Minister has factored this into the picture when selling the service. We must harness new technologies to make the accessing of information simpler and the information itself more user-friendly and readily available. This is a major issue because many of those who contact us are looking for information in simple English.

This Bill provides for those with disabilities in a new and modern way and gives the necessary information so that people can be confident of receiving all the welfare payments to which they are entitled. This new service is progressive for the most vulnerable groups in society and will result in a significant improvement in the position of people with disabilities by removing any difficulties in applying for or obtaining a social service.

I welcome the launch of the citizens information strategy for 2006-09, which will meet the needs of modern Ireland. In this plan, the delivery of independent, accurate and integrated information is a priority. This is of the utmost importance to those in society who, until now, found it difficult to access information. The information strategy for citizens must incorporate information from all Departments, with consumer and farming information. The provision of concise, unambiguous, accurate and independent information has a role to play in breaking down barriers, opening up opportunities and allowing the most vulnerable citizens in society the chance to improve their situation and to build a better life.

The Minister's commitment that the information will be funded must be complimented. In the period 2006-07, €55 million will be provided to expand citizens information services and to ensure the proposals in the Bill are enacted. Like any legislation we pass, the most important thing is that the resources are provided to ensure its enactment. I have mentioned the need for concise information centres for citizens of this country from all backgrounds. It is now up to Departments to look at the Minister's blueprint, embrace it and ensure its implementation. Many Departments do excellent work but there is no contact with other Departments to ensure the joined-up thinking we need. This legislation will ensure Departments provide information for those with intellectual disabilities. The Government is making a serious effort to address these issues.

Debate adjourned.

Private Members' Business.

Health Services: Motion.

Dr. Twomey: I move:

That Dáil Éireann,

conscious of issues which compromise patient safety such as those exposed in:

- the Lourdes Hospital Inquiry Report;
- the report on the death of Mr. Pat Joe Walsh;
- the case of Mr. Peter McKenna; and

[Dr. Twomey.]

— the Leas Cross reports;

aware that the creation of one single employer, the HSE, for a majority of the staff who work in the health services, supports the case for the establishment of an independent body with a strong legislative base which is focused on patient safety;

calls on the Government to:

immediately establish a patient safety authority to put patient safety at the heart of the health services and to *inter alia*:

- set and monitor standards of patient safety in all registered health and social care facilities;
- advise on patient safety, investigate complaints and carry out quality reviews;
- act as the commissioner for mental health services; and
- facilitate “whistleblowers”.

I wish to share time with Deputies McManus and Crawford.

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

Dr. Twomey: There is no doubt this is a very important Private Members’ motion, where we will speak about a patient safety authority for our health service. I feel strongly about this issue and I am absolutely shocked at the way Ministers have responded. A reign of terror against elderly patients was benignly described as a systems failure by the HSE. On Friday, the Minister, Deputy Harney, poured out what can only be described as useless regret when she stated: “We are learning lessons from this, and we are implementing significant changes to give the required assurance to older people about care standards.”

The Minister went on to condemn the complete lack of respect for older people and their dignity which prevailed in the nursing home at Leas Cross. We are not becoming immune to this type of hypocrisy. Neither the Minister nor any Minister could muster up enough interest, let alone respect, to attend the press briefing on the publication of the Leas Cross report. That was in itself one of the most shocking facets of the publication of the report. None of the Ministers even bothered to turn up to give some condolence to the families involved or to indicate that the families were respected and their anger and sadness was understood. Those who did not turn up included the Minister, the Taoiseach, the former Minister for Health and Children, Deputy Martin, the Minister of State, Deputy Seán Power, and the former Minister of State, Deputy Callely. None was available to any of the family members at the

publication of this report. That was absolutely shocking.

If this report has been referred to the Garda Síochána for whatever reason, why is it the Opposition’s Private Members’ time which is being used to discuss the report? Why is no urgent debate being organised by the Government on this report? It has been referred to the Garda Síochána, but no need is felt to discuss this significant report in the House, and that is absolutely unbelievable. I will make the charge that there is a cover-up involved with much of this.

Which Ministers knew about what was going on in Leas Cross and what of the other establishments like Leas Cross that have yet to be exposed? Did senior management collude with Ministers with regard to what was known about the occurrences in Leas Cross and other institutions? Did Ministers insist that senior management stay quiet about what was happening in these institutions? This is an unbelievable report that is receiving almost a Mickey Mouse response from the Government. The arrogance is unbelievable.

There is no doubt the Government failed to respond to warnings about what was happening to elderly patients in a small number of institutions. If Ministers were not informed, there was serious negligence on behalf of HSE officials. The self-serving explanations at the back of the Leas Cross report will not get these officials off the hook. We know inspectors of nursing homes, doctors, nurses and other administrators told senior management what was going on, but nothing was done. Somebody must take responsibility for the issue.

There is now an opportunity for officials to come out and state what occurred. It is an opportunity for every official in the HSE to state what happened. There is no way Ministers will get away with what occurred here. I am asking people who work in the HSE to step forward. As a political party, Fianna Fáil has lost all credibility as the defenders of the poor and vulnerable. It shows here tonight, when not even one member of the Fianna Fáil parliamentary party could even bother to turn up for this debate.

What does it take to stir Fianna Fáil into real action today, when somebody like Peter McKenna died from neglect in a nursing home or when somebody like P. J. Walsh was allowed to bleed to death in one of our acute hospitals? It is unbelievable to think that a political party which claims to represent the poor is sitting in government doing absolutely nothing while this happens.

The “Prime Time” exposure of the scandal at Leas Cross was the first real public view of what people such as Deputy O’Dowd have been stating in this House for a long time and what we now know individuals such as Martin Hynes were stating in reports which were sent to the HSE. Even today nothing has been done to protect patients

to any substantial degree. That is what is shocking about this matter.

Although we all know the Government knew what was going on beforehand and although this Government really only responds to what happens in the media, there was no response when this case was exposed on "Prime Time" for the entire public to see what we all knew was going on for some time. There was absolutely no response of any great significance.

Fianna Fáil deserves a significant amount of the abuse it should get on this issue. It has allowed poor souls to be tortured in what is basically Ireland's version of Abu Ghraib, the notorious prison in Baghdad. Nothing has been done about it. That the Taoiseach has not sacked either the former Minister for Health and Children, Deputy Martin, or the former Minister of State, Deputy Callely, on the basis of what is coming out here, or that he has not demanded a full inquiry by the Oireachtas Joint Committee on Health and Children is absolutely shocking.

It is probably arrogance, incompetence or pure laziness and the trappings of power that are preventing the Government from doing anything. It is so far removed, it does not care. The Government believes this in a thriving economy. These patients died as the Government cares about nothing else but the cost of treating people. It has no idea of what it is to value people anymore. That will be its Achilles heel when it comes to facing the people in a few months' time.

Fine Gael today announced it would set up a patient safety authority. The basis of this authority is long overdue. One of the core points of a patient safety authority is that it would be independent and it would not only set standards and accredit institutions, but there would be a system within it where people could make a complaint. The patient safety authority would be obliged to write reports which go to the Minister. I have noticed that with the establishment of the HSE, the Minister is around for all the nice things, but once the heat comes on, the HSE is responsible.

Ms Harney: Are there any nice things? I have not heard the Deputy mention any.

Dr. Twomey: The Minister has been out a few times. There must be a few nice things going on in the HSE, according to her.

Ms Harney: The Deputy should tell me what they are.

Dr. Twomey: The Minister lets the HSE handle all the other issues. There is a sense that if politicians and the Government, delegated by the people to look after the health services, do not care, why should senior management and people further down the system? That is currently creeping into the health system.

Mr. Durkan: Hear, hear.

Dr. Twomey: We want to stop that. We wish to see control going back into the political institutions to protect patients. What good is it for the Taoiseach to talk about a referendum to protect children's rights under the Constitution when the same Government cannot protect the rights of elderly patients, which are already enshrined in the Constitution? The reason these cannot be protected is either that the Government is not enforcing the law in the way it should or it does not care.

All the legislation that should be introduced to protect patients is not being produced. The Minister will know from when she was Tánaiste that under the programme for Government the social services inspectorate was a priority in 2002, after it had found its way into the health strategy Quality and Fairness — A Health System for You in 2001. Yet here we are, five or six years down the road with little progress.

I have heard references to the term "successive Governments" with regard to illegal nursing home charges. We knew this would be a priority issue from 2001, yet nothing was done. The Government spoke about it every year. It referred to it in 2002 when it made up its programme for Government and it was mentioned again in 2003 when the first reports emerged of what might be happening in Leas Cross and similar institutions as it became a Government priority.

We can almost be guaranteed that events will continue as they have with HIQA, the Minister's idea for protecting patients. I do not agree with this and I do not believe it will protect patients the way the Minister claims it will. The social services inspectorate section of HIQA, if given the proper legislation, could protect patients, yet that will not see the light of day with the Government. That is a most damning indictment. It is important the patient safety authority which Fine Gael is talking about is established.

The appendices to the Leas Cross report show how senior management in the HSE tried to justify their actions: "At no stage during my tenure was the quality of care relating to patients in Leas Cross mentioned or reported to me personally". These are the words of a former chief executive officer of the health board. It was stated that nobody informed him or her that there was a problem in Leas Cross. This is the first question for the detective sergeant who goes in to interview that CEO when looking for the paper trail. Another former deputy chief executive officer stated the Northern Area Health Board management were satisfied that they had put a robust system in place that could adequately deal with issues arising in the course of inspections.

Both the official report and the appendices show that a large number of inspectors were clearly concerned that the information they were writing in their reports was not finding its way up the line. There were individuals further up the

[Dr. Twomey.]

line who may or may not have been passing on this information.

Will the Minister provide the Garda Síochána with the details of all the individuals who were part of the nursing home inspectorate of this health board area in the past four years? Where are all the senior individuals in the nursing home inspection unit of the Northern Area Health Board now? People retire and people move on but have there been attempts by the HSE to scatter these people across the system or persuade them to take early retirement to avoid embarrassment for the Minister in the course of the next couple of months? The Minister needs to pre-empt a Garda investigation and bring this debate back into this House.

She has failed badly in her protection of patients. She has not dealt with a whole list of issues. Will the Minister continue with the 5% ruling which means taking an elderly person's house when they require private nursing home care? Why is she failing to publish a policy on funding care of the elderly? This Government has abandoned all its priorities with regard to the protection of patients. The Minister should begin an inquiry into the care of elderly patients because she is failing them in every single aspect. She is failing to provide a policy to fund their future care, even though she will be on the radio to tell us all how more nursing home care will be required for the increasing elderly population. The only care option currently being provided is private nursing home beds and this is the sector where the failings are most serious. It was damning of the Minister's tenure when the private nursing homes organisation took it upon itself to implement a set of standards for private nursing homes because it knew the Minister's inaction was dragging them down. She has refused to deal with the minority of nursing homes that are failing patients in a most dramatic way. It is time for the Minister to take stock and to protect patients. She must stop thinking the only action the Government needs to take is to throw a few trinkets at everybody at budget time and to announce grand schemes. She is supposed to be protecting patients but she is not doing so.

Last Friday, the day after the Leas Cross report was published and a few hours after Fine Gael submitted its Private Members' motion, the HSE issued a press release stating that what was needed was a patient safety agency. There is no great belief that either the HSE or the Minister will protect patients; the HSE is simply responding to what is stated in the media and this needs to stop immediately.

The Minister must put her legislation to protect patients in order. She should follow Fine Gael's lead, change the way she is trying to set up HIQA and its remit and focus more on a patient safety authority which would concentrate on the needs of patients. It seems HIQA is all about processes and saving money. Much of the work of HIQA is

to do with costing drugs, diagnostics and treatments to decide whether or not they will be given to patients. The manner in which elderly people in nursing homes are being treated does not bode well for the rest of the patient population if the Minister continues with this line of thinking. She needs to take some advice from the Opposition and set up a patient safety authority before she goes any further.

With reference to what has happened in Leas Cross and to the Peter McKenna and PJ Walsh inquiries, the Minister should institute a Dáil inquiry and bring governance of this country back into Dáil Éireann. There should be a proper discussion in this House about how this misery and terror happened to elderly people in one nursing home and is happening and has happened in the past in other nursing homes. The Minister needs to move quickly on this issue but I do not think she is doing so. Those of us on this side of the House are extremely disappointed because this issue has been raised consistently. In July 2005 during the course of a "Prime Time" programme, the whole country witnessed shocking abuse of a proportion of elderly people. They questioned whether this could really happen in Ireland's health care service.

Does the Minister now regret that somebody of the integrity of Professor Des O'Neill was asked to write the report? A person of his integrity would never write a report to merely satisfy his political masters. He would write a report that would have an influence on patient care and this is what was delivered. What were the legal impediments to the Leas Cross report that prevented the Minister from publishing it for so many months? Why did she keep it on her desk and tell us there were legal problems but as soon as they were exposed, the report was published within three weeks? This is important from the point of view of her governance. She should not collude with some of her senior managers to cover up what is happening within the health services and dress it all up with media-friendly advice that everything is hunky dory and rosy in the health care service when we know that serious problems exist. That cover up is a national disgrace and a national scandal. It is time for the Minister to be more proactive in protecting patients and to tell us what is happening in the health care service. I hope the Minister will take some of our concerns on board.

Ms McManus: I welcome this opportunity to debate this important issue of patient safety. I thank Fine Gael for sharing their time in this important debate. This issue has never been more important than it is now. In recent times there has been a litany of shocking revelations about deficiencies in the health service to such an extent that public confidence has been undermined.

The task of any Government is to restore confidence in the health service and to introduce robust, effective measures that are statutorily

based and serve to empower and protect patients. Instead the Government has prevaricated, obfuscated and delayed taking the necessary action. When the Leas Cross nursing home scandal was broken by RTE, the Taoiseach promised swift action and new legislation, yet 18 months on, we are still waiting. When tough decisions were to be made, the Minister, Deputy Harney, talked tough, but when the time came last May to publish the Leas Cross nursing home report, she hid behind her legal advice. We pointed out very clearly that the Minister had the authority under the Health Act 2004 to ensure the publication of this report. She chose not to do so. A press conference was held last week to oversee the report's publication. Remarkably, not a single Minister turned up. That was probably the most telling point. The abject absence of political leadership simply added to the distress and pain experienced by the families of those who died at Leas Cross. People found it unfathomable that there should have been such an absence of political leadership.

This report can now be added to the sad litany of reports that has built up during the Government's watch. The Our Lady of Lourdes Hospital Inquiry report, the report on the deaths of Pat Joe Walsh, Peter McKenna and Róisín Ruddle, and the Leas Cross report are only some of the reports that examine institutional abuse of the elderly, the surgical mutilation of young women and the death of a middle-aged man who bled to death in a modern Irish hospital. Other tragic events have also been examined.

There is also the anecdotal evidence that arrives on Members' desks on a regular basis. The patient who contracted MRSA but was not told about it and the family only discovered the fact when it appeared on the death certificate. The child with a broken arm left for 20 hours without water in a hospital ward. An older man left undiagnosed in extreme discomfort and covered in his own faeces while in hospital. The complaints range from dirt in the toilets to the death of a child through medical misadventure. These complaints are disturbing, but when we get them we ask ourselves what we can do with them. There is nobody we can trust to ensure these complaints are acted upon. The complaints we get are only a drop in the ocean. Data collected by the State Claims Agency show that 1,000 adverse incidents involving patient care are occurring in Irish hospitals every week. It is estimated that this is only 30% or 40% of the real figure.

Action needs to be taken, but it cannot be small-minded, defensive, or of the typically minimalist approach that the Government appears to think is good enough. We need an independent, co-ordinated and standardised approach to patient safety with clear accountability, including political accountability, and enforcement. It is interesting to note that among service providers, including private nursing homes, there is an appetite for better co-operation and improvement in inspections and regulation to allow staff deliver

services. People want to deliver facilities and treatment, but they want to do so in circumstances where everybody is governed by best practice.

Labour and Fine Gael recognise the urgent need for the establishment of an independent body with a strong legislative base, focused on patient safety. We have joined forces and today published the framework for a patient safety authority that puts patient safety at the heart of the health service. We want a robust, statutory authority to empower and protect patients. We want to restore confidence in a health service system that has become dogged by too many scandals, too much neglect and too many people dying needlessly and without dignity. The irony is that we have great health professionals who work hard to ameliorate the effects of illness and ill health. They often work in very trying conditions that are overcrowded and overstretched. Both patients and health professionals deserve better from a Government that has let them down so badly.

Labour and Fine Gael propose a patient safety authority that will bring ministerial responsibility back into the health service. It is essential that patients within our health service feel safe and know they have an authority that advocates for them and demands answers on their behalf, as well as having the power to improve standards of care and safeguard patient safety.

The report of Our Lady of Lourdes Hospital Inquiry is one of the most revealing accounts of medical failure in the history of the State. It raises serious questions about how the State ensures patients are properly protected from doctors who may lose the ability to perform to an acceptable standard. It beggars belief that so many women could have been subjected to what amounts to unnecessary surgical mutilation of their bodies. The distress caused to those women, often young women, by the removal of their wombs without their consent, thus robbing them of the capacity to have further children, is almost unimaginable. Anyone reading this report will wonder how it happened and how it went on for so long. Yet, were it not for the courage of a midwife and the swift response of the health board, the medical practice and the consultant would still be in operation today. From 1974 to 1998, 129 women were subjected to this practice until someone blew the whistle. To this day, that whistleblower has not been identified publicly. That is telling too. The shocking fact is that were it not for the courage of a relatively junior midwife who drew attention to Dr. Neary's record in 1998, more women could have suffered.

This case clearly highlights the urgent need to provide legislative protection for whistleblowers, not just within the health sector but in all areas of Irish life. The Labour Party has long sought protection for whistleblowers who are worried about bad practices or wrongdoing in their place of work. The patient safety authority will give

[Ms McManus.]

protection to whistleblowers who act in good faith where there is danger to health and safety of a patient, staff member or member of the public, miscarriages of justice or crimes or breaches of legal obligations. The leader of the Labour Party introduced the Whistleblowers Protection Bill in 1999. It passed Second Stage in June of that year, but the Government has since resisted all efforts to have it progressed further. The culture of secrecy continues. I noted a doctor complaining most vehemently about the most recent draft consultants' contract which contains a clause that would deny consultants the right to talk to the media or the public of serious concerns they may have. While that stricture may have applied in the past, it goes completely against the rhetoric so often used by the Minister for Health and Children who promises accountability. At the same time as she is espousing this rhetoric, she is responsible for shutting down the best and long-standing conduits of information when setting up the Health Service Executive.

I note that the HSE yesterday launched an initiative called "Use the Right Door". While I am sure it is a good initiative, I am equally sure it would raise a wry smile among many people. The real difficulty with the HSE is that one cannot find the right door. If one is seeking information or trying to find the person responsible, one does not know which door to use — there probably is no door anyway. One is fobbed off by the Minister for Health and Children when one puts down a parliamentary question. The HSE may respond six months later saying that it does not have the information, but may have it in a further six months. This is the reality of trying to access information from the health service.

There is one lesson more than any other that we should have learned from all the scandals that have been revealed and the anecdotal evidence we receive in correspondence — terrible things can happen where there is a culture of secrecy and where a service as important as the health service is neither open nor accountable. It is dangerous for patients to be treated within a closed system. It is much better to have openness and accountability so people feel they can trust the service. A patient safety authority can provide that security. We do not currently have this. Public representatives do not know where to turn.

It makes no sense to write to the HSE. It is a vicious circle. One is complaining to the people responsible for the problem. When the HSE was to be established, before Deputy Harney took over as Minister, there was a clear framework to set up a parallel system comprising the HSE and an authority that would ensure information and quality standards. However, the Government does not see the importance of quality, information and standards. It never got the balance right. There would have been tensions with the parallel system because a statutory authority

would have been established at the same time as the HSE as a watchdog or guardian for patients, the type of authority we have elaborated on in a more comprehensive form in our proposal for a patient safety authority.

We got nothing and since then we have seen what can happen. We see it in the Leas Cross report: institutionalised abuse of elderly and frail people. That is the legacy and to this day, despite all we have read and seen on television, we know it is not restricted to Leas Cross. We also know the Government does not have its act together and the legislation does not exist. There is no excuse for prevarication. While the Government has no problem speeding legislation into the House to ensure people pay nursing home charges, it cannot provide for the protection of patients. It is the characteristic of the Government. It can provide tax breaks for private hospitals but cannot deliver the 200,000 medical cards it promised. That is a feature of a Government that is incapable of ensuring that patients are the centre of our health service. We must empower patients. If we fail to do so we must live with this litany of deficiencies, failure and neglect which we have seen in these reports. That is one of the great failings of the Minister and her predecessor, who established the idea of getting rid of the health boards willy nilly and establishing a central body. It is hard for any of us to pinpoint the benefits of the HSE. Perhaps the Minister will tell us what, precisely, has been the experience of patients that allows them to say it was a good political move to deliver a central body.

I know a public patient who has waited 15 weeks for open heart surgery and has been told he will have to wait three to five weeks longer. He is an ordinary, working-class man who deserves better. What can I do for him? Where can I go to say what is happening to him is wrong? I hope this will bring a change of heart from the Government, but I suspect it will not. There will be more defensiveness. We have seen from the amendment to this motion that we are getting more of the same. That is a pity and I regret it. Irish patients deserve better.

Mr. Crawford: I thank Deputies Twomey and McManus for bringing this issue into the Dáil. We receive many lectures about patient safety being the No. 1 issue. As somebody from County Monaghan, I agree that patient safety is, and should be, the No. 1 priority. However, when one considers Leas Cross and the case of Mr. Pat Joe Walsh, one wonders where is the systematic failure. As Deputy McManus spoke about some of the cases, I could not help thinking back to a short time after I entered this House when, on routine work, I met a young girl in Kingscourt whose sister was in need of urgent surgery. She had been put through the ropes and received all sorts of promises, but nothing happened. I went to the then Minister for Health, Deputy Howlin, told him the story and within days the matter had

been dealt with. That was at a time when there was no money in the State, when money and all sorts of items were scarce. The Government has said there is no need to collect any more stamp duty because there is too much money. However, the families of Mr. Walsh and many others have to grieve. I again sympathise with them.

Mr. Walsh's family was not aware that he was being moved from Our Lady of Lourdes Hospital. He was moved solely because there was pressure on that hospital and the bed was needed. He went to Monaghan General Hospital with a bleeding ulcer and we know the result. There were difficulties with the amount of information that went with him from Our Lady of Lourdes Hospital. Although I do not have time to examine the entire report, it makes interesting reading. It states:

The inquiry has revealed systematic evidence of serious process failure [the words in which it is expressed are wonderful] at almost all levels of activity apart from the nursing care. This process failure resulted in an inability to achieve transfer of the patient. For example the on-call consultant in Cavan hospital was working under a policy that effectively precluded him from undertaking major GI surgical procedures.

The inquiry also reported "continued failure on the part of management over a sustained period of time to address the factors resulting in the failure of Mr. Walsh's hospital transfer". It cited "lack of engagement between management and clinicians" or consultants, recommended "major reassessment of management structures" and said "prime responsibility for this development lies with hospital management at both local and regional level".

Who is in charge of the health service? In Cavan-Monaghan we know there has been management failure for years. This issue has been in crisis in the north east. Surgeons have had to go to the courts to solve their problems, yet management is allowed to stay there. Who is responsible and who will take control? Last Thursday evening we were told that all the interest is in safety and the only way to ensure safety is to close down issues and ensure proper care is available. This report, like many others, has made it clear that management is a problem. We are told money is not the problem. Yet in the review done by Mr. Robinson of the then health board, he stated that because of the increased numbers in the NEHB region, we were short €130 million three years ago and 1,500 personnel to bring us into parity with other areas. I ask the Minister to take responsibility. We do not want any more waffle or extraordinary experts. We want ordinary consultants and people who have a clear record of doing good work, saving lives and creating safe conditions. We want to see them given the opportunity to work — then people such as Mr. Pat Joe Walsh will not die.

Minister for Health and Children (Ms Harney):
I move amendment No. 1:

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

- welcomes the Government's commitment to promoting patient safety and high-quality health services and in particular to the setting up of the independent health information and quality authority which will progress the safety and quality agenda in the health services through setting and monitoring of safety and quality standards;
- supports the Government's commitment to introducing legislation which, *inter alia*, will establish the social services inspectorate on a statutory basis, including a robust system of inspection and a strengthened registration and deregistration;
- notes the proposed statutory role for the first time of the Office of the Chief Inspector of Social Services in inspecting and maintaining registers of residential centres for people with disabilities, children in need of care and protection and older people in public and private sectors;
- notes the Government's commitment to ensuring that high-quality care is made available to all patients in public, private and voluntary nursing homes, and, in that context, welcomes the preparation of new and stronger regulations to update for the first time the Nursing Homes (Care and Welfare) (Amendment) Regulations 1994 and standards for residential care settings for older people;
- welcomes the HSE's provision of information to the general public on nursing homes and its policy decision to make nursing home inspection reports available on its website, and, in particular, welcomes the publication of the Leas Cross report;
- acknowledges the work which has been initiated since the publication of the Lourdes Hospital inquiry, including action at local level to improve clinical accountability and performance in the hospital;
- recognises that high patient volumes are needed for specialist services to achieve the best clinical outcomes;
- acknowledges the need to ensure that medical and surgical procedures are carried out at appropriate levels within the hospital network for best patient outcomes;

[Ms Harney.]

- supports the Government's commitment to reforms that will achieve improved safety and quality outcomes for patients;
- acknowledges that the HSE has put in place management structures at both corporate and hospital level with responsibility for ensuring quality and minimising risk;
- notes the Government's commitment to the development of a protected environment in which staff may disclose concerns about patients' safety;
- notes that the Minister for Health and Children will introduce regulations in early 2007 which will set out a statutory framework for the introduction of a complaints process throughout the HSE;
- supports the important role of the Irish Health Services Accreditation Board and its work in applying accreditation standards to ensure safety and continuous quality improvement; and
- commends the Government on measures to ensure that the patient safety needs of people with mental illness are monitored and protected by the Mental Health Commission and the Inspector of Mental Health Services."

If anything sums up the need to remove political interference from the day to day running of the health service, it is the case that Deputy Crawford has just mentioned. He said he had a particularly difficult case so he went to the then Minister for Health, Deputy Howlin, and the matter was addressed. If anything has to end in this country, it is political interference in the manner of choosing one patient ahead of another. The reality is that when the parties opposite last left Government, some 27,000 people were on hospital waiting lists.

Mr. Crawford: The Minister cannot just say that.

Mr. Durkan: She is living in the past.

Ms Harney: The idea that we should put one patient ahead of another simply because of a political word——

Mr. Durkan: At least he was able to get action.

Ms Harney: ——is not acceptable. Take, for example, breast cancer. In 2003, about 76 surgeons performed operations for this condition in 35 hospitals around the country. Some 39 of the surgeons operated on less than five cases in a whole year. We know from international experience that such a low volume of surgery is danger-

ous, the survival rate is poor and the outcomes are bad. As we seek to change that, which is what patient safety is all about, we are being loudly condemned by the Opposition, from which we have had not a single voice of support. We know, too, that with 53 acute hospitals serving a population of 4.3 million, we cannot safely provide the range of acute services that is required in every single one of them. Therefore, we have to make decisions, governed only by what is in the interest of safe patient care and how much of it can be provided as conveniently and locally as possible. That is what is determining the health reform agenda.

I frequently hear calls in this House for the old health board regime or something similar to be put back in place. Most of the criticisms heard this evening occurred under the watch of the old health board system, including the experiences at Leas Cross. It is certain that if we do not have a single entity such as the HSE, responsible for the delivery of the health care system for a population of 4.3 million and accountable to the Oireachtas for the money it gets — unlike the former health boards which were accountable to the then Minister for Health for how they spent the money even while they were responsible for delivering the service — there will not be good management, appropriate delivery of services or responsibility.

The reality, if we really want to be governed by patient safety considerations, is that we have to make tough decisions. Those decisions are being made and I look forward to receiving support for them over the coming months, in the light of tonight's motion.

Mr. Connolly: Is there an acceptable level of mortality for those decisions?

Ms Harney: I was criticised for rushing the Health Bill through in 2004——

Mr. Connolly: Will the Minister address the incidence of the 17 lives lost in Monaghan?

Ms Harney: ——Deputy Connolly will have his chance to speak — because I was anxious to ensure that the new organisation should be up and running as quickly as possible. I was criticised for that happening too quickly. Now I am being criticised because the HIQA Bill is not fast enough. In March this year, I decided to publish the heads of that Bill. I got 70 submissions in the three months it was open for public consultation. I did not get a single submission from the Opposition parties. Not a single Deputy came forward to tell me what should be in the Bill or whether he or she liked the proposals that had been published. Deputy McManus can laugh, if she likes, but——

Ms McManus: The Minister is blaming the Opposition, but the buck stops with the Minister.

Ms Harney: I am simply saying the Opposition had an opportunity to put forward its perspective—

Ms McManus: We are here in the Chamber. That is what we are here for.

Ms Harney: —and I just make the point that I got nothing. I was criticised for not having consultation on the Health Bill and I decided I would have consultation on this Bill, as I have had on the Medical Practitioners Bill and the Pharmacy Bill. It is good to have consultation and there must be a timeframe for it. Although many other organisations saw fit to have an input and were taking many of the suggestions on board, it was interesting that there was no input from the Opposition parties.

Mr. Connolly: The Minister should stick to the basic issue.

Ms Harney: I want to answer one other question. I have been asked why the Leas Cross report sat on my desk.

Dr. Twomey: On a point of order, I apologise for not making a submission to the Minister, but unfortunately—

Acting Chairman (Cecilia Keaveney): That is not a point of order.

Dr. Twomey: —she has been keeping us too busy watching other aspects of the health service to do so.

Acting Chairman: That is not a point or order.

Mr. Connolly: We have made several submissions on basic services to the Minister and she is not listening to them.

Acting Chairman: Deputy Connolly will have his opportunity to speak. Deputies have already had their opportunities, time is limited and the Minister should be allowed to continue uninterrupted.

Ms Harney: I was asked by Deputy Twomey why the Leas Cross report was not published sooner and what was the legal advice. The report was commissioned by the Health Service Executive. The HSE received strong legal advice that it could not publish the report unless those who could be identified through it by virtue of the jobs they held had the opportunity to have their perspectives taken on board. I sought the advice of the Attorney General to see whether I could use the privilege of the House to publish the report, or do so through an Oireachtas committee. Again, the very strong advice I got from the Attorney General, about three weeks ago, was to the effect that if Professor O'Neill was not happy to take on board the input of those referred to,

somebody else could do it and the report could then be published. That is what happened. People can criticise it, but tribunals have been established by this House which hear evidence in public and people have an opportunity to take legal advice in considering the questions being put to them.

It is no secret that the Moriarty tribunal, as we know from the newspapers, circulated facts it was going to disclose about individuals last September. Notwithstanding that they are public tribunals, hearing evidence in public, they are required under natural justice, according to the Constitution, to give the individuals concerned the opportunity to see the conclusions being drawn about them and to have an input. That is the law under which we operate, and the Constitution.

Mr. Connolly: The exact same reasons were proffered in the case of the Pat Joe Walsh report. It will be released on an opportune date as well.

Acting Chairman: The Deputy will allow the Minister to continue.

Ms Harney: If any of us was the subject of criticism, in all fairness, we are entitled to respond and to have that response considered. That is the reason it has taken a long time to get to the position we reached last Friday. Finally, as regards last Friday, I am now being criticised because I did not turn up at the press conference. If turning up at press conferences is a sign of commitment, interest and concern, then we have come a long way down the road in politics. It was not my job to be at that press conference. It was called by the people who commissioned the report, namely, the Health Service Executive. I was available to the press and gave extensive interviews. Deputy Twomey should know that I do not run from things. I took on this job as Minister for Health and Children well aware of the challenges and the difficulties. I love the job, the challenge and trying to do the right thing, which is what I remain focused on.

Professor O'Neill's report is obviously extraordinarily critical of the level of care in Leas Cross nursing home. It is a chronicle of neglect, no less harrowing for its being short and succinct. I deeply regret the distress caused to the older people and their families who have been affected by the failures of care shown in that report. There was a gross lack of respect for older people and their dignity. I know all Members of the House will join with me in condemning in the strongest possible terms what happened at Leas Cross. The fact the nursing home in question is now closed in respect of the previous management is some small measure, but this is of little comfort to the relatives of those whose loved ones were failed so badly. It is clear warning signs and complaints were not given the attention they were due. This is a message that emerges from Professor

[Ms Harney.]

O'Neill's report, from analysis by Mr. Martin Hynes and from a separate report for the HSE by Dr. Dermot Power, who dealt with a number of individual complaints. These events and reports challenge us to respond in a comprehensive way. It is the intention of the Government to do so in three areas.

The Government will bring forward new legislation to strengthen regulation and inspections to assure the public about quality and safety. The legislation will be published before Christmas. The Government will continue to increase funding for services for older people substantially, as it has done this year. It will also fundamentally reform the basis on which we provide financial support for people needing long-term residential care, so that care is affordable and care at home and in the community can be supported as much as possible. These actions will respond to the challenges presented by the failures evident at Leas Cross, and meet the wider challenges of securing the best possible care and support for people in long-term care.

The motion from the Opposition parties is well-intentioned. It is also clear that the actions suggested in the motion are largely contained in, and borrowed from, the draft heads of the Bill I published in March. I welcome recent statements by some members of the Opposition that they intend to facilitate the passage through the House of the substantive health Bill that the Government will publish this session. I look forward to that co-operation.

The Bill is substantial, the centrepiece of the Government's reform programme. The draft heads I published amounted to 122 pages. Over three months, 73 organisations and individuals submitted comments, valuable input that is informing our work on the Bill. The Opposition calls for immediate setting up of a new agency. The Health Information and Quality Authority, HIQA, is already in existence on an interim basis. Its board is carrying out preparatory work for its role on a statutory basis and it has recruited a top class chief executive, Dr. Tracey Cooper, former deputy chief medical officer in the UK. Opposition Members have recently been briefed on the role and work of HIQA.

I wish to focus on one aspect of the new health Bill. It will provide for the office of the chief inspector of social services in HIQA, with specific statutory responsibilities for the registration and inspection of all nursing home places, both public and private. The chief inspector will also inspect residential centres for children and people with disabilities. This is not merely a process improvement. It will mean a major change in the strength and independence of inspections and will substantially increase public confidence.

In respect of nursing homes, the new regime will be stronger and more robust to ensure that standards of care, not just standards of buildings, are met. The chief inspector will inspect the

homes against new regulations governing these homes and standards set by HIQA. The Bill will also strengthen and modernise the registration and cancellation of registration process. The chief inspector will have the power to refuse to register, attach conditions to a registration, or cancel a registration in the event of non-compliance with regulations.

This Bill will demonstrate that the Government is making patient safety a driver of substantive reform throughout our health services. We will set new standards, strengthen inspections and gather and publish new information on outcomes as we have done already on hygiene in hospitals, for example. We will ensure that patients' voices are listened to, both the complaints and the compliments. Patient safety will help us to make the right decisions on the best organisation within hospitals and the best organisation of our hospitals. We will provide as many services as possible, as locally as possible and as safely as possible. Patient safety and quality outcomes will inform the investment in and organisation of our new cancer control strategy. Everyone working in health can unite around this agenda of patient safety.

It is an agenda for constant change and improvement that requires clear leadership at all levels of our services. As Minister, my job is to keep patient safety at the top of the political agenda, to bring forward policies and legislation to increase safety and quality. I look for leadership from consultants, the top clinical decision-makers on a change agenda driven by patient safety. I also look to other leaders in the medical, nursing and other professions in health who are well positioned to take on leadership roles for real and lasting improvements in safety and quality. I also encourage patients and their advocates to play their part in embedding safe care in our systems. Reliable and accurate information on what is happening in our systems is a critical prerequisite for effective action. HIQA will help us to improve our data collection, analysis and results dissemination so that learning to prevent clinical error is shared across our health services.

We must examine fundamental issues such as how our hospitals are designed and constructed so that we can tackle problems like hygiene more easily. All areas of service provision should be continually reviewed to ensure that safety is provided for our patients. This can include, for example, the broad area of equipment design. Some disciplines such as anaesthesia have shown what can be achieved by better design of equipment such as anaesthetic monitors. These changes have resulted in dramatic reductions in anaesthetic errors. Apart from the harm avoided and the lives saved this has also led to fewer malpractice claims and lower insurance costs. These principles can be applied in many other disciplines.

To reduce clinical error we need to tackle the culture that pervades many clinical settings. Rigid hierarchies can inhibit junior staff from high-

lighting areas of possible error. A culture of blame and shame makes it harder for individuals to admit error and learn from it. A culture of safety is based on accepting that the working environment and the wider organisational context are key determinants of clinical error. By moving from a blame culture to a safety and learning culture we will improve critical incident reporting and analysis. Interdisciplinary training could help to break down possible communication barriers in clinical settings.

Patients, their relatives and carers must be central to our efforts to minimise harm and we must develop mechanisms where they are empowered to point out any possible errors or care deficiency without fear of the consequences. I encourage patients to adopt a working motto such as "Nothing about me without me" and assert their right to comprehensive information on how their condition is being treated.

The inquiry into peripartum hysterectomy at Our Lady of Lourdes Hospital, Drogheda chaired by Judge Maureen Harding Clark was established by the Government in 2004 following the decision of the Medical Council to remove Dr. Michael Neary from the register of medical practitioners after finding him guilty of professional misconduct. The Government decided that a further inquiry into the matters raised by the Medical Council was necessary. Since the publication of the report in February 2006, I have met many of the key stakeholders including Patient Focus, the HSE, the Medical Council, and the management and medical board of Our Lady of Lourdes Hospital.

The recommendations in the report are informing the policies the Government and the HSE are implementing in a number of areas including the preparation of the new medical practitioners Bill; the new contract for hospital consultants, with particular emphasis on the development of clinical leadership within the profession; and changes in management systems and quality assurance within hospitals to develop care delivery through managed care networks.

The report will help to inform the continued approach of my Department to these important issues. As for the hospital today, the inquiry found that the possibility of the maternity unit falling behind in current practice is now remote. However, we cannot be complacent in respect of this finding and must ensure that all necessary measures are taken on foot of the report's findings. There have been major changes in practice in the maternity unit to minimise or entirely remove the climate of isolation referred to in the Medical Council report. The incidence of peripartum hysterectomy has fallen dramatically and now accords with national rates.

There is now a team of consultant obstetricians to facilitate improved clinical audit and clinical governance. The current consultants have developed a strong collegiate approach to prac-

tice. The unit is moving forward and offering care that is evaluated against known benchmarks.

The inquiry found the medical board and the new consultants to have the motivation, skills and energy to move the hospital forward as a fully recognised teaching hospital with specialist registrar training in all departments.

As I noted earlier, I met the medical board following publication of the report and was impressed with its obvious commitment to ensuring the very highest standards of care prevail in the department.

The Health Service Executive published the report of the independent inquiry into the death of Patrick Joe Walsh in Monaghan hospital on 7 September last. The report details the obstacles that arose when trying to secure Mr. Walsh's transfer from Monaghan to either Our Lady of Lourdes Hospital, Drogheda or Cavan General Hospital. Since the death of Mr Walsh, a new protocol regarding patient transfer has been put in place. It provides that all requests for transfer from Monaghan General Hospital to Cavan General Hospital or Our Lady of Lourdes Hospital, Drogheda should be granted and processed immediately.

International best practice demonstrates that patients have better outcomes when treated in hospitals with appropriate numbers of specialist staff, high volumes of activity and access to the correct diagnostic and treatment facilities. I am concerned that at present, some patients are being exposed to increased risk because specialist services are being provided in some hospitals that lack the necessary critical mass of activity and patient throughput. Patient safety and quality must be paramount and must be the key drivers in the reconfiguration of our acute hospital services. The policy of the Government is to provide safe, high quality services that achieve the best possible outcomes for patients. This will mean rebalancing service delivery in order that those services that can be safely delivered locally are so delivered and that more complex services requiring specialist input are concentrated at regional centres.

Acting Chairman: Is the Minister sharing time?

Ms Harney: Yes I am.

The HSE has recently established a steering group to implement the Teamwork Management Services report and to oversee a programme of improved safety and standards across the acute hospital network in the north east. This group is led by the national hospitals office and the project group is led by Dr. Eilis McGovern, a consultant surgeon from outside the region. The HSE has begun the process of reorganising its acute services in order to further the implementation of the Teamwork Management Services report, as well as the report of the independent inquiry into the death of Mr. Walsh.

[Ms Harney.]

In conclusion, the Government is embarked on the detailed implementation of reform, new legislation and funding, as well as a new culture of safety in health. It will set standards and strengthen inspections and registrations. It will also do all it can to safeguard a culture of patient-focused care, a culture that is not mechanical but is deeply rooted in a humane and ethical commitment to respecting and valuing human dignity.

Health services are delivered by human beings and human beings make mistakes. As medicine is not an exact science, some level of error is probably unavoidable. The challenge facing us is to reduce or eliminate avoidable mistakes. I have outlined many current developments as well as those that are under way, which should contribute enormously to protecting both patient safety and patients' rights.

Mr. O'Connor: I thank the Minister for sharing time. I welcomed the decision of the Health Service Executive to publish Professor Des O'Neill's report. I note the Minister has welcomed its publication and has stated the HSE will work to implement its recommendations. As I have stated at other times, I know Des O'Neill very well. He works in Tallaght and took care of my father during his last illness. I value his work on behalf of elderly citizens. While I should not be struck by such matters, I noticed that the Minister mentioned Eilis McGovern. It reminded me that when I underwent heart surgery, she was the lady responsible. It is good to see she is doing other things.

The issue of safety in the delivery of health services lies at the heart of any care system which has the confidence of the people using those services. While the health sector is one of the most complex areas of activity in any country it must, by its very nature, command the confidence of those who use it. To obtain that confidence, the measures set out by the Minister are fundamental. There must also be a framework of ethical behaviour by service providers and professionals if the trust of patients is to be secured. Governance, in the broadest sense, is critical if any system is to put in place the correct elements that will create the necessary framework of good behaviour.

I will describe some of the developments regarding these elements as they affect the HSE and key professional bodies. At the outset, it must be acknowledged that those who work in the health services and have real concerns regarding the safety of patients, otherwise known as whistleblowers, should be listened to and their position protected when genuine concerns are expressed. This is a complex area and one must be careful that different views regarding a problem are considered in a structured way. While the issue of staff who disclose concerns on patient safety has been under examination in the Department of Health and Children, the complexity of

the matter has meant it has not proved possible to draft an appropriate provision in time for inclusion in the health Bill. However, I understand the Department continues to develop legislative proposals on this issue, which I welcome.

A number of statutory and other provisions are already in place in respect of governance in the health system. For example, under the statutory frameworks governing health professionals, there are provisions concerning the ethical conduct of such professions. The Health and Social Care Professionals Act enacted last year provides for the establishment of registration boards for each of the professions covered by the Act, the functions of which include giving guidance concerning ethical conduct and support to those registered with the boards in respect of the practice of their professions.

The Medical Council has a guide to ethical conduct and behaviour which deals with matters of confidentiality and consent under circumstances in which there are exceptions to the rules of confidentiality and in which doctors should report on the behaviour and competence of other doctors.

Section 25 of the Health Act 2004 provides that members of the board of the HSE, members of any committees of the board, employees of the HSE or any person engaged by it as an adviser shall maintain proper standards of integrity, conduct and concern for the public interest. In order to ensure the implementation of such standards, the HSE is obliged to draw up a code of conduct for employees not covered by standards applied by the Ethics in Public Office Act, as well as advisers and their employees. Such a code must indicate the standards of integrity and conduct to be maintained by them in performing their functions.

Furthermore, section 35 obliges the HSE to draw up a code of governance that will include guiding principles applicable to the HSE as a public body. The Department issued a framework document for corporate and financial governance for the HSE and requested the executive to draw up a code of governance in line with it. The framework document highlighted specifically that in 2001, the Government approved a code of practice for the governance of State bodies under which such bodies are obliged to set out their objectives in respect of the maintenance of proper standards of integrity and disclosure of confidential information. Under the 2004 Act, the HSE is obliged in its annual report to indicate its arrangements for implementing and maintaining adherence to the code.

The HSE submitted a draft code of governance to the Department in September 2006, which is currently under examination in the Department.

The proposed medical practitioners Bill will introduce more streamlined and transparent procedures for the processing of complaints. It will integrate registration, education and training, ongoing competence and fitness to practice processes. It will define clearly the responsibilities of

the Medical Council regarding the education and training of medical practitioners. I understand it will provide for the first time a legal framework for the Medical Council's implementation and administration of a system of competence assurance. It is intended that the new legislation will make continuing professional development and education compulsory for medical practitioners. The new medical practitioners legislation will be complemented by the Health and Social Care Professional Act, as well as other forthcoming legislation governing nurses, midwives, pharmacists and dentists. This legislation will have the common purpose of ensuring robust governance, clarity of procedures and formal systems of accountability. Such measures are aimed at the protection of the patient, while simultaneously recognising the need for due process in respect of the processing of allegations against health care professionals.

The purpose of the proposed nurses and midwives Bill is to modernise and strengthen the regulatory framework for nurses and midwives. I understand it will update and amend the Nurses Act 1985 to reflect and respond to the significant changes experienced by the health services and nursing and midwifery professions since 1985. It will seek to ensure that people are better informed and protected and will have increased confidence that the nurses or midwives caring for them are properly qualified, competent and in good standing with An Bord Altranais, the independent statutory body responsible for the regulation of these professions. The draft heads of this Bill include proposals for greater public interest representation and more public transparency, accountability and opportunity for redress. Changes to registration requirements are proposed, as are improvements in the fitness to practise procedures and the promotion of the highest standards of professional performance by nurses through making provision for competency assurance.

In conclusion, it is clear that much work is being done and will be done to improve the safety of patients in our health system. The Opposition has given the impression that nothing has been achieved in this area and, as the Minister indicated, nothing could be further from the truth. A structure is being put in place which will have national application—

Mr. Kehoe: I am surprised the Deputy fell for that.

An Ceann Comhairle: Deputy O'Connor, without interruption.

Mr. O'Connor: I am surprised that Deputy Kehoe would pick on a humble backbencher at this hour of the night. This structure will cover the key programs delivered by the HSE.

Ms O'Sullivan: A humble backbencher—

Mr. O'Connor: This is the first time—

An Ceann Comhairle: Deputy O'Connor, without interruption, as he is running out of time.

Mr. O'Connor: We are putting in place a patient safety structure that is a comprehensive system, including information needs, quality assurance and value for money. Considerable progress in respect of inspection of nursing homes is being made by the HSE. However, there should be some acknowledgement of the considerable work being implemented by the various bodies mentioned by the Minister and me. I am glad that such prominent members of the Opposition and would-be Ministers are here to listen.

Mr. Cregan: Wishful thinking.

Mr. O'Connor: I did not say in which decade. I have no doubt that the results of all this effort will bring about a first-class safety environment to protect the health of all our people.

I have probably never made a speech in Dáil Éireann, particularly in respect of health, when I did not mention Tallaght. However, there will be other nights to mention Tallaght and other occasions to talk to the Minister.

Ms O'Sullivan: I wish to share time with Deputies Breeda Moynihan-Cronin, Kehoe and Connaughton.

An Ceann Comhairle: Is that agreed? Agreed.

Ms O'Sullivan: I am not scoring any political points but I must point out that the way we treat our elderly people in the health service is disgraceful. We all learned about the issues relating to Leas Cross on television and in the report on the nursing home, but the issue is wider than this. I am talking about elderly people who are made to feel they are burdens on the system. They are described as bed blockers and put under pressure to move out of acute hospitals when there is no place for them to go, when they cannot be looked after at home and when there is no public bed for them and no affordable bed in the private nursing home sector. If this debate tonight, the motion moved on behalf of Fine Gael and the Labour Party and the Minister's response makes a difference to these elderly people, we will have done a good job.

I visited a house last Saturday morning and spoke to the elderly couple who lived there. The wife's brother is a single man who is in an acute hospital. The family is being put under extraordinary pressure to move this man out of the acute hospital setting and into a nursing home which is 15 miles away from his home. The family does not have money and does not have access to public transport. The man does not have children and, having lived his life and contributed to society, he is being treated as a burden on the system. There is no public bed of which he can avail. The nurs-

[Ms O'Sullivan.]

ing home subvention combined with his pension is not adequate to pay for the nursing home to which the acute hospital wishes to shunt him. The family is holding out but is receiving telephone calls every day from the acute hospital asking it when it plans to move this man out of his hospital bed. That is appalling in this day and age and we must take urgent action to deal with it.

Many people find themselves in such a situation. They are being shunted into private nursing homes which they cannot afford. Earlier today in the House, the Taoiseach said that they are being paid for and that this is not happening, but in my area there is a very large gap between the maximum subvention anyone can receive with enhanced subvention plus his or her pension and the cost of nursing homes. The families involved are being put under terrible strain. I wish the Minister would do something about this. I note that in her speech, she declared that she would provide financial support for people needing long-term residential care so that care is affordable.

It is not affordable in my constituency. I received some figures recently. The number of beds in the public system in the western region of the HSE, which ranges from Donegal down through Deputy Connaughton's constituency to my constituency, is 2,235. This number must cater for all dependent elderly people in the west, which has a very high population of such people. This is simply unacceptable.

We depend on the private sector. We do not provide enough subvention. The private sector essentially aims to make money although I acknowledge that there are some very good private nursing homes. I have had experience of such homes through witnessing the care given to members of my family. However, these nursing homes do not have the staff to cater for many very dependent elderly people who are being pushed into these homes. As a nation and a society, we must provide the necessary public funding that will provide publicly-funded beds for those elderly dependent people who do not have money of their own and who do not have immediate family with money of their own. Many of these cases involve single people who do not have children who can take the slack in terms of cost.

I hope the Minister addresses this issue, which is one of the most serious issues in the health system. I have not referred in detail to the specific issue raised by the Leas Cross report in the amount of time available to me, but what took place in Leas Cross is a symptom of what is happening. We have become very dependent on private nursing homes to deal with our elderly people and are essentially relying on the profit motive to address the needs of our elderly people in our public health care system, which is wrong. We need to redress the balance and provide public beds. I hope the Minister provides public beds with proper public finance to look after our

elderly people. This is essentially the kind of health care that the Labour Party stands for, will fight for and, if elected to Government, will implement.

Ms B. Moynihan-Cronin: I welcome the opportunity to contribute to this debate. Unfortunately, I have only a few minutes to raise the points I wish to make. Leas Cross has prompted much soul-searching on all sides of the House because if we are to be honest, the care of the elderly reflects on all of us. I have had personal experience of nursing homes as my parents lived in a nursing home in Killarney prior to their deaths. The care they received went above and beyond the call of duty. Leas Cross has had a negative effect on the staff, patients and families connected with nursing homes which are well run. Everybody is worrying now. It is important to point out that not every nursing home is like Leas Cross, although a good few homes are.

Inspectors of nursing are not entirely to blame either. In my area, unannounced inspections of nursing homes have been taking place for the past 20 years. Inspectors can call to a nursing home to inspect it during the morning, afternoon or night. However, inspectors have no legislative back-up to enable them to do anything if they find anything wrong. It was outrageous for the owner of Leas Cross to state that because he was not a medical man, he could not be sure what was going on in his nursing home. These owners charge considerable amounts of money and it is their responsibility to ensure that their patients are looked after properly. When nursing homes are found wanting, they should face significant fines. Many of the people who built nursing homes did so for tax relief and to make money, and the only way to hit them is through their pockets.

Mr. Kehoe: Hear, hear.

Ms B. Moynihan-Cronin: We must impose significant fines in such cases. I acknowledge that it is terrible to have to do so but we must look after our elderly people.

I agree with Deputy O'Sullivan's comments about the enhanced nursing home subvention. I experience difficulties with this subvention every day. People may receive the full enhanced subvention in Dublin but the people in my constituency of Kerry South are struggling.

I spoke to a woman by telephone this morning who was looking after her father and mother-in-law. She applied for the carer's allowance and was informed she was entitled to an allowance for one of them because a distance issue arose. She must now choose which relative to care for and there is no one to care for the other relative. I will raise with the Minister for Social and Family Affairs the need for some leeway in this respect, particularly in rural areas where people can travel ten miles in a shorter time than they can travel the same distance in Dublin. A carer can look

after two people. It is better for a family member to look after a person who needs caring than for that person to have to go into a nursing home. More flexibility is required in regard to the carer's allowance. I ask the Minister to raise this issue, as it is all part of the package. If more people cared for family members at home, fewer people would be in nursing homes.

I reiterate the point I made about the penalties that should be in place. If inspectors find something wrong in a nursing home, will the Minister give an assurance that a large penalty will be imposed?

I support the provision in the motion to facilitate whistleblowers. Without whistleblowers in private or public nursing homes, hospitals or elsewhere who will blow the whistle on the shoddy treatment of a person we cannot expect to know what is going on. I fully support the provision in the motion to facilitate whistleblowers.

Mr. Kehoe: I thank my colleagues, Deputies Twomey and McManus, for tabling this motion and I appreciate this opportunity to speak on it. It has been a dark number of months for the Department of Health and Children, the Health Service Executive and, in particular the Minister, Deputy Harney. She has failed the people, patients, families and everyone else involved in nursing homes.

I am disappointed that the Minister, whom I admire, has had this report since June; it is now November and she has failed miserably to take any serious action on it. She can promise the putting in place of any social inspectorate, but the only measure that will make a difference to a nursing home or to people in care is an totally independent inspectorate to reassure families that their mother, father, aunt or uncle are safe in the care of a nursing home.

Ms Harney: It will be independent.

Mr. Kehoe: This is the only measure that will make a difference.

Ms Harney: I said it will be independent.

Mr. Kehoe: It needs to be totally independent of the HSE and the Department.

Ms Harney: It will be independent.

Mr. Kehoe: The Government is brilliant at giving tax breaks and I very much welcome them——

Ms Harney: Can I advise the Deputy that it will be independent——

Mr. Kehoe: The Minister should let me finish, she can contribute in her reply to the debate tomorrow evening.

Ms Harney: Obviously it will be set up on a statutory basis and it will be independent.

Mr. Kehoe: I very much welcome tax breaks but there is no point in having them unless a mechanism is put in place to ensure that nursing homes are inspected. More people are working in the Minister's office than there are inspectors of nursing homes.

Mr. Cregan: That is not true.

Mr. Kehoe: It is true.

Mr. Connaughton: How does Deputy Cregan know that?

Mr. Cregan: That is not true.

An Ceann Comhairle: Allow Deputy Kehoe to continue without interruption.

Mr. Kehoe: I am disappointed that four Ministers, namely, the former Minister, Deputy Martin, the former Minister of State, Deputy Callely, the Minister of State, Deputy Power and the Minister, Deputy Harney, failed to take any serious action to address this issue over the past number of the months.

Mr. Cregan: That is not true.

An Ceann Comhairle: Allow Deputy Kehoe to continue.

Mr. Kehoe: It is okay to blame the HSE and its management but somebody must answer the questions about who was responsible for what happened in Leas Cross and who was held responsible. The Government's attitude is that it is okay to pass the matter on to the Garda; it will pass the buck until after the general election because it will take so long for the Garda to carry out the investigations that the general election will be over and done with. The Members on the Government side of the House do not care about elderly people or elderly patients in nursing homes.

It is great for the Government to say that it has spent money on the elderly and on X, Y and Z, but why are people coming to my clinic every week complaining about nursing home subventions, the carer's allowance, the home help service, occupational therapy services and the waiting list to be admitted to a public geriatric hospital? If the Government spent all this money in the health sector, why are these people waiting for the delivery of these services?

For example, all the family members of an elderly constituent who is a patient in County Wexford are looking for is a seat for a bath. This elderly man has been told he will have to wait five or six months for it because no occupational therapy services are available in the county to assess him for this seat for the bath. He does not

[Mr. Kehoe.]

want anything else, and this aid will cost only €500 or €600. There has been too much red tape. The Government has failed miserably on this count.

I was surprised that Deputy O'Connor supported the Government on this motion, as I thought he represented the interests of people at the grassroots.

A total of 105 people passed away in Leas Cross over a short period of time. That is disastrous. I have no doubt similar conditions are to be found in other nursing homes throughout the country because there is no inspectorate in place to check what is happening in them. However, there are some good nursing homes, including in my county. I am not saying this to frighten or alarm people but one will always know a good or a bad nursing home from the minute one walks in the door. One will recognise a good nursing home on entering it, one that provides genuine care, 24 hours a day every day of the year.

The Minister and the Government have failed miserably in this area. I would like serious action to be taken that will make a difference and that will reassure patients and their families. Families pay €600 to €700 a week to keep their elderly mother or father in a nursing home. They expect care of a 100% standard to be provided and in some nursing homes they are not receiving that.

Mr. Connaughton: I want to add my voice to the debate on this motion. I heard what the Minister said and her defence of her amendment, which was stout and staunch. I was surprised to hear it but I am long enough here to know that is exactly what she would do.

The Government has come out on several occasions recently and asked what are the policies of the alterative government and said it has none. The Minister has one of them tonight. She has a very well thought out action plan and proposal by Fine Gael and Labour. The Minister and the Government can have their view, but there will be a day next May or June and the people will decide on this issue at the end of the day.

Mr. Cregan: They will.

Mr. Connaughton: The Deputy will get a chance to contribute. An opportunity will be given to find out what the people of Ireland want and who they trust. Whatever about politicians, when a problem arises in the health service in the future and given the track record of the HSE now and since it was established, if the Minister thinks that the people will allow the HSE to judge itself, she is in for a surprise. The ordinary people will not accept that on any account. No matter how she dresses it up, who is involved or whatever is the commission within the HSE, if a body is not set up such as the one which is proposed in the motion, the confidence one would normally expect will not exist. Problems will always arise in the health service and people should be confident

they will be dealt with. I accept the Department of Health and Children is not an easy Ministry, but we have moved far beyond that point now.

If the exposé of Leas Cross had not happened, would there be people in Leas Cross today? There certainly would. It was not within the remit of the HSE. Unfortunately, I have to say to the Minister, although I did not think I would have to, that I do not believe she would have done anything about it had it not been exposed. People could not believe that such a thing could happen in a so-called civilised country.

No matter how the Minister camouflages the facts, ample opportunity was available for her inspectors to have the legal background necessary for them to do their job. However, the Minister did not do that, neither did the Government and for all I know it may not be done for the next 12 months. If the Government could not act on an issue such as this that was exposed to 3 million or 4 million people on a "Prime Time" television programme, what would we expect in the case of lesser concerns, concerns that people do not know about? What does the Minister think people are saying tonight when they hear her say she has such confidence in a body other than that which we propose? I thought that this motion would be accepted by the Government. I saw no reason the Government would not do so.

Meetings are organised throughout the country to discuss subventions for private nursing homes. Recently, I attended the meeting in Galway as did hundreds of people. The issue is that the sums do not add up. The old-age non-contributory pension is €192 and the subvention in the west is €190. That is approximately €358 or €360. Private nursing home charges are €500, €600 or €700. From where will the difference come? How are families expected to keep a father or mother in a nursing home if that is the only financial help they will receive?

We do not have State-run homes. In my county, daily announcements are made on investment in St. Brendan's, Loughrea. However, the number of patients was 200 but by the time the Minister is finished only 80 patients will remain. It will certainly be a more modern facility but the number of patients has decreased. Everything goes against the patients.

Although it is not mentioned much, the issue of patients requiring transfer demonstrates the need for a patients' safety authority. On many occasions in my constituency, seriously ill patients must be transferred to a hospital with better technology. Between the consultants, hospital managers and bed managers, no one is able to tell the family of the sick person what is happening. That is allowed to continue for four or five days and no one will take responsibility.

Debate adjourned.

Message from Select Committee.

An Ceann Comhairle: The Select Committee on Enterprise and Small Business has completed its consideration of the Investment Funds, Companies and Miscellaneous Provisions Bill 2006 and has made amendments thereto.

Adjournment Debate.

Court Procedures.

Mr. Costello: I thank the Ceann Comhairle for allowing this matter on the Adjournment and I welcome the Minister of State to the House.

There is no doubt serious issues regarding the Judiciary must be addressed by the Minister for Justice, Equality and Law Reform, the Government and the Legislature. The current appointment of judges leaves much to be desired. All judges are selected from the ranks of the country's barristers and solicitors. Barristers and solicitors are trained advocates in a highly-polarised adversarial system. In European countries, judges opt for the Judiciary as a career and undergo a third level training course in preparation for it.

Ireland does not have formal training or induction courses for newly-appointed judges or for those barristers or solicitors who aspire to be judges. One day, they are professional advocates whose success and career depends on the strength of their advocacy and their ability to compete with and overcome their opponents. The next day, they are sitting on the Bench, expected to be even-handed and possessing the wisdom of Solomon. The assessment of arguments and evidence in the courtroom and the imposition of sentences for offences are delicate and demanding skills which require great maturity, experience, balance and character. The Minister for Justice, Equality and Law Reform should make provision for formal training and induction courses.

The experience of mandatory sentencing for drug offences highlights the failure of the Judiciary to respect the will of the Legislature, as only a tiny fraction of mandatory sentences have been imposed since the legislation was passed in 1999.

An Ceann Comhairle: I must point out that members of the Judiciary are independent by virtue of the Constitution. They cannot be criticised nor have their rulings referred to in the House except by way of a substantive motion. It would not be appropriate to cast any reflection on the action of judges in their capacity as judges.

Mr. Costello: I refer to the statistics. Mandatory sentences were imposed in a tiny fraction, approximately 10%, of cases under the legislation passed in 1999.

The same situation may pertain to family law cases. However, as they are heard *in camera* with-

out stenographers or reporters, it is impossible to know the true statistics of sentencing in family law cases. One reporter was appointed recently. A transparent system of sentencing with clear policies, structures and guidelines must be put in place by the Minister for Justice, Equality and Law Reform and the Legislature.

The case of Judge Curtin clearly demonstrates judicial ethics issues must be addressed. A sub-committee of the Oireachtas had to be established to initiate impeachment proceedings on "stated misbehaviour" in June 2004 under Article 35.1 of the Constitution. It highlights the lack of legislation in the area of judicial ethics.

Separation of the Executive and the Judiciary does not mean the Executive should shy away from introducing statutory parameters to judicial qualifications and behaviour and sentencing. It is high time the Government and the Minister for Justice, Equality and Law Reform took their responsibilities with regard to the Judiciary seriously and introduced appropriate legislation. It is ironic they should have to wait for the Judiciary to be criticised by the Director of Public Prosecutions for lack of transparency when his office is devoid of any transparency regarding his actions and decisions.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): On behalf of the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell, I thank the Deputy for raising what is an important matter.

Turning to the question of judicial training, the Judicial Studies Institute was established by the Chief Justice in 1996. The institute organises conferences, seminars and lectures for judges with the object of enhancing their knowledge and understanding of the law and legal principles with particular regard to new developments. The Judicial Studies Institute produces the *Judicial Studies Institute Journal* two to three times per year. Bench books are provided to each judge, including two Bench books on sentencing guidelines.

I understand the issue of sentencing was examined by the institute in the context of its training programme. The Courts and Court Officers Act 1995 enables the Tánaiste to provide funds for judicial training and a sum was made available to the institute for 2006. Section 19 of the Act provides that a person who wishes to be considered for appointment to judicial office shall undertake in writing to the Judicial Appointments Advisory Board his or her agreement, if appointed to judicial office, to take such course or courses of training or education, or both, as may be required by the Chief Justice or president of the court to which that person is appointed.

The President of the District Court provides a mentoring system whereby a new judge sits in court with an experienced judge for a period of time. The president obtained funding for retired

[Mr. B. O'Keeffe.]

judges to assist the institute for a period to help and train new members of the Judiciary. This involves tutoring and lecturing sessions with experienced retired judges. It also involves the new judge sitting with an experienced colleague both in a provincial and a Dublin Metropolitan District Court to gain both practical and theoretical experience. The board agreed this was an excellent idea. The President of the Circuit Court uses the annual Judicial Studies Institute Circuit Court conference and the national conference for the purposes of inducting new judges.

A number of judges recently attended judicial skills courses with the Judicial Studies Committee in Scotland. I understand the board of the Courts Service noted the usefulness of this course and the Chief Justice is of the view that in time the institute could develop its own similar course.

The traditional approach to sentencing is for the Oireachtas to lay down the maximum penalty. Having considered all the circumstances of the case, a court may then impose an appropriate penalty up to that maximum. This approach reflects the doctrine of the separation of powers. The Executive lays down the possible punishment range but it is for the courts to decide the punishment, taking account of all the circumstances of the case and of the offender. The law enables judges to exercise their discretion, within the maximum penalty, by reference to the conclusions they reach after trying cases, hearing all the evidence and assessing the culpability and circumstances of the accused. Our system of recruitment to all levels of the Judiciary is based on the concept of bringing in experienced and trained legal practitioners. Consequently, judges, on appointment, have a wide knowledge of the law and its application.

Sentencing is, of course, a complex matter and, as the Deputy is undoubtedly aware, there are many variable factors to be taken into account in each individual case. However, to address this issue a steering committee was established by the Courts Service board to plan for and provide information on sentencing. The committee, which is chaired by Mrs. Justice Susan Denham of the Supreme Court, is composed of a judge from each jurisdiction and a member of a university law faculty, expert in sentencing law. The project, known as the Irish sentencing information system, involves an examination of the feasibility of providing a computerised information system on sentences and other penalties imposed for criminal offences, to assist judges when considering the sentence to be imposed in an individual case.

An Ceann Comhairle: The Minister of State's time has concluded.

Mr. B. O'Keeffe: A sentencing information system would enable a judge, by entering relevant criteria, to access information about the range of

sentences and other penalties imposed for particular types of offence in previous cases.

The committee has carried out an examination of sentencing information systems developed in other common law jurisdictions. The committee is compiling research on sentencing jurisprudence within this jurisdiction and is examining a range of issues, including data protection considerations, with a view to evaluating the extent of the information which it would be feasible to make available on sentencing decisions.

An Ceann Comhairle: The Minister of State has at least another five minutes in his script so I suggest that the Department——

Mr. B. O'Keeffe: As the Deputy will be aware, work on drafting the scheme of a judicial council Bill is well advanced. The Bill aims to provide effective remedies for complaints about judicial misbehaviour and its provisions will include lay participation in the investigation of complaints. The Bill will also address the question of judicial training and information and, in that context, will provide a means for judges to develop guidelines on sentencing. The Tánaiste has been in consultation with the Judiciary on the provisions of the Bill and is awaiting its final consideration of those proposals.

An Ceann Comhairle: I ask the Minister of State to conclude. We cannot have a situation where one Member is allowed ten or 15 minutes, while another is confined to five minutes.

Suicide Incidence.

Mr. Cuffe: The Government needs to act immediately on the report entitled *Suicide and the Young Traveller*, which was published by Catholic Youth Care last Friday. It is crucial that we act on the report's recommendations which call for action to address the high rate of suicide among young Travellers. The report stated that there have been 35 suicides among the Traveller community in west Dublin alone in the past 18 months. This is an appallingly high figure, which requires immediate action from the Government.

According to figures cited by the Minister of State, Deputy Tim O'Malley, over 80% of the public believes the Government is not doing enough to raise awareness of and prevent suicide. There are clear recommendations in the report so it is incumbent on the Minister of State to say exactly what he will do about them. To be frank, however, I am worried. A contributing factor to suicide is a lack of self-esteem. As a public representative, the Minister of State should reflect on the remarks he made last August when he stated that the appearance of Travellers is treated with groans of despair in every town and village in Ireland. Such remarks are demeaning and undermine the self-worth of the Traveller community, which is one of the main contributing factors leading to suicide. It is deeply worrying

that such a remark would come from a senior political figure in high office, such as the Minister of State.

I would be the first to admit that there are good and bad apples in every community, including the Traveller community, but the Minister of State should ensure that he treats members of that community with the respect they all deserve, regardless of the actions of particular individuals. As the Minister of State well knows, many Traveller families are still living in appalling conditions alongside busy roads and under high voltage electricity pylons. If the Minister of State is serious about tackling suicide, he should look at his own actions as well as ensuring that the Government and local authorities place more priority on the needs of the Traveller community.

It is an indictment of the Government's policies that this report was funded from national lottery allocations, private companies and charities, rather than directly by the Minister of State's Department. It is appalling that Catholic Youth Care had to seek lottery funding for a report such as this one. It had to wait for private companies to contribute, which is an indictment of the Minister of State's actions.

The report contained four specific recommendations: greater access to counselling; better access to mental health services; increased support for children who have experienced suicide in their families or communities; and increased information on the issue of suicide. All this costs money and I am not convinced that the Minister of State or his party are prepared to put the resources into these issues. I read his speech of last Friday and it was hard to find any specifics in it. It was laced with rhetoric, heavy on platitudes and did not really address the core needs of the Traveller community, which is a very vulnerable group.

Some of these individuals have tried to commit suicide five times, which was well known to the groups working with them. That requires greater assistance from the Minister of State's office and from other State agencies. What specific changes will the Minister of State put in place to try to bring about a reduction in this appallingly high toll on one of the most vulnerable and marginalised groups in Irish society today?

Minister of State at the Department of Health and Children (Mr. T. O'Malley): First, I am disappointed that Deputy Cuffe took this occasion to raise my remarks about an incident in Limerick last summer. Those remarks have nothing to do with the Adjournment debate. They were about a specific incident that happened involving a specific group of Travellers.

Mr. Cuffe: It has everything to do with self-esteem.

An Ceann Comhairle: Please allow the Minister of State to continue.

Mr. T. O'Malley: That was a specific group of Travellers, the vast majority of whom were driving 2006 Range Rovers, causing havoc for a well settled, elderly community in Limerick. I ask the Deputy to acquaint himself with the facts before speaking about any matter. More than any other county, Limerick has a bigger number of Travellers in the settled community than any other group. The Deputy should acquaint himself with the facts before questioning my bona fides in this regard.

Mr. Cuffe: I grew up next to Travellers.

Mr. T. O'Malley: I did not interrupt the Deputy.

An Ceann Comhairle: I ask Deputy Cuffe to allow the Minister of State to reply.

Mr. T. O'Malley: Last Friday, I launched the research report *Moving Beyond Coping*, which provides an insight into the experiences and needs of Travellers in dealing with the experience of suicide. The report outlined the high rate of suicide among Travellers in west Dublin. This research data is a welcome resource for organisations working with Travellers in the west Dublin area. It will assist Travellers in the area in making more informed decisions to address issues on their own behalf and in partnership with the relevant service providers and agencies.

Reach Out, the national strategy for action on suicide prevention, was launched in September 2005. A fundamental aim of this strategy is to prevent suicidal behaviour, including deliberate self-harm, and to increase awareness of the importance of good mental health among the general population. Ongoing quality, multi-disciplinary research will be an essential strand of this strategy. These findings will be of greatest value where they can inform and stimulate action and service development.

As highlighted in the Catholic Youth Services report, the National Office for Suicide Prevention has agreed a three year funded project with traveller groups and Crosscare. The project will employ a staff member to develop training packages and materials suitable for this community. The National Office for Suicide Prevention is also working with Pavee Point, local Traveller groups and the parish of the Travellers to determine the best way of addressing suicide and deliberate self harm among the Traveller community.

The regional suicide prevention resource officers of the Health Service Executive respond to suicides among the Traveller community, organising bereavement support services and working with community leaders and local clergy in providing support in the immediate aftermath of a death by suicide.

The Reach Out strategy recognises that certain groups are particularly vulnerable to suicide. A counselling service is also being developed in

[Mr. T. O'Malley.]

Galway as a partnership initiative between the Galway Traveller Movement, the adult survivors of abuse counselling service and the HSE resource officer. However, in general, the uptake of mental health services among Travellers is believed to be low and where they are availed of, various problems are encountered which may be due to a combination of inappropriate provision and a lack of awareness or confidence among Travellers regarding the services.

The co-ordinated efforts of the National Office for Suicide Prevention, the HSE and voluntary agencies are required to address the mental health problems experienced by the Traveller community.

In conclusion, I assure the Deputy that the Government is committed to the implementation of suicide prevention initiatives in the Traveller community and the further development of our mental health services to prevent and reduce further tragic loss of life.

Single Farm Payment.

Dr. Twomey: Some €160 million is paid in single farm payments every year and a number of concerns have been raised regarding delays in these payments. In the majority of cases farmers acknowledge they have made mistakes and, if this is the case, the Department of Agriculture and Food should review the form involved to see if simplification of the application is possible. If a large number of mistakes is found payments to farmers across the country will be delayed.

In some instances the Department has made the mistake and this was the case with two of my neighbours in County Wexford. Despite the fact the mistake was not the fault of the farmers involved, they have been told there is no guarantee payment will be received in December. I believe this is very unreasonable.

The forms were returned, as requested, last April via the Teagasc adviser but the Department sent a letter in September saying the forms were not received. I am surprised a system acknowledging receipt of forms from farmers is not in place. The neighbours in question sent the forms again in early October and again received no response. They contacted the office in Portlaoise and were again informed the forms had not been received, however a subsequent phone call confirmed the forms had been found and were with the Department. Clearly a mistake was made by the Department, but these farmers were told they would not receive payment. I ask that the Minister for Agriculture and Food, Deputy Coughlan, investigate this immediately.

The farming community cannot afford such delays in payments and family farm incomes are far lower than the €170,000 the Minister is receiving. This relates not only to farmers' income but to the payment of costs incurred in running their farms. We are all well paid in this House and we

sometimes forget there are people who are not paid as well. We need to make amends in this regard and I ask the Minister to investigate this.

I can give the Department the names of the individuals in this case to speed up payments so they will not have to wait until the new year. A significant burden has been placed on the individuals involved because they have outstanding debts they had promised to meet with this payment.

I also ask the Minister for information on the number of single farm payments made in County Wexford and the number not paid to date due to difficulties with the application form or difficulties experienced at Department level. If there is a significant problem with the system it should be examined.

Agriculture is not as important to the economy as it once was but is still important to rural constituencies like County Wexford and the single farm payment forms a significant part of income for the farming community. It is important the Minister ensures there are no delays in receipt of that payment. I can pass on the names of those involved to the Minister and I also ask that she address the other questions I have raised.

Minister of State at the Department of Agriculture and Food (Ms M. Wallace): I thank the Deputy and if he had given the Department of Agriculture and Food the names of those involved we would have made inquiries about them. However, his question is of a general nature and does relate specifically to those cases.

One of the main objectives of the Minister, Deputy Coughlan, since assuming office as Minister for Agriculture and Food, has been to ensure the efficient implementation of the decoupled single payment scheme, the most significant change to agricultural support since our accession to the European Community. It has been a great success. This huge task was successfully implemented when over €1 billion in single payments issued to 118,500 farmers in December 2005. Since then payments have been made to 127,800 farmers who hold entitlements and applied for the single payment scheme in 2005. A few hundred 2005 cases, largely involving inheritance, remain to be paid at this stage and payments continue to be cleared on a regular basis once the documentation is received by the Department. I think the cases referred to by the Deputy may be under the 2006 scheme.

This is an annual payment scheme with payment due in December 2006. However, the Minister sought and secured approval from the European Commission to make an advance payment of the single payment scheme in 2006. The processing of an advance payment was quite complex and my understanding is that only one other Member State paid the advance.

On 16 October 2006, thanks to the excellent work of the Minister and the Department, 114,000 farmers received advance payments

under the 2006 scheme amounting to €526 million. Since then an additional €37 million in advance payments has been made to a further 4,800 farmers and these advance payments continue to be made as applications are fully processed. I hope the Deputy understands that if he is referring to a 2006 application advance payments of money due in December 2006 are in question. Some 93.5% of applicants holding entitlements have received an advance payment, up to six weeks ahead of the normal payment commencement date. Balancing payments under the 2006 scheme will commence on 1 December 2006. In anyone's book this has been a huge success story.

In common with the coupled schemes, which the single payment scheme replaced, delays in processing can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant. There may also be cases, as mentioned by the Deputy, where forms appeared to have been posted but did not arrive at the Department. In many cases, payment could not be made because applicants did not submit an application to transfer the single payment entitlements, with lands, by way of inheritance, gift, lease or purchase. Many of these applications were only received after our Department made direct contact with the farmers in question during recent weeks, and some have yet to be submitted. This may reflect the situation mentioned by the deputy.

In other cases, over claims on commonage lands need to be resolved before any of the claimants concerned can be paid. Similarly, cases where given parcels are subject to dual claims must also be resolved before any of the parties concerned can be paid. In 2006 the incorporation of sugar into the single payment scheme added to the complexity of clearing cases for payment.

The objective of the Department is to make payments to all of those farmers who have yet to receive their payment or are entitled to a supplementary payment as soon as their cases are cleared for payment. Every effort is being made by my Department to resolve the outstanding cases, but many of them are extremely complex. In other cases, my Department is still awaiting documentation and applications for the transfer of entitlements before payment can be made. A number of payment runs continue to be made each week as the more complicated files are cleared.

The successful introduction of the single payment scheme in 2005 and its smooth operation in 2006 is testimony to the efforts of all concerned. It is the Department's intention that this success will be built on. Payments will continue to issue to farmers as their applications are processed to completion in accordance with the EU legislation governing the single payment scheme.

If the Deputy wishes to furnish details of the individuals involved, the Department will make inquiries. I assume the applications in question have only been with the Department for a number of weeks.

School Accommodation.

Mr. Ring: I thank the Ceann Comhairle for selecting this matter for discussion. Lankhill national school on the outskirts of Westport is a long-established school in a rural area. As a rural school, it is at a disadvantage because it is not in a commuter belt. While school building projects in commuter belts are fast-tracked and approved within months, the completion of new accommodation for Lankhill national school could take up to eight years.

The board of management, principal and teachers at Lankhill national school want a technical assessment carried out immediately. The school has excellent staff and student numbers have increased rapidly from 26 in 1999 to 42 in the 2006-07 school year. This increase is due to the significant number of new houses approved in the area and the large number of people who have moved in as a result. Many people living in towns such as Westport are trying to move to rural areas and want their children educated in rural schools because they believe smaller student numbers will give them better educational opportunities.

I ask the Minister for Education and Science to instruct her staff to visit the school and carry out a technical assessment. Rather than wasting taxpayers' money by approving grant aid for prefabricated buildings, which cost €60,000 each and are currently leased, the Minister should move the building project at the school to stage one and include it in the forthcoming list of school building projects. If the project does not feature on the list, it will be left behind for 20 years.

It is wrong to send out mixed messages. On the one hand, the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, informs us that the Government wants people to stay in rural areas and encourage proper planning and facilities in them, while, on the other, the Department of Education and Science discriminates against small schools in rural areas. It is wrong to discriminate against rural children. I call on the Minister to ensure a technical assessment is done immediately.

I hope I will not have to raise this matter in the House regularly and warn the Department that I will not let the matter rest. I also put the Ceann Comhairle on notice that I will raise it on the Adjournment and the Order of Business on a regular basis until such time as the project is included in the schools building programme. We do not want Lankhill national school to be left behind.

9 o'clock

Mr. T. O'Malley: I thank Deputy Ring for raising this matter as it affords me the opportunity to outline to the House the position of the Department of Education and Science regarding the development of infrastructural provision at the school to which he refers. Modernising facilities in our 3,200 primary and 750 post-primary schools is not an easy task given the legacy of decades of underinvestment in this area as well as the need to respond to emerging needs in areas of rapid population growth. None the less, since taking office, the Government has shown a focused determination to improve the condition of our school buildings and ensure the appropriate facilities are in place to enable the implementation of a broad and balanced curriculum.

As evidence of this commitment, in the region of 1,300 building and modernisation projects will be active in our primary and post-primary schools during 2006. This year alone, approximately €500 million is being spent on primary and post-primary projects throughout the country compared to approximately €90 million in 1997. I am sure the Deputy will agree that this record level of investment is a positive testament to the high priority the Government attaches to this sector. To reduce red tape and allow projects to move faster, responsibility for smaller projects has been devolved to school level. Standard designs have also been developed for eight and 16 classroom schools to facilitate speedier delivery of projects and save on design fees.

The school to which the Deputy refers is a co-educational primary school with a current staffing

of one principal and one mainstream assistant teacher. The school's original application was for capital funding towards the provision of an extension and refurbishment project to provide improved accommodation. Following an allocation of funding to the school under the small schools scheme for 2006 to undertake that project, the school authorities subsequently requested the Department to consider the provision of a new school building on the existing school site instead.

In the circumstances, a reassessment of the long-term projected enrolment, on which the school's accommodation needs are based, is required. This assessment will take into account factors such as current and projected enrolment and the likely impact of proposed housing developments. Once it is complete, a decision will be taken on how best to provide for the school's accommodation needs.

A site visit will be required to inform the final brief for the project and the Department will be in contact with the school authority to arrange a visit at the appropriate time. Following the site visit, the brief will be completed and the project will then be considered for progress in the context of the school building and modernisation programme from 2007 onwards.

I thank the Deputy again for raising this matter and allowing me to outline the progress being made under the school building and modernisation programme and the position for the school in question.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 15 November 2006.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 12, inclusive, answered orally.

Questions Nos. 13 to 84, inclusive, resubmitted.

Questions Nos. 85 to 90, inclusive, answered orally.

Social Welfare Benefits.

91. **Mr. Eamon Ryan** asked the Minister for Social and Family Affairs if public transport operators have been monitoring passenger volumes following the lifting of the free travel pass restrictions; and if extra services will need to be provided to cater for the reform. [37666/06]

Minister for Social and Family Affairs (Mr. Brennan): Some 600,000 customers are in receipt of the Free Travel scheme, of which 450,000 are aged over 66 years. Some 127,000 are in receipt of an invalidity/disability payment and a further 26,000 are carers. The estimated cost of the scheme for 2006 is €58 million.

The peak time access restrictions (introduced 40 years ago) had applied on all Dublin Bus services and on Bus Éireann city services in Cork and Limerick. Other Bus Éireann services and services from other operators were available on an unrestricted basis to holders of free travel passes.

Restrictions on free travel caused difficulties for people with early morning medical appointments and for people who wished to remain active in the workforce.

At my request my Department held discussions with CIE over recent months to agree arrangements for the implementation of the Government decision in relation to the free travel peak-time restrictions. These discussions resulted in the removal of all peak time access restrictions with effect from 25th September 2006.

The lifting of all travel restrictions at peak times benefits many people, particularly older people and those with disabilities, who are now able to travel in the main cities, and surrounding areas, on public transport services at times that best suit their needs.

The ending of these restrictions removed the need for people to apply for special passes to travel during restricted times. They can now use the standard pass to attend hospital appointments, or educational, rehabilitative and therapeutic courses that are, very often, central to improving their recovery and improving their lifestyles.

Concerns were raised in certain quarters that the lifting of the restrictions would have an impact on the number of people travelling at peak times and the potential difficulties for companies in meeting all the demands for its services at these times. In order to assess the impact of the removal of the restrictions Bus Éireann and Dublin Bus have been monitoring passenger volumes since the removal of the restrictions. Dublin Bus has advised my Department that it has recorded an increase in the number of free travel customers travelling at peak times over the past month or so. Similarly, Bus Éireann has recorded an increase in the numbers of Departmental pass holders travelling in Cork and Limerick cities since the lifting of restrictions on free travel. Numbers have grown as free travel pass holders adjusted their travel patterns.

My Department is assured that any capacity issues arising as a result of additional passengers travelling at peak times will be met through the provision of additional buses as provided for under the *Transport 21* initiative. Detailed discussions and arrangements for the implementation of *Transport 21* are a matter between the CIE group of companies and the Department of Transport.

Social Welfare Benefits.

92. **Mr. Kenny** asked the Minister for Social and Family Affairs his plans to offer all qualified adults, in addition to pensioners, the opportunity to be paid directly; and if he will make a statement on the matter. [37620/06]

Minister for Social and Family Affairs (Mr. Brennan): A person who is in receipt of a social welfare payment may claim an increase in respect of a dependent spouse or partner. This increase, known as the Qualified Adult Allowance (QAA), is normally paid as a single amount with the primary payment to the claimant. Provision has existed for many years to split the payment and pay the spouse or partner separately in cases of difficult family circumstances.

In recent years the question of paying the QAA direct to the adult dependant has been raised in a number of reports, the intention being to provide the dependant with a level of economic freedom. Significant changes have been made in the social welfare code, over the years to ensure as many people as possible qualify for a social welfare payment in their own right.

The Qualifying conditions for a pension have been significantly eased, for example through reducing the minimum yearly average of contributions required to qualify for a pension and the introduction of homemaker credits for the benefit of people of working age engaged in home duties.

In the case of the State pensions (non-contributory), the means of the couple are jointly assessed and where both are over the age 66, each receives a pension in his/her own right.

I am aware that, while the situation of people qualifying for pensions in their own right has increased, there is still a large number of adults dependent on their spouses social welfare payment for support.

In October 2002, my Department introduced arrangements to pay the QAA on request to the spouse or partner of new claimants of State Pension (contributory) or State pension (Transition). Since these arrangements were introduced, some 1,400 couples have indicated their preference to have the QAA paid separately. I am examining the issues involved in extending this arrangement to pensioners generally.

The position regarding people of working age is less straight forward and separate payment may be appropriate for certain schemes. It is open to a dependant spouse or partner to claim unemployed assistance in their own right subject to satisfying means and other conditions.

I am currently closely examining all of the options and implications of paying QAA's separately to working age qualified adult in the light of developments in this area in relation to pensioners.

Pension Provisions.

93. **Ms B. Moynihan-Cronin** asked the Mini-

ster for Social and Family Affairs the steps he will take arising from criticism by the Pensions Ombudsman of what he called the theft by employers of pension contributions deducted from employees but not remitted to pension schemes, particularly in the construction sector; and if he will make a statement on the matter. [37604/06]

Minister for Social and Family Affairs (Mr. Brennan): The Pensions Act 1990 contains a number of provisions relating to the payment of contributions deducted from pension scheme members. Under the Act, employers who deduct pension contributions are required to remit those contributions to the scheme trustees within 21 days following the month in which the deduction was made. Employers are also required to provide employees with regular statements outlining the contributions which have been remitted to the trustees on their behalf.

Employers who deduct pension contributions from employees and who fail to remit these contributions to the scheme trustees are in breach of Section 58A of the Pensions Act. The Pensions Board is the body responsible for monitoring and enforcing the provisions of the Pensions Act and will fully investigate all such cases which are brought to its attention. The primary aim must be to ensure that the contributions are paid so that pension entitlements are not affected. The Board will also consider prosecuting the employers in such cases where there is sufficient evidence available to support such a prosecution.

It is also open to an individual to pursue a complaint of maladministration of the pension scheme through the Office of the Pensions Ombudsman who will investigate and make an appropriate determination which can only be appealed to the High Court. The Pensions Ombudsman has, I understand, referred a number of such cases from the construction sector to the Pensions Board for further investigation and action and these are being examined at present.

Money Advice and Budgeting Service.

94. **Mr. Boyle** asked the Minister for Social and Family Affairs if legislation is not imminent in relation to the Money Advice and Budgeting Service; the immediate measures he will put in place that would allow the service to operate more effectively. [37659/06]

121. **Mr. Broughan** asked the Minister for Social and Family Affairs if he will make a statement on the recently published MABS statistics regarding borrowing by low income families; and if he will make a statement on the matter. [37588/06]

123. **Mr. Bruton** asked the Minister for Social and Family Affairs his views on extending the

remit of the Money Advice and Budgeting Service to include the operation of a special savings scheme for low income households; and if he will make a statement on the matter. [37622/06]

157. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs the latest support he has given to the Money Advice and Budgeting Service in view of the concerns expressed by the organisation that it is being swamped with requests for advice; his views on the increasing levels of personal debt among Irish families; his further views on whether the structures and organisation of MABS requires reform to cope with these new circumstances; and if he will make a statement on the matter. [37603/06]

164. **Mr. Gilmore** asked the Minister for Social and Family Affairs when the promised new legislation to place the Money Advice and Budgeting Service on a statutory basis will be published; the principal areas in which it will differ from the Bill published in 2002; and if he will make a statement on the matter. [37593/06]

171. **Mr. Broughan** asked the Minister for Social and Family Affairs if he has had discussions or plans to have discussions with representatives of the credit union movement with a possible view to providing additional credit options for low income families; and if he will make a statement on the matter. [37587/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 94, 121, 123, 157, 164 and 171 together.

The Money Advice and Budgeting Service (MABS) provides assistance to people who are overindebted and need help and advice in coping with debt problems. There are 52 independent companies nation-wide operating the service with a budget of over €16 million in 2006. Many voluntary and statutory bodies such as the Society of St. Vincent de Paul, the Community Welfare Service, Citizens' Information Centres, Centres for the Unemployed and local authorities work closely with the programme. The credit union movement has been a key partner in MABS since its inception and their involvement and support is central to the development and success of the service.

Last year, almost 27,000 people availed of the service as compared with 18,000 in 2001. The growth in demand for the service can be attributed to the increase in the availability of credit generally in the economy and to the quality of the service provided by the MABS advisors. This year, I have increased the allocation from my Department to the MABS Service by in excess of twenty percent to assist the MABS in dealing with this increased workload.

The issues that give rise to problems of overindebtedness for people are highly complex. The cost and availability of credit for people on low

incomes and the barriers they face in accessing mainstream and cheap forms of credit add to the difficulties these people encounter in managing their finances.

I have held discussions with a number of key interests including the Irish League of Credit Unions and the Financial Regulator about these issues. One outcome of these consultations is that research has been initiated by the Financial Regulator with the Combat Poverty Agency to find out more about the nature and the extent of financial exclusion in Ireland and the barriers faced by people on low incomes in accessing a wide range of financial services. The report will be available to the Financial Regulator shortly. The findings of the research, together with the comprehensive statistical data now emerging from the new MABSIS information system will make a significant contribution to our knowledge about the problems of debt in Ireland and the situations that leave people on low incomes vulnerable to high cost credit services.

I plan to bring proposals to the Government before the end of the year to establish a MABS board on a statutory basis while retaining the voluntary input so vital to MABS. The research findings will be considered specifically in this context.

Furthermore, my Department will consult with the Financial Regulator and other key interests on what options are available to me to strengthen the role of MABS in tackling the problems which arise for people on low incomes in getting access to the full range of mainstream financial services that is available to the wider community.

The MABS is highly regarded and respected and it is important that this continues to be the case. I believe the support structure put in place by my Department for the MABS in recent years has worked well for clients of the service, for local management and for the staff.

My proposals for legislation aim to build on the best features of the MABS model of service to the public. The proposals will combine a continuation of local voluntary involvement with strong national leadership and ensure a high quality, coordinated budgeting and advice service for the future, in particular for people on low incomes. The proposals for the new legislation will take account of the very significant developments which have taken place in MABS in recent years. They will be informed by the outcome of consultations and the expert views of key MABS interests including money advisors, MABS voluntary boards of management and other stakeholders such as the credit union movement and the Financial Regulator. The proposals for the legislation will take account of best practice in corporate governance for a customer focussed service that provides value for money for the taxpayers investment and meets the challenges posed by the rapidly changing face of debt in 21st century Ireland.

Social Welfare Information.

95. **Mr. Gogarty** asked the Minister for Social and Family Affairs the extent of information packages on welfare entitlements available in all the foreign languages of the principal migrant communities residing here. [37662/06]

Minister for Social and Family Affairs (Mr. Brennan): I am very conscious of the increasing number of social welfare customers requiring access to services for whom English is not their first language or where their English is not of a high standard. Every effort is made by my Department to facilitate these customers by providing relevant information in a number of languages on the Department's website and by arranging an interpretation service as necessary.

In 2005, the main Guide to Social Welfare Services (SW4) was made available on my Department's website www.welfare.ie in Arabic, Chinese, French, Polish, Spanish and Russian, in addition to English and Irish. It is currently being translated into Romanian. This is a very extensive guide which provides details on all entitlements available from my Department.

For the majority of migrants their first point of contact with my Department is to request a Personal Public Service (PPS) number. This is a unique personal reference number that is required for transactions between individuals and Government Departments as well as other public bodies specified in the Social Welfare Acts.

When applying for a PPS number, applicants are required to complete an application form and provide documentary photographic evidence of identity and evidence of address. This application form, as well as being available in Irish and English, is available in Chinese, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Norwegian, Polish, Portuguese, Russian, Slovakian, Slovenian, Spanish and Swedish. The availability of the form in these languages enables applicants from all EU member states, as well as those from China and Russia to complete the PPS number application form in their native language.

An examination of PPS numbers issued in 2005 showed that nationals from these countries comprised just over 85% of the total applications received in 2005. The requirements for additional language options are constantly reviewed.

Officials of my Department and in particular, frontline staff in local offices, make every effort to assist people who have language difficulties or if they need help in completing forms. If there are particular difficulties communicating with an individual an interpreter can be arranged to be available by appointment.

Plans have been prepared for interpreters with proficiency in a number of languages to be present on certain days in Social Welfare Local Offices which provide services to large numbers of customers who experience difficulties com-

municating with staff. Initially this will be implemented in two offices and the operation of this service will continue to be monitored on an ongoing basis. If it is considered necessary this interpretation service will be extended to other offices as required.

Comhairle, the citizens information board is responsible for the provision of independent information, advice and advocacy in relation to social services. It has funded various initiatives including the production of leaflets in foreign languages by organisations such as the Irish National Organisation of the Unemployed (INOUE). Two such leaflets, *Looking for Work in Ireland* and *Welfare Rights: What you need to know when you become unemployed in Ireland*, are available in Latvian, Lithuanian, Polish, Portuguese, Romanian and Russian.

My Department has also provided funding to the Immigrant Council of Ireland to produce fact-sheets with information on rights and entitlements of immigrants to Ireland. These fact sheets are available in six languages (Arabic, Chinese, French, Romanian, Russian and English). There is a link from the Department website to the Immigrant Council website where these fact sheets are available.

My Department is participating in the Eulisses project. This project will provide a multilingual website, pooling social security information for migrants from national and European sources. This will provide a single internet access point for Europeans who are seeking social security information. Work is ongoing on this website at present and its first phase, dealing with pensions, is expected to be on-line before the end of 2006. My Department will continue to enhance its services in the most appropriate manner to ensure that migrant workers are aware of their rights and entitlements.

Social Welfare Benefits.

96. **Mr. Ferris** asked the Minister for Social and Family Affairs his views on making the family income supplement payment automatic to ensure that all entitled will receive it in view of the poor uptake of the payment by those eligible. [37656/06]

100. **Mr. Ferris** asked the Minister for Social and Family Affairs if he has proposals to reform the family income supplement. [37657/06]

128. **Mr. Stanton** asked the Minister for Social and Family Affairs the percentage of eligible families who are availing of the family income supplement; the reasons for the low take-up rate of FIS; and if he will make a statement on the matter. [37617/06]

136. **Mr. Kehoe** asked the Minister for Social and Family Affairs if his Department has carried out research on the working poor; the conclusions

of same; the actions he is taking to address this issue; and if he will make a statement on the matter. [37630/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 96, 100, 128 and 136 together.

My Department provides income support to working families in low-income employment in various ways, including earnings disregards and tapered withdrawal of earnings on social assistance (means tested) payments. However, the principal income support from my Department which is targeted specifically for low-income families in employment is provided by the family income supplement scheme (FIS).

FIS is designed to provide support for people on low earnings with child dependants. This preserves the incentive for them to remain in employment in circumstances where they might only be marginally better off than if they were claiming other social welfare payments.

There are currently over 21,400 families in receipt of a weekly FIS payment, which benefits more than 38,000 children. This compares with approximately 17,450 families and 34,000 children in December 2005 and represents an increased take up of 78% since 2002.

Research undertaken by the Economic and Social Research Institute (ESRI) in 1997 and based on the results of the Living in Ireland Survey 1994, suggested that fewer than one in three of potentially eligible claimants were actually in receipt of FIS at that time. Since those with a higher entitlement are more likely to avail of the scheme, the take-up in expenditure terms was estimated to be somewhat higher, at between 35% and 38% of potential expenditure.

There are a number of factors that could, in theory, have contributed to low income families not claiming the supplement over recent years. These include the impact of the National Minimum Wage, improved take home pay arising from tax reform and PRSI changes, the increase in the numbers of families where both parties are in employment and undeclared income or black economy activity, which may deter persons on low income from applying for FIS. However, there is no definitive explanation as to why a significant group of people with a potential average entitlement of approximately €113 per week apparently decide not to apply or avail of this employment support.

I am addressing this question in two ways. First, in March 2006 my Department undertook an extensive media and advertising campaign on a nationwide basis which proved successful, with FIS applications increasing significantly compared to the same period last year. In this context, it should be noted that in the course of this year, and particularly following the publicity campaign, the number of applications for family income supplement have substantially increased. For instance, in the quarter ending September

this year some 8,200 FIS applications were received, which compares with 6,000 received in the same quarter in 2005, an increase of 36%.

In the second stage, I propose to commission a specific research project to establish the reasons or factors behind the low level of take up, in which the Department, based on administrative data held, would actively engage with this potential FIS population by inviting a sample number of persons with an apparent entitlement, to apply for the payment. In the case of people who do not respond, the Department would try to establish the circumstances and the underlying reasons for not claiming.

This project, which I hope to progress in the coming months, should assist greatly in determining the actual current FIS take up rate, and inform future policy in this area.

Social Welfare and Revenue administrative records do not currently provide sufficient data in relation to either current family composition or current earnings, gross or net, to administer an automatic FIS payment. Such a payment would raise major technical and policy issues.

Pension Provisions.

97. **Mr. O'Shea** asked the Minister for Social and Family Affairs if his attention has been drawn to the situation whereby many companies with defined benefit pension schemes are unilaterally changing the terms and conditions of those schemes to defined payment schemes; the number of companies who have informed his Department regarding these changes; if he has undertaken to ensure that employees affected by these changes to their pension schemes have been properly informed of the consequences of those changes; the action his Department has taken in relation to this matter; and if he will make a statement on the matter. [37606/06]

Minister for Social and Family Affairs (Mr. Brennan): The provision of occupational pensions in this country is on a voluntary basis and depends on the willingness of employers to contribute to, and maintain schemes for their employees. Traditionally, such schemes were organised on a defined benefit basis. However, in recent years defined benefit provision has been under pressure because of volatility in the stock markets, increasing liabilities arising from demographic pressures, low interest rates, increasing wage costs that translate into higher benefits, and regulatory requirements. New accountancy standards, which make pension liabilities transparent on a company's balance sheet, are also contributing to the pressures under which defined benefit schemes are now operating.

A drift from defined benefit to defined contribution schemes is now apparent, even in cases where firms are very profitable. This is, in my view, a regrettable development. There are no accurate statistics available on the number of

[Mr. Brennan.]

schemes that are introducing change as, unless the defined benefit scheme is actually being wound-up, there is no requirement to notify the Pensions Board of alterations to the terms of a pension scheme. However, some commentators suggest that up to 40% of defined benefit schemes may already be closed to new members.

There is no provision within the Pensions Act 1990 for employers to consult with employees in relation to proposed changes to schemes though, in many cases, I understand that this happens as part of the normal industrial relations processes within companies.

The Pensions Act and the associated Regulations provide for a range of information in relation to a scheme to be made available to scheme members so that they can monitor their benefits and the financial soundness of their scheme. Certain basic information, mainly about the contribution and benefit structure of the scheme must be given by the trustees to every member on joining the scheme and to members and other specified persons on request. Material alterations to a scheme must also be drawn to the attention of members.

The Government has committed itself to producing a Green Paper on pensions as part of the new social partnership agreement Towards 2016. The Green Paper will outline the major policy choices, the challenges in this area and the views of the social partners.

Also, as part of the agreement the Pensions Board has been asked to research benefit design options in the occupational pensions area and to examine current design issues in both defined benefit and defined contribution arrangements with a view to producing guidance as to designs which encompass the positive elements of each arrangement while adjusting the costs and risks to the parties involved. It is intended that the Board's report will be published and made widely available as an information guide to all those involved in pension schemes.

It is my intention to produce the Green Paper by the end of March next year. A consultation process will follow this and the Government will respond to these consultations by developing a framework for comprehensively addressing the pensions agenda over the long-term.

Community Development.

98. **Mr. Crowe** asked the Minister for Social and Family Affairs if he will confirm that funding is available to community based education groups, including in RAPID areas, that are providing breakfast clubs and services to young children including children with special educational needs and early school leavers; and the criteria for the funding. [37648/06]

161. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs if and when he will

expand the school meals scheme to all schools beginning with those in disadvantaged areas. [37653/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 98 and 161 together.

The school meals programme operated by my Department gives funding towards provision of food services for disadvantaged school children through two schemes.

The first is the long-standing statutory urban school meals scheme, currently operated by 36 local authorities. My Department funds the food costs jointly with these local authorities, who also manage and fund the administration of the scheme.

The second is the school meals community (local projects) programme through which funding is provided by my Department to participating schools and voluntary community groups in both urban and rural areas who are running school meals projects, including breakfast clubs.

In 2004 a decision was taken to extend the School Meals Programme to nursery schools that catered for disadvantaged preschool children. The funding is being made available to community based not for profit groups that provide preschool education (e.g. Montessori and similar type nursery schools) for disadvantaged children. The scheme does not apply to commercial projects. The purpose of funding is to assist disadvantaged children in gaining maximum benefit from preschool educational services.

Many of the schools that are currently receiving funding are in RAPID areas. All applications from schools in RAPID areas are considered for inclusion in the school meals programme.

The Department of Education and Science has recently initiated a new action plan "Delivering Equality of Opportunity in Schools" (DEIS) which incorporates many of that Department's existing schemes which target educational disadvantage, including schools with the highest concentration of early school leavers. A total of 875 schools were identified as disadvantaged under the DEIS action plan. Of these, 397 schools were already receiving school meal funding. The remaining schools were contacted by my Department in late August and early September 2006 and invited to apply for funding. A total of 150 of these schools have expressed interest in the scheme and their claims are currently being processed.

The school meals programme has been expanding into additional schools each year. Expenditure on the scheme has risen from €4.6m in 2004 to €8.2m in 2005. The expenditure outturn for the scheme for 2006 is expected to be €13.63m. In 2006, the total number of schools availing of funding has increased to 1,389 while the numbers of pupils benefiting has increased to almost 125,000.

The priority for the school meals scheme in the short-term is to ensure that schools designated as disadvantaged under the DEIS scheme avail of funding. Where schools do not respond to initial mail-shots, my Department will consider direct local contact with schools. I have no plans to extend the scheme to all schools because I consider priority should be given to disadvantaged children.

Social Welfare Benefits.

99. **Mr. Rabbitte** asked the Minister for Social and Family Affairs if he has received final figures on the number of applications received under the back to school clothing and footwear allowance scheme in 2006; the number of applications accepted; the amount paid out; and if he will make a statement on the matter. [37613/06]

Minister for Social and Family Affairs (Mr. Brennan): The back to school clothing and footwear allowance scheme (BSCFA) operates from the beginning of June to the end of September each year and is administered on behalf of my Department by the Community Welfare division of the Health Service Executive. Applications for the allowance may be made between the beginning of June and the end of September each year.

While the closing date for applications for BSCFA was 30th September 2006, processing and payment of late applications is ongoing. For that reason, final figures in relation to the numbers of applications received and awarded for 2006 are not yet available from the HSE. Current indications are that about 84,700 families with approximately 164,600 children will benefit from the scheme this year at a cost of €25.4m. This is an increase on the 2005 figures when some 76,166 families with 157,254 children benefited at a cost of €16.7m.

This increase can be mainly attributed to improvements in income disregards introduced this year, and the significant level of publicity given to this scheme in the media and through the information services operated by my Department.

A person may qualify for payment of an allowance if they are in receipt of a social welfare payment (including family income supplement), or Health Service Executive payment, are participating in an approved employment scheme or attending a recognised education and training course and have household income at or below certain set levels. In previous years, about 88% of claims were successful.

Budget 2006 provided for a number of improvements to the scheme. These include—

- An increase of €40 in BSCFA rates from June 2006
- Extension of entitlement to the back to school clothing and footwear allowance to

recipients of guardian's (formerly orphan's) payments for the first time, and

- An increase in the additional income disregard for entitlement to the scheme from €50 to €100 over the relevant social welfare rate.

These improvements in BSCFA are very significant when viewed in the context of clothing and footwear price trends. According to the Consumer Price Index for September 2006, the overall cost of clothing and footwear has fallen by 1.9% over the past twelve months. Since December 2001, clothing and footwear costs have decreased by 14.5%. I consider the back to school clothing and footwear allowance scheme to be an important support for parents at a time of particular financial strain. I am satisfied that the improvements to the scheme implemented this year provide a major boost to meeting the financial costs associated with return to school for those who most need assistance.

Question No. 100 answered with Question No. 96.

Poverty Levels.

101. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs the research his Department has carried out into food poverty levels, in particular amongst children; and if he will make a statement on the matter. [37642/06]

131. **Aengus Ó Snodaigh** asked the Minister for Social and Family Affairs his views on whether food poverty is an issue of concern; and the measures he proposes to introduce to eradicate it. [37654/06]

167. **Mr. McGinley** asked the Minister for Social and Family Affairs the efforts he is making to combat food poverty; and if he will make a statement on the matter. [37643/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 101, 131 and 167 together.

My Department through its various social insurance and assistance schemes provides income supports to people to meet their basic living needs, including food, clothing, heat and light.

Supplements are also payable in certain circumstances for specific needs, for example fuel allowances, rent supplements, living alone allowance for older people or the household benefits package for pensioners, eligible disabled people and carers.

Where people on low incomes have particular medical conditions or dietary requirements, diet supplements are available through the supplementary welfare allowance scheme which is administered on my behalf by the Community Welfare division of the Health Service Executive. It is expected that expenditure on diet sup-

[Mr. Brennan.]

plements will amount to €6 million this year and benefit over 11,200 people.

My Department also provides funding for school meals through two programmes, the urban school meals scheme and the local projects scheme. The urban school meals scheme operates in conjunction with certain local authorities and is co-funded by my Department. The local projects scheme provides funding to secondary, national, pre-schools and community groups in both urban and rural areas who provide school meals.

For families with school-going children, school meals can make a substantial contribution to ensuring that children receive better nutrition. Such services can also contribute to improved school attendance and quality of learning. Expenditure on the schools meals programme for 2006 will be of the order of €13 million and will benefit some 125,000 pupils in almost 1,400 schools in 2006.

In recent years, budgetary increases in social welfare payment rates have consistently exceeded increases in the cost of living. This key policy is the primary focus of Budget allocations to my Department each year, and it has helped ensure that those depending on social welfare experience real improvement in their ability to meet their basic needs, including provision of adequate food, heating, etc.

In this regard, consumer price index information from the Central Statistics Office indicates that the cost of food and non-alcoholic beverages has increased by 1.7% over the past 12 months. In the period since December 2001, food and non-alcoholic beverages increased by just 4% in aggregate while increases in social welfare payment rates increased by between 47% and 56% in the same period.

This issue of food poverty is a broad ranging one and is affected by dietary and nutritional awareness, cultural attitudes and access to good quality grocery shopping, as well as to the adequacy of social welfare income supports.

The report entitled "Food Poverty and Policy" published in 2004 by the Combat Poverty Agency, Crosscare and the Society of St Vincent de Paul defined food poverty as "the inability to access a nutritionally adequate diet and the related impacts on health, culture and social participation".

I welcome any debate on food poverty and nutrition generally and I support awareness campaigns such as the Healthy Food for All Initiative, which followed on from the Food Poverty and Policy report. I am particularly interested in research in this area which will help to inform policy on food poverty, income adequacy and healthy eating.

Energy Costs.

102. **Mr. Costello** asked the Minister for Social and Family Affairs if he intends to respond to the

call from the Society of St. Vincent de Paul to provide additional assistance for poorer families to cope with rising energy costs, particularly in view of the disclosure that the society had paid out €1m to assist families who had their gas and electricity supplies disconnected; and if he will make a statement on the matter. [37592/06]

112. **Mr. Naughten** asked the Minister for Social and Family Affairs the additional steps he will take to assist households with increasing energy costs; and if he will make a statement on the matter. [37099/06]

122. **Mr. Morgan** asked the Minister for Social and Family Affairs his views regarding the concerns raised that the great majority of families on low incomes have not been helped by recent efforts to reduce fuel poverty. [37650/06]

125. **Mr. S. Ryan** asked the Minister for Social and Family Affairs the steps he will take to ensure that those on low incomes or dependent on social welfare payments will be able to meet fuel costs this winter, in view of the increase in the cost of fuels generally and particularly in view of major increases in electricity and gas prices; and if he will make a statement on the matter. [37610/06]

134. **Mr. Neville** asked the Minister for Social and Family Affairs if he will increase the fuel allowance to €25 per week as requested by Age Action Ireland in view of the increase in fuel costs. [37671/06]

147. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will substantially increase the free fuel allowance with a view to alleviating the hardship caused by high electricity and gas prices; and if he will make a statement on the matter. [37615/06]

396. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the measures which he will introduce in Budget 2007 to assist low income families cope with rising energy costs. [33233/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 102, 112, 122, 125, 134, 147 and 396 together.

My Department provides supports to people on certain payments to meet their energy costs through the household benefits package and the national fuel scheme.

Some 340,000 pensioner and other households qualify for electricity or gas allowances through the household benefits package, payable towards their heating, light and cooking costs throughout the year, at an overall cost of €119 million in 2006.

Concerns were raised about the impact of rising energy costs on these people and the

Government responded immediately by announcing increases in energy fuel allowances. Currently the Electricity Allowance covers normal standing charges and up to 1,800 units of electricity and the VAT applicable to these charges. The allowance will be increased to cover the new standing charges and the number of units will also increase from 1,800 to 2,400 with effect from January 2007.

From October 1st 2006, the annual value of the Natural Gas Allowance has been increased to €516 per household. This will cover the recent 33.8% increase in Natural Gas and also increase the kilowatt hours per annum from 1,670 to approx 3,600 for each household.

The national fuel scheme assists householders on long-term social welfare or health service executive payments with meeting the cost of their heating needs during the winter season. Fuel allowances are paid for 29 weeks from end-September to mid-April. The allowance represents a contribution towards a person's normal heating expenses. It is not intended to meet those costs in full.

Improvements to the fuel allowance in recent years include an easing of the means test, extending the duration of payment from 26 to 29 weeks and, in Budget 2006, increasing the weekly allowance from €9.00 to €14.00 or from €12.90 to €17.90 in designated smokeless areas. It is estimated that some 274,000 people will benefit in 2006 at an estimated annual cost €125.1m.

The Government's objective is to ensure that the recipient's total weekly income, including the fuel allowance, is sufficient to meet all of their income needs, including heating costs. Budget resources have been concentrated on providing significant real increases over and above inflation each year in all primary social welfare pension, benefit and assistance rates. This is a more costly approach than increasing fuel allowances as the increase is paid for the full year and not just for the 29 weeks of the winter heating season. This approach delivers a better outcome for pensioners and others by substantially increasing their income in real terms over the whole year, to better assist them in meeting their normal basic living costs, including heating. Since December 2001, the main social welfare rates have increased by between 47% and 56% as against an overall inflation rate increase of 17% over the period. That overall inflation rate of 17% includes the impact of increases in energy costs, which rose by 45% over the period.

Under the supplementary welfare allowance scheme, a special heating supplement may be paid to assist people in certain circumstances that have special heating needs. An application for a heating supplement may be made by contacting the community welfare officer at the local Health Centre.

In the area of fuel poverty, my Department is cooperating with the Combat Poverty Agency, Sustainable Energy Ireland and other organisations in an action research project to improve

energy efficiency. In Budget 2006, I made a grant of €2 million to Sustainable Energy Ireland to enable further activity to be undertaken in this area.

Any changes in relation to provision of basic income support, fuel allowance or the household benefits package in would have significant cost implications and would have to be considered in the light of the resources available for improvements in social welfare generally.

Budget Submissions.

103. **Mr. Gilmore** asked the Minister for Social and Family Affairs the main features of his discussions and conclusions with voluntary and community groups at his pre-Budget forum on 23 October 2006; and if he will make a statement on the matter. [37594/06]

118. **Mr. Costello** asked the Minister for Social and Family Affairs his response to the pre-budget submission made by the Combat Poverty Agency; and if he will make a statement on the matter. [37591/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 103 and 118 together.

On October 23 last, I held a Pre-Budget Forum which was attended by 30 representative organisations which included various community and voluntary groups. Each of the organisations had the opportunity to present their key priorities for consideration in advance of Budget 2007. I would like to thank all those who participated for their contribution to the forum.

I have also received written budget submissions from each of the organisations who attended the Pre-Budget Forum and from a number of other community and voluntary organisations around the country.

The Combat Poverty Agency has also made a Pre-Budget submission to me and I have recently had the opportunity to discuss it with the Board and to hear its proposals first hand. The submissions contain varied proposals on increases in social welfare rates of payment, pensions and allowances as well as enhancements and changes to various schemes. All the submissions have been examined in my Department and will be considered in the context of the forthcoming Budget.

Poverty Levels.

104. **Mr. Gormley** asked the Minister for Social and Family Affairs if his Department has accepted the new indicators for consistent poverty levels recently proposed by the ESRI; and if this measure of consistent poverty will be used as a reference for targets set in the forthcoming National Anti-Poverty Strategy. [37664/06]

Minister for Social and Family Affairs (Mr. Brennan): The ESRI's proposed revision of the original set of indicators used to measure consistent poverty, to take account of the rapid economic progress of recent years and of current living standards, is detailed in its report *Reconfiguring the Measurement of Deprivation and Consistent Poverty in Ireland*. The report, which I launched last April, is an important source in developing the new National Action Plan on social inclusion which will be published early in the New Year.

The primary objective of the consistent poverty measure is to identify those groups who are most deprived and vulnerable in Irish society in relation to basic living standards and to whom priority should be given across the range of relevant Government policies. It also facilitates the regular monitoring of the progress being achieved by these policies in reducing deprivation. In this regard, the ESRI has updated the original indicators of deprivation used to measure consistent poverty to provide a better reflection of what would be regarded currently in this country as basic living standards. They have found, on the basis of the new revised range of indicators, that the percentage of persons living in consistent poverty would not differ very significantly from the most recent percentage rate based on the original set of indicators. According to the EU Survey on Income and Living Conditions (EU-SILC) this rate for 2004 was 6.8 per cent. The revised measure also shows that virtually the same categories of people are most at risk of poverty. These include lone parents, households with large numbers of children, those lacking educational qualifications, the unemployed and the ill or disabled.

The findings on poverty levels in the EU-SILC survey, the ESRI report and international comparisons becoming available on poverty, will all assist in devising policies that will work towards addressing poverty and social exclusion in our society. To that end the parties to the recent social partnership agreement *Towards 2016* agreed on the need to set real and achievable anti-poverty targets and further agreed that the approach to effective poverty measurement should be reviewed in the light of timing difficulties concerning EU-SILC. This work will be carried forward by the Office for Social Inclusion, based in my Department. The Office will be assisted in this work by a Technical Advisory Group which includes technical experts from the social partner pillars and from the ESRI.

National Strategy for Carers.

105. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs if he will implement a national strategy for carers. [37652/06]

Minister for Social and Family Affairs (Mr. Brennan): Supporting and recognising carers in

our society has been a priority of the Government since 1997. Over that period, weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

One of the key Government commitments in the new national partnership agreement "Towards 2016" is the development of a National Carer's Strategy. This strategy, which will focus on supporting informal and family carers in the community, will be developed by the end of 2007. All relevant departments and agencies will be involved in the strategy and there will be appropriate consultation with the social partners.

In addition, "Towards 2016" commits my Department to leading the development of a structured consultation process to inform future policy in relation to carers. This will involve an annual meeting of carer's representative groups and relevant department and agencies.

I am pleased that the first such meeting will be held on Tuesday 21st November. My officials have been in contact with their counterparts in the relevant departments and agencies in order to finalise arrangements and carer representative groups have been invited to attend.

This consultation meeting will give the representative groups an opportunity to discuss issues of concern to them with all the relevant departments and agencies. It will also provide a good opportunity for all involved to tease out the issues to be covered by the strategy. While social welfare supports for carers will clearly be a key issue, other issues such as access to respite and other services, education, training and employment will also feature strongly.

Co-operation between relevant Government departments and agencies is essential if the provision of services, supports and entitlements for carers is to be fully addressed. I am committed to working for, and with, carers to deliver increased benefits, supports, and services for them and their families. In that regard, I will continue to review the scope for further development of the supports available.

Unemployment Levels.

106. **Mr. Hogan** asked the Minister for Social and Family Affairs the number of people who are long-term unemployed; the targets he has set to reduce the amount of people who have been out of the workforce for a long time; the ways he will meet same; and if he will make a statement on the matter. [37628/06]

Minister for Social and Family Affairs (Mr. Brennan): According to the latest estimates from the Central Statistics Office there were 29, 600 people long-term unemployed in the third quarter of 2006. This represents a long term unem-

ployment rate of 1.4%. The long term unemployment rate fell from 5.5% in September–November 1997 to 1.4% in June–August 2000 and has remained in the range 1.2% to 1.6% since that time. These estimates are based on criteria developed by the ILO and used internationally.

The total number of people on the Live Register at the end of October 2006 was 148,506 of whom; 53,264 are long-term cases. 6,613 of these were in receipt of Jobseekers Benefit, 42,015 were on Jobseekers Allowance and 4,636 were signing on for Credits but not receiving any payment.

The Irish National Employment Action Plan includes a process of systematic engagement of the employment services with unemployed people. Under the plan, people in receipt of Jobseekers Benefit or Jobseekers Allowance who reach various duration thresholds on the Live Register are identified by my Department and referred to FÁS for interview with a view to job placement or offer of training.

Since September 1998 the plan has been progressively extended to all age groups under 55 and with effect from the 1st weekend of July 2006 it has been extended to those aged between 55 and 64 years. In addition a recent Government decision reduced the criteria for selection into the NEAP from 6 months on the Live Register to 3 months. Referral at 3 months has commenced from Monday 16 October 2006. An evaluation of the process recently concluded that the NEAP is an effective labour market measure.

My Department also has a number of other initiatives designed to assist the long term unemployed to return to the active labour force. The back to work allowance was introduced in September 1993 at a time when long term unemployment stood at 8.9%. The scheme proved very effective in helping people who had been long-term unemployed to return to the labour force. There are currently 8,584 participants in the scheme.

My Department also administers the back to education allowance programme. This is a second chance educational opportunities programme designed to encourage and facilitate unemployed people, lone parents and people with disabilities to improve their skills and qualifications with a view to returning to the work force. There were 7,280 participants in the scheme up to end October 2006.

Furthermore I introduced a number of measures in the 2006 Budget to assist social welfare recipients including the long-term unemployed return to work. These include a reduction in the periods required to access the Back to Work Scheme. I reduced the period required to access the self employed strand of the scheme from 3 to 2 years for people on unemployment payments and from 5 years to 2 years for the employee strand. Following the changes to eligibility criteria provided for in the Budget which came into effect on 1st March 2006, the numbers of the

Back to Work Allowance new applications have been increasing steadily each month. I have also introduced a 50% tapered withdrawal of earnings between €60 and €90 per week for Rent & Mortgage Interest Supplement.

My Department will continue to monitor all of these schemes to ensure their relevance to current labour market conditions and to ensure that they continue to assist those furthest from the labour market to gain a foothold into sustainable employment or self-employment.

Budget Submissions.

107. **Mr. Howlin** asked the Minister for Social and Family Affairs if he has received the pre-Budget submission from the national one parent family organisation, One Family; his response to the ten steps to equality for all families set out in the submission; and if he will make a statement on the matter. [37597/06]

Minister for Social and Family Affairs (Mr. Brennan): I have recently received the Pre-Budget submission from One Family, and also had a presentation at the recent Pre-Budget Forum.

Of the ten areas of concern, entitled “steps to equality for all families” which are set out in the submission, a number, including the issues of adequate incomes for one-parent families, adequate supports for employment and the issue of poverty traps deterring a move off social welfare dependency were covered in the Government discussion paper, “Proposals for Supporting Lone Parents” which I launched in March this year.

That paper put forward proposals for reform of the income support system for all parents on a low income. It also put forward proposals for the expanded availability and range of education and training opportunities for lone parents, the extension of the National Employment Action Plan to focus on lone parents, focused provision of child-care, improved information services for lone parents and the introduction of a new social assistance payment for low income families with young children.

Long-term welfare dependency is not in the best interests of parents, their children or society in general. The proposed new social assistance payment would have the long term aim of assisting lone parents and parents on low incomes to achieve financial independence through supporting them to enter employment — for it is employment that offers the best route out of poverty.

Any proposed new payment cannot be introduced without co-ordinated supports and services being put in place by other Departments and Agencies. This is why the Government has instructed the Senior Officials Group on Social Inclusion to draw up an implementation plan to progress the non-income recommendations in tandem with the development of the legislation

[Mr. Brennan.]

required in my Department to introduce a new payment scheme.

Work on the development of this implementation plan is underway. Issues including access to childcare support, education, training and activation measures are being actively considered by the relevant Departments and Agencies.

As soon as I am convinced that we have reached conclusions that are equitable, with a fully workable implementation strategy, it is my intention to bring forward proposals for legislation.

In the meantime, my officials continue to be in contact with the lone parents' representative groups, whose ongoing support I am grateful for and whose views continue to feed in to the development of the proposals. The proposals in the Pre-Budget submission are being considered in a budgetary context.

Waste Management Charges.

108. **Mr. Neville** asked the Minister for Social and Family Affairs if he will introduce a waiver on waste charges available nationally to all those on low income. [37670/06]

Minister for Social and Family Affairs (Mr. Brennan): The setting of waste management charges and the introduction of waivers in respect of waste charges is, as stated by my colleague the Minister for Environment, Heritage and Local Government, a matter for each local authority.

The introduction of a national social welfare scheme to address the issue is complex given the wide range of charging regimes and cost structures that exist in respect of waste management throughout the State. Charges vary across local authorities and within local authorities where there is more than one provider. In addition, some local authorities already operate waiver schemes. Any system put in place to assist people who rely on private domestic waste collection would have to take account of the different local arrangements.

I am sensitive to the effects of this situation on social welfare recipients and I have asked my Department to explore possible options.

Departmental Schemes.

109. **Ms Lynch** asked the Minister for Social and Family Affairs the progress made to date with regard to consideration by his Department of a new mortgage support plan; when he expects the consultation period to be complete; if the scheme will be directed specifically towards those currently priced out of the property market; and if he will make a statement on the matter. [37600/06]

119. **Ms McManus** asked the Minister for Social and Family Affairs the proposals he has for a

review of the current rent supplement scheme, especially in view of criticism from the Comptroller and Auditor General of the cost of the scheme; and if he will make a statement on the matter. [37601/06]

140. **Mr. Allen** asked the Minister for Social and Family Affairs the number of households currently in receipt of rent supplement; the targets he has set for the reduction in the number of households in receipt of rent supplement; and if he will make a statement on the matter. [37625/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 109, 119 and 140 together.

The Value for Money examination undertaken by the Comptroller and Auditor General (C&AG) looked at the rent supplement scheme during the period 2000 to 2005. One of the main issues raised by the C&AG relates to the substantial increase in expenditure on rent supplement over the period of review. As the report notes, it increased from €151m in 2000 to almost €370m in 2005. In the same period, recipient numbers rose from 42,700 to just over 60,000. The report focuses in particular on the increase in the level of rent supplements paid during this period as the main factor giving rise to the increase in expenditure. Other contributing factors include increases in the number of recipients and changes in household composition.

During the period of review my Department took measures to address increases in expenditure. For example in December 2002 limits were set on the amount of rent in respect of which rent supplements are paid. Rent supplement are not paid where rents exceed the maximum levels set other than in exceptional circumstances. The limits were again reviewed in December 2003 and June 2005 and a further review will take place before the end of 2006.

A conclusion arising from the C&AG report, and one I agree with which, is that rent supplementation under the supplementary welfare allowance scheme has, over the years, developed beyond the original objective of providing short-term assistance with accommodation. A significant number of people have now come to rely on rent supplementation for extended periods, including people on local authority housing lists. For this reason, the scheme has to be viewed in the context of overall housing policy, particularly in the case of long-term claimants.

In response to this situation, the Government has introduced new rental assistance arrangements including the rental accommodation scheme (RAS) giving local authorities specific responsibility for meeting the longer-term housing needs of people receiving rent supplement for 18 months or more, on a phased implementation basis. When fully operational, local authorities will meet the housing needs of these individuals

through a range of approaches including the traditional range of social housing options, the voluntary housing sector and, in particular, a new public / private partnership type rental accommodation scheme.

According to recent information from the Department of the Environment Heritage and Local Government, to date over 12,000 rent supplement cases have been reviewed, almost 1,900 properties inspected and some 2,000 cases transferred to RAS. An additional 1,500 rent supplement households have also been allocated local authority housing.

I have not set any targets for reductions in the number of households in receipt of rent supplement. The Government's targets in this area relate to increasing the supply of social and affordable housing, including the full implementation of the RAS. When the new rental assistance arrangements have been fully implemented I expect that in excess of 30,000 individuals will have transferred from the rent supplement scheme to the local authorities under RAS and other social housing schemes.

A study has been commissioned from Goodbody Economic Consultants to examine the potential of supplementing home ownership specifically among the client base that comes within the rent supplementation arrangements. The study was aimed at identifying possible viable alternative approaches meeting housing needs for long-term rent supplement recipients. People in this category are primarily dependent on social welfare or health service executive payments and would not be in position to purchase private property at going market rates. The work is nearing completion and I understand that the group are finalising their draft report.

In addition to this current study, a fundamental review of all aspects of the supplementary welfare allowance scheme, including the rent supplement scheme has been undertaken as part of my Department's series of Expenditure Reviews. The review process is now completed and following its presentation to Government I would propose to publish a report on the findings of the review in the coming weeks.

Family Support Services.

110. **Mr. Callely** asked the Minister for Social and Family Affairs the range of payments and supports to families where it is clear that the family need additional support particularly in the area of an out of control child; the level of one to one supports available; and if he will make a statement on the matter. [37097/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department has no function in providing supports specifically in the case of families with an out of control child. Personal Social Services and Child Welfare are the

responsibility of my colleague, the Minister for Health and Children.

The main function of my Department is the provision of income support payments including social insurance payments funded by the Social Insurance Fund, social assistance payments funded by the Vote, the provision of secondary benefits such as free fuel, household benefits package and the payment of universal schemes such as child benefit.

Within that remit my Department aims to support and promote families and to attain better outcomes in tackling poverty and achieving a more inclusive society through co-operating, developing and implementing national anti-poverty strategies, and through the provision of income and other support services for people in debt or at risk of experiencing hardship.

My Department also aims to ensure the well being of all children through income support with child rearing costs in general, including those which arise in circumstances of particular need or disadvantage.

The principal child income support is child benefit, a universal payment that is neutral regarding the employment status of the child's parents and does not contribute to poverty traps. While child benefit supports all children it delivers proportionately more assistance to larger families. My Department also administers the early childcare supplement on behalf of the Office of the Minister for Children.

In addition to child benefit support most social welfare payments provide for an increase in respect of qualified children. Family needs are addressed through the provision of increases in respect of dependent adults or children which are payable in addition to the particular personal weekly rate of a social welfare payment.

Finally, the family income supplement scheme gives extra financial support to employees with families, on low pay.

Departmental Schemes.

111. **Mr. Callely** asked the Minister for Social and Family Affairs the level of take-up of the back to work scheme over the past five years; if he is satisfied in relation to the scheme; and if he will make a statement on the matter. [37098/06]

406. **Mr. Durkan** asked the Minister for Social and Family Affairs his proposals to improve the back to work allowance scheme with particular reference to easing or improving the qualification requirements; and if he will make a statement on the matter. [37960/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 111 and 406 together.

The back to work allowance scheme assists the long term unemployed to return to the active labour force. There are two strands to the

[Mr. Brennan.]

scheme, the back to work enterprise allowance for self employed and the back to work allowance for employees.

Numbers availing of the back to work allowance scheme have fallen steadily in recent years due to the continued buoyancy of the labour market and the low levels of long term unemployment. Currently, there are some 8,580 participants in the scheme compared to 39,340 in 2002 when it reached its peak.

The number of new entrants on the back to work scheme from 2002 are as follows:

	Self-employed	Employee	Total
2002	4,370	5,561	9,931
2003	2,389	3,239	5,628
2004	1,815	2,498	4,313
2005	1,739	1,991	3,730
2006 (to date)	1,774	2,064	3,838

In recognition of the difficulties being experienced by some people returning to the labour force after 3 or 5 years of attachment to the live register, the qualifying period for access to both the employment and self-employment strands of back to work was reduced to 2 years, with effect from March 2006. Furthermore, periods spent in receipt of supplementary welfare allowance or direct provision for persons awaiting refugee status now count towards the qualifying period for access to the back to work allowance scheme. This new condition will apply in circumstances where the person establishes an entitlement to a relevant social welfare payment prior to commencing employment.

Following the changes to eligibility criteria provided for in the Budget which came into effect on 1st March 2006, the numbers of the Back to Work Allowance new applications have been increasing steadily each month.

I will continue to monitor the scheme to ensure its relevance to current labour market conditions and to ensure that it continues to assist those furthest from the labour market to gain a foothold into sustainable employment or self-employment.

Question No. 112 answered with Question No. 102.

Migrant Issues.

113. **Mr. Sargent** asked the Minister for Social and Family Affairs his views on the NESC conclusion in the NESC publication *Managing Migration in Ireland A Social and Economic Analysis*, that the decision to exclude migrants for welfare categories because they were not habitually resident in Ireland was a short term policy which will eventually have to be replaced

by one which allows some migrants to establish long term residence in Ireland. [37668/06]

Minister for Social and Family Affairs (Mr. Brennan): The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social welfare payments with effect from 1st May 2004. It was introduced in the context of the Government's decision to open the Irish labour market to workers from the new EU Member States without the transitional limitations which were being imposed at that time by many of the other Member States.

The effect of the condition is, for the purposes of certain social assistance schemes and child benefit, to distinguish between a person whose habitual residence is elsewhere and a person who has established a habitual residence here. None of the contributory schemes of my Department are affected by the condition, so (for example) jobseeker's benefit and illness benefit are available to all workers who satisfy the contribution and other conditions, regardless of nationality or citizenship.

Furthermore, in the case of workers from EU and EEA countries, EU legislation regarding social security for migrant workers provides that periods of employment in other Member States of the European Economic Area are taken into consideration for the purposes of benefit entitlements.

The habitual residence condition therefore does not create a barrier to migrant workers establishing long-term residence in Ireland. This is demonstrated by the fact that only about 2.5% of the persons from the 10 accession countries to whom PPS numbers have been allocated lodge claims for assistance. In addition 76% of over 43,000 claims which have been examined with particular reference to the habitual residence condition have been allowed.

Of these claims:

39% were by persons from some 130 countries outside the EU 25;

26% were by Irish nationals;

16% were by nationals from the 10 EU accession countries;

11% were by UK nationals; and

8% were by nationals from the other EU Member States.

I am satisfied that the principal effect of the habitual residence condition is to ensure that persons who have not worked in Ireland or who have not established their habitual residence in Ireland cannot take advantage of our assistance schemes or child benefit, and there are no plans to remove this important protection of the Irish social welfare system.

Pension Provisions.

114. **Mr. O'Shea** asked the Minister for Social and Family Affairs if he has completed his consideration of the recent report he received from the Pensions Board, entitled, Special Savings for Retirement Report on Mandatory Pension System; and if he will make a statement on the matter. [37605/06]

Minister for Social and Family Affairs (Mr. Brennan): The Pensions Board in its report on the National Pensions Review, published in January 2006, suggested, amongst other things, a continuation of the existing system of voluntary supplementary pensions provision with improved incentives for participation.

However, no truly voluntary pensions system has delivered the level of coverage rates for which we are aiming, and if we are to achieve our overall targets we may have to consider a more radical approach. I therefore asked the Pensions Board to explore in more detail the ideas for a mandatory or quasi-mandatory system it put forward in its report on the National Pensions Review.

I published this second report, with the consent of the Government, on the 8th August. The report is a technical examination of the practical issues associated with a supplementary pension system. The Pensions Board has not recommended a mandatory supplementary pensions system. It has, instead, examined several options and concluded by giving an outline of what such an arrangement could look like, if a mandatory approach was agreed to be the way forward.

The model put forward for consideration by the Board is aimed at low to middle earners which entails mandatory contributions of 15%, shared between employers, employees and the Exchequer, on earnings between €15,000 and €60,000. This would be backed up by an improved social welfare pension, which would increase from a current level of 33% of Gross Average Industrial Earnings to 40%. A timescale of 10 years was suggested for full implementation.

The two reports produced by the Pensions Board over the last year require serious debate and analysis before we decide finally on the type of retirement we want for our older people and the contribution we will make during our working lives to that future.

In this regard, pensions featured very strongly in the negotiations for Towards 2016 and the final agreement features a number of commitments in this area. As part of the agreement the Government is committed to publishing a Green Paper on pensions outlining the major policy choices, the challenges in this area and the views of the social partners.

I expect to publish this by the end of March next year, and there will then be a consultation process. The Government are committed to

responding to the consultations on foot of the paper's publication by developing a framework for comprehensively addressing the pensions agenda over the long-term. The two reports completed by the Pensions Board — The National Pensions Review and their report on mandatory pensions, Special Savings for Retirement — to be major inputs to the Green Paper.

Social Welfare Benefits.

115. **Mr. Morgan** asked the Minister for Social and Family Affairs if there are proposals to increase the living alone allowance for pensioners. [37651/06]

390. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the cost of doubling the living alone allowance to €15.40. [37430/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Question Nos. 115 and 390 together.

The living alone increase is an additional payment of €7.70 per week made to people aged 66 years or over who are in receipt of certain social welfare payments and who are living alone. It is also available to people who are under 66 years of age who are living alone and who receive payments under one of a number of invalidity type schemes. The increase is intended as a contribution towards the additional costs people face when they live alone.

The additional payment is primarily designed to target the increased risk of poverty that older people face if living alone though, as already indicated, it is also payable to those receiving long-term invalidity type payments in recognition of the particular difficulties faced by that group.

At present just over 150,000 people are in receipt of this additional payment. The estimated cost of doubling the payment to €15.40 per week is €61.5 million per annum.

The policy in relation to support for pensioners has been, for many years, to give priority to increasing the personal rates of pension rather than focusing on payments such as the living alone increase. This approach ensures that resources are used to improve the position of all pensioners. Any increases in the payment would have to be considered in a budgetary context.

116. **Mr. O'Dowd** asked the Minister for Social and Family Affairs his views on linking the rate of carer's benefit payable to percentage of former salary; and if he will make a statement on the matter. [37634/06]

Minister for Social and Family Affairs (Mr. Brennan): Supporting and recognising carers in our society is and has been a priority of the Government since 1997. Over that period, weekly

[Mr. Brennan.]

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

Carer's Benefit is a weekly income support payment intended to support people who leave the workforce temporarily to care for someone who is in need of full-time care and attention. As the payment is not intended as an income replacement, it is not paid with reference to the recipient's previous earnings. This is in line with the practice generally for other social welfare payments.

In Budget 2006, I announced the biggest ever increases in the weekly rates of payments to carers. In particular, I increased the rate of carer's benefit to €180.70 per week for people who are caring for one person. People who are caring for more than one person are paid at 150% of the standard rate. I also increased the level of the respite care grant from €1,000 to €1,200 per year from June 2006.

I have also made other improvements to the supports available to carers from my Department. From June this year, I increased the number of hours that a carer may work and still receive carer's allowance, carer's benefit or respite care grant from 10 to 15 hours per week. I also extended the duration of the carer's benefit scheme from 15 months to 2 years. The duration of the associated carer's leave scheme has also been extended to 2 years.

Recommendations involving additional expenditure can only be considered in a budgetary context. However, I am always prepared to consider changes to existing arrangements where these are for the benefit of recipients and financially sustainable within the resources available to me. I will continue to bring forward proposals that recognise the valued and valuable contribution of carers in a tangible way.

Family Support Services.

117. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs if his Department offers parenting courses; if not, his views on the introduction of same; and if he will make a statement on the matter. [37641/06]

Minister for Social and Family Affairs (Mr. Brennan): Although not offering parenting courses directly, my Department does provide support, via the Family Services Project and the Family Support Agency, to a range of groups and organisations that are involved in the provision of supports and information to parents.

Specifically, the Employment Supports Service in my Department has developed the Family

Services Project since its establishment in 1998 with a view to providing a high quality information service on the range of supports available to families. Examples of activities funded under the Family Services Project include parenting projects for very young lone parents, supports programmes for families of disabled persons and family support for Travellers. To date in 2006, over €1.36million has been expended on some 80 programmes to assist disadvantaged families, 37 of which were parenting programmes.

In addition, the Family Support Agency has statutory responsibility to promote and disseminate information about issues such as parenting and family responsibilities. In 2006, the Agency has responsibility for €28 million of Government funding to support families and has a mission "to promote family and community well being through the provision of appropriate supports and services to families."

A crucial element of that investment is the almost €13 million allocated to the Family Resource Centre programme that seeks to help combat disadvantage by improving the functioning of the family unit. The emphasis in the projects is on the involvement of local communities in developing approaches to tackle the problems they face and on creating successful partnerships between the voluntary and statutory agencies in the area concerned.

The services provided and activities supported by the resource centres are designed to meet the needs of the local community. They include the provision of parenting courses, education and training opportunities for parents and active dissemination of information on a range of issues affecting families and local communities.

Question No. 118 answered with Question No. 103.

Question No. 119 answered with Question No. 109.

120. **Mr. Connaughton** asked the Minister for Social and Family Affairs his plans to improve supports for new fathers; and if he will make a statement on the matter. [37637/06]

Minister for Social and Family Affairs (Mr. Brennan): The social welfare system is designed to provide a replacement income in the event of a particular contingency arising. The contingencies include lone parenthood, child support, maternity and adoption. The payments involved, while not targeted specifically at fathers of recently born children, could be claimed by them in certain circumstances. In addition, where a man is in receipt of a social welfare payment, he may claim an increase on the payment in respect of a child dependant.

Other measures within the social insurance framework which may support new fathers include the award of credits for periods of statutory leave in the event of adoption, maternity and carers leave, if they are entitled to the leave. There is no provision for the payment of an income support during any period of parental leave, but the period of statutory leave attracts credited contributions to maintain a full PRSI insurance record.

The parameters set out in law under which a father may establish entitlement to a period of statutory maternity, adoptive, carers or parental leave is the responsibility of the Minister for Justice, Equality and Law Reform.

In relation to supports for families generally, the Family Support Agency has a key role in promoting family and community well being through the provision of appropriate supports and services to families. Specifically, the Agency, through the Family and Community Services Resource Centre Programme, supports the involvement of local communities in developing approaches to tackle the problems affecting families on creating successful partnerships between the voluntary and statutory agencies in this regard.

Initiatives supported by Family Resource Centres include parenting courses, information sessions and other measures aimed at enhancing the role of young fathers in the lives of their children.

Question No. 121 answered with Question No. 94.

Question No. 122 answered with Question No. 102.

Question No. 123 answered with Question No. 94.

124. **Mr. Cuffe** asked the Minister for Social and Family Affairs the intentions he has of commissioning research on the key issues involved in family breakdown in view of the increasing numbers of marriages that are ending in separation and divorce. [37661/06]

Minister for Social and Family Affairs (Mr. Brennan): The provision of quality research into key family issues is one of the main priorities for the Family Support Agency and indeed the Agency is committed to continuing the innovative work contained in the first phase of the Families Research Programme, which ran from 1999 to 2004.

In June this year, as a precursor to a call for research into selected family themes, I launched a thematic review of the findings of the 14 projects commissioned under the first phase of the Programme. Research has been published into such

themes as family formation, issues affecting the first year of marriage, family well-being, marital and relationship counselling and children's experiences of parental separation. The resultant reports are all freely available from the Family Affairs Unit of my Department and can be downloaded from the internet.

One of the key issues identified in the thematic review as needing of further research was the whole area of marriage and relationship stability and family breakdown. Indeed, I have gone on record as suggesting that this should be a priority area for future research.

The Board of the Agency has a sub-group charged with identifying the issues for research under the next phase of the Families Research Programme and a call for original research under a number of themes will be published by the Agency early in the new year. While I do not want to pre-empt the decision of the Board, I have no doubt that the issue mentioned by the Deputy will be to the forefront of any such exercise.

Question No. 125 answered with Question No. 102.

Payment Delivery Services.

126. **Mr. Quinn** asked the Minister for Social and Family Affairs if he has finalised his discussions on the opinion of the Advocate General of the European Court of Justice regarding the decision of his Department to extend the payment delivery services contract with An Post; the action he will take arising from the decision; and if he will make a statement on the matter. [37612/06]

Minister for Social and Family Affairs (Mr. Brennan): Following the Government decision in 1999 to extend the An Post contract for the delivery of social welfare payments for a further 3 years a complaint was lodged with the European Commission under the Procurement Services Directive.

The Advocate-General to the European Court of Justice gave an opinion on the case on 14th September 2006 and concurred with the European Commission's view that Ireland breached EU non-discrimination rules by not publicly advertising the payment delivery service. It is expected that the Court will give its judgement within a three to six month period.

Discussions are on-going with the Office of the Attorney General on the legal implications for the Department and on the steps to be taken should the judgement of the Court be in line with the Advocate-General's opinion. It will be necessary to put forward a plan of action for approval by Government once the court decision is known. Pending the judgement, and recognizing the

[Mr. Brennan.]

essential payment delivery service which An Post currently provides for my Department, the Company will continue to provide these services.

Child Support.

127. **Mr. Stanton** asked the Minister for Social and Family Affairs his views on paying all child dependent allowances at the same maximum rate; the cost of same; and if he will make a statement on the matter. [37618/06]

130. **Ms Burton** asked the Minister for Social and Family Affairs his plans to increase the child dependent allowance in budget 2007; and if he will make a statement on the matter. [37590/06]

132. **Mr. Kenny** asked the Minister for Social and Family Affairs his views on increasing the child dependent allowance to one-third of the adult social welfare rate; and the cost of same; and if he will make a statement on the matter. [37619/06]

139. **Ms Burton** asked the Minister for Social and Family Affairs if he has received the promised recommendation from the National and Economic Social Council on the targeting of child poverty through a new payment that is a second tier to the child benefit payment aimed at the least well off children; and if he will make a statement on the matter. [37589/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 127, 130, 132 and 139 together.

Since 1994, successive Governments have followed the policy of holding the rate of qualified child increases constant while concentrating additional resources for child income support on the child benefit scheme. Child benefit is neutral vis-à-vis the employment status of the child's parents and does not contribute to poverty traps, whereas the loss of qualified child increases by social welfare recipients on taking up employment can act as a disincentive to availing of work opportunities.

As a universal payment, which is not taxable and is not assessed as means for other secondary benefits, child benefit can be more effective than qualified child increases as a child income support mechanism when account is taken of incentive issues.

The Government have invested substantial resources in the child benefit scheme since entering office. Since 1997, expenditure on child benefit has increased from €505.8 million to an estimated €2.05 billion in 2006.

The broad approach over the last ten years in relation to child income support policy was recently commended by the NESC. However the

NESC has also raised the question of a new instrument which would target low income families across the welfare-work divide. In this context, the Council was asked to examine the feasibility of merging the family income supplement scheme and child dependant allowance into a second tier child income support. Such a payment would be aimed specifically at targeting child poverty by channelling resources to low-income families without creating significant disincentives to employment.

The final report has not been published to date by NESC. However, while waiting for the structure for the new second tier support to be finalised, a range of other reforms, increased welfare supports and expanded child-centred services are all combining to make significant progress in tackling child poverty. The most recent figures show that at least 100,000 children have been lifted out of deprivation and hardship inside the last decade as a result of targeted measures and supports.

These include, in addition to the substantial increases in each Budget in Child Benefit rates which directly benefit over one million children, increases of from €21 to €282 a week for families on Family Income Supplement which is being claimed by over 21,400 families; the €40 per child increase in the Back to School Clothing and Footwear Allowance which benefits some 85,000 families and the €1,000 a year Early Childcare Supplement which benefits over 390,000 children, a third of whom are the children of lone parents.

The cost of increasing all qualified child increases to the highest rate is estimated to be some €50 million, while the cost of increasing all CDAs to one third of the lowest adult social welfare rate would be some €573 million in a full year.

Any change to existing policy, including qualified child increases, will be considered in a budgetary context and in the context of an overall review of targeted child income supports.

Question No. 128 answered with Question No. 96.

129. **Mr. Gormley** asked the Minister for Social and Family Affairs if he will report on progress which has been made in ending child poverty one year after the End Child Poverty Coalition Campaign called for serious action in this area. [37665/06]

Minister for Social and Family Affairs (Mr. Brennan): The National Action Plan against poverty and social exclusion details actions across several Government Departments to co-ordinate action across a range of Government services, including income support. The most recent reforms aimed at tackling child poverty include the following: payment of the new €1,000 a year

early childcare supplement for all children under 6 years; increases in social welfare payments in real terms and improvements in entitlements; the creation of additional childcare places; and proposed reforms of the schemes for lone parents, and the qualified adults of social welfare beneficiaries, which will be of significant benefit also to their child dependants.

The most significant measure my own Department has taken in recent years to support families with children has been the very substantial real increases in child benefit rates. Between 1997 and 2006, the rate of child benefit rose from €38.09 per month for the first two children and €49.52 for each child thereafter to €150.00 per month for each of the first two children and to €185.00 per month for the third and each subsequent child. Child benefit is paid to over half a million families in respect of approximately 1.1 million children at a cost in 2006 of more than €2 billion. The provision of these increases has been part of the sustained and substantial overall increase in social protection expenditure provided for by this Government.

I held a Pre-Budget Forum in October which was attended by over 30 representative organizations, including several members of the End Child Poverty Coalition. At the forum, organizations presented their key priorities for consideration in advance of Budget 2007. I would like to put on record my appreciation and my thanks to the members of the End Child Poverty Coalition for their contribution to the forum and the valuable work which they and other similar organizations do in representing the interests of the more vulnerable groups in our society. The proposals put forward by these organizations are being considered in the context of the forthcoming Budget.

As I mentioned at the Pre-Budget Forum, I am committed to maintaining the momentum on reforms that directly tackle child poverty, which should have no place in modern, progressive 21st century Ireland. Preparation of a new National Action Plan for Inclusion is currently being coordinated by the Office for Social Inclusion in my Department for launch early in the New Year. Building on the social inclusion provisions in the partnership agreement, Towards 2016, the Plan will adopt a lifecycle approach by assessing the risks which individuals face at each stage of the life cycle and the supports they need to effectively meet these risks. The groups focused on using this approach are Children, People of Working Age, Older People and People with Disabilities. This strategic framework is also being designed to create more coherent and integrated structures that will greatly assist in achieving more effective implementation of the plan. It is also expected to facilitate better and more effective reporting and monitoring across the spectrum of government activity in the area of social inclusion.

Question No. 130 answered with Question No. 127.

Question No. 131 answered with Question No. 101.

Question No. 132 answered with Question No. 127.

Payment Delivery Services.

133. **Mr. Bruton** asked the Minister for Social and Family Affairs if it is his Department's policy to encourage people to receive payment via electronic funds transfer; if so, the way this is being done; and if he will make a statement on the matter. [37621/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department's policy is to ensure cost effective arrangements are in place for making payments through a range of payment options and that the service is continually adapted by providing access to new payment services and facilities as they become available. Customers opt for a particular payment method having regard to their own circumstances.

The current range of payment options offered by my Department include payment made directly to the customer's bank or building society account, at post offices by means of a pension order book or by electronic or manual postdraft issued to a customer's designated post office, or by cheque to the home address of the customer.

Currently some 37% of customers receive direct payment to their bank or building society account, 53% of customers receive payment through their local post office and 10% are paid by cheque through the postal system.

It is government policy to facilitate the greater use of electronic payment systems in the economy in the interests of developing a world class payments environment in Ireland. In this context, I have undertaken a strategic review of my Department's payment requirements with the aim of identifying a payment solution for the future which will be flexible, cost-effective, customer focused, manageable and accountable.

The study will take account of the current market offerings in the financial services sector and advances in the card-based technologies with a view to seeing how future needs might best be met. The objective is to ensure that the new system will be cost effective and provide easy access to payments for customers throughout the country.

Question No. 134 answered Question No. 102.

Social Welfare Code.

135. **Mr. O'Dowd** asked the Minister for Social and Family Affairs if he has examined the possi-

[Mr. O'Dowd.]

bility of making alterations to the social insurance system to allow a more flexible approach to retirement; and if he will make a statement on the matter. [37633/06]

138. **Mr. Perry** asked the Minister for Social and Family Affairs his views on providing incentives to employers to promote the employment of people of pension age; the implications of same; and if he will make a statement on the matter. [37631/06]

142. **Mr. Perry** asked the Minister for Social and Family Affairs the efforts his Department is making to promote social inclusion of over 65's in particular in relation to access to services and employment; and if he will make a statement on the matter. [37632/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 135, 138 and 142 together.

The National Action Plan for Inclusion is currently being prepared by the Office for Social Inclusion in my Department. This plan will encompass a lifecycle approach within which the key social challenges will be addressed, by assessing the risks which individuals face and the supports available to them at each stage in the life cycle, of which older people are one of the key areas for attention.

This strategic framework will help to create more coherent and integrated structures and facilitate better and more effective reporting and monitoring across the spectrum of Government activity in the area of social inclusion. It is being designed to systematically overcome difficulties in implementation arising from insufficient coordination and integration.

The current NAP/inclusion already recognises that access to adequate resources is an important requirement for the participation of older people. In this regard, the needs of older people have been, and will remain, a priority for this Government. The Government's strategy in this area is to provide the resources for older people to enable them to play a full role in society through a number of measures like significant increases in pension rates and supports for carers, and by making schemes such as the household benefits package and medical cards available on a much wider basis. For instance, over the last 10 years the rate at which contributory pensions are paid has increased by some 103%, or a real increase of nearly 50%, while household benefits and medical cards are now available on a universal basis for those who are 70 years of age and over.

The Government is committed to reaching a target rate of at least €200 per week for the basic state pension and I expect to progress this commitment in the forthcoming Budget. I will continue to look for opportunities to improve the supports we provide for our older people.

With regard to access to employment, I consider it important that those who wish to continue in employment after normal retirement age should, as far as is possible, be facilitated and supported. Longer working can play an important role in ensuring that our pensions system is sustainable in the future and it can also be beneficial to the individual.

The National Pensions Review, published in January, includes recommendations from the Pensions Board designed to encourage people to continue working after normal retirement age. The measures suggested involve allowing people to defer receiving their social welfare pension and to grant them an actuarially enhanced payment when they do claim. The Pensions Board also considered that if this was combined with allowing those with less than full entitlements to count contributions made after age 65 or 66 in order to improve their contributions record, this would complete the incentives for longer working within the social welfare pensions system. I am in broad agreement with the suggestions and will be seeking to have them introduced as soon as is practical.

However, issues surrounding social welfare payments represent only one aspect of the problem. As I have said before, we require a change in attitudes in relation to longer working from both employers and employees. Employers must seek to retain older employees and create the conditions which will make longer working both attractive and feasible for older workers.

As the House is aware, the Government is committed to publishing a Green Paper on pensions as part of the social partnership agreement Towards 2016.

This will include an examination of the issues surrounding retirement age and the barriers faced by older workers who wish to remain in employment. The Green Paper will be published by the end of March next year and, following a consultation process, the Government will respond later in the year by publishing a framework to address the long-term policy on pensions and related issues.

Question No. 136 answered with Question No. 96.

Family Support Services.

137. **Ms McManus** asked the Minister for Social and Family Affairs when he expects to complete his consideration of the proposed new package of reforms of state aid for lone parents; when he expects to bring forward specific proposals; if such proposals will be included in the budget 2007 package; and if he will make a statement on the matter. [37602/06]

Minister for Social and Family Affairs (Mr. Brennan): The Government discussion paper, "Proposals for Supporting Lone Parents," put forward proposals for the expanded availability

and range of education and training opportunities for lone parents; the extension of the National Employment Action Plan to focus on lone parents; focused provision of childcare; improved information services for lone parents and the introduction of a new social assistance payment for low income families with young children.

The new social assistance payment, currently being developed by officials in my Department will have the long term aim of assisting people to achieve financial independence through supporting them to enter employment — for it is employment that offers the best route out of poverty.

Any proposed new payment cannot be introduced without co-ordinated supports and services being put in place by other Departments and Agencies. This is why the Government has instructed the Senior Officials Group on Social Inclusion to draw up an implementation plan to progress the non-income recommendations in tandem with the development of the legislation required in my Department to introduce a new payment scheme.

Work on the development of this implementation plan is under way. Issues including access to childcare support, education, training and activation measures are being discussed with the relevant Departments and Agencies. Although the formal consultation process on the Government discussion paper has concluded, my officials continue to be in contact with lone parents' representative groups, whose views continue to feed in to the development of the proposals.

Once I am convinced that we have reached conclusions that are equitable, with a fully workable implementation strategy, it is my intention to bring forward proposals for legislation.

Question No. 138 answered with Question No. 135.

Question No. 139 answered with Question No. 127.

Question No. 140 answered with Question No. 109.

Tenancy Agreements.

141. **Mr. Gogarty** asked the Minister for Social and Family Affairs if his Department has undertaken a study to investigate the extent to which landlords are refusing tenancies purely because they are on a social welfare payment; and if this constitutes discrimination. [37663/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the Community Welfare division of the Health Service Executive. The purpose of the scheme is to provide short-term income support, in the form of a weekly or monthly payment, to eligible people living in private rented accommodation whose means are

insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source.

I am aware that some landlords, when advertising their property, state that they are unwilling to accept rent supplement recipients as tenants. I am concerned that landlords would refuse a tenancy purely because someone is on a social welfare payment. The Equal Status Acts 2000 to 2004 prohibits discrimination in the provision of accommodation on nine grounds — these are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community. In addition discriminatory advertising is prohibited under Section 12 of the Equal Status Act 2000. However, the refusal of tenancy by landlords on the grounds that the prospective tenant is a social welfare recipient is not in itself considered discriminatory within the meaning of the Equal Status Acts 2000 to 2004.

I understand that a review of the grounds for discrimination under the Equal Status Acts is to take place shortly. In this regard, I have asked that the Department of Justice, Equality and Law Reform consult with my Department and the Department of the Environment, Heritage and Local Government so that the various issues associated with this matter can be considered as part of the review process.

There is no direct relationship between the State and the landlord under the rent supplement scheme. Entitlement is based on the tenant's income support needs with payment generally made directly to the tenant. The tenant's engagement with the Executive usually takes place after the tenant has reached an agreement with the landlord. As such it is not possible to identify from departmental records if refusal by landlords to accept rent supplement tenants is causing difficulties for those trying to find accommodation.

I would also point out that the amount of accommodation available for rent has increased significantly in recent years and this has had a positive impact on rent levels. Despite recent increases in rent levels the Central Statistics Office Privately Owned Rent Index shows that rent levels for September 2006 were in line with those which applied in August 2002. The fact that there are currently over 60,000 rent supplement recipients, an increase of around 15,000 recipients since 2001, indicates that there are significant numbers of landlords who are willing to accept people in receipt of rent supplement as tenants. 35,000 new rent supplement claims were awarded between January 2006 and October 2006. This suggests those in need of assistance under the supplementary welfare allowance scheme are able to access accommodation.

Question No. 142 answered with Question No. 135.

Pension Provisions.

143. **Mr. Sargent** asked the Minister for Social and Family Affairs his views on the European Commission's proposed directive to protect the occupational pension rights of EU workers who change jobs or move between member states. [37669/06]

Minister for Social and Family Affairs (Mr. Brennan): On 20 October 2005, the European Commission adopted a proposal for a Directive on improving the portability of supplementary pension rights. The purpose of the Directive is to facilitate free movement of workers within and between EU member states by removing perceived obstacles to mobility within and between member states which may be caused by present supplementary pension scheme provisions.

The perceived obstacles to mobility relate to the conditions of acquisition of occupational pension rights, the preservation of dormant pension rights, the transferability of acquired occupational pension rights and the provision of information to employees on their pension rights.

In the main, the proposals in the Directive do not create major difficulties for Ireland, as they are already a requirement under the Pensions Act 1990. The Pensions Act provides for transferability of pension rights, the preservation of rights for those who leave a pension scheme and the revaluation of accrued pension rights. These conditions apply whether the person is moving within the State or to another EU member state.

In addition, regulations made under the Pensions Act provide a framework for the disclosure of certain information to members of pension schemes.

At EU level, discussions at the Social Questions Group have been ongoing since November 2005. My Department has primary responsibility for negotiating and transposing the requirements of the Directive. Most member states have raised issues with the Directive and these have been discussed in great detail in the group. Progress to date has been slow, reflecting the very different supplementary pension systems in operation in many member states.

In a number of member states, these systems are presently in transition or new legislation on supplementary pensions schemes is being considered. Indeed some delegations have indicated that, in their member states, no supplementary pension systems exist.

The latest meeting of the Social Questions Group was held yesterday under the Finnish Presidency and discussions will continue next year under the German Presidency.

144. **Aengus Ó Snodaigh** asked the Minister for Social and Family Affairs his views on whether, in the event of the Government increasing the non-contributory pension to €200 in 2007, that this amount is no longer sufficient to ensure that pen-

sioners have sufficient income to live on and participate equally in society. [37655/06]

Minister for Social and Family Affairs (Mr. Brennan): Since taking office this Government has made the needs of older people a priority with the inclusion of several commitments in the Programme for Government aimed specifically at the group. One of these is a commitment to increase the state pension rate to €200 per week by 2007. In Budget 2006 non-contributory pensioners received an increase of €16 per week (9.6%) bringing the maximum pension to €182.00 per week. Overall, the non-contributory pension has increased by almost 35% since 2002, or in real terms, an increase of about 21%. Pension increases have been well ahead of inflation thus ensuring that not only is the real value of pensions maintained but that they are significantly improved in real terms. I am confident that this trend will be maintained in the coming Budget.

However, increases in pension rates have not been the only way by which I have ensured that pensioners' incomes have increased. Other measures of benefit to older people include an increase in the fuel allowance of €5 per week, bringing the allowance to €14 per week, and an increase in the over 80 allowance of €3.60 per week, bringing it to €10 per week.

In the last two Budgets, I announced a wide range of important measures for non-contributory pensioners. In Budget 2005 the capital allowance increased from €12,697 to €20,000 and in 2006 the basic means disregard increased significantly from €7.60 to €20 per week. Consequent on the increase in the means disregard, a single person with no other means can have up to €36,000 in capital and still qualify for a pension at the maximum rate. These figures are doubled in the case of a pensioner couple. The increase in the means disregard led to some 34,000 non-contributory pensioners having their payments increased by up to €12.50 per week in addition to the budget increases.

As part of the pension reforms, I also announced a specific additional disregard of €100 per week where the non-contributory pensioner is in employment. This new disregard, relating to earnings from employment, is intended as an incentive to facilitate non-contributory pensioners who wish to continue working, or to re-enter the workforce. The effect of this is that the first €100 of weekly earnings from employment is disregarded from the means test and a similar disregard applies to the pensioner's spouse or partner. The disregard will also apply to people under age 66 who are in receipt of a widow/er's non-contributory pension, deserted wife's allowance and prisoner's wife's allowance.

The household benefits package, which comprises telephone allowance, electricity/natural gas allowance and free TV licence is available to people living in the State aged 66 to 69 years subject to certain conditions, and to over 70's.

The electricity/natural gas allowance is of immense benefit to older people who in general have greater heating requirements.

The additional supports, combined with the unprecedented increases in pension rates demonstrate that the needs of older people continue to be a priority for this Government. I will continue to look for opportunities to ensure that we can continue to make progress on improving the level of supports we provide for our older people.

Social Welfare Benefits.

145. **Mr. Quinn** asked the Minister for Social and Family Affairs the progress made in discussions with the EU Commission regarding the possibility of providing free travel passes to Irish pensioners resident abroad; and if he will make a statement on the matter. [37611/06]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years or over. All carers in receipt of carer's allowance and carers of people in receipt of constant attendance or prescribed relative's allowance, regardless of their age, receive a free travel pass. It is also available to people under age 66 who are in receipt of certain disability type welfare payments, such as disability allowance, invalidity pension and blind person's pension. People resident in the State who are in receipt of a social security invalidity or disability payment from a country covered by EU Regulations, or from a country with which Ireland has a bilateral social security agreement, and who have been in receipt of this payment for at least 12 months, are also eligible for free travel.

The scheme provides free travel on the main public and private transport services for those eligible under the scheme. These include road, rail and ferry services provided by companies such as Bus Átha Cliath, Bus Éireann and Iarnród Éireann, as well as Luas and services provided by over 80 private transport operators.

The free travel scheme applies to travel within the State and point to point cross-border journeys between here and Northern Ireland. In line with the Government objective to put in place an all Ireland free travel scheme for pensioners resident in all parts of this island, I am committed to improving the North/South element of the current arrangements.

There have been a number of requests and enquiries in relation to the extension of entitlement to free travel in Ireland to Irish born people living outside Ireland, or to those in receipt of pensions from my Department, particularly in the UK, when they return to Ireland for a visit.

I have been advised that it would not be possible to extend entitlement to free travel only to Irish born people living abroad as to do so would be contrary to European legislation which prohibits discrimination on the grounds of nationality. In addition, legal advice also indicates that to

extend the free travel scheme to people in receipt of Irish pensions who live outside the State would also be discriminatory under EU law.

However, I am determined to explore all options and I have raised the issue in meetings with the Commissioner for Employment and Social Affairs. Also, officials from my Department met with European Commission officials on two occasions in an effort to clarify the legal issues involved. I am keeping this issue under close review and contacts with the European Commission are ongoing.

146. **Ms O'Sullivan** asked the Minister for Social and Family Affairs the estimated increase in the cost of welfare claims in 2007 arising from the entitlement of EU migrant workers to the new childcare supplement and child benefit; the level of increase in applications for such benefits that has been evident since the beginning of 2006; his views on these increases; and if he will make a statement on the matter. [37607/06]

Minister for Social and Family Affairs (Mr. Brennan): EU migrant workers have an entitlement to Child Benefit and other "Family benefits" including Early Childcare Supplement (ECS) under EU Regulation 1408/71. Where a national of an EU State with a family is working in Ireland, the worker is entitled to payment of family benefits, even if the children are resident abroad.

Applications for family benefits from EU migrant workers who come to live in Ireland with their families are dealt with under domestic legislation. Currently just over 31,000 EU nationals are in receipt of Child Benefit for 56,000 children who are resident with them in Ireland. The majority of these recipients, some 16,500, are UK nationals, with a further 10,500 recipients from the ten States that joined the EU in 2004.

The process for establishing entitlement to child benefit for non-resident children is complex as it is necessary to contact the authorities in the country of residence of the children to confirm details and establish what if any family benefits are payable there.

This process can take a number of months to complete and, as a result, the number of claims that has been finalised to date is relatively small. There are approximately 12,000 claims at various stages of processing and awaiting finalisation. The number of claims to child benefit in respect of non-resident children of EU nationals, since the start of 2006, has averaged close to 300 per week. The number of children under 6 years qualifying for ECS is estimated at 40% of this number. Applications of child benefit reached a peak of 400 per week in June but have been reducing somewhat in the months since.

At the start of 2006, 650 families were receiving child benefit under EU regulations 1408/71. Currently 599 such families, with 1,444 children, are receiving Child Benefit. Some 86% of non-resident families are in the UK.

[Mr. Brennan.]

The total child benefit expenditure for EU migrants with non resident children in respect of 2006 is estimated at €36m or 1.8% of overall child benefit expenditure of €2.04 billion. The total cost in 2007 is difficult to estimate but on current trends, the potential accrued cost could be of the order of €80 million. The corresponding figures for early childcare supplement are €8m in respect of 2006 and €17m in respect of 2007.

Question No. 147 answered with Question No. 102.

Pension Provisions.

148. **Ms Enright** asked the Minister for Social and Family Affairs the number of people in receipt of dependent parents pension; and if he will make a statement on the matter. [37646/06]

Minister for Social and Family Affairs (Mr. Brennan): Dependent Parents' Pension is a payment under the Occupational Injuries Scheme. It forms part of the Occupational Injuries death benefit payments. If a person dies because of an accident at work or a prescribed occupational disease or was getting disablement pension assessed at 50% or more at the time of their death and leaves a dependent parent or parents, each parent may get a pension. To qualify, the parent must have been wholly or mainly maintained by the deceased. Because of the expansion of other services this payment has not been claimed for many years. There are currently 4 persons in receipt of dependent parents' pension.

Social Welfare Code.

149. **Mr. Deenihan** asked the Minister for Social and Family Affairs his plans to introduce paid paternity leave; and if he will make a statement on the matter. [37636/06]

389. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the cost of the introduction of four weeks paternity leave where it would be paid at 100% of wages subject to a minimum rate of €216.80 per week and a maximum rate of €309.70 per week. [37429/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 149 and 389 together.

Paternity leave is generally understood to be a period of leave to which a male worker is entitled following the birth of his child. Employers are not obliged to grant male employees special paternity leave, either paid or unpaid, following the birth of their child. The question of a social insurance funded payment for paternity leave would be contingent on an underlying entitlement to statutory parental leave. In the absence of statutory provisions for entitlement to paternity leave, the question of making a social insurance based payment during such an absence does not arise.

Responsibility for questions relating to entitlement to paternity leave rests with the Minister for Justice, Equality and Law Reform. Under the aegis of his Department, entitlement to paid paternity leave was considered by the working group of social partners which undertook a review of the Parental Leave Act, 1998.

Their report, which was published in 2002, in dealing with the principle of paid paternity leave, states that the group had divergent points of view and could not reach a consensus on the issue. Therefore, no specific proposals for paid parental leave were advanced.

Should a legislative framework for paternity leave be introduced, the cost of the scheme for four weeks paid at 100% of wages subject to a minimum of €216.80 and a maximum rate of €309.70 per week, is estimated at some €74.5m. This is based on an assumption that all fathers would take the leave and 95% of them would be paid at the higher rate.

While male employees are not entitled under Irish law to either paid or unpaid paternity leave, they may be entitled to parental leave. Parental leave entitles both parents who qualify to take a period of up to 14 weeks' unpaid leave from employment in respect of children aged up to eight years of age. There is no provision for a social insurance based payment for periods of parental leave, but employees may be entitled to credited contributions to maintain their social insurance record for the period. Responsibility for the current provisions in relation to parental leave also rests with the Minister for Justice, Equality and Law Reform.

The introduction of paid parental leave or paternity leave would have significant cost implications for employers and/or the Exchequer and the social insurance fund.

Any proposals for introducing any such payments would have to be examined with regard to its effect on the social insurance fund and employers' costs and, in the case of paternity leave, would require legislation to provide for a statutory entitlement to the leave.

Pension Provisions.

150. **Mr. Crowe** asked the Minister for Social and Family Affairs if there have been discussions on establishing the right for women to a pension in their own right. [37649/06]

Minister for Social and Family Affairs (Mr. Brennan): The social welfare system comprises two types of payment, social insurance based schemes, which require those eligible to reach a certain standard in terms of the social insurance contributions paid or credited on their record, and non-contributory payments designed for those without the necessary social insurance record for contributory schemes who can satisfy a means test. Within that basic structure the Government is anxious to ensure that as many people as possible, particularly women, can qual-

ify for a pension in their own right and a number of measures are in place to support this objective.

The social welfare pension rights of those who take time out of the workforce for caring duties are protected by the homemakers scheme which was introduced from 1994. The scheme allows up to 20 years spent caring for children or incapacitated adults to be disregarded when a person's social insurance record is being averaged for pension purposes. However, the scheme will not of itself qualify a person for a pension as the standard qualifying conditions must be satisfied in addition to any benefit which a person derives from the homemakers scheme.

In addition, changes have been made to the qualifying conditions for pension which make it easier for people to qualify for contributory pensions. These include the reduction in the yearly average number of contributions required for pension purposes from 20 to 10 and the introduction of special half rate pensions based on pre-53 insurance contributions. Pro-rata pensions are also available to allow people with mixed rate insurance records to receive a payment. This set of measures is of particular benefit to women who may have less than complete social insurance records due to working in the home. It is estimated that approximately 88% of women aged 65 years of age or over are at present receiving social welfare support, either in their own right or as qualified adults on the pension of their spouse or partner.

With regard to non-contributory pensions, the new enhanced standard state pension (non-contributory) for those over 66 years, which I introduced in September, combines a number of existing pension schemes such as blind pension and widow(er)s pension. It features significant improvements in the means test including increasing the means disregard from €7.60 per week to €20 which gives an additional €12.50 per week to each person and allows a single person, with no other means, to have up to €35,000 in capital and still qualify for a pension at maximum rate, and double this in the case of a pensioner couple. The changes in the means test will also allow some who are currently outside the social welfare pensions system to qualify for a payment.

The Government is committed to producing a Green Paper on pensions as part of the new social partnership agreement Towards 2016 with a view to developing a framework for future pensions policy. This will deal with pensions in general but it will include outstanding issues relating to social welfare pensions, including the position of those who are currently not receiving a social welfare pension. The Green Paper will be published at the end of March next year. A consultation process will then take place and the Government will publish a framework for future pensions policy around October 2007.

Social Welfare Benefits.

151. **Mr. Connaughton** asked the Minister for

Social and Family Affairs the average amount of time people remain on disability allowance; and if he will make a statement on the matter. [37638/06]

168. **Ms O. Mitchell** asked the Minister for Social and Family Affairs the number of people who are in receipt of disability allowance for a maximum of one year, two years, three years and so forth respectively; and if he will make a statement on the matter. [37639/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 151 and 168 together.

Disability allowance is a weekly allowance paid to people with a disability who are aged between 16 and 66 years. The disability must be expected to last for at least one year and the allowance is subject to both a medical examination and a means test.

The person must be suffering from an injury, disease, congenital deformity or physical or mental illness or defect which has continued or may reasonably be expected to continue for a period of a year and where, as a result of that condition, the person is substantially handicapped in undertaking work which would otherwise be suitable having regard to their age, experience and qualifications.

The main reasons for the termination of claims are that the claimant dies or reaches the maximum age for payment. A key goal in my Department's Statement of Strategy is to facilitate return to work and participation in the active labour force with a view to assisting people to become more financially independent. There are a number of specific incentives available within the system to encourage and facilitate people, including people with illness or disabilities, to take-up or return to employment, or to undertake education and training options. Where people go onto the back to work allowance (BTWA) scheme or FÁS vocational training schemes the disability allowance ceases.

People on the BTWA scheme receive a proportion of their disability allowance payment on a sliding scale while on the scheme. In the case of people on FÁS funded vocational training, FÁS pays their social welfare payment in addition to a training bonus and expenses.

In these cases the person has an automatic right to return to disability allowance should their BTWA or FÁS payment stop and they have no employment.

A table showing a breakdown of the total number of people in receipt of disability allowance and the duration they were in receipt of disability allowance or disabled persons maintenance allowance scheme is as follows.

[Mr. Brennan.]

Duration of recipients of disability allowance

Duration (Years)	Number of recipients
1	5,923
2	10,781
3	7,438
4	7,144
5	6,418
6	5,519
7	4,835
8	4,147
9	3,821
10	4,121
11	10,330
12	1,478
13	1,203
14	2,965
15	1,225
16	5,635
Total	82,983

152. **Mr. Naughten** asked the Minister for Social and Family Affairs the number of applications made to community welfare officers for exceptional or urgent needs payments each year since the year 2000; and if he will make a statement on the matter. [37629/06]

Minister for Social and Family Affairs (Mr. Brennan): Under the supplementary welfare allowance (SWA) scheme, the Health Service Executive (HSE) may make a single payment to help meet essential, once-off, exceptional expenditure, which a person could not reasonably be expected to meet out of their weekly income. These payments are a vital component of the SWA scheme.

Those who qualify are normally in receipt of a social welfare or HSE payment. Examples of the main types of needs that are met under this provision are:

- assistance towards the purchase of household appliances, bedding, clothing & child related items such as cots and prams
- household repair and maintenance, rent deposits and rent/mortgage interest arrears
- clothing (includes adult clothing and child clothing)
- funeral & burial expenses
- illness — including confinement costs & hospital requirements
- travel costs
- financial hardship

The principal consideration in making a single payment of SWA to address a particular need is that the need to be met must be 'exceptional'. An exceptional needs payment should be a single payment to meet an unforeseen and/or special need which cannot be met from a client's basic income.

In addition to the payment of ENPs, SWA legislation also provides for assistance in the form of an Urgent Needs Payment. In certain circumstances, this payment can be made to persons who would not normally be entitled to SWA. Examples of situations where such assistance may be provided would be in the aftermath of flooding or fire where the immediate needs, such as food, clothing, fuel, household goods and perhaps shelter of the people affected, may be met by a UNP in cash or in kind.

The discretionary elements of SWA i.e. ENPs, UNPs and other supplements remain a key support for disadvantaged persons who are at risk.

A tabular statement outlining the number of exceptional needs and urgent need payments made and the annual expenditure on these payments from the end of 2000 is as follows.

Exceptional Needs & Urgent Needs Payments Expenditure and Number of Payments 2001-October 2006

	2000	2001	2002	2003	2004	2005	2006 (*)
	€m	€m	€m	€m	€m	€m	€m
<i>Expenditure</i>							
Exceptional Needs	23,922,000	40,911,000	51,875,000	55,254,000	51,186,000	56,373,000	49,123,000
Urgent Needs	121,000	159,000	320,000	178,000	142,000	140,000	123,000
Total	24,043,000	41,070,000	52,195,000	55,432,000	51,328,000	56,513,000	49,246,000
<i>Payments Made</i>							
Exceptional Needs	*	217,815	240,116	243,297	222,014	227,976	181,501
Urgent Needs	*	677	1,126	497	494	445	365
Total	*	218,492	241,242	243,794	222,508	228,421	181,866

* Breakdown of payments made in 2000 is not available.

Social Insurance.

153. **Mr. Deenihan** asked the Minister for Social and Family Affairs his views on altering the two year rule which prevents a person who has no social insurance benefits for more than two years from accessing benefits until they have made 26 contributions; and if he will make a statement on the matter. [37635/06]

Minister for Social and Family Affairs (Mr. Brennan): Regulations provide that where no employment contributions have been paid or credited in respect of an insured person for any two complete consecutive social insurance contribution years, an employment contribution shall not be credited to such person unless, since the end of the second of the said contribution years, twenty-six employment contributions have been paid in respect of such person.

While the contributions requirements differ across benefit schemes, in general a worker is required to have a minimum number of paid contributions over their working life and a minimum number of paid or credited contributions in the relevant tax year. The threshold of contribution conditions required to establish eligibility for a range of benefits provides alternative tests within each scheme to make it easier for people to establish an entitlement.

There is a general principle in the social insurance system that there should be a reasonable link between the amount that persons pay into the system over their potential working lifetime and their subsequent access to income replacement benefits and pensions.

This rationale is a key underpinning of the contributory principle and the 'pay-as-you-go' nature of the PRSI system.

A range of mechanisms exist currently to enable those who are out of the workforce to maintain their insurance contribution record. These include

- the voluntary PRSI contribution scheme,
- the homemakers scheme and
- awarding credited contributions The voluntary PRSI contribution scheme, the homemaker's scheme, and the award of credited contributions will not of themselves, establish entitlement to a social welfare benefit or pension but will assist towards it.

The range of opportunities available currently to assist workers take time out of the workforce for caring purposes is comprehensive. My department constantly monitors the need for amendments or modifications to existing provisions to ensure the social insurance system continues to meet social protection needs in a changing work and social environment.

Social Welfare Information.

154. **Mr. Rabbitte** asked the Minister for Social and Family Affairs his views on a national advertising campaign to promote greater awareness of social welfare entitlements, similar to the campaign now being run by the Revenue Commissioners to promote greater awareness of tax allowances; and if he will make a statement on the matter. [37614/06]

Minister for Social and Family Affairs (Mr. Brennan): The objective of my Department's information policy is to ensure that all citizens are made aware of their rights and entitlements and that they are kept informed of changes and improvements in schemes and services as they occur. The provision of information in a clear and accessible manner is an essential element in achieving this objective.

My Department takes a pro-active approach in advertising its schemes and services, by using an appropriate mix of national and provincial media, information leaflets, fact sheets, posters, direct mailshots, advertising on television screens in over 60 Credit Unions nationwide and the distribution of information booklets to health centres throughout the country. Selective use is made of LoCall and Freephone services to provide information on new schemes and services at particular times of the year.

In addition, national advertising campaigns are undertaken periodically to promote greater awareness of a specific scheme or to highlight changes in schemes and services. Three such campaigns have been undertaken to date in 2006 as follows:

- In March, my Department undertook a nationwide awareness campaign to promote and encourage take up of the Family Income Supplement (FIS) scheme. An extensive week-long campaign included advertising on television, on national and local radio and in national and regional newspapers.
- In August, the Back to School Clothing and Footwear Allowance was advertised in national and regional newspapers.
- During the last week of September, an information campaign was conducted on television, on national and local radio and in national and regional newspapers to raise public awareness of the Carer's Allowance, Carer's Benefit and the Respite Care Grant, schemes designed to provide supports for carers.

A LoCall helpline was provided for all three campaigns. In addition to the LoCall number, the campaigns also highlight other sources of information available to the public, including my Department's network of Social Welfare Local

[Mr. Brennan.]

Offices, Citizens Information Centres and my Department's website. The response to the campaigns have been encouraging and resulted in increases in the number of applications received for these schemes.

In view of the range of services available from my Department it would not be possible to highlight all of them in a single advertising campaign. Therefore, nationwide advertising campaigns are designed to highlight specific schemes and services. Targeted advertising campaigns focusing on specific schemes and services will continue to be a key priority for me in the drive to ensure that citizens are aware of and claim their social welfare entitlements.

Social Welfare Fraud.

155. **Ms O'Sullivan** asked the Minister for Social and Family Affairs if he will make a statement on the progress of Operation Gull aimed at curbing cross-Border social welfare fraud; if the operation has now been concluded, or if it is ongoing. [37608/06]

Minister for Social and Family Affairs (Mr. Brennan): Operation Gull is a joint control exercise undertaken periodically at Airports and Ports in the Republic of Ireland, Northern Ireland and Great Britain and the operations involve personnel from the Garda National Immigration Bureau (GNIB), and the United Kingdom Immigration Service. My Department, through its assignment of Social Welfare Inspectors to the GNIB, participates in these exercises.

A Social Welfare Inspector was assigned to the GNIB in July 2004 to assist my Department and the Bureau in the investigation of social welfare fraud and breaches of the Immigration Acts, to provide information and intelligence and to promote the benefits of a multi-agency approach to immigration and employment law enforcement. A second inspector was assigned to the Bureau in August, 2006.

My Department's records show that the work of the Social Welfare Inspectors assigned to the GNIB resulted in the termination of 234 social welfare claims in 2004 which achieved savings of €1.46 million, the termination of 591 social welfare claims in 2005 which achieved savings of €2.47 million and the termination of 543 social welfare claims in 2006 (to end October) which achieved savings of €2.88 million. However, separate figures are not available for Operation Gull.

I am satisfied that assigning Social Welfare Inspectors to the GNIB has proved beneficial for both organisations and that Operation Gull is an example of the benefits of inter agency and international co-operation. My Department will continue to support such operations in every possible way.

Social Welfare Code.

156. **Mr. Penrose** asked the Minister for Social and Family Affairs his priorities for the forthcoming Estimates, budget and Social Welfare Bill; and if he will make a statement on the matter. [37586/06]

Minister for Social and Family Affairs (Mr. Brennan): The 2007 estimates for social welfare spending will be published on Thursday next and will represent the cost of implementing existing levels of services in the various programmes and services provided by my Department and its agencies.

Normally, improvements in social welfare schemes and services are introduced by way of the Budget. In this regard, I will be developing Budget proposals in relation to the various issues within my own area of responsibility, having regard to:

- Government commitments relating to weekly rates of payment;
- improving the position of our older people;
- taking a decisive step forward towards the elimination of poverty, and especially child poverty.
- the development of a programme of supports and opportunities for those parenting alone who, with their children, are in danger of falling into a cycle of deprivation and marginalisation.
- improving income supports to, and recognition of carers who perform a valued and valuable service for the whole of society.
- ensuring that this Budget reflects, and underpins with financial supports, the evolving new social agenda that I am pursuing and that has at its core a social welfare support system that is active instead of passive and that assists people to live with dignity and enables them to make a valuable contribution towards society, and
- the views expressed at the recent Pre-Budget Forum at which 30 welfare organisations made submissions to me about the issues they wished to see pursued in the Budget.

Immediately following Budget Day, I will bring forward a Social Welfare Bill to provide for any increases in the weekly payment rates and any changes to the PRSI provisions or other amendments which would be scheduled to come into effect from January 2007.

Budget 2007 provisions requiring a legislative basis and scheduled to take effect after January 2007 and any other non-budget related legislative amendments will be provided for under a second

Bill to be progressed through the Oireachtas in early 2007.

Question No. 157 answered with Question No. 94.

Social Welfare Benefits.

158. **Mr. Allen** asked the Minister for Social and Family Affairs the number of applications his Department has received for separate payments each year in the past five years; the number of payments that are currently being paid in this way; the circumstances in which this payment option applies; and if he will make a statement on the matter. [37626/06]

Minister for Social and Family Affairs (Mr. Brennan): A person in receipt of a social welfare payment is entitled to claim an increase in respect of an adult or child dependant. Usually any such increase is paid as a single payment with the personal rate to claimant. However a spouse or partner can seek to have a portion of the payment paid direct to him/her. This usually arises in circumstances where there are domestic difficulties. When an application for a separate payment is

received consideration is also given as to whether it would be more advantageous for the person to claim another payment in his/her own right.

There are various arrangements for making separate payments as follows:

- The general position is that the payment of any increase in respect of a qualified adult dependant may be made to the dependant on request. The claimant would continue to receive the appropriate personal rate. Payment of an increase for child dependants is made to the children's guardian.
- Where a qualified adult is living with the claimant, a separate payment can be made to that qualified adult, equalling half the total amount due. That is to say half the personal rate (including over 80 allowance where applicable), half the increase for a qualified adult, and half of any increase payable in respect of any child dependants can be paid to the qualified adult.

The number of recipients of separate payments in 2006 (at 31 October) is 1,445. The numbers of such payments for the previous 5 years are set out in appendix 1.

Appendix 1

Scheme Name	Number of Separate Payments					
	2001	2002	2003	2004	2005	31/10/06
State Pension (contributory)	143	144	168	170	149	139
State Pension (non-contributory)	28	25	22	20	23	22
State Pension (Transition)	166	192	203	215	201	187
Jobseekers Allowance	871	833	806	794	770	740
Jobseekers Benefit	40	48	39	27	29	22
Disability Allowance	0	0	0	0	129	159
Invalidity Pension	172	176	149	129	130	147
Disablement/Unemployability Supplement	1	2	2	2	2	2
Illness Benefit	44	37	38	34	35	27
Totals	1,465	1,457	1,427	1,391	1,468	1,445

In addition to paying separate payments in situations of domestic difficulties my Department has arrangements in place to pay the qualified adult allowance directly to the spouse or partner of new applicants to State Pension (Transition), (formerly known as Retirement Pension) and State Pension (Contributory), (formerly known as Old Age (Contributory) Pension). These arrangements apply where the couple apply for separate payments and, there is no need to prove cause for having payments made directly to the qualified adult. Since these arrangements were implemented in 2002, some 1,400 couples have indicated their preference to have the increase for the qualified adult paid directly to the spouse. This represents almost 8% of the relevant pen-

sion claims awarded with an increase for a qualified adult since October 2002.

In the case of the State Pension (non-contributory), where the couple are both aged 66 or over, each person is entitled to receive a pension in their own right subject to satisfying a means test.

Social Inclusion.

159. **Mr. Howlin** asked the Minister for Social and Family Affairs when he plans to publish the promised new two year social inclusion action plan; and if he will make a statement on the matter. [37598/06]

Minister for Social and Family Affairs (Mr. Brennan): In line with a commitment in the social

[Mr. Brennan.]

partnership agreement Towards 2016, a new National Action Plan for Inclusion is currently being prepared by the Office for Social Inclusion in my Department. The Plan is expected to be launched early in the New Year and is being prepared in tandem with and will complement the forthcoming National Development Plan 2007-2013, which will contain a specific chapter on social inclusion. In keeping with the approach taken in the original 1997 National Anti-Poverty Strategy the new plan will adopt a strategic approach reflecting the complex nature of poverty, which is multi-faceted in its causes and effects and, as a consequence, requires a multi-policy response.

These strategies will build on the lifecycle approach in Towards 2016, by assessing the risks which individuals face at each stage of the lifecycle and the supports they need to meet these risks. The groups focussed on using this approach are Children, People of Working Age, Older People and People with Disabilities. This strategic framework is also being designed to create more coherent and integrated structures to achieve more effective implementation. It will also facilitate better and more effective reporting and monitoring across the spectrum of government activity in the area of social inclusion.

In the ten years since the first NAPS, much has been achieved in Ireland towards the EU aim of making a decisive impact on poverty. Much has also been learned, both from our own experience in Ireland and from that of other Member States, on how more effective, coordinated implementation of strategies can be achieved. Full account is being taken of what has been learned in developing the new Plan and the arrangements for its implementation.

The multi-faceted nature of poverty and social inclusion requires action across a range of Government policies on employment, social welfare, education, health, housing, disability, equality and less directly in other policy areas. Achieving satisfactory outcomes requires institutional arrangements encompassing Government, senior Departmental officials, social partners, key State Agencies, local authorities, community and voluntary groups and the general public. The Office for Social Inclusion works closely with these bodies to ensure effective implementation of the National Action Plan targets. Arising from a commitment in Towards 2016, the Office will have wider responsibilities in relation to oversight of social inclusion policies.

My aim and that of the Government is to continue to build not just a prosperous but a fair society in Ireland, which values and supports its people and particularly its most vulnerable. I am determined to ensure that this Plan and its implementation, in full consultation with all the stakeholders at national, regional and local levels, will make a major contribution to building the type of

society we aspire to by making a decisive impact on poverty.

Migrant Issues.

160. **Mr. Eamon Ryan** asked the Minister for Social and Family Affairs if he will verify the accuracy of the claim made by NESC in its recent publication *Managing Migration in Ireland A Social and Economic Analysis*, that it is expected that migrants have contributed more in taxes and social insurance contributions than they have received in welfare payments in recent years. [37667/06]

Minister for Social and Family Affairs (Mr. Brennan): I am aware of the report by the International Organisation for Migration for the National Economic and Social Council of Ireland. The conclusions of the report refer to a number of studies which have found that on average migrants tend to pay more in taxes than they receive in benefits over their lifetime. One example to support this statement is a study undertaken in the United Kingdom, when by 2003-2004 immigrants accounted for 10 per cent of government tax receipts and only 9.1 per cent of government spending. The report does not refer to any studies undertaken in this State and I am not aware of any such studies at present.

I am not in a position to confirm that the amount of tax and PRSI paid by migrant workers in the State is greater than the value of state-funded payments and services from which they have benefited or will benefit in the future. However, there is every reason to believe that the net financial gain experienced in the UK is replicated here. For example, over 277,000 Personal Public Service Numbers (PPSNs) were issued between May 2004 and September 2006 to nationals of the ten states that joined the EU in 2004. Social welfare claims, other than child benefit and family income supplement claims, were subsequently received from fewer than 2% of the people concerned. The taxes and PRSI contributions paid by these 277,000 migrants would certainly have exceeded the value of social welfare payments paid to those among them who subsequently claimed a social welfare payment.

Spending on health, education and social welfare accounts for about three quarters of gross current spending. Because migrant workers have relatively low rates of recourse to those services, compared to the population in general, it is highly probable that migrants have contributed more in taxes and PRSI contributions than they will have received in State payments and services.

Question No. 161 answered with Question No. 98.

Social Welfare Benefits.

162. **Mr. Boyle** asked the Minister for Social

and Family Affairs the reason for his decision not to challenge the findings of the Equality Authority in relation to an initial decision of his Department to refuse payment to a homosexual man caring for an ill partner; and the reason this does not constitute a precedent. [37658/06]

375. **Mr. Boyle** asked the Minister for Social and Family Affairs if he will explain his decision not to challenge the findings of the Equality Authority in relation to an initial decision of his Department to refuse payment to a homosexual man caring for an ill partner; and the reason this does not constitute a precedent. [37772/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take question numbers 162 and 375 together.

In the case referred to by the Deputy, a claim was made for a Qualified Adult Allowance (QAA) on an Invalidity Pension in respect of the claimant's partner. The application for a QAA was refused as social welfare legislation does not provide for the payment of the QAA to same-sex partners. The decision to disallow payment of the QAA was appealed to the Social Welfare Appeals Office and the appeal was disallowed in July 2005.

My Department was advised in May 2006 by the Equality Tribunal that the Equality Authority had referred a complaint under the Equal Status Acts to the Tribunal. The Equality Authority, on behalf of the complainant, submitted that in not paying the QAA, the Department was discriminating under the Equal Status Acts on three of the prohibited grounds namely gender, marital status and sexual orientation. Having considered the issues, and in particular the complainant's personal circumstances, I decided, with the consent of the Government, that an ex-gratia payment should be made in this case provided the standard criteria were met. Because of the particular circumstances involved I saw this as a situation that needed to be dealt with in this way, while at the same time being mindful of not creating any legal precedent.

At the same time, I and indeed the Government recognise that this case raises broader policy and societal issues. In this regard considerable work is currently being carried out. In my own Department a review of the entire social welfare code is being undertaken to examine its compatibility with the Equal Status Act (2000), as amended.

The Department of Justice, Equality and Law Reform have established a Working Group with a view to presenting an Options Paper on Domestic Partnership to the Minister for Justice, Equality & Law Reform. The consideration of various options for providing recognition for same sex couples is a central part of the work of this group, which is due to be completed later this year. Officials from my Department are contributing to the work of this Group.

163. **Mr. M. Higgins** asked the Minister for Social and Family Affairs the reason a press statement issued by his Department on 1 October 2006 said that the weekly fuel allowance had been increased by €5 and that the increase commenced from 25 September 2006 when his increase had come into effect following Budget 2006; if his attention has been drawn to the fact that many people were misled by his statement into believing that there had been another increase of €5; and if he will make a statement on the matter. [37595/06]

Minister for Social and Family Affairs (Mr. Brennan): Budget 2006 provided for an increase of €5 in the weekly rate of fuel allowance. At the time, my Department provided details of this by way of a press release outlining all of the Budget improvements in social welfare payments. As the fuel allowance is paid on a seasonal basis, from end of September to mid April of the following year, the most recent release was aimed at reminding the public of rates applying for the new season.

I should point out that the press release not only dealt with the increase in the fuel allowance, and the date from which it applied, but also provided updated information on increases in the domestic gas allowances from 1st October and on the scale and value of increases and improvements from 1st January 2007 in the electricity allowance.

At a time when there was considerable anxiety over the effects of fuel and energy increases on vulnerable welfare customers, the press release outlined the full extent of increases and supports being introduced so as to ease concerns over Winter heating costs and to protect those on welfare.

The press release was part of my ongoing commitment to the significant increasing of awareness of welfare schemes through the dispensing of regular information through the media and through nationwide television, radio and print media awareness campaigns. These campaigns are designed to ensure the maximum take-up of entitlements to support schemes. These combined media and information campaigns have proven very successful.

As the 1st October press release was part of this ongoing information and awareness campaign process I do not consider it to have been in any way misleading.

Question No. 164 answered with Question No. 94.

Social Welfare Benefits.

165. **Mr. Hogan** asked the Minister for Social and Family Affairs the impact that maternity leave has on women's occupational pensions; and if he will make a statement on the matter. [37627/06]

Minister for Social and Family Affairs (Mr. Brennan): Under the Maternity Protection Acts 1994 and 2004, a woman may be entitled to statutory minimum maternity leave of 22 weeks. Membership of an occupational pension scheme must continue while she is on statutory maternity leave. A member of a defined benefit scheme will continue to accrue pensionable service during the period of this statutory leave. If the employer pays the woman during the statutory maternity leave, she may be required to continue paying employee contributions to the scheme, as appropriate.

If a woman takes additional maternity leave above the statutory minimum and is paid by her employer during this period, her membership of the pension scheme will also continue. However, if she takes additional unpaid maternity leave, then whether or not she continues to accrue retirement benefit depends on the rules of the particular scheme.

Social Welfare Code.

166. **Mr. Kehoe** asked the Minister for Social and Family Affairs the discussions he has had regarding the needs of young carers; the plans he has to increase supports to meet the needs of young carers; and if he will make a statement on the matter. [37647/06]

Minister for Social and Family Affairs (Mr. Brennan): I have examined “Caring Before Their Time? Research and Policy Perspectives on Young Carers” by Barnardos and The Children’s Research Centre, which was published in September 2004. I was particularly struck by the fact that of the estimated 3,000 young carers who are providing some care, there are over 300 carers between the ages of 15 and 17 years of age who are providing full-time care. It is clear that this group needs appropriate supports.

The report considers that further research should be undertaken on numbers of young carers, the supports available to them, their needs and the impact of their caring role on their education and general development. The report recommends that care supports should be provided where families rely on young carers to enable them to participate fully in their studies, social life and social contacts with their peers. It also recommends that policy relating to young carers should be a matter for the Department of Health and Children with services being delivered by the Health Service Executive. This is in accordance with my own views on the subject.

I recognise that special help, advice and support is essential for young carers who are often caring for a parent and, in particular, that services must be put in place to support the household and to ensure that young carers remain at school. These include the services of home helps, public health nurses and home care packages generally,

which are a matter for my colleague, the Minister for Health and Children.

The report of the Long-Term Care working group is being considered by the Government. This Group was established by the Minister for Health and Children and by myself in January 2005 to identify the policy options for a financially sustainable system of long-term care. It comprises senior officials from the Departments of Finance, Health and Children and my own Department. My officials have brought the issue of young carers to the attention of the working group.

Supports for carers from my own Department include the respite care grant and the carers’s allowance. The respite care grant, which is an annual payment for carers who look after certain people in need of full-time care and attention, is payable from age 16. The payment is made regardless of the carer’s means but it is subject to certain qualifying conditions. I increased the grant from €1,000 to €1,200 per year from June 2006. Carer’s allowance, which provides income support to people who are providing certain older people or people with a disability with full time care and attention and whose incomes fall below a certain limit, is payable from age 18.

I am always prepared to consider changes to existing arrangements where these are for the benefit of recipients and financially sustainable within the resources available to me. I will continue to review the issues raised by Barnardos and The Children’s Research Centre and other bodies representing carers and I will continue to strive to bring forward proposals that recognise the valued and valuable contribution of all carers in a tangible way.

Question No. 167 answered with Question No. 101.

Question No. 168 answered with Question No. 151.

Social Welfare Benefits.

169. **Dr. Twomey** asked the Minister for Social and Family Affairs the mechanisms in place for a person who falls ill with a serious illness such as cancer but who does not have enough credits for full sickness benefit; the steps he has taken to protect these persons from financial hardship; and if he will make a statement on the matter. [37672/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department administers a number of illness and disability payments including illness benefit, invalidity pension and disability allowance.

In the first instance, entitlement to these payments is subject to the applicant satisfying the medical criteria which apply and which are prescribed in legislation. In addition, certain PRSI

contribution conditions must be met in the case of illness benefit and invalidity pension, while a means test must be passed in the case of disability allowance.

Disability allowance is a weekly allowance paid to people with a disability who are aged between 16 and 66 years. The disability must be expected to last for at least one year and the allowance is subject to both a medical examination and a means test. The means test involved is based on the persons own means and that of their spouse/partner. It is an alternative for people who have insufficient contributions to qualify for either illness benefit or invalidity pension as there are no contribution conditions.

If any person finds themselves in financial hardship they may have recourse to supplementary welfare allowance which is administered by the local health service executive on behalf of my Department. Full details of this allowance may be obtained from the Community Welfare Officers based at the person's local health centre.

The purpose of the SWA scheme is to ensure that every person in the State has a guaranteed minimum amount of income to meet his or her needs, and those of any dependants. This ensures that no person has to suffer hardship because of a lack of income to meet basic day to day needs. Entitlement is subject to a means test that takes into account the full household circumstances.

Means Tests.

170. **Ms Enright** asked the Minister for Social and Family Affairs his views on altering the means assessment process for farmers; and if he will make a statement on the matter. [37645/06]

Minister for Social and Family Affairs (Mr. Brennan): Farm assist is a means-tested scheme providing weekly income support to low-income farmers. For the purpose of determining the rate of farm assist payable, deductions are allowed from net income in respect of qualified children, with the balance assessed at 70%. In this regard, the means test is more favourable than the scheme's predecessor, the unemployment assistance scheme for small-holders.

In addition, income from the Rural Environment Protection Scheme is assessed separately, with the first €2,539 and 50% of the balance disregarded. 40% of net pay from insurable employment and €20,000 of capital are also disregarded.

Currently, 7,492 Farm Assist cases are in payment, receiving an average weekly payment of €178.79.

The assessment of means for the purpose of qualifying for farm assist is designed to reflect the actual net income, which is calculated as gross income less any expenses necessarily incurred, from farming. Income and expenditure figures for the preceding year are generally used as an indicator of the expected position in the following

year. In computing income, account is taken of the value of sales of milk, livestock, crops and subsidy payments such as headage payments. All expenses actually and necessarily incurred are deducted from this. These include the cost of fertilisers, repairs to farm building and fences, the cost of replacing farm machinery, use of hired labour other than family members, the cost of electricity and transport used for farming purposes, veterinary expenses, purchases of fodder and animal feed, rent of land, crop sprays etc.

The aim of the assessment is to use the previous year's income to accurately reflect farm income in the following twelve months, having regard to the size and type of farm, the quality of land and taking into account any significant anticipated changes.

In addition, account is taken of any exceptional circumstances so as to ensure that the assessment accurately reflects the current situation. This flexibility in the method of assessment was demonstrated some years ago when exceptional circumstances were taken into account during the foot and mouth crisis.

The farmer is given a copy of the report on the sources of income and expenses and is also given details of how the Deciding Officer has calculated the means and how this determines the rate of Farm Assist payable. Any farmer who is dissatisfied with the rate of means assessed may apply for a review or may appeal the assessment to the Social Welfare Appeals Office.

Any future changes in Farm Assist means assessments would have to be considered in a budgetary context and in light of competing priorities.

Question No. 171 answered with Question No. 94.

Social Welfare Benefits.

172. **Mr. J. O'Keeffe** asked the Minister for Social and Family Affairs his views on raising the rate of maternity benefit payable to bring it in line with the minimum wage; the cost of same; and if he will make a statement on the matter. [37624/06]

391. **Mr. Perry** asked the Minister for Social and Family Affairs if he will raise the level of minimum maternity benefit to bring it in line with at least minimum wage in view of the fact that the current minimum maternity benefit stands at nearly €3 less per hour than the minimum wage (details supplied). [37507/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 172 and 391 together.

Establishing a cost associated with aligning maternity benefit to the minimum wage would

[Mr. Brennan.]

depend on the parameters used. It is estimated, on the basis of a rate of €298.65 per week for all maternity benefit claimants, that it would cost an estimated €38 million. This assumes a 39-hour week at the existing minimum hourly rate of wages. The proposals above would be a departure from the existing arrangements — envisaging a fixed rate for maternity benefit linked to the minimum wage rather than an earnings-related payment subject to a minimum and maximum rate.

Entitlement to maternity benefit for employees is contingent on entitlement to maternity leave — legislation for which is the responsibility of the Minister for Justice, Equality and Law Reform. Where women have accrued the requisite number of contributions required to establish entitlement and they are certified by their employers as entitled to statutory maternity leave, maternity benefit is paid during their absence from work.

Maternity benefit has been increased significantly over the past five years in terms of both duration and the amount payable. Maternity benefit is now paid at a rate €265.60 over 22 weeks — or €5,843 for the duration. This represents an increase of 90 per cent over a period where average industrial earnings increased by just 67 per cent. Most recently, Budget 2006 provided for paid maternity leave — and thus maternity benefit payments — to be extended from 18 to 22 weeks. These additional four weeks of maternity leave became effective on 1 March last and will assist some 10,800 women each week. The full year cost of this extension to the social insurance fund will be €32.5 m.

Further improvements in the duration of maternity benefit payments are planned for 2007. An additional four-week extension will be implemented in 2007 — bringing the total period of paid maternity leave and benefit to 26 weeks. Taken together, the full year cost of the 2006 and 2007 extensions will be €64m from the social

insurance fund. Any additional improvements in the maternity benefit scheme would have to be examined in the context of the wider fiscal environment and the strategy which we have adopted in relation to social insurance contributions

I am satisfied that the rates and duration of maternity benefit in Ireland represent a reasonable response to the income needs of women on maternity leave and can be favourably compared internationally. While there are no immediate plans to extend the period for which maternity benefit is paid, this issue is being kept under review.

Live Register.

173. **Mr. Morgan** asked the Taoiseach the unemployment statistics and figures within County Donegal and especially within the Milford electoral area for the past ten years. [37401/06]

The Taoiseach: The exact information as requested by the Deputy is not available. Statistics on employment and unemployment are compiled, at a regional level, from the Quarterly National Household Survey. There are eight regions in the State; Border, Midland, West, Dublin, Mid-East, Mid-West, South-East and South-West. Sub-regional statistics, of the kind requested by the Deputy, are not available from the Quarterly National Household Survey.

However the Live Register series gives a monthly breakdown of the number of people claiming Unemployment Assistance, Unemployment Benefit and other registrants as registered with the Department of Social and Family Affairs. Figures are published for each county and each Local Social Welfare Office. A breakdown by postal district is not available. The most recent information available is for October 2006.

The Live Register figures for all the Local/Branch Offices in Co. Donegal for each month from 1997 to date are set out in the following table.

Live Register totals for State, County Donegal and Co. Donegal Local Offices, 1997 to date are set out in the table below

Live Register State total

Year	Persons												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	268,890	264,310	262,414	255,463	248,114	254,863	259,041	258,473	249,328	243,961	239,960	247,730	254,379
1998	246,527	241,771	234,782	231,327	223,941	228,937	232,813	230,494	219,174	212,459	207,174	215,752	227,096
1999	214,014	207,611	201,234	196,548	192,230	195,519	200,559	198,670	186,183	177,945	171,786	176,539	193,237
2000	176,162	172,093	163,489	161,796	152,871	156,753	159,914	159,026	144,932	139,189	136,962	141,586	155,398
2001	142,071	139,515	135,885	136,561	133,691	140,865	147,101	149,439	140,550	141,835	147,121	152,406	142,253
2002	159,960	162,337	162,252	156,237	154,944	164,277	172,098	173,563	161,432	157,706	158,636	166,142	162,465
2003	170,701	171,394	168,059	170,940	166,105	177,852	185,447	185,953	170,822	166,552	164,541	170,604	172,414
2004	174,529	173,127	168,880	164,660	161,972	168,952	177,501	175,816	160,466	155,476	151,966	158,816	166,013
2005	160,543	158,649	157,675	151,619	150,826	159,300	168,509	169,393	153,335	149,644	150,073	155,833	157,117
2006	160,139	159,617	155,543	154,566	152,560	163,059	168,946	169,614	152,307	148,506			

Live Register County Donegal total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	12,670	12,737	12,548	12,344	12,273	12,719	12,943	13,001	12,742	12,313	12,365	12,927	12,632
1998	12,719	12,512	12,109	12,282	12,086	12,549	12,634	12,565	12,094	11,772	11,469	13,485	12,356
1999	12,144	11,966	11,623	11,501	11,469	11,907	12,293	12,224	11,971	11,532	11,431	11,699	11,813
2000	11,642	11,413	10,980	10,830	10,365	10,652	10,705	10,622	10,003	9,862	9,837	10,088	10,583
2001	10,160	10,008	9,969	9,861	9,856	10,263	10,441	10,297	9,620	9,558	9,549	9,896	9,957
2002	10,182	10,133	10,108	9,729	9,899	10,364	10,605	10,499	9,663	9,355	9,418	9,897	9,988
2003	10,048	10,013	9,964	10,111	9,882	10,680	10,907	10,931	10,187	9,975	9,923	10,149	10,231
2004	10,331	10,246	10,037	9,662	9,576	10,146	10,473	10,374	9,432	9,079	9,088	9,440	9,824
2005	9,590	9,304	9,073	8,846	8,790	9,103	9,516	9,508	8,586	8,322	8,202	8,637	8,956
2006	8,780	8,744	8,501	8,498	8,407	9,002	9,318	9,351	8,340	8,153			

Live Register Ballybofey Local Office total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	1,717	1,670	1,628	1,628	1,641	1,710	1,736	1,755	1,712	1,705	1,691	1,675	1,689
1998	1,735	1,656	1,616	1,617	1,564	1,622	1,631	1,646	1,609	1,572	1,545	1,718	1,628
1999	1,592	1,632	1,585	1,558	1,536	1,591	1,598	1,569	1,627	1,597	1,565	1,553	1,584
2000	1,526	1,437	1,337	1,302	1,269	1,288	1,300	1,282	1,202	1,172	1,172	1,154	1,287
2001	1,141	1,185	1,124	1,083	1,134	1,125	1,117	1,080	997	1,015	1,007	1,031	1,087
2002	1,040	1,039	1,019	966	955	1,005	1,034	1,039	953	950	974	968	995
2003	967	975	978	938	905	975	995	983	923	900	850	866	938
2004	890	877	830	812	784	856	924	902	807	767	763	789	833
2005	801	783	775	718	703	710	756	770	708	687	698	729	737
2006	735	740	730	705	722	808	831	879	759	724			

Live Register Ballyshannon Local Office total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	857	844	851	789	782	788	772	775	796	788	804	827	806
1998	806	810	770	741	725	734	740	743	742	712	740	738	750
1999	774	770	756	737	717	710	721	701	700	683	682	697	721
2000	696	677	612	595	572	562	567	545	546	529	542	558	583
2001	580	557	567	547	524	527	511	514	476	513	560	570	537
2002	602	601	588	571	549	534	558	537	542	525	562	566	561
2003	570	569	556	540	514	522	506	502	494	494	541	569	531
2004	588	572	549	501	479	490	487	467	439	477	505	534	507
2005	559	521	499	479	465	453	443	442	434	441	464	487	474
2006	498	511	484	478	458	448	463	476	450	482			

Live Register Buncrana Local Office total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	2,421	2,406	2,391	2,403	2,344	2,401	2,443	2,475	2,347	2,316	2,343	2,424	2,393
1998	2,439	2,394	2,342	2,323	2,254	2,366	2,436	2,403	2,302	2,240	2,154	3,058	2,393

[The Taoiseach.]

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1999	2,274	2,199	2,087	2,033	2,029	2,198	2,309	2,298	2,201	2,074	2,008	2,041	2,146
2000	2,019	2,082	2,032	2,069	1,919	2,011	2,051	2,024	1,893	1,865	1,965	2,004	1,995
2001	2,030	1,984	1,963	1,924	1,913	2,038	2,111	2,036	1,853	1,780	1,751	1,862	1,937
2002	1,890	1,879	1,892	1,849	1,816	1,918	1,982	1,941	1,760	1,725	1,670	1,814	1,845
2003	1,876	1,864	1,794	1,833	1,832	1,948	2,005	1,978	1,827	1,811	1,764	1,817	1,862
2004	1,821	1,866	1,795	1,708	1,714	1,838	1,964	1,942	1,743	1,703	1,649	1,713	1,788
2005	1,754	1,689	1,696	1,613	1,634	1,717	1,810	1,814	1,617	1,520	1,479	1,555	1,658
2006	1,573	1,585	1,511	1,578	1,584	1,792	1,843	1,825	1,647	1,590			

Live Register Donegal Town Local Office total

Persons

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	677	696	683	664	648	654	659	692	650	632	622	630	659
1998	650	647	634	642	601	620	670	669	643	639	632	677	644
1999	679	657	630	631	636	632	623	653	606	604	602	610	630
2000	602	579	558	526	504	533	534	535	517	526	529	524	539
2001	545	530	529	524	527	544	558	546	525	522	550	556	538
2002	582	569	566	564	554	556	577	579	535	515	535	552	557
2003	554	551	543	542	515	547	569	579	512	503	498	509	535
2004	519	498	503	468	438	461	487	489	438	434	434	448	468
2005	476	463	433	428	409	445	462	468	399	383	390	421	431
2006	437	441	430	422	419	452	494	486	423	484			

Live Register Donegal Control Office* total

Persons

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	8	8	8	8	14	14	14	14	15	12	12	12	12
1998	12	11	11	11	11	9	0	0	0	0	0	0	

Live Register Dunfanaghy Local Office total

Persons

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	1,073	1,054	1,012	977	943	998	1,003	990	981	1,001	1,051	1,092	1,015
1998	1,056	1,022	970	970	914	929	946	946	918	904	924	978	956
1999	917	910	858	856	830	838	903	893	887	864	932	970	888
2000	964	941	888	864	808	814	811	830	810	833	880	921	864
2001	932	936	901	872	845	854	882	903	891	901	941	992	904
2002	1,008	1,022	995	924	946	1,032	994	988	938	913	996	1,064	985
2003	1,079	1,089	1,024	1,016	964	1,049	1,047	1,051	1,014	1,024	1,077	1,094	1,044
2004	1,091	1,069	1,006	964	942	968	965	968	936	903	975	990	981
2005	954	934	878	836	822	840	858	838	775	764	794	836	844
2006	845	821	765	731	711	758	776	783	741	733			

Live Register Dungloe Local Office total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	1,728	1,712	1,742	1,706	1,665	1,723	1,782	1,838	1,782	1,717	1,723	1,819	1,745
1998	1,780	1,753	1,705	1,759	1,756	1,800	1,769	1,757	1,652	1,641	1,574	1,819	1,730
1999	1,711	1,671	1,621	1,602	1,647	1,701	1,806	1,743	1,662	1,636	1,696	1,785	1,690
2000	1,731	1,712	1,647	1,608	1,563	1,582	1,540	1,549	1,443	1,449	1,429	1,477	1,561
2001	1,426	1,404	1,468	1,475	1,446	1,519	1,565	1,564	1,482	1,495	1,553	1,675	1,506
2002	1,614	1,585	1,520	1,507	1,615	1,625	1,661	1,629	1,546	1,461	1,484	1,606	1,571
2003	1,566	1,544	1,573	1,608	1,556	1,742	1,793	1,789	1,673	1,614	1,599	1,617	1,640
2004	1,633	1,573	1,561	1,498	1,516	1,569	1,589	1,589	1,476	1,427	1,457	1,479	1,531
2005	1,455	1,436	1,432	1,416	1,409	1,458	1,521	1,506	1,348	1,322	1,309	1,368	1,415
2006	1,361	1,337	1,286	1,269	1,258	1,317	1,357	1,368	1,214	1,173			

Live Register Killybegs Local Office total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	1,040	1,333	1,301	1,234	1,357	1,381	1,410	1,270	1,341	1,073	1,121	1,375	1,270
1998	1,101	1,122	1,062	1,230	1,349	1,414	1,365	1,351	1,305	1,154	1,060	1,213	1,227
1999	1,292	1,251	1,236	1,244	1,262	1,292	1,230	1,249	1,217	1,091	1,054	1,138	1,213
2000	1,189	1,127	1,127	1,124	1,143	1,169	1,179	1,170	1,063	1,042	889	963	1,099
2001	1,025	874	1,031	1,043	1,077	1,112	1,099	1,078	979	961	860	823	997
2002	964	927	1,004	979	1,061	1,086	1,085	1,065	953	875	776	845	968
2003	927	838	967	1,056	1,059	1,114	1,083	1,039	985	854	832	834	966
2004	900	940	1,015	1,030	1,086	1,120	1,109	1,089	1,001	866	839	954	996
2005	1,009	905	870	941	954	985	1,026	1,004	936	885	825	895	936
2006	940	895	967	983	972	981	969	932	847	787			

Live Register Letterkenny Local Office total

Year	<i>Persons</i>												
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Average
1997	3,149	3,014	2,932	2,935	2,879	3,050	3,124	3,192	3,118	3,069	2,998	3,073	3,044
1998	3,140	3,097	2,999	2,989	2,912	3,055	3,077	3,050	2,923	2,910	2,840	3,284	3,023
1999	2,905	2,876	2,850	2,840	2,812	2,945	3,103	3,118	3,071	2,983	2,892	2,905	2,942
2000	2,915	2,858	2,779	2,742	2,587	2,693	2,723	2,687	2,529	2,446	2,431	2,487	2,656
2001	2,481	2,538	2,386	2,393	2,390	2,544	2,598	2,576	2,417	2,371	2,327	2,387	2,451
2002	2,482	2,511	2,524	2,369	2,403	2,608	2,714	2,721	2,436	2,391	2,421	2,482	2,505
2003	2,509	2,583	2,529	2,578	2,537	2,783	2,909	3,010	2,759	2,775	2,762	2,843	2,715
2004	2,889	2,851	2,778	2,681	2,617	2,844	2,948	2,928	2,592	2,502	2,466	2,533	2,719
2005	2,582	2,573	2,490	2,415	2,394	2,495	2,640	2,666	2,369	2,320	2,243	2,346	2,461
2006	2,391	2,414	2,328	2,332	2,283	2,446	2,585	2,602	2,259	2,180			

* Last returns by Donegal Control Office were for June 1998.

Source: Live Register Series, Central Statistics Office.

It should be noted that:

- [a] the Live Register is not a definitive measure of unemployment as it includes part-time workers, seasonal and casual workers entitled to Unemployment Assistance or Benefit. Statistics on unemployment are measured at regional level by the Quarterly National Household Survey.
- [b] the exact area covered by each Local Office is not limited to the immediate locality of the particular office. For instance, in the Tallaght Local Office there may be registered, persons from the Blessington area.

National Statistics.

174. **Ms Shortall** asked the Taoiseach further to Parliamentary Question No. 159 of 7 November 2006 if he will provide a breakdown of the figures given for injury and poisoning in each of the years and each of the age groups and in both sexes. [37690/06]

The Taoiseach: The information requested by the Deputy is given in the following tables.

The deaths have been classified by the External causes of Injury and Poisoning. Deaths are coded according to the Ninth Revision of the International Statistical Classification of Diseases, Injuries and Causes of Death (I.C.D.9).

External Causes of Injury and Poisoning

Age	Sex	Transport Accidents	Accidental Falls	Accidental Poisoning	Suicide	Homicide	Events of Undetermined Intent	Other External Causes	Total External Causes
Under 5	Female	1	0	0	0	0	1	4	6
	Male	4	0	0	0	0	0	3	7
	Total	5	0	0	0	0	1	7	13
5-9	Female	1	0	0	0	0	0	1	2
	Male	1	0	0	0	0	0	4	5
	Total	2	0	0	0	0	0	5	7
10-14	Female	1	0	0	1	0	0	1	3
	Male	2	2	0	1	0	0	3	8
	Total	3	2	0	2	0	0	4	11
15-19	Female	5	0	0	5	1	0	1	12
	Male	19	2	2	31	3	1	8	66
	Total	24	2	2	36	4	1	9	78
20-24	Female	5	1	1	5	2	2	3	19
	Male	37	4	6	52	3	3	10	115
	Total	42	5	7	57	5	5	13	134
25-29	Female	6	0	3	8	0	2	0	19
	Male	28	4	4	40	3	7	8	94
	Total	34	4	7	48	3	9	8	113
30-34	Female	2	2	1	9	0	1	3	18
	Male	22	3	9	37	2	7	8	88
	Total	24	5	10	46	2	8	11	106
35-39	Female	3	1	3	11	0	3	3	24
	Male	12	5	7	35	2	2	6	69
	Total	15	6	10	46	2	5	9	93
40-44	Female	4	2	2	9	0	1	2	20
	Male	16	5	8	43	4	6	13	95
	Total	20	7	10	52	4	7	15	115
45-49	Female	3	2	2	10	0	1	3	21
	Male	9	11	4	30	1	3	14	72
	Total	12	13	6	40	1	4	17	93
50-54	Female	5	0	3	16	0	3	4	31
	Male	14	9	2	23	1	4	11	64
	Total	19	9	5	39	1	7	15	95

Age	Sex	Transport Accidents	Accidental Falls	Accidental Poisoning	Suicide	Homicide	Events of Undetermined Intent	Other External Causes	Total External Causes
55-59	Female	4	2	3	6	1	0	2	18
	Male	12	11	1	27	0	2	8	61
	Total	16	13	4	33	1	2	10	79
60-64	Female	2	6	1	11	0	1	5	26
	Male	9	3	2	17	0	3	8	42
	Total	11	9	3	28	0	4	13	68
65-69	Female	5	4	0	5	1	0	3	18
	Male	7	10	1	6	0	0	13	37
	Total	12	14	1	11	1	0	16	55
70-74	Female	4	9	1	2	0	1	4	21
	Male	5	15	0	8	0	2	7	37
	Total	9	24	1	10	0	3	11	58
75-79	Female	6	13	1	3	0	0	7	30
	Male	7	10	2	4	0	0	6	29
	Total	13	23	3	7	0	0	13	59
80-84	Female	3	52	2	0	0	0	8	65
	Male	7	24	0	2	0	1	4	38
	Total	10	76	2	2	0	1	12	103
85 and over	Female	4	62	0	0	0	0	7	73
	Male	2	23	1	0	0	2	2	30
	Total	6	85	1	0	0	2	9	103
All ages	Female	64	156	23	101	5	16	61	426
	Male	213	141	49	356	19	43	136	957
	Total	277	297	72	457	24	59	197	1383

Deaths for Year 2005 External Causes of Injury and Poisoning

Age	Sex	Transport Accidents	Accidental Falls	Accidental Poisoning	Suicide	Homicide	Events of Undetermined Intent	Other External Causes	Total External Causes
Under 5	Female	1	0	0	0	0	1	5	7
	Male	3	0	1	0	0	0	2	6
	Total	4	0	1	0	0	1	7	13
5-9	Female	1	0	0	0	0	0	1	2
	Male	1	0	0	0	0	1	4	6
	Total	2	0	0	0	0	1	5	8
10-14	Female	2	0	0	1	0	0	0	3
	Male	2	0	1	2	0	0	2	7
	Total	4	0	1	3	0	0	2	10
15-19	Female	9	0	0	4	0	0	2	15
	Male	30	0	5	22	0	2	10	69
	Total	39	0	5	26	0	2	12	84

[The Taoiseach.]

Age	Sex	Transport Accidents	Accidental Falls	Accidental Poisoning	Suicide	Homicide	Events of Undetermined Intent	Other External Causes	Total External Causes
20-24	Female	8	1	2	7	0	1	1	20
	Male	37	2	16	47	2	10	7	121
	Total	45	3	18	54	2	11	8	141
25-29	Female	4	0	2	8	0	1	2	17
	Male	30	2	8	37	3	13	8	101
	Total	34	2	10	45	3	14	10	118
30-34	Female	8	0	1	10	1	2	3	25
	Male	21	6	10	39	2	6	10	94
	Total	29	6	11	49	3	8	13	119
35-39	Female	7	0	2	4	0	1	5	19
	Male	11	5	13	34	1	7	9	80
	Total	18	5	15	38	1	8	14	99
40-44	Female	5	1	3	10	0	4	1	24
	Male	9	6	3	42	2	5	6	73
	Total	14	7	6	52	2	9	7	97
45-49	Female	2	3	3	4	0	2	3	17
	Male	12	9	7	39	0	1	12	80
	Total	14	12	10	43	0	3	15	97
50-54	Female	8	2	6	6	1	5	6	34
	Male	9	9	5	31	0	4	10	68
	Total	17	11	11	37	1	9	16	102
55-59	Female	3	3	3	8	0	1	2	20
	Male	10	11	1	18	1	5	11	57
	Total	13	14	4	26	1	6	13	77
60-64	Female	2	3	2	4	0	2	5	18
	Male	10	9	4	14	0	6	6	49
	Total	12	12	6	18	0	8	11	67
65-69	Female	5	1	1	8	1	1	5	22
	Male	3	11	2	13	0	2	8	39
	Total	8	12	3	21	1	3	13	61
70-74	Female	8	4	1	0	0	0	10	23
	Male	9	18	2	8	0	1	14	52
	Total	17	22	3	8	0	1	24	75
75-79	Female	2	11	1	2	0	2	6	24
	Male	4	18	3	4	0	0	13	42
	Total	6	29	4	6	0	2	19	66
80-84	Female	7	36	0	0	0	2	8	53
	Male	5	23	1	2	0	2	8	41
	Total	12	59	1	2	0	4	16	94

Age	Sex	Transport Accidents	Accidental Falls	Accidental Poisoning	Suicide	Homicide	Events of Undetermined Intent	Other External Causes	Total External Causes
85 and over	Female	0	73	0	2	0	1	3	79
	Male	3	45	0	1	0	0	5	54
	Total	3	118	0	3	0	1	8	133
All ages	Female	82	138	27	78	3	26	68	422
	Male	209	174	82	353	11	65	145	1039
	Total	291	312	109	431	14	91	213	1461

EU Directives.

175. **Mr. Allen** asked the Taoiseach the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37871/06]

The Taoiseach: The Department of the Taoiseach has no Directives awaiting transposition.

My Department does however have a role in monitoring the transposition of EU Directives. Minister of State, Deputy Noel Treacy chairs an Interdepartmental Coordinating Committee on European Union Affairs. The Committee keeps under review, and works to ensure coherence on, the full range of issues on the EU's agenda. The Committee has a particular focus on the correct and timely transposition of EU legislation.

Equal Opportunities.

176. **Mr. Connolly** asked the Taoiseach the criteria for persons with disabilities for seeking employment opportunities within his Department; the application procedures that apply; and if he will make a statement on the matter. [37884/06]

The Taoiseach: The Deputy will be aware that the Minister for Finance has responsibility in Government for policy in relation to the employment of people with disabilities in the civil service.

My Department and the Bodies under its aegis are committed to a policy of equal opportunity for all staff. In addition to complying with the provisions of the Disability Act 2005, we follow the guidelines set out in the Code of Practice for the Employment of People with Disabilities in the Civil Service. Recruitment to my Department is done through the Public Appointments Service. Promotion, training and all other benefits and opportunities are decided on the grounds of ability, qualifications and other relevant objective criteria.

The Department also actively participates in positive action programmes such as the Willing Able and Mentoring Programme under the aegis of the Department of Finance.

I would like to point out to the Deputy that my Department currently exceeds the 3% requirement relating to the employment of people with disabilities as recommended in the Disability Act 2005. The Department's offices are compatible with the needs of persons with disabilities.

The Deputy will know that the definition of a person with a disability under the Disability Act 2005 is as follows: "disability", in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.

Training Programmes.

177. **Mr. Sargent** asked the Taoiseach if the Office of the Attorney General has plans to establish a training programme for parliamentary draftspeople. [37924/06]

178. **Mr. Sargent** asked the Taoiseach the position regarding filling vacancies for parliamentary draftspeople in the Office of the Attorney General. [37925/06]

The Taoiseach: I propose to take Questions Nos. 177 and 178 together.

I refer to the Deputy to my reply to Written Question No. 221 from Deputy Gormley on 27 September. I then stated that "there is a formal training programme for new drafters with heavy emphasis on practical experience".

The Plan was drawn up in 2002 and continues to be implemented since then to ensure that new drafters entering the Office of the Parliamentary Counsel to the Government would receive consistent and extensive training to enable them to continue the high standard of legal drafting work provided by the Office to the Government.

In relation to the filling of vacancies, I also dealt with that issue in the reply referred to above, when I stated that "The Office intends to run another recruitment competition early in the New Year when the pool of eligible experienced

[The Taoiseach.]

candidates will have increased". Since the reply, an extra Contract Drafter has joined the Office but that addition will be offset in a few weeks when an existing Contract Drafter will leave having completed her term with the Office.

Departmental Correspondence.

179. **Mr. Boyle** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has received correspondence from a person (details supplied) in County Cork; if his attention has been drawn to the contents of this letter; and if a response will be forthcoming. [37381/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed that there is no record in my Department of any recent correspondence directly from the person to whom the Deputy refers.

However I can confirm that he has instituted legal proceedings against the State in relation to certain matters and these proceedings are being dealt with in the usual way through the Chief State Solicitors Office.

Dublin-Monaghan Bombings.

180. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will ensure that the remaining funds in the Remembrance Commission are spent on the long-term care of the survivors of the Dublin and Monaghan Bombings 1974 and the victims of other atrocities. [37501/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Following Government approval, I established the Remembrance Commission in 2003 for a period of three years. The Commission disburses ex gratia payments under the provisions of the Amended Scheme of Acknowledgement, Remembrance and Assistance for Victims in this Jurisdiction of the Conflict in Northern Ireland, including for victims of the Dublin and Monaghan bombings. The Government also approved the expenditure of up to €9 million over the lifetime of the Commission. The work of the Commission is continuing.

I am currently preparing proposals on the future of the Commission and Fund, which I expect to submit to Government shortly.

Citizenship Applications.

181. **Mr. Penrose** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding a Canadian citizen who marries an Irish citizen and is living here; the impact of same upon the status of the Canadian citizen following such a marriage and if the Canadian citizen can work here; and if he will make a statement on the matter. [37809/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Marriage to an Irish national by a non EU national does not grant any automatic right to reside in the State. However, if a non EU national spouse of an Irish national was already legally resident in the State prior to the marriage then he or she can make a request to the local Registration Officer for a change of their immigration status to reflect their marriage to that Irish national.

If, however, the non EU national has no legal status in the State at the time of the marriage, he or she may make an application to the Irish Naturalisation and Immigration Service of my Department seeking permission to reside in the State on that basis. It is a fundamental requirement that a non EU national seeking residency in the State on the sole basis of marriage to an Irish national resides in the same household and in a family unit with that Irish national. Consideration of such applications will involve the provision of documentary evidence to support the application and may also involve an interview by the Immigration Authorities of either or both parties.

It has always been the case that non EU nationals could not enter employment pending the outcome of an application for residency, unless of course they have a valid work permit. If a non EU national is granted permission to reside in the State on the sole basis of marriage to an Irish national he or she is permitted to work in the State without the requirement of a work permit and to operate a business in the State without seeking further permission.

182. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason for the delay in advancing the application for citizenship for a person (details supplied) in Dublin 5 who has had a work permit since November 2000; and the evidence required from the applicant to confirm the fulfilment of the five year requirement. [37368/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship section of my Department on 22 September 2005.

The Minister for Justice, Equality and Law Reform may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. One of these conditions is that the applicant has had a period of one year's continuous residency in the State immediately before the date of the application and, during the eight years immediately preceding that period, has had a total residence in the State amounting to four years.

In the context of determining if an applicant meets the residence requirement for naturalisation, certain periods of residence in the State

must be excluded. These include periods of residence in respect of which an applicant does not have permission to remain in the State periods granted for the purposes of study and periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

An examination of the file of the person concerned revealed that she did not have 5 years reckonable residency in the State at the time of application, nor did she have one years' continuous reckonable residency immediately prior to lodging her application. She was informed of this determination on 10 October 2005.

It is open to the applicant to lodge a new application if and when she is in a position to meet the statutory requirements applicable at the time.

Further information and the necessary application forms may be obtained from my Department's website (www.justice.ie) or by telephoning the Citizenship Section helpline on Tuesdays or Thursdays between 10:00 am to 12:30 pm at L-call 1890 551 500 or (01) 6167700.

Garda Reserve.

183. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of persons who applied to join the Garda Reserve from the Dublin 24 area; the number recruited and in training from this area; and if he will make a statement on the matter. [37394/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Up to 19 September 2006, 6,661 applications for the Garda Reserve had been received, of which 1,922 were in respect of persons resident in Dublin City and County. A breakdown by postal district is not available.

As of today a total of 7,174 applications has been received nationally, however, a county-by-county breakdown of the additional applications is not yet available.

184. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Garda reserve recruits currently being trained in the Dublin area; the Garda stations in Dublin that will have Garda Reserves attached; when those reserves will become available; and if he will make a statement on the matter. [37395/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Up to 19 September, 2006 a total of 1,922 persons have applied to join the Garda Reserve force from Dublin City and County areas.

There are currently 24 Garda Reserve trainees from the first intake in the first stage of training in the Dublin area. 13 are assigned to the DMR South Central attached to Pearse Street Garda Station and 11 Garda Reserve trainees are

assigned to the DMR North Central attached to Store Street Garda Station. The current group of Garda Reserve trainees will complete their training on the 16th December and will become available for deployment.

Garda Deployment.

185. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Gardaí including rank and the number assigned to each duty at the concerts held in Marley Park during summer 2006; and the ratio of Gardaí to concert goers. [37396/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that there were five concerts held in Marley Park during the Summer of 2006, with an estimated attendance at each concert of over 15,000. I have also been informed that there were 2 Inspectors, 9 Sergeants and 73 Gardaí deployed at each concert under the command of a Superintendent. The estimated ratio of Gardaí to concert-goers was in the order of 1 Garda per 176 patrons.

It is the responsibility of Garda management to allocate personnel for such events on a priority basis in accordance with policing requirements identified in connection with those events. These allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

Crime Prevention.

186. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of arrests at the concerts in Marley Park during summer 2006; the reasons for

[Aengus Ó Snodaigh.]

those arrests; and if he will make a statement on the matter. [37397/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there were five concerts held in Marley Park last summer with an estimated attendance of over 15,000 people at each concert. At these concerts there were 24 arrests for drunkenness and 5 arrests for possession of drugs for sale or supply. In addition, there were 65 detections in relation to the drug offence of simple possession.

Garda Deployment.

187. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Gardaí including rank and the number assigned to each duty at the concerts held at the Point Depot on 3, 4 and 5 November 2006; and the ratio of Gardaí to concert goers. [37398/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that on Friday 3 November, 2006 there were six Gardaí detailed for duty at the Point Depot, where there were approximately 6,500 patrons in attendance. The estimated ratio of Gardaí to concert-goers was 1:1,083.

I have also been informed that on Saturday 4 November, 2006 there were 1 Inspector, 3 Sergeants and 19 Gardaí detailed for duty at the Point Depot, where there were approximately 8,500 patrons in attendance. The estimated ratio of Gardaí to concert-goers was 1:369.

Garda management also inform me that on Sunday 5 November, 2006 there were seven Gardaí detailed for duty at the Point Depot, where there were approximately 8,500 patrons in attendance. The estimated ratio of Gardaí to concert-goers was 1:1,214.

It is the responsibility of Garda management to allocate personnel for such events on a priority basis in accordance with policing requirements

identified in connection with those events. These allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

Garda Operations.

188. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of arrests at the concerts in the Point Depot on 3, 4 and 5 November 2006; the reasons for those arrests; and if he will make a statement on the matter. [37399/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there were 17 arrests made at the concerts at the location concerned on 3, 4 and 5 November, 2006.

I am further informed that one person was arrested for theft, five persons for offences contrary to the Criminal Justice (Public Order) Act 1994, one person for drunkenness and ten people were detained for the purposes of searches under section 23 of the Misuse of Drugs Acts 1977 and 1984.

Citizenship Applications.

189. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 110 of 2 November 2006, the status of an application for citizenship by a person (details supplied) in Dublin 16; when the application will be completed; and if he will make a statement on the matter. [37423/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship section of my Department on 18 October 2006.

Applications received in the second half of 2004 are currently being processed and there are approximately 11,000 applications awaiting processing before that of the person in question. It is likely that the processing of the application will commence in the second half of 2008.

I will inform the Deputy and the person concerned when I have reached a decision on the application.

Garda Stations.

190. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform the instructions he has given to the Office of Public Works for the provision of a new Garda station in Sligo

with up to date facilities; if a site has been identified; and if he will make a statement on the matter. [37424/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): There are plans to update and extend the facilities at Sligo Garda Station. In order to explore all options, the Garda authorities have identified a number of sites that may be suitable and this information has been forwarded to the Office of Public Works. The acquisition of sites, where required, is primarily a matter for OPW and when their report on the sites mentioned above is to hand, consideration will then be given on how best to progress this project.

I should add that as with all projects on the Garda Building Programme progress is dependent on overall agreed priorities. The Garda Building Programme is progressed and prioritised, with the cooperation and commitment of all concerned — my Department, the Garda authorities and Representative Associations and the Office of Public Works from whose Vote such capital works are funded.

191. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the accommodation attached to Coolaney Garda station will be refurbished; the works that will be carried out; and if he will make a statement on the matter. [37425/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities they have requested from the Office of Public Works a feasibility study and to update estimates previously prepared for the cost to refurbish the official accommodation at Coolaney Garda Station. On receipt of the report from the OPW, consideration will be given on how best to proceed with this project.

Garda Investigations.

192. **Mr. Kenny** asked the Tánaiste and Minister for Justice, Equality and Law Reform his position in regard to action he has taken in respect of a matter (details supplied); and if he will make a statement on the matter. [37484/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Two of the persons in question presented themselves, with their solicitors, to Garda stations in Dublin. Neither was arrested and both were interviewed on a voluntary basis. The third person was arrested by the Garda Síochána and was subsequently released without charge.

The Garda investigation into matters relating to the persons concerned remains ongoing, and enquiries have been conducted by the Garda Síochána in the other jurisdiction in question. Moreover, following the receipt of papers relating

to extradition from the authorities in that jurisdiction, those authorities have been requested, via diplomatic channels, to respond to specific queries. A response is currently awaited.

The Transfer of Execution of Sentences Act 2005 gives effect in Irish law to the 1997 Additional Protocol to the 1983 Council of Europe Convention on the Transfer of Sentenced Persons (in particular, Article 2 of the Protocol) and to the corresponding provisions in Chapter 5 of Title III to the Schengen Convention. In essence, the 2005 Act provides an alternative to extradition in so far as it allows the sentenced person to serve the sentence in his/her 'home' State. The arrangements under the 2005 Act can operate only with states that are Party to the relevant international instruments, and the State from which the persons returned is not at present such a Party.

Asylum Applications.

193. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to an application for leave to remain here in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [37485/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 13 January 2004 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and on appeal by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, he was informed by letter dated 27 October 2005, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

The person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999, as amended, and Section 5 of the Refugee Act, 1996, (Prohibition of Refoulement) as amended. I expect the file to be passed to me for decision in due course.

Citizenship Applications.

194. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [37486/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department on 1 February 2006.

Applications received in the second half of 2004 are currently being processed and there are approximately 6,000 applications awaiting processing before that of the person in question. It is likely that the processing of the application will commence in the first half of 2008.

I will inform the Deputy and the applicant when I have reached a decision on the application.

Crime Levels.

195. **Mr. Deasy** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of headline offences recorded and detected, with a breakdown for each of the 10 headline categories, in the Waterford City, Tramore and Dungarvan Garda districts in each quarter since the beginning of 2003 up to the third quarter of 2006; and if he will make a statement on the matter. [37513/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics for the years 2003 to 2005 for the Garda Division of Waterford/Kilkenny, which includes the Garda Districts of Waterford City, Tramore and Dungarvan, are contained in the relevant Garda Annual Reports. These reports are available in the Oireachtas Library. Headline crime statistics have not yet been published in the manner requested by the Deputy.

Visa Applications.

196. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a visa will be issued to a person (details supplied) in County Dublin. [37514/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The non-EU national referred to by the Deputy lodged a residence application on the basis that she is the spouse of an EU citizen. She has recently been informed that she does not qualify for residence on the basis sought.

I understand that the EU citizen is also the holder of an Irish passport and she has been informed that her residence application will receive further consideration on that basis.

Garda Deployment.

197. **Mr. Timmins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the additional cost to the Exchequer to date as a result of the increased Garda presence at Shannon Airport, County Clare, since Garda

security was increased there; and if he will make a statement on the matter. [37529/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The detailed information requested by the Deputy is currently being compiled by the Garda authorities. I will be in contact with the Deputy when the information is to hand.

198. **Mr. Timmins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the additional number of gardaí that are on duty at Shannon Airport since security was enhanced there; the numbers required to facilitate this; and if he will make a statement on the matter. [37531/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the personnel strength of Shannon Garda Station as at 13 November, 2006 was 91 (all ranks). This includes 1 Inspector, 4 Sergeants and 40 Probationer Gardaí who have been assigned to Shannon Garda Station as a consequence of the enhanced Security Measures at Shannon Airport. The additional Inspector and 4 Sergeants are temporarily transferred to Shannon and rotated on a monthly basis. The 40 Probationer Gardaí are allocated from the Garda College on a three monthly basis. Garda management state that the Security Operation is continually reviewed and staffed accordingly.

It is the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

Garda Strength.

199. **Mr. Timmins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of fully trained gardaí as of 7 November 2006. [37533/06]

200. **Mr. Timmins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the estimate of the number of fully trained gardaí that will be in place for 31 January, 28 February, 31 March, 30 April and 31 May 2007. [37534/06]

213. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of full time members of An Garda Síochána as of the latest date from which figures are available. [37830/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 199, 200 and 213 together.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the personnel strength (all ranks) of An Garda Síochána as at 7 November, 2006 was 12,707. A further group of approximately 275 new members will be attested to the Force later this week on Thursday 16 November 2006. Taking account of anticipated retirements, the personnel strength all ranks at the end of 2006 will be approximately 12,935.

During 2007, further classes of 275 each quarter will become attested members of the Force with attestations in March, June, September and November. Further tranches of approximately 275 newly attested Gardaí will follow every 90 days until the programme is complete. Month to month projections of the strength of the Force in the early stages of 2007 are dependent on the levels of retirements during those months. However, taking account of projected retirements for 2007, it is projected that net strength of the Force will again increase by approximately 700 members to over 13,600 by the end of 2007 with a combined strength of both unattested trainees and attested members at approximately 14,700.

Deportation Orders.

201. **Mr. Haughey** asked the Tánaiste and Mini-

ster for Justice, Equality and Law Reform if he will grant permission to a person (details supplied) in Dublin 5 to remain here on humanitarian grounds in view of the fact that they have completed their leaving certificate and nursing degree and have a job offer in a hospital; if he will provide the history of the case; and if he will make a statement on the matter. [37553/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The applicant applied for asylum on 8 February 2000. His application for asylum was refused and a Deportation Order was made on 27 May 2002. He was notified of this by registered letter on 21 June 2002.

The applicant instituted Judicial Review proceedings on 8 July 2002 challenging the Deportation Order made in respect of him. These proceedings were settled on 30 August 2004. The applicant was invited to make representations in relation to an application to revoke the Deportation Order. Representations were forwarded to my Department on 24 September 2004. These representations were considered, along with subsequent representations from the applicant’s solicitors, and a decision to re-affirm the Deportation Order was made on 2 October 2006. The applicant was notified of this decision by registered post on 10 October 2006.

The applicant instituted further Judicial Review proceedings on 24 October 2006 challenging the affirmation of the Deportation Order. These proceedings are ongoing and accordingly, as the matter is sub-judice, it would not be appropriate to comment further at this time.

Visa Applications.

202. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he has received correspondences (details supplied); if the person will have to furnish all the relevant data each time; and if he will make a statement on the matter. [37683/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The correspondences referred to by the Deputy have been received by my Department. Applicants are obliged to submit full documentation with each visa application to enable the Visa Office have the most current documentation available in considering the application. Applicants needing to travel to Ireland on a regular basis are advised to apply for a multiple entry visa.

203. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform the steps that have to be taken for a person from Thailand who wishes to apply for a visa to come to Ireland for 3 weeks holidays; and if he will make a statement on the matter. [37698/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Comprehensive

[Mr. McDowell.]

information on making a visa application is available on my Department's website (www.justice.ie). The person in question is advised to submit the application to the Honorary Consul in Thailand, who is located at, 28th Floor, Q House Lumpini Building, 1, South Satharon Road, Tungmahamek, Sathorn, Bangkok 10120, Thailand.

Garda Stations.

204. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Garda Stations in the Roscommon East Galway division which have living quarters which do not have a Garda residing in the station; the steps he is taking to encourage the occupancy of such stations; and if he will make a statement on the matter. [37699/06]

207. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of Garda stations in the Sligo Leitrim division which have living quarter which do not have a Garda residing in the station; the steps he is taking to encourage the occupancy of such stations; and if he will make a statement on the matter. [37702/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 204 and 207 together.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that there are 10 Garda residential stations in the Roscommon/Galway East Division and 10 Garda residential stations in the Sligo/Leitrim Division where the residential accommodation is currently unoccupied. Local Garda Management and Garda Human Resource Management actively seek suitable candidates to reside in all habitable residential accommodation attached to Garda Stations.

I should add that it is also the responsibility of Garda management to allocate personnel to and within Divisions on a priority basis in accordance with the requirements of different areas. These personnel allocations are determined by a number of factors including demographics, crime

trends, administrative functions and other operational policing needs. Garda management state that such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources, and that the best possible service is provided to the public.

205. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and location of Garda stations in the Roscommon East Galway division which require refurbishment; and if he will make a statement on the matter. [37700/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been advised by the Garda authorities that the following stations are scheduled for refurbishment/replacement on the various Garda Building Programmes. A new station is currently under construction at Castlerea with a planned completion date of January next. Refurbishment works are also planned for Boyle, Ballinasloe, Roscommon, Strokestown and Clonark stations. In addition, it is proposed to provide smaller standard stations at Elphin, Kilconnell, Ballintubber, Athleague, Ballyforan and Cootehill stations.

As with all projects on the Garda Building Programmes progress is dependent on overall agreed priorities, with cooperation and commitment of all concerned — my Department, the Garda authorities and the Representative Association and the Office of Public Works from whose Vote such capital works are funded.

206. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and locations of Garda stations in the Roscommon East Galway division which do not have access to a fax machine; the corresponding number and location of stations without access to the pulse system; and if he will make a statement on the matter. [37701/06]

209. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and location of Garda stations in the Sligo Leitrim Division which do not have access to a fax machine; the corresponding number and location of stations without access to the pulse system; and if he will make a statement on the matter. [37704/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 206 and 209 together.

The information requested in relation to access to fax machines and PULSE in the Sligo/Leitrim and Roscommon/East Galway divisions of An Garda Síochána is being collated and I will respond to the Deputy directly with it shortly.

Question No. 207 answered with Question No. 204.

Garda Stations.

208. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and locations of Garda stations in the Sligo Leitrim division which require refurbishment; and if he will make a statement on the matter. [37703/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been advised by the Garda authorities that the following stations are scheduled for refurbishment / replacement on the various Garda Building Programmes. There are plans to build a new Garda station at Ballymote, Co. Sligo. The Office of Public Works has brought this project to planning stage and it plans to invite tenders for the construction works in February 2007. There are also plans to update and extend the facilities at Sligo Garda Station. In order to explore all options, the Garda authorities have identified a number of sites that may be suitable and this information has been forwarded to the Office of Public Works. There are also plans to build a smaller standard station at Drumshanbo, Co. Leitrim.

I should add that as with all projects on the Garda Building Programmes progress is dependent on overall agreed priorities. The Garda Building Programme is progressed and prioritised, with the cooperation and commitment of all concerned — my Department, the Garda authorities and Representative Associations and the Office of Public Works from whose Vote such capital works are funded.

Question No. 209 answered with Question No. 206.

Garda Equipment.

210. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of gardaí authorised to carry a firearm; the corresponding figures for 1997 and 2002; the relevant figures by Garda division; and if he will make a statement on the matter. [37705/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information sought by the Deputy is being compiled and I will communicate with him shortly.

Garda Operations.

211. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position on policing near a venue (details supplied) in Dublin 3 and if he will ensure that local residents are protected on Thursday, Friday, Saturday and Sunday 9.00 p.m. to 3.00 a.m.; and to work with local residents on this matter. [37717/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that Gardai from Raheny and Clontarf Garda Stations police the area referred to. The Gardai maintain regular contact with the management of the premises referred to, in order to address any public order issues which may arise.

I am also informed that additional Gardai are deployed in this area during the times referred to, particularly at weekends and when events are being held. Current policing plans in the area are predicated on the prevention of anti-social behaviour and public disorder, the prevention of crime, including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. Garda units are directed to pay particular attention to areas where local youths tend to congregate. This strategy will continue to be central to the delivery of a policing service to the area in question.

212. **Mr. Stanton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position with regard to the implementation of anti social behaviour orders; the resources being allocated to facilitate same; the training that is being undertaken by An Garda Síochána, and in particular senior Garda, in order to prepare them to carry out their functions in relations to ASBOs; the further training or guidance that is being promised to the judiciary on the making of a behaviour order, on attaching conditions to an order and on the sanctions appropriate to be imposed on a breach; and if he will make a statement on the matter. [37829/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to refer the Deputy to my response to Parliamentary Question No. 235 of 1 November, 2006. As I set out in that reply, the Criminal Justice Act, 2006 empowers a senior member of the Garda Síochána to apply to the District Court by way of a civil procedure for an order which will prohibit an adult from behaving in an anti-social manner.

Separate provision is being made in relation to young people. The Act introduces provisions for behaviour orders for children aged 12 to 18 years into the Children Act, 2001 and the protections of that Act will apply. There will be a series of incremental stages, with parental involvement, preceding an application for a behaviour order. These include a warning, a good behaviour contract and referral to the Garda Juvenile Diversion Programme. Only after these stages can a behaviour order be sought through the courts.

The relevant provisions of the Criminal Justice Act 2006 will be commenced following consultations between my Department, the Office of the Minister for Children and the Commissioner of the Garda Síochána. The purpose of this is to ensure that these provisions will commence as soon as the Commissioner has made the neces-

[Mr. McDowell.]

sary internal arrangements to ensure the smooth introduction of these new procedures. Work by the Garda Síochána is under way in consultation with my Department to draw up the necessary procedures, including provision for Garda training, to implement.

Insofar as the resources available to the Gardaí to carry out these and other functions are concerned, the position is that these have been increased significantly in recent years. The personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

In the case of the Judiciary, who are independent in the exercise of their functions under the law and the Constitution, the Deputy should note that the provision of training and education is a matter for the Judicial Studies Institute which was established by the Chief Justice in 1996 for this purpose. My role in this regard is to support the Institute through funding made available in the Courts Vote which is administered by the Courts Service.

Question No. 213 answered with Question No. 199.

Garda Remuneration.

214. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the basic pay payable to a full time member of An Garda Síochána and a student Garda just recruited. [37831/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 12,762 on Friday, 8 September, 2006, following the attestation of 249 new members. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,060 (or 19%) in the personnel strength of the Force during that period. The induction of 280 new Garda recruits to the Garda College on 6 November, 2006 has resulted in a combined strength, of both attested Gardaí and recruits in training, of 14,137. The Garda Budget now stands at €1.3 billion, a 13% increase on 2005 and an 85% increase since 1997 in real terms.

I have been further informed that the pay scale applicable to a trainee Garda from 1 June, 2006 is €183.42 per week. I have also been informed that the Pay scales in respect of members of An Garda Síochána, up to and including Chief Superintendent rank, with effect from 1 June, 2006, are as set out in the following tables:

Garda Pay Scales from 1/06/2006

Rank	Class A, recruited after 6 April, 1995		
	Years	From	To
Garda	On attestation	€ 24,551	€ —
	After 22 weeks	26,990	—
	1-17 yrs.	28,485	44,116
Sergeant	On Appointment	44,543	—
	1-12 yrs.	45,629	51,291
Inspector	On Appointment	51,571	—
	1-6 yrs.	52,452	57,225
Superintendent	On Appointment	70,808	—
	1-4 yrs.	73,357	79,958
	LSI (after 3 yrs. on max.)	82,956	—
Chief Superintendent	On Appointment	85,321	—
	1-3 yrs.	89,233	99,956
	LSI (after 3 yrs. on max.)	102,633	—

Rank	Class B, recruited before 6 April, 1995		
	Years	From	To
Garda	On Attestation	€	€
	After 22 weeks	23,737	—
	1-17 yrs	26,099	—
Sergeant	1-17 yrs	27,540	42,656
	On Appointment	43,071	—
Inspector	1-12 yrs	44,117	49,593
	On Appointment	49,863	—
Superintendent	1-6 yrs	50,717	55,331
	On Appointment	68,466	—
	1-4 yrs	70,931	77,312
Chief Superintendent	LSI (after 3 yrs on max)	80,213	—
	On Appointment	82,499	—
	1-3 yrs	86,281	96,648
	LSI (after 3 yrs on max)	99,239	—

Finally, I should say that the figures quoted above relate to basic pay scales and do not include the range of different allowances that are payable to members of various ranks of An Garda Síochána.

Departmental Transport.

215. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No.

Year	Texaco	ESSO	Statoil	Imprest
	€	€	€	€
2004	364,926	729,863	4,507	5,273,438
2005	751,192	919,141	2,056,516	4,237,965
2006 year to date	1,397,441	1,324,873	2,901,100	1,023,920

I am further informed that the fuel expenditure from imprest accounts has reduced with the advent of central billing; however, some stations still buy the fuel locally through an Imprest Account. Records of fuel spending from imprest accounts are maintained at Divisional/District offices. A detailed breakdown of spending for Shell and for the years 2002 and 2003 is not readily available.

Prison Accommodation.

216. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to a previous parliamentary question asking if it was acceptable that Dún Laoghaire Rathdown County Council will be forced to purchase Shanganagh castle back from the private developers for public use at a greatly inflated cost, that in 2003 Dún Laoghaire Rathdown County Council expressly stated that

193 of 7 November 2006, if he will provide a breakdown of spending on fuel for Garda vehicles per fuel supplier (details supplied) for each of the past five years. [37833/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda Authorities that the information available in respect of to date in 2006 and for the previous two years is set out in the following table:

it had no interest in the remaining 6.33 acres including Shanganagh Castle if he will confirm if council has expressed interest in the site to him since 2003. [37834/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As I stated in Parliamentary Question Nos. 241 & 242 of Tuesday 24 October, 2006, officials from the Dun Laoghaire/Rathdown County Council including the County Manager recently requested access to carry out an inspection of the property and this was facilitated. While the officials expressed a general interest in the property no formal request or offer to purchase the property was received from the Council.

Probation and Welfare Service.

217. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law

[Aengus Ó Snodaigh.]

Reform the situation regarding the implementation of the strategy for a new look Probation Service outlined by him in his press statement of 26 June 2006 including if a Young Persons Probation Division has been established and an outline of its work thus far and the outcome of the proposed examination of the capacity to make greater use of restorative justice and any steps taken on foot of that examination. [37836/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can advise the Deputy that following an open competition a new Director was appointed to the Probation Service in September, 2005. To support the Director and strengthen the management of the Service, a new senior management structure for the Service has now been put in place comprising, 3 Deputy Directors and 2 Assistant Deputy Directors. The services of an Accountant have been engaged in recent weeks and further work is ongoing to enhance the IT expertise available to the Service.

A Young Persons Probation Division (YPP) has been established within the Probation Service with dedicated staff assigned to Dublin, Cork, Waterford and Limerick. The YPP Interim Strategy 2006-2007 is due to be launched later this month by my colleague, Mr. Brian Lenihan T.D., Minister for Children. Since its establishment, YPP is delivering on the relevant sections of the Children Act, 2001 already commenced which include, family conferencing, supervision of offenders on Community Service Orders and on Probation Orders. In addition, the YPP team also prepares assessments and reports on young offenders for the Courts. A number of other initiatives are being progressed by the YPP team, these include:- a review of the three Probation residences for young male offenders, which is currently under way. I am advised by Management of the Service that this review will be complete by the end of this year development of programmes to allow for implementation of the Training and Activities Order as provided for under the Children Act, 2001 expansion of the mentoring project to Cork and Waterford provision of parenting training programmes which will allow for the implementation of the Parental Supervision Order.

Furthermore, I can advise the Deputy that I have approved funding for a Day Centre in Cork. The YPP team are currently arranging recruitment of staff for that centre. I have also approved funding for the development of additional prog-

rammes to meet the requirements of the Training and Activities programme Order.

I wish to further advise the Deputy proposals for the establishment of a working group to review restorative justice nationally and internationally were recently received from the Probation Service. The proposals are currently being considered and I hope to be in a position to announce details shortly.

EU Police and Judicial Co-operation.

218. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he remains committed to retaining the unanimity requirement for EU decisions in the field of police and judicial co-operation. [37837/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The question of making changes in the decision-making process under Title VI of the Treaty on European Union (police and judicial co-operation in criminal matters) was raised by the European Commission in its Communication entitled 'Implementing the Hague Programme — the way forward' which was published on 28 June 2006.

The matter was subsequently discussed at the Informal meeting of the Justice and Home Affairs Council in Tampere on 21-22 September. At that meeting, I expressed Ireland's concern at the issues which arise, in particular the possibility that such a change would undermine the Constitutional Treaty. Ireland's position in this respect remains unchanged. I should add that there would appear to be little support amongst Member States for a change in the decision-making process as suggested by the Commission.

EU Directives.

219. **Mr. Allen** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37869/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the following table. I would also like to point out that there are no Directives currently overdue for transposition in my Department:

	EU Measure	Transposition date	Current position
1	Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data	05/09/2006	The transposition deadline is 6 September 2006. However this date does not apply to Ireland as this is a Schengen-related measure and therefore the deadline only applies to Schengen Member States. The Immigration and Residence Bill will, in the main, provide the legislative vehicle for implementing the provisions of this Directive. Drafting of this Bill is at an advanced stage.
2	Council Directive 2005/7/EC of 12 October 2005 relating to the specific admission procedure for third-country nationals for the purpose of scientific research	12/10/2007	This Directive is not due to be transposed for some time. Work is under way to allow for its transposition into legislation.
3	Council Directive 2005/85/CE of 1 December 2005, relating to the minimum standards concerning the procedure for granting and withdrawal of refugee status in the Member States	1/12/2007/1/12/2008 (Article 15)	This Directive is not due to be transposed for some time. Work is under way to allow for its transposition into legislation.
4	Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services	21/12/2007	This Directive is not due to be transposed for some time. Work is under way to allow for its transposition into legislation.
5	Council Directive 2002/90/EC defining the facilitation of unauthorised entry, transit and residence	5/12/2004	The transposition date does not apply to Ireland as this is a Schengen-related measure and therefore the deadline only applies to Schengen Member States. The legislative changes required to transpose this Directive will be brought forward by means of the Criminal Justice (Miscellaneous Provisions) Bill which is expected to be published in early 2007.
6	Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals	Original Deadline: 2/12/2002 (no longer relevant)	The transposition date does not apply to Ireland as this is a Schengen-related measure and therefore the deadline only applies to Schengen Member States. Due to difficulties in Member States in implementing this Directive, the instrument is due to be repealed by the draft Council Directive on common standards on procedures in Member States for returning illegally staying third country nationals. Discussions on this instrument are ongoing at Council working group level.
7	Directive 2006/24/EC of 15 March 2006 of the European Parliament and Council on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC.	17/9/2007	Ireland has challenged the legal base of this Directive before the European Court of Justice. Proceedings are currently ongoing in relation to this case.

Juvenile Offenders.

220. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the report published by UCD in October 2006 the nature and impact of joy-riding in Priorswood Report to the Priorswood Task Force on Joy-riding and the report's recommendation that a new national forum be established to facilitate the sharing of information and best practice amongst a network of organisations concerned with joy-riding which would facilitate the development of co-ordinated approaches; and if he will make funding available for such a forum through his Department; and if he will make a statement on the matter. [37875/06]

221. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will arrange for an audit of the economic and social costs of joy-riding to be undertaken in line with the recommendation of the report published by UCD in October 2006 the nature and impact of joy-riding in Priorswood: Report to the Priorswood Task Force on Joy-riding. [37876/06]

222. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will arrange for a sustained evaluation of the motor project in Priorswood and other motor projects assessing their implementation and effect in line with the recommendation of the report published by UCD in October 2006 the nature and impact of joy-riding in Priorswood: Report to the Priorswood Task Force on Joy-riding. [37877/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 220 to 222, inclusive, together.

There is no record of the report referred to by the Deputy being received in my Department to date. However, I would be happy to have the matters raised in the report and its recommendations considered by my Department should such a report be received.

Departmental Staff.

223. **Mr. Crowe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the case of a person (details supplied) who was found guilty of dangerous driving causing death in view of his role as the central authority for the transmission and reception of extradition requests and the necessary supporting documents under the Extradition (European Union Conventions) Act 2001; if his attention has been drawn further to the legal and families concerns in relation to this case, in which an extradition was arranged on the basis of only one charge of dangerous driving where

the offender had also been driving without a license, tax and insurance and had absconded from custody; the reason the extradition request referred to dangerous driving only; and if he will make a statement on the matter. [37913/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy is referring to the case of a person whose surrender was sought from the United Kingdom under the European Arrest Warrant Act 2003 as amended. This person was surrendered to the Irish authorities in July 2006.

The initiation of outgoing requests for extradition under the Extradition Act 1965 as amended and under the European Arrest Warrant Act 2003 as amended is a matter for the Garda Síochána in consultation with the Director of Public Prosecutions and neither I as Minister nor my Department have any role in the initiation procedure.

UN Conventions.

224. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the Government will ratify the separate protocols to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. [37914/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Criminal Law (Trafficking in Persons and Sexual Offences) Bill 2006 which has been approved by Government and is currently being drafted in the Office of the Parliamentary Counsel provides the necessary legislative changes that will allow for the ratification by Ireland of the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Garda Deployment.

225. **Mr. M. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the hours of opening of the Garda National Immigration Bureau Offices in different locations; if it is possible to deal with exceptional or emergency situations at Garda General Offices; if not, the reason same is not possible; if he has received representations on the inconvenience caused by such arrangements; if he has evaluated such; and if he will make a statement on the matter. [37915/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Immigration Act, 2004 defines 'registration officer' as the officer in charge of the Garda National Immigration Bureau in the Dublin Metropolitan Area or the Superintendent of the Garda Síochána in a Garda Síochána District outside that Area.

Pursuant to section 9 of the Immigration Act, 2004, a non-national is required to furnish to the registration officer for the District in which he or she is resident, the particulars set out in the Second Schedule, Immigration Act, 2004.

In the Dublin Metropolitan Region the registration of non-nationals is undertaken by the Garda National Immigration Bureau (GNIB) at a Registration Office situated at 13/14 Burgh Quay, Dublin 2. This Office is open from Monday to Thursday, inclusive, from 8am to 10pm, on Friday from 8am to 4pm and subject to demand on Saturdays, which in the months of October and November, 2006 opened each Saturday from 10am to 3pm (with the exception of the bank holiday weekend), for the purpose of accommodating the number of non-national students who have received a permission to be in the State for study purposes, in the current academic year.

Outside the Dublin Metropolitan Region the registration of non-nationals is undertaken by the Garda Síochána at Garda Síochána stations. The times at which the registration of non-nationals takes place is a matter for the Registration Officer (Garda Superintendent) of each Garda Síochána District. Emergency situations are dealt with on a case-by-case basis.

Visa Applications.

226. **Mr. M. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the Government can give a satisfactory answer as to what Government policy, as described by his Department in correspondence with a person's solicitors is preventing since 2002, the case of a person (details supplied) application for their children to join them here as applied for under the family reunification scheme. [37916/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The general policy of the Government is not to grant family reunification to persons who have permission to remain in the State on the basis of parentage of an Irish born child. However, any such applications are examined on a case by case basis, having regard to the individual family circumstances. It is open to the applicants to submit fresh applications which will be considered anew.

Departmental Staff.

227. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason he has failed to furnish the information as requested in Parliamentary Question No. 288 of 24 October 2006 and No. 184 of 7 November 2006 as to the date when the review on the issue of additional juvenile liaison officers was completed; the number of such additional officers recommended in the review; and if he will provide this information. [37917/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As I informed the Deputy in response to Parliamentary Question No. 184 of 7 November, 2006, the appointment of additional Juvenile Liaison Officers is currently under consideration.

Citizenship Applications.

228. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Justice, Equality and Law Reform his views on whether there is a case for separately dealing with applications for post nuptial naturalisation and processing them efficiently and quickly; and if he will make arrangements accordingly. [37918/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Citizenship on the basis of marriage to an Irish citizen, until recently, could be acquired in one of two ways. Section 8 of the Irish Nationality and Citizenship Act 1956 (INCA) provided that spouses of Irish citizens, who were citizens other than by naturalisation could claim citizenship as of right once they had been married for three years by making a declaration of post-nuptial citizenship. There was no residence requirement under this section. Spouses of Irish citizens, who had gained their citizenship by naturalisation themselves, were required to apply for naturalisation and comply with the normal statutory conditions for naturalisation contained in section 15 of INCA, namely residence in the State, being of full age and of good character and having an intention to reside permanently in the State after naturalisation.

Under an amendment to the INCA in 2001 post-nuptial citizenship was phased out over a three year period from the commencement of the Act on 29th November 2002 by a specific provision in Section 15A of the INCA. This provided, *inter alia*, for a three year rather than a five year residence requirement and a three year subsisting marriage requirement, both of which I am entitled to waive in cases where the applicant shows that they may suffer serious consequences in respect of their bodily integrity or liberty if not granted Irish citizenship.

In the interests of fairness to all concerned, it is the practice of the Citizenship Division of my Department to process cases in chronological order based upon the date of receipt of the application. As the conditions for naturalisation for the spouses of Irish citizens are generally the same as those for other applicants for naturalisation, I see no reason to deviate from the present practice in their case.

The only areas where the above practice is not observed involve applications by persons with refugee status or where the application is made on behalf of a minor. In the case of applicants with refugee status the Government has obligations under the United Nations Convention relating to the Status of Refugees of 28 July 1951.

[Mr. McDowell.]

Accordingly every effort is made to ensure that applications from such applicants are dealt with as quickly as possible, having regard to the general volume of applications. Where applications made on behalf of minors are concerned, these generally require less processing than standard adult applications so it is usually possible to finalise them more quickly

Ministerial Transport.

229. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the traffic accidents involving Ministerial cars in the year 2005 and to date in 2006, including the circumstances of each such accident, the time, date and location; the Ministers such vehicles were allocated to at the time of the accident; and if such Minister was present at the said time. [37919/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available for replying to Parliamentary Questions to compile the information requested by the Deputy. I will contact the Deputy again when the information is to hand.

Visa Applications.

230. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will expedite the holiday visa of a person (details supplied) who wishes to visit Dublin for Christmas. [37920/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Dublin Visa Office on 27th October, 2006 and is awaiting examination by a Visa Officer. A decision in respect of the application in question will be made in the near future.

Garda Transport.

231. **Mr. Dennehy** asked the Tánaiste and Minister for Justice, Equality and Law Reform if all new Garda patrol cars will be fitted with mobile phone hands free kits to facilitate use of phones in the course of duty; and if he will make a statement on the matter. [38002/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that there are no plans at this time to fit hands free kits to official vehicles to facilitate the use of mobile phones while driving. It is contrary to the Garda Commissioner’s policy for officers to operate a mobile phone while driving.

Citizenship Applications.

232. **Mr. Hayes** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding the case of a person (details supplied) in County Cork who applied for naturalisation and whose application was forwarded for review as they fulfilled the requirements for time in the State. [38003/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my response to Parliamentary Question No. 203 of 7 December 2005. As I explained to the Deputy at that time, the person in question did not satisfy the statutory residency conditions, as set out in the Irish Nationality and Citizenship Act, 1956 as amended. This was because a substantial period of the applicant’s time in the State, prior to lodging his application for a certificate of naturalisation in January 2004, was for the purpose of study. Consequently, he was deemed ineligible to apply at that time and was advised of this on 5 April 2006.

I understand that the legal representatives of the individual concerned recently contacted the Citizenship section of my Department regarding the issue of their client’s residency in the State. However, they failed to provide any new information in support of their client’s contention that he satisfied the residency requirements at the time of his previous application. My Department’s position on the matter was subsequently outlined to the legal representatives in a letter dated 13 September 2006.

It will be open to the person in question to submit a fresh application once he satisfies the statutory conditions applicable at that time.

Garda Transport.

233. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of mountain bikes available to An Garda Síochána; his views on whether, particularly in the context of community policing and otherwise, there is a need for more of them; the average cost to purchase same; and if he has proposals to provide more of them. [38239/06]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the Garda Mountain Bike Unit (GMBU) was established in June, 2001. It commenced in two locations, Tallaght and Raheny. Eleven bikes were initially issued to each location. I have been further informed that, at present, there are 180 mountain bikes in use throughout the country. Plans are now in place to further increase the numbers in the GMBU. The Garda authorities have recently taken delivery of an additional 80 bikes which will be allocated on a nationwide basis. There is a contract in place for the on-going supply of mountain bikes to the Garda organisation. I am

also informed that the average cost of a mountain bike is €700. All members allocated to mountain bike duties are provided with specialist clothing for that purpose.

Garda management state that Mountain Bike Units are engaged in mainstream policing, in conjunction with Community Policing Units, concentrating on areas such as parks and laneways, which are more easily accessed by such transport and supplement beat and other mobile patrols. The Mountain Bike Units have been very successful in tackling anti-social disorderly behaviour in parks and estates. They work well in conjunction with other Units due to their ability to respond quickly and effectively and provide a high visibility presence.

Decentralisation Programme.

234. **Mr. Healy** asked the Minister for Finance the position regarding the decentralisation of a section of his Department to Tipperary Town, including completion of site purchase, appointment of building contractors, commencement of building works and target date for completion of building work and target date for the actual transfer of staff; and if he will make a statement on the matter. [37835/06]

Minister of State at the Department of Finance (Mr. Parlon): I am pleased to confirm that contracts for the purchase of a suitable site for the proposed decentralisation of sections of the Irish Naturalisation and Immigration Service (INIS) to Tipperary town have been signed by the Office of Public Works (OPW). An advertisement was placed by the Office of Public Works (OPW) in the national newspapers and the OJEU on Friday 13th October 2006 seeking Expressions of Interest from experienced developers/contractors who wish to be considered in connection with the provision of office accommodation. Expressions of Interest are due to be received by Monday 20th November 2006. This will be followed by a short-listing of suitable candidates from whom tenders will be invited on a design/build basis. The OPW is currently finalising the brief of accommodation requirements with the Department of Justice, Equality and Law Reform.

Evaluation of tenders is expected to result in the selection of a preferred tenderer. On completion of the planning process, the OPW will instruct the preferred tenderer to submit working drawings and a Bill of Quantities with a view to a contract being placed and work commencing on site at the earliest possible date. A construction period of approximately 20 months is envisaged. As the site acquisition and building work progresses, staff will be moved into the relevant sections in the Department.

Tax Code.

235. **Caoimhghín Ó Caoláin** asked the Minister

for Finance the additional cost to the Exchequer of keeping those on the minimum wage out of the tax net if the minimum wage was increased to €9.30 per hour from 1 January 2007. [37417/06]

Minister for Finance (Mr. Cowen): An increase to €9.30 per hour is equivalent to €18,860 on an annualised basis assuming a 39 hour working week. By reference to the pre-Budget 2007 Income Tax Ready Reckoner prepared by the Revenue Commissioners, which is available on my Department's website, it is estimated that the full year costs to the Exchequer of ensuring that no tax is paid by employees earning such an amount on a 39 hour week basis would be in the region of €915 million in a full year if done through an increase in the Employee (PAYE) credit, or if the personal credit were used, about €1,330 million in a full year. If the Personal and Employee credits each bore half the required increase, the full year cost would be approximately €1,120 million. These figures are provisional, are likely to be revised and are rounded to the nearest €5 million.

Budget Submissions.

236. **Mr. O'Shea** asked the Minister for Finance his views on the Budget 2007 submission by a group (details supplied) to Government; and if he will make a statement on the matter. [37436/06]

Minister for Finance (Mr. Cowen): I have received a pre-Budget submission from the organisation concerned. Its contents will be considered in the context of the forthcoming Budget and Finance Bill. As Deputies are aware it would not be appropriate for me to comment in advance of the Budget on possible Budget decisions.

Tax Code.

237. **Mr. P. McGrath** asked the Minister for Finance if he will comment on a newspaper report (details supplied) regarding liability for stamp duty; and the legislative basis for this situation. [37437/06]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, taxpayer confidentiality requires that a Minister for Finance does not answer a Parliamentary Question about the tax affairs of an individual or company, other than when the Deputy is asking the question on behalf of the individual or company. In this instance, it is not the case, and in the circumstances, I regret I cannot comment on the tax affairs of any taxpayer. However, by way of general comment, the rates of stamp duty that are applicable to various instruments are set out in Schedule 1 to Stamp Duties Consolidation Act 1999. Historically, different rates of *ad valorem* stamp duty have applied to instruments transferring real property and stocks/marketable securities (*viz.* mainly shares). The rate of duty on the transfers of

[Mr. Cowen.]

shares has remained at 1% since 1951, while the rate of duty on the transfer of real property has varied over the intervening years. The current rates for transfer of non-residential property are as follows:

Aggregate Consideration	Rate of Duty
Up to €10,000	Exempt
€10,001 to €20,000	1%
€20,001 to €30,000	2%
€30,001 to €40,000	3%
€40,001 to €70,000	4%
€70,001 to €80,000	5%
€80,001 to €100,000	6%
€100,001 to €120,000	7%
€120,001 to €150,000	8%
Over €150,000	9%

Non-Residential Property is basically any property other than residential property, stocks or marketable securities or policies of insurance. It includes (but is not limited to) sites, offices, factories, other business premises, shops, public houses, land and goodwill attaching to a business.

Public Works Projects.

238. **Mr. Kenny** asked the Minister for Finance the number of properly equipped vessels at his disposal to clean lakes of excessive growth and weeds; the programme he has in place to have action taken in this regard for 2007; the areas and extent of work to be carried out; and if he will make a statement on the matter. [37475/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works currently operate four vessels for removal of aquatic vegetation in connection with maintenance of arterial drainage schemes. These boats are used to remove vegetation in lakes that impedes the free flow of water to and from maintainable channels. They are not designed to carry out work in an open lake situation. Three of the boats are used in the West Region on the Corrib and Moy drainage schemes and one is deployed on the Kilmore scheme in Wexford. The precise areas where the boats will operate in 2007 will be decided in the context of the work programme for that year which is currently being drawn up.

Tax Code.

239. **Mr. Kenny** asked the Minister for Finance the extent of loss of revenue generation in this jurisdiction due to the different rate of VAT applicable in Northern Ireland on renewable energy products; his views on whether this variation is a source of loss of job investment and economic return for companies attempting to

compete with this; and if he will make a statement on the matter. [37476/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that it is not possible to furnish figures for the VAT take on renewable energy products, as the information furnished on VAT returns does not require the yield from particular goods or sectors of trade to be identified.

In terms of the scope for reducing VAT rate on renewable energy products the position is that the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. The supply of all fuel products used for home heating and light are therefore subject to the reduced VAT rate of 13.5% under Article 28 (2e) of the Sixth VAT Directive. This means that Member States had the option of maintaining, at a reduced rate of not less than 12%, any items not listed in Annex H of the Sixth VAT Directive, provided these items carried a reduced rate on 1 January 1991. Ireland is one of only eight Member States that apply a reduced or parked rate to the supply of fuel products used for home heating and light. In Ireland the parked VAT rate equates to our reduced rate of 13.5%.

The sale of renewable energy systems is chargeable at the standard VAT rate of 21%. However, where the systems are supplied and installed as a single contract, the total charge may be liable to VAT at 13.5 per cent provided the VAT-exclusive cost of the goods to the supplier does not exceed two-thirds of the total VAT-exclusive charge to the customer. In terms of impact on business in the border region, it should also be noted that such supplies are treated as a deductible credit for business.

In relation to domestic use of renewable energy products, I would point out that my colleague Mr. Noel Dempsey, T.D., Minister for Communications, Marine and Natural Resources, recently launched a grant aid scheme of up to €27m for domestic renewable heat technologies. The scheme was agreed in last year's Budget and is part of a multi-annual finance package of €65m for renewable energy that also includes grants for a range of renewable heat, electricity and transport initiatives. The "Greener Homes" scheme allows individual householders, for the first time ever, to obtain grants for the installation of renewable technologies including wood pellet stoves and boilers, solar panels and geothermal heat pumps. Grant aid of €1,100 to €6,500 is being provided depending on the individual technology used.

The scheme is being rolled out over a five year period, and will potentially support the conversion to renewable energy in up to 10,100 homes. By its final year, it is expected to save energy equivalent to 54,000 barrels of oil per annum and 23,000 tonnes of CO₂ per annum. This is equiv-

alent to meeting 100% of the heating needs of 7,100 homes from renewable energy, or removing 6,700 cars from the road.

240. **Mr. Hayes** asked the Minister for Finance if stamp duty is refunded on a second hand house, which is owner occupied for five years or more. [37491/06]

Minister for Finance (Mr. Cowen): Stamp duty is a duty imposed on a conveyance or transfer of certain property and the liability to that duty arises at the time the conveyance or transfer is made. The most common charge to stamp duty which affects individuals is the stamp duty which arises on the conveyance of residential property i.e. houses and apartments. The amount of stamp duty payable depends on: the market value of the property; whether it is or is not second-hand; and whether the purchaser is a first-time buyer, owner-occupier or investor. Stamp duty on second-hand houses is charged to duty at the rates set out in the following Table — i.e. there are different rates for first-time buyers and others.

Purchase Price	Full Rate	First time buyer rate
€		
Less than 127,000	exempt	exempt
127,001-190,500	3%	exempt
190,501-254,000	4%	exempt
254,001-317,500	5%	exempt
317,501-381,000	6%	3%
381,000-635,000	7.5%	6%
Over 635,000	9%	9%

In respect of second-hand houses/apartments, the only relief that is available is for first-time buyers who are owner-occupiers. They are charged to duty in accordance with the first-time buyer rate set out in the Table above. The relief is given on the basis of the purchaser certifying that he/she will be an owner-occupier of the house/apartment concerned for at least 5 years and is a first-time buyer, but if any rent is received in the first 5 years (other than under the rent a room scheme), the relief will be withdrawn.

Those who are not first-time buyers are liable to duty in accordance with the full rate also set out in the Table. The question of refunding stamp duty on a second-hand house that is owner-occupied for five years or more does not arise.

241. **Dr. Cowley** asked the Minister for Finance if VAT can be reclaimed on a medical device such as a behind the ear speech processor which can only be purchased outside of the state for a totally deaf person; and if he will make a statement on the matter. [37511/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that in accordance with paragraph (xixa) of the Second Schedule to the Value-Added Tax Act 1972 (as amended) the supply of medical equipment and appliances to assist hearing is subject to the zero VAT rate. This would include devices such as cochlear implants. The zero rate of VAT also applies to parts and accessories that are suitable for use solely or principally with deaf aids.

Under the Value-Added Tax (Refund of Tax) (No. 15) Order 1981 repayment may be claimed of the VAT paid on certain special aids and appliances for disabled persons. These are aids and appliances which are specially constructed or adapted for use by a disabled person. Goods which, although not so specially constructed or adapted, are of such a kind as might reasonably be treated as so constructed or adapted having regard to the particular disablement of the person concerned also qualify. The relief is also available in certain circumstances to persons other than disabled persons who purchase such goods for handing over to a particular disabled person.

In relation to question of reclaiming VAT paid in another EU Member State on medical appliances to assist hearing, consumers, who are not VAT-registered persons, are required to pay VAT on goods in that Member State at the appropriate rate. This tax cannot be refunded in this State as it was never paid here. However, the Revenue Commissioners have advised that given the nature of the device referred to by the Deputy, it should be possible to purchase it in Ireland where it would be subject to VAT at the zero rate and that a similar case has recently been resolved in this manner.

Civil Service Appointments.

242. **Mr. Kehoe** asked the Minister for Finance if there is an alternative route for re-entry into the civil service for women previously employed in the civil service who left after getting married, other than through public jobs, taking into account the valuable experience they have; and if he will make a statement on the matter. [37521/06]

Minister for Finance (Mr. Cowen): There is no alternative route for re-entry into the civil service for women previously employed in the civil service who left after getting married, other than through open recruitment competitions. Section 11 of the Civil Service Regulation Act, 1956, as amended by the Civil Service (Employment of Married Women) Act, 1973 provided for the reinstatement to their former positions of women who resigned from the Civil Service for marriage-related reasons and who fulfilled specific criteria. This reinstatement scheme was abolished by the Civil Service Regulation (Amendment) Act, 1996, which repealed the earlier statutory provisions. Accordingly, the persons concerned,

[Mr. Cowen.]

along with former civil servants generally, cannot be reinstated to the civil service.

To become a civil servant again, such persons must, like other former civil servants and citizens generally, go through the normal recruitment route, i.e. they must be successful at a Public Appointments Service open recruitment competition, or such other competitions that may be run under license by individual Civil Service Departments or Officers.

Recruitment to the Civil Service is governed by the Public Service Management (Recruitment and Appointments) Act, 2004. The Act provides for the establishment of the Commission for Public Service Appointments (CPSA) and of the Public Appointments Service (PAS). The CPSA establishes the standards of probity, merit, equity and fairness and other principles as they consider appropriate, to be followed, in the selection and recruitment of persons for positions in the Civil Service and other public bodies. The PAS provides a centralised recruitment, assessment and selection body for the Civil Service. The Act also provides for the issuing of recruitment licences to the Secretary General of a Department of State and to other designated officers in the Public Service, enabling their Department or Office to hold a recruitment competition.

Open recruitment competitions are advertised in the Press or the Public Appointments Service website at www.publicjobs.ie. Application forms, together with all relevant details, are available when competitions are announced. Potential candidates can register their interest in a position on this website and will then be automatically notified by e-mail when a competition is announced.

Public Works Projects.

243. **Mr. Ring** asked the Minister for Finance if he will instruct the Office of Public Works to clean out a river (details supplied) in County Mayo. [37528/06]

Minister of State at the Department of Finance (Mr. Parlon): The river in question is a channel of the Corrib Headford Catchment Drainage Scheme. Following a channel inspection, maintenance work has been carried out to sections of this channel during November 2006. Some weed cutting was also carried out to the mouth of this channel during September/October 2006. Maintenance work is carried out in consultation with the West Regional Fisheries Board so as to avoid and minimise disruption to fish habitats.

Tax Collection.

244. **Mr. Wall** asked the Minister for Finance if the tax affairs of a person (details supplied) in County Kildare are in order for 2005; if this person is entitled to a tax refund; and if he will make a statement on the matter. [37549/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that on the basis of the information available to them the income tax affairs of the person are in order for the year 2005, as per PAYE Balancing Statement 2005 that issued to the person concerned on 20 September 2006. The person paid no income tax in the year 2005 and consequently, no refund arises.

Child Care Services.

245. **Mr. Quinn** asked the Minister for Finance the number of home based childminders who availed of the income disregard introduced in Budget 2006, specifically to encourage child minders to register their services with the County Childcare Committee and Health Service Executive; and if he will make a statement on the matter. [37585/06]

Minister for Finance (Mr. Cowen): Section 13 of the Finance Act 2006 introduced the child-minding tax exemption. As the Deputy will be aware, it was one of a number of measures I announced in Budget 2006 as part of the Government's overall Childcare Strategy. While notification of the local County Childcare Committee is a requirement of the scheme, its principal aim is to help increase the supply of childcare.

I am advised by the Revenue Commissioners that statistics are not available at this time which would enable the information requested by the Deputy to be provided. To avail of the scheme, the care provider must be self-employed (not an employee) and include the gross income in their annual return of income to the Revenue Commissioners. The claim for tax exemption is made in this return. An individual must 'elect' to claim the exemption by notice in writing to the inspector on or before the specified return date for the chargeable period. The specified return date for the 2006 Return is 31 October 2007. However, even with the information contained in these Returns, it will be some time after that before comprehensive statistics are available.

Valuation Office.

246. **Mr. G. Murphy** asked the Minister for Finance if he will ask the Valuation Office to make available information they have on a property (details supplied) in County Cork, with particular reference to whether the property is lease hold or free hold. [37805/06]

Minister for Finance (Mr. Cowen): With reference to the property, the details of which I have received from the Deputy, I have made enquiries with the Valuation Office and have been informed that a request for a certificate of valuation and map was received on 2 October 2006 in respect of the subject property. The requested certified historical extract from the valuation lists

and accompanying map was issued to the requester on 13 October, 2006.

The Valuation Office is not in a position to state whether this property is held on a lease hold or free hold basis as this information is not ordinarily available to that Office.

EU Directives.

247. **Mr. F. McGrath** asked the Minister for Finance his views regarding the European Commission proposal of a Directive presented on 5 July 2005 that would require Member States to re-structure their passenger car VRT system. [37806/06]

Minister for Finance (Mr. Cowen): The European Commission published a proposal for a directive in relation to car taxes in July 2005 which supports the gradual abolition of registration taxes which it believes are impacting on the functioning of the internal market. However, the aim of the proposal is that such registration taxes would be replaced by circulation taxes which would have a CO₂ element.

At EU Council discussions, Ireland has pointed out that we regard VRT as a national tax that falls within the national competence — a position shared by several other Member States. Our view is that the mix of taxes, their levels and rates are matters for EU Member States based on legitimate choices.

Motor vehicle taxes have been a traditional source of revenue in Ireland for decades and provide significant revenue to the Exchequer which is used to fund vital public services. For example, VRT yielded approximately €1.15 billion or 2.9% of total net tax receipts for 2005. As regards the balance of taxation, Ireland has prioritised tax reductions on income earned by employees, in preference to other tax areas, and this policy has helped create record employment levels.

While we are open to considering environmental based measures, we again see this as an area for Member States to decide themselves. The Deputy will be aware that I provided in Finance Act 2006 for a significant excise relief scheme for Biofuels which we hope will yield significant benefits with respect to reduced emissions. Further initiatives will, of course, continue to be examined.

Banking Sector Regulation.

248. **Mr. F. McGrath** asked the Minister for Finance if he will examine the proposals in the A Call For Action report by an association (details

supplied) that is concerned with re-inventing credit unions for the 21st Century; and if he will generate a serious discussion of the need for change among credit unions. [37807/06]

Minister for Finance (Mr. Cowen): I am aware of the report referred to by the Deputy and welcome all contributions to the debate regarding the future development of the credit union movement. The Deputy should note, however, that many of the recommendations contained in the report are addressed to the credit union movement itself. My specific role as Minister for Finance is to ensure that the legal framework for credit unions continues to be appropriate for the effective operation and supervision of credit unions.

As the Deputy may be aware the case for modernising the regulatory framework for credit unions has been raised by both the Registrar of Credit Unions and the representative bodies for credit unions, including the body referred to by the Deputy. It is important that there is a clear shared understanding on how a new regulatory framework would operate, before moving to develop particular proposals. In this context, I wrote to the Chair of the Financial Regulator earlier this year recommending that the Financial Regulator engages with the credit union movement, in the first instance, to identify common ground in relation to a set of principles that could guide the development of an updated regulatory framework for credit unions. The Chair of the Financial Regulator has indicated the Authority's willingness to move forward on this basis. The proposals in the report referred to by the Deputy represent an important input into the process, insofar as they relate to the modernisation of the regulation of credit unions.

EU Directives.

249. **Mr. Allen** asked the Minister for Finance the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37866/06]

Minister for Finance (Mr. Cowen): There are 9 EU directives which have not yet been transposed into law. The deadline for transposition has passed in respect of two of the nine directives. The other seven directives are expected to be transposed by the due dates.

Transposition

Directive Ref. No.	Title	Deadline for Transposition of Directive	Expected date	Method	Purpose of Directive & Current Position
2004/17/EC	Revised Utilities Sector Procurement Directive	30 January 2006	November 2006	Statutory Instrument (SI)	<p>Directive co-ordinates the procurement procedures of entities operating in the water, energy, transport and postal services sector.</p> <p>Draft SI transposing this Directive being finalised by the Parliamentary Counsel's Office. They should be completed in the next few weeks.</p> <p>Letter of formal notice of infringement has been received and will be dealt with when transposition process is completed.</p>
2005/51/EC	Internal Market & Services Commission Directive	31 January 2006	Partly transposed 22 June 2006 by SI No 329 of 2006. Remainder: Nov 2006	SI	<p>This Directive is linked to Directives 2004/17/EC and 2004/18/EC and has been partly transposed under SI No 329 of 2006. It will be completed with the transposition of Directive 2004/17/EC.</p>
2005/81/EC	Commission Directive	19 Dec 2006	19 Dec 2006	SI	<p>This Directive is a minor update of Directive 80/723/EEC (as amended by Directive 2005/81/EC) which was transposed under the European Communities (Financial Transparency) Regulations 2004.</p> <p>A draft SI has been drawn up by the Office of the Parliamentary Counsel and is expected to be submitted for signature shortly.</p>
2006/48/EC 2006/49/EC	Capital Requirements Directive	1 January 2007	December 2006	SI and Central Bank Notices	<p>(Directives formally adopted on 14th June 2006) Heads of SI have gone to Parliamentary Counsel for drafting. Directive becomes effective on a phased basis:</p> <p>1 Jan. 2007 — for implementation of Standardised Methods</p> <p>1 Jan. 2008 — for implementation of Advanced Methods</p>

Directive Ref. No.	Title	Deadline for Transposition of Directive	Expected date	Method	Purpose of Directive & Current Position
2004/39/EC 2006/73/EC	Markets in Financial Instruments Directive Commission Directive implementing Directive 2004/39/EC as regards organisational requirements and operating conditions.	31 January 2007 31 January 2007	Early 2007	SI & Primary legislation	This co-decision Directive allows investment firms to provide their services across the EU on the basis of their home country authorisation, that is, it will give them an effective "single passport". This Directive and the associated Commission Directive. All must be transposed by 31/1/07 and be implemented by industry from 1/11/07. The two Directives are mainly being transposed by SI and this is expected to be made by the required deadline of 31 January 2007. In addition there are some technical provisions, mainly relating to penalties for non-compliance with the Directive's provisions, which require primary legislation. These provisions are expected to be enacted in advance of the Directive coming into operation at industry level on 1 November 2007. Heads of Bill have gone to Parliamentary Counsel for drafting; publication by early 2007.
2005/60/EC	3rd Money Laundering Directive	December 2007	December 2007	Primary Legislation	The purpose of the Directive is to strengthen the legal measures to prevent of the use of the financial system for money laundering and terrorist financing. My Department, together with the Department of Justice Equality and Law Reform has conducted an extensive consultation with interested parties. It is intended that transposition will be effected by means of a Criminal Justice Bill to amend or replace the relevant provisions of the Criminal Justice Act 1994.
2005/68/EC	Reinsurance Directive	December 2007	Bulk of Directive transposed w.e.f. 15th July 2006 by SI 380 of 2006	SI	The purpose of Reinsurance Directive is to put in place a regulatory regime for reinsurance companies. Regulations partially transposing this Directive were signed on 14th July 2006. Work on transposing the remaining Articles 57-60 is continuing and should be completed shortly.

[Mr. Cowen.]

Every effort is being made by my Department, in conjunction with the Office of the Attorney General and Parliamentary Counsel to the Government, to ensure that directives are implemented where possible within their deadlines. Information relating to directives already transposed and those awaiting transposition is regularly updated on the EU legislation page of the Department of Finance website.

Tax Code.

250. **Caoimhghín Ó Caoláin** asked the Minister for Finance the cost of increases in the standard rate tax band which would keep those on the average industrial wage outside of the tax net for the 2007 tax year based on projected increases in average industrial earnings. [37990/06]

Minister for Finance (Mr. Cowen): I assume that what the Deputy has in mind is the cost of increases in the standard rate tax band so as to ensure that those earning the average industrial wage would have a liability for income tax at no more than the standard rate of 20 per cent in 2007.

I am informed by the Revenue Commissioners that the full year cost to the Exchequer, based on projected 2007 incomes, of the change to the band structure required to achieve the above position is estimated to be approximately €140 million in a full year.

This figure is provisional and subject to revision.

251. **Mr. P. McGrath** asked the Minister for Finance if he will extend grant aid similar to that to be given to a group (details supplied) to other charities who pay VAT. [38014/06]

Minister for Finance (Mr. Cowen): In accordance with the normal VAT rules, the VAT on the Band Aid CD and Live Aid DVD was paid by the purchasers of the two products at the point of sale rather than by the Band Aid Trust. As a once-off measure, it was decided that the Minister for Foreign Affairs would make a special contribution to the Band Aid Trust to the value of VAT paid on purchases of the two products. It is not intended to extend this measure to charities.

Health Service Staff.

252. **Mr. Kehoe** asked the Minister for Health and Children the number of people currently at grade VIII in the Health Service Executive; the cost of their salaries to date in 2006; the number of employees who were on a similar grade prior to the health boards being abolished. [37361/06]

Minister for Health and Children (Ms Harney): Almost 120,000 people work full-time or part-

time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the numbers of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

253. **Mr. Haughey** asked the Minister for Health and Children her strategy in relation to the elderly; the measures she is taking to improve their position; and if she will make a statement on the matter. [37561/06]

Minister of State at the Department of Health and Children (Mr. S. Power): It is the Department's policy to maintain older people in dignity and independence at home in accordance with their wishes, and at the same time to provide high quality residential care for older people when living at home is no longer possible. The Government's commitment to the development of a comprehensive range of services for older people has been clearly demonstrated by the significantly increased resources made available in recent years. From 1997 to 2005 inclusive, additional spending on health care services is in excess of €302 million.

In the Budget package announced for 2006, additional revenue funding of €150 million in full year costs was allocated, that is €110 million in 2006 and a further €40 million in 2007, for services for older people. This is the largest ever increase in funding for Services for Older People and the package has a strong focus on community based supports.

Of this investment, an extra €33m (full year cost), was allocated to the Home Help Service; a sum of €30m is provided for 2006 and will deliver approximately 1.75 million additional home help hours. Investment in Home Care Packages amounts to €30m for 2006 with a further €25m

for 2007. The aim of Home Care Packages is to enable older people to remain at home who would otherwise be cared for in a residential setting. A home care package consists of a range of services including Home Help, Public Health Nursing, Registered General Nursing, Occupational Therapy and Physiotherapy. In the first instance the use of mainstream community services will be maximised to maintain the older person at home. If further services are assessed as being required, these will be provided through the home care package.

The Home Care Packages are designed to:

Facilitate timely discharge of older people from Acute Hospitals

Reduce inappropriate admissions

Reduce the need for older people to attend A&E departments.

Support older people to continue to live in their own community.

Additional funding of €20 million was provided for the administration of the Nursing Home Subvention Scheme in 2006. The additional €20 million is to support more basic nursing home subventions and reduce waiting lists for enhanced subventions: it is also to bring more consistency to subventions support throughout the country.

The Health (Nursing Homes)(Amendment) Bill 2006 is designed to ensure that the existing subvention scheme for private nursing home care is grounded in primary legislation and to help the HSE to implement the scheme on a standardised basis across the country. In addition, national guidelines on nursing home subvention are currently being developed by the HSE to ensure an even and equitable application of the regulations nationally.

The Government is currently considering new policy on Long Term Care and several principles underlying this were agreed with the social partners in "Towards 2016". These principles include, for example, that there should be one standardised national needs assessment for older people needing care. The use of community and home-based care should be maximised. Sheltered housing options will be encouraged. Where residential care is required, it should be quality care and there should be appropriate and equitable levels of co-payment by care recipients based on a national standardised financial assessment. The level of support for residential care should be indifferent as to whether that care is in a public or private facility. The financial model to support any new arrangements must also be financially sustainable.

The Department is currently drawing up proposals for the Government's consideration based on the principles in "Towards 2016".

Child Care Services.

254. **Mr. Perry** asked the Minister for Health

and Children if she will ensure that funding is allocated under the national childcare investment programme 2006 to 2010 private sector capital funding for a facility (details supplied) in County Sligo in view of the fact that they provide a much needed high quality childcare service to families in this rapidly growing area; and if she will make a statement on the matter. [37692/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010, which are being implemented by the Office of the Minister for Children.

With regard to the application for capital grant assistance under the National Childcare Investment Programme 2006-2010 referred to in the question, I understand the persons in question have submitted an application for funding through Sligo County Childcare Committee.

I understand from enquiries I have made that this application for funding will be forwarded to Pobal, formerly known as Area Development Management Ltd., which administers the Programme on behalf of the Office of the Minister for Children. Each application undergoes a thorough assessment to ensure that it meets the criteria of the Programme.

Following this assessment, the application will be considered by the Programme Appraisal Committee, before a decision is made regarding funding by the Secretary General of the Department of Health and Children.

The applicants will be informed of the outcome in due course.

Health Services.

255. **Mr. Perry** asked the Minister for Health and Children if she will ensure that funding is allocated to undertake the agenda to implement the Comhairle na nOspidéal report as the rheumatology services in Ireland are in a dire state and from an economic viewpoint it is cost effective to treat conditions early and thus minimise this complication in view of the fact that 1 in 6 persons or 714,000 Irish people are directly affected by arthritis; and if she will make a statement on the matter. [37693/06]

259. **Mr. Wall** asked the Minister for Health and Children if she will comment on the submission (details supplied); when will the stated report be implemented; and if she will make a statement on the matter. [37365/06]

273. **Mr. O'Shea** asked the Minister for Health and Children the proposals she has to bring the rheumatology services here up to an acceptable level (details supplied); and if she will make a statement on the matter. [37438/06]

276. **Mr. Gregory** asked the Minister for Health and Children if provision will be made in the 2007 estimates for funding for additional posts in the rheumatology services; and if she will make a statement on the matter. [37448/06]

307. **Mr. Durkan** asked the Minister for Health and Children if she will undertake an agenda to implement the Comhairle na nOspidéal report through securing the funding from the Department of Finance in the Budget 2007 estimates for the provision of much needed rheumatology services throughout the country; and if she will make a statement on the matter. [37991/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 255, 259, 273, 276 and 307 together.

In September 2002, Comhairle na nOspidéal initiated a review of Rheumatology Services. Its report, which was published in December 2005, examines the provision of services and makes recommendations on the organisation and development of rheumatology services in the future.

Responsibility for the implementation of these recommendations rests with the Health Service Executive under the Health Act 2004.

Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

256. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be allocated home help in view of the fact that they applied several months ago. [37362/06]

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 under the Health Act 2004.

Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

257. **Mr. O'Shea** asked the Minister for Health and Children the additional provisions she will make in 2007 for those persons with post polio syndrome; and if she will make a statement on the matter. [37363/06]

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 under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to

have this matter investigated and to have a reply issued directly to the Deputy.

258. **Mr. Wall** asked the Minister for Health and Children the position of an application for diet allowance by a person (details supplied) in County Kildare; and if she will make a statement on the matter. [37364/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 259 answered with Question No. 255.

Hospital Acquired Infections.

260. **Mr. Kehoe** asked the Minister for Health and Children if her Department plan to fund a study on the economic implications of hospital acquired infections; and if she will make a statement on the matter. [37366/06]

Minister for Health and Children (Ms Harney): Between February and May 2006, Ireland participated in the Hospital Infection Society's "Prevalence Survey of Health Care Associated Infections" in the United Kingdom and Ireland. The survey provides accurate and comparable data on the prevalence of health care associated infections (including MRSA) in acute hospitals in Ireland and can also be compared with similar data being obtained in England, Scotland, Wales and Northern Ireland.

Infection control staff across the UK and Ireland surveyed 75,763 beds and found that, overall, 7.6% of adult patients in acute hospitals had health care associated infections which they did not have on admission to hospital. In Ireland, the overall figure was 4.9%.

It was agreed that Scotland would perform an economic analysis to ascertain the cost of health-care associated infections. The methodology used in Scotland would then be applied to all the other countries which participated in the survey, including Ireland. I understand that the results of the economic analysis will not be available until the middle of next year. This will be the first time that this type of data will be available in Ireland and it will be used to help inform policies in relation to health-care associated infections into the future.

Health Service Staff.

261. **Mr. Kehoe** asked the Minister for Health and Children the number of clinical infection control nurses currently working in the public health

service; the number of beds currently in the Irish health system; and a breakdown of the figures. [37367/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act, 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and have a reply issued directly to the Deputy.

General Medical Services Scheme.

262. **Mr. Bruton** asked the Minister for Health and Children the number of people in receipt of GMS cover in the Tallaght, Dublin 24 area giving a breakdown by individuals over the age of 65, individuals between the ages of 35 and 65, and individuals between the ages of 18 and 35; and if she will make a statement on the matter. [37388/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

263. **Mr. Bruton** asked the Minister for Health and Children the number of families with a medical card in the Dublin 24 area, where a family consists of one child or more under the age of 18; and if she will make a statement on the matter. [37389/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

General Medical Services Scheme.

264. **Mr. Bruton** asked the Minister for Health and Children the number of people in receipt of GMS cover in the Dublin 2, 4, 6W and 8 areas, giving a breakdown by individuals over the age of 65, individuals between the ages of 35 and 65, and individuals between the ages of 18 and 35; and if she will make a statement on the matter. [37390/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

265. **Mr. Bruton** asked the Minister for Health and Children the number of families with a medical card in the Dublin 2, 4, 8 and 6W areas, where a family consists of one child or more under the age of 18; and if she will make a statement on the matter. [37391/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

General Medical Services Scheme.

266. **Mr. Bruton** asked the Minister for Health and Children the number of people in receipt of GMS cover in the Ballyfermot and Clondalkin areas of Dublin, giving a breakdown by individuals over the age of 65, individuals between the ages of 35 and 65, and individuals between the ages of 18 and 35; and if she will make a statement on the matter. [37392/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

267. **Mr. Bruton** asked the Minister for Health and Children the number of families in the Ballyfermot and Clondalkin areas of Dublin with a medical card, where a family consists of one child or more under the age of 18; and if she will make a statement on the matter. [37393/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested

[Ms Harney.]

the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Grant Payments.

268. **Mr. F. McGrath** asked the Minister for Health and Children if she will work with the Department of Finance on funding for groups (details supplied). [37405/06]

Minister of State at the Department of Health and Children (Mr. S. Power): As Deputies are aware, it is not appropriate for the Minister to comment in advance of the Budget on possible Budget decisions.

General Medical Services Scheme.

269. **Mr. Sargent** asked the Minister for Health and Children if doctor on call charges for children under six weeks old are covered by the mother and child scheme; if this policy has changed recently; and the reasons for this change in policy. [37418/06]

Minister for Health and Children (Ms Harney): The Maternity and Infant Care Scheme does not cover doctor on call charges for children under six weeks old. The scheme provides an agreed programme of care free of charge to an expectant mother arising out of her pregnancy and to her new-born baby for six weeks after birth. After the birth, the scheme provides for two designated visits to the general practitioner for the baby:- the first two weeks after the birth and is primarily for examination of the baby and the second at six weeks after birth is for both the mother and the baby.

General Practitioners who hold contracts with the Health Service Executive (HSE) under the General Medical Services (GMS) Scheme to provide services to medical card and GP visit card holders are obliged to make suitable arrangements to enable their GMS patients to make contact with them or their locum/deputy outside of normal hours for urgent cases. Where the HSE and the GMS GP agree that this contractual obligation is suitably addressed through a doctor on call service then any consultations would be provided without charge to medical card and GP visit card holders.

Health Services.

270. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will receive orthodontic treatment; and if she will make a statement on the matter. [37419/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social

services, which are the responsibility of the Health Service Executive under the Health Act 2004.

Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

271. **Mr. P. Breen** asked the Minister for Health and Children the reason a person (details supplied) in County Clare has been refused the medical card; and if she will make a statement on the matter. [37420/06]

Minister for Health and Children (Ms Harney): My Department has been advised that the Health Service Executive has responded to the Deputy in relation to the matter raised in the Deputy's question.

272. **Mr. P. Breen** asked the Minister for Health and Children the reason a person (details supplied) in County Clare has not qualified for a medical card; and if she will make a statement on the matter. [37421/06]

Minister for Health and Children (Ms Harney): My Department has been advised that the Health Service Executive has responded to the Deputy in relation to the matter raised in the Deputy's question.

Question No. 273 answered with Question No. 255.

Health Services.

274. **Mr. Durkan** asked the Minister for Health and Children if a grant for a hearing aid is available to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [37440/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004.

Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

275. **Mr. Sargent** asked the Minister for Health and Children if her Department considers epilepsy a disability. [37444/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In the main, illnesses, such as diabetes or epilepsy, which may or may not give rise to a disability, are generally

managed through the General Practitioner and acute hospital services (inpatient and outpatient) with referrals, where appropriate, through these services to generic community based services. A permanent disability arising from conditions such as those mentioned above may give rise to the need for support from the disability specific services. Specialised Health and Personal Social Services are provided on the basis of individual needs assessment.

Question No. 276 answered with Question No. 255.

Health Services.

277. **Mr. Ring** asked the Minister for Health and Children the reason no response has issued to date from the Health Service Executive in reply to Parliamentary Question No. 673 of 27 September 2006; and a response will issue. [37478/06]

Minister for Health and Children (Ms Harney): The Health Service Executive has informed me that a reply issued to the Deputy dated 10 November 2006.

Medicinal Products.

278. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children the steps she is taking to address the over prescription of antibiotics. [37480/06]

279. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if her attention has been drawn to the policy of some crèches that children with respiratory infections must produce evidence of being on an antibiotic, regardless of the cause of the infection; her views on whether this policy is leading to over-prescription of antibiotics; and if she will make a statement on the matter. [37481/06]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 278 and 279 together.

I am aware that there has been a significant increase in overall antibiotic consumption in Ireland since 1993. Compared with other European countries, Ireland is in the high to moderate range of antibiotic consumers.

The Health Service Executive has prepared an overview of a three year plan for the implementation of the recommendations of the Strategy for Antimicrobial Resistance committee. These include the need for developments in surveillance, improvements in antibiotic stewardship, education and research, and enhanced infection control practices. Quarterly meetings between my Department and the Health Service Executive, chaired by the Chief Medical Officer of my

Department, will continue to operate to monitor progress in this vital area.

The Child Care (Pre-School Services) Regulations 1996 and Child Care (Pre-School Services) (Amendment) Regulations, 1997 provide that the pre-school service provider should maintain appropriate written records in relation to 'details of any medicine administered to a pre-school child attending the service.'

The prescribing of any particular medicinal products (including antibiotics) is a matter for the child's medical practitioner.

Health Services.

280. **Mr. English** asked the Minister for Health and Children if an interim report has been prepared by the National Taskforce on Obesity; when this report will be available; and if she will make a statement on the matter. [37492/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The National Taskforce on Obesity published its final report in 2005 containing 93 recommendations to halt the rise in levels of overweight and obesity. The Taskforce recognises that a multi-sectoral approach is necessary, involving other state agencies and government departments and real engagement of the public and private sectors to implement all of the report's recommendations. It is proposed to utilise social inclusion structures already established as well as other working groups as required to facilitate this.

Responsibility for implementing health sector related recommendations under the Health Act 2004 rests with the Health Service Executive.

I understand that the Health Service Executive has established a Working Group to implement those recommendations of the Task Force on Obesity for which the HSE has the lead responsibility and for which €3 million has been allocated. It is currently undertaking an audit of existing services to reduce and prevent obesity, to identify gaps in current service provision and to make recommendations for future service provision. It has already commenced a number of new initiatives and has secured 8 additional posts this year focused on obesity.

281. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with orthodontic treatment; and if she will make a statement on the matter. [37493/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested

[Ms Harney.]

the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

282. **Mr. F. McGrath** asked the Minister for Health and Children the situation regarding funding for Marino meals on wheels; and if she will give them the maximum support before they are forced to close on 24 December 2006; and if she will work with them on this issue. [37499/06]

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 under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

283. **Mr. F. McGrath** asked the Minister for Health and Children if she will overhaul the subventions to meet realistically the cost of care for those who need it in nursing homes. [37500/06]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy may be aware, the Health (Nursing Homes) Act 1990 and the Nursing Homes Regulations 1993 provide for the payment of subvention for private nursing home care for applicants who qualify on both medical and means grounds. General rules for the assessment of means in respect of an application for nursing home subvention are set out in the Second Schedule of the Nursing Homes Regulations 1993, as amended by the 2005 Regulations.

There are currently three rates of subvention payable, i.e. €114.30, €152.40 and €190.50 for the three levels of dependency which are medium, high and maximum and these rates apply in all parts of the country. The HSE has discretion to pay more than the maximum rate of subvention relative to an individual's level of dependency in a case, for example, where personal funds are exhausted. The application of these provisions in an individual case is a matter for the HSE in the context of meeting increasing demands for subvention, subject to the provisions of the Health Act, 2004. The average rate of subvention paid by the HSE generally exceeds the current approved basic rates. The supports paid by the HSE vary from person to person and region to region, depending on nursing home fees for example.

Additional funding of €20 million was provided for the administration of the Nursing Home Subvention Scheme in 2006. The additional €20 mil-

lion is to support more basic nursing home subventions and reduce waiting lists for enhanced subventions: it is also to bring more consistency to subventions support throughout the country.

The Health (Nursing Homes)(Amendment) Bill 2006 is designed to ensure that the existing subvention scheme for private nursing home care is grounded in primary legislation and to help the HSE to implement the scheme on a standardised basis across the country. In addition, national guidelines on nursing home subvention are currently being developed by the HSE to ensure an even and equitable application of the regulations nationally.

The Government is currently considering new policy on Long Term Care and several principles underlying this were agreed with the social partners in "Towards 2016". These principles include, for example, that there should be one standardised national needs assessment for older people needing care. The use of community and home-based care should be maximised. Sheltered housing options will be encouraged. Where residential care is required, it should be quality care and there should be appropriate and equitable levels of co-payment by care recipients based on a national standardised financial assessment. The level of support for residential care should be indifferent as to whether that care is in a public or private facility. The financial model to support any new arrangements must also be financially sustainable.

The Department is currently drawing up proposals for the Government's consideration based on the principles in "Towards 2016".

Hospital Waiting Lists.

284. **Mr. Kehoe** asked the Minister for Health and Children the efforts she is making to reduce the waiting times for a person (details supplied) in County Wexford; if it is acceptable for these delays to affect a persons health; and if she will make a statement on the matter. [37523/06]

Minister for Health and Children (Ms Harney): The management of patient waiting lists is a matter for the National Hospitals Office of the Health Service Executive (HSE) and the individual hospitals concerned. However, in general, patients waiting more than three months on a surgical waiting list may qualify for treatment under the National Treatment Purchase Fund (NTPF). The NTPF deals with representations from TDs on behalf of their constituents on an on-going basis. Accordingly, the Deputy might consider contacting the Chief Executive of the Fund directly in relation to this case.

In view of the overall responsibility of the HSE, I have asked my Department to request the Parliamentary Affairs Division of the HSE to

arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

285. **Mr. Neville** asked the Minister for Health and Children her manpower plan for introducing the recommendations on the report *A Vision for Change*. [37680/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): “*A Vision for Change*”, the report of the expert group on mental health policy, outlines the manpower requirements to implement the recommendations of the report. The proposed new mental health work force will comprise over 11,000 staff. Allowing for the assimilation of all existing posts, the expert group has estimated that a total of 1,803 new posts are required. Due to the current non-availability of certain health professionals, these additional posts are to be introduced on an incremental basis.

The responsibility for implementing the recommendations of “*A Vision for Change*”, including the recruitment of the necessary staff, rests primarily with the Health Service Executive. I have established a monitoring group which will oversee the progress made in implementing the report and providing the necessary staff resources. Additional funding of over €25 million has been made available to mental health services in 2006 which has facilitated the recruitment of additional staff.

Child Welfare.

286. **Mr. Neville** asked the Minister for Health and Children when all sections of the Children Act 2001 will be introduced. [37681/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Significant progress has been made in relation to the implementation of the Children Act 2001. The implementation of the Act involves the Office of the Minister for Children, the Department of Justice Equality and Law Reform, the Department of Education and Science and the Health Service Executive along with a number of other agencies.

In relation to the youth justice provisions in the Act, for which I have delegated responsibility in the Department of Justice Equality and Law Reform, a range of provisions are already in force, including provisions concerning the Garda Diversion Programme, the treatment of child suspects in Garda stations, the Children Court, child protection measures, some powers of the Court and family conferences. Provisions affecting the age of criminal responsibility have been amended by the Criminal Justice Act 2006 and came into effect on 16 October 2006.

The Youth Justice provisions of the 2001 Act, as amended, which remain to be commenced primarily concern community sanctions and youth detention. The Criminal Justice Act 2006 amended a number of provisions of the 2001 Act, primarily in respect of youth detention, responsibility for which will transfer from the Department of Education and Science to the Department of Justice, Equality and Law Reform through the Irish Youth Justice Service. Preparations for the introduction of the new detention system are well underway. Significant preparatory work is being carried out by the Probation Service to allow for the implementation of the community sanctions.

The Parts of the Children Act 2001 for which I have delegated responsibility from the Minister for Health and Children are Parts 2, 3 and 11. These Parts have been commenced except for sections 23D and sections 7(1)(a), 10(2), and 13(2) [which relate to Section 77]. Part 2 establishes for the first time on a statutory basis the Family Welfare Conference. Part 3 amends the Child Care Act 1991 by inserting two new parts — Part IVA, which imposes duties on the Health Service Executive in relation to a child who may be in need of special care or protection, and Part IVB, relating to private foster care. Part 11 provides for the establishment of the Special Residential Services Board on a statutory basis to advise on the co-ordination of residential services for children detained in detention schools and in special care units. Regulations for family welfare conferences and special care units were also commenced in September 2004.

The Criminal Justice Act 2006 provides for a number of amendments in relation to the provisions of the Children Act 2001 for which I have delegated responsibility from the Minister for Health and Children. Principal among these are amendments to the Board membership and functions of the Special Residential Services Board to make more explicit the Board's advisory role in the context of the youth justice reforms. It is my intention to have these amended provisions implemented in the near future. I should add that I have also asked my officials in the Office of the Minister for Children to work on preparing proposals to reform and regulate the public law guardian ad litem system which has been identified as a priority area for reform. This includes examining the role that a reformed Special Residential Services Board could play in this context.

My Office and the relevant Government Departments and agencies are working closely towards a well co-ordinated implementation of the remaining provisions of the Children Act 2001, as amended. This work is progressing well. I expect that this work will allow for the implementation of the remaining provisions of the Act, including the implementation of the provisions in relation to youth justice by early 2007.

Suicide Incidence.

287. **Mr. Neville** asked the Minister for Health and Children the number of suicides by gender for 2003, 2004 and 2005 for the age groups (details supplied). [37682/06]

Minister for Health and Children (Ms Harney):

The information requested by the Deputy is provided in the following table.

Number of Deaths from Suicide by Gender and Age Group 2003, 2004 and 2005

Age Groups	2003		2004		2005	
	Male	Female	Male	Female	Male	Female
0-9	0	0	0	0	0	0
10-14	2	2	1	1	2	1
15-19	24	4	31	5	22	4
20-24	72	12	52	5	47	7
25-29	46	7	40	8	37	8
30-34	26	12	37	9	39	10
35-39	42	11	35	11	34	4
40-44	45	9	43	9	42	10
45-49	29	11	30	10	39	4
50-54	28	12	23	16	31	6
55-59	26	9	27	6	18	8
60-64	19	9	17	11	14	4
65-69	8	6	6	5	13	8
70-74	7	2	8	2	8	0
75-79	6	4	4	3	4	2
80+	6	1	2	0	3	2
All Ages	386	111	356	101	353	78

Note: Figures for 2004 and 2005 are provisional based on year of registration.

Source: Central Statistics Office

Health Services.

288. **Mr. Stanton** asked the Minister for Health and Children the number of public speech therapists providing treatment to preschool children throughout the country; the locations where each therapist operates; and if she will make a statement on the matter. [37812/06]

289. **Mr. Stanton** asked the Minister for Health and Children the amount of public speech therapy hours available to pre-school children; the financial supports available to parents seeking to secure public speech therapy for their pre-school children should public speech therapy services not be available; and if she will make a statement on the matter. [37813/06]

290. **Mr. Stanton** asked the Minister for Health and Children the normal waiting time for pre-school children seeking public speech therapy services in the Health Service Executive south; if public speech therapy services are not available for a pre-school child, will her Department reimburse parents of pre-school children for private speech therapy sessions; and if she will make a statement on the matter. [37814/06]

291. **Mr. Stanton** asked the Minister for Health and Children if one to one sessions are available for pre-school children from public speech therapists; if not, if her Department funds or has considered funding private one to one speech therapy sessions; and if she will make a statement on the matter. [37815/06]

292. **Mr. Stanton** asked the Minister for Health and Children the number of public speech therapy hours available to pre-school age children and school-going children per annum in the Health Service Executive south; the way these hours are allocated; if all children in the HSE area receive an equal amount of public speech therapy hours; if these hours are in group or one-to-one sessions; and if she will make a statement on the matter. [37816/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 288 to 292, inclusive, together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested

the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Question No. 293 withdrawn.

Health Service Staff.

294. **Dr. Twomey** asked the Minister for Health and Children if the practice of members of the board of the Health Service Executive attending meetings by phone as referred to in minutes of board meetings is in compliance with Section 5 of Schedule 2 of the Health Act 2004 and does being on the phone constitute attendance in accordance with Sections 5 (1), (3), (4) and (6) of the above Act; and if she will make a statement on the matter. [37818/06]

Minister for Health and Children (Ms Harney): Section 5 of Schedule 2 of the Health Act 2004 deals with quorum and procedures for the Health Service Executive (HSE) Board. The Act does not define what constitutes attendance for the purpose of this section. I understand from the HSE that members of the Board attend in person for the scheduled monthly meetings. I am further advised that the use of teleconference facilities has occurred only for special meetings of the Board which, by their nature, tend to be called at short notice.

It is reasonable that the benefits of information and communication technology would be embraced by the HSE to ensure that a maximum number of members are afforded the opportunity to participate, in situations where special meetings are required at short notice.

Health Services.

295. **Dr. Twomey** asked the Minister for Health and Children the reason a decision has been taken to move GMS patients in the Rathcoole area (details supplied); if patients who do not want to move will be accommodated; if there are provisions in the regulation to accommodate such patients in these circumstances; and if she will make a statement on the matter. [37819/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

296. **Mr. N. O'Keefe** asked the Minister for Health and Children the position in relation to the reintroduction of maintenance charges for persons (details supplied) in County Cork

attending a specific foundation where no maintenance charges have been levied since June 2005. [37826/06]

Minister for Health and Children (Ms Harney):

I take it the question refers to the charging of people with intellectual disabilities in long stay care. 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 in-patient services and provided for the levying of a charge in respect of the maintenance of persons in receipt of in-patient 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 in-patient 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 in-patient 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 in-patient 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 in relation to themselves or their dependants, if any.

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 Executive to arrange to have a reply issued directly to the Deputy in relation to this case.

Health Service Staff.

297. **Dr. Upton** asked the Minister for Health and Children if her attention has been drawn to the fact that the Health Service Executive has yet to implement the decision of the Labour Court regarding on-call payments to perfusionists, despite that decision having been made 18 months ago; if her attention has further been drawn to the fact that the HSE, despite having made an undertaking to do so by 30 July 2006, has not yet responded to proposals put forward by perfusionists regarding the way it will implement that May 2005 Labour Court recommendation; and if she will make a statement on the matter. [37827/06]

Minister for Health and Children (Ms Harney):

Almost 120,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the numbers of doctors, nurses and other health care professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the health care needs of the population into the future.

The Health Service Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

298. **Ms Shortall** asked the Minister for Health and Children the date the new psychiatric unit at the James Connolly Memorial Hospital, Blanchardstown will be officially opened for use; the reason for the delay in the opening of this vital facility; and if she will make a statement on the matter. [37828/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

EU Directives.

299. **Mr. Allen** asked the Minister for Health and Children the number of EU directives awaiting transposition in her Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of

such EU directives which are overdue for transposition; when she expects that overdue directives will be transposed; and if she will make a statement on the matter. [37868/06]

Minister for Health and Children (Ms Harney):

There are currently 7 EU Directives awaiting transposition in my Department. Details of the dates by which transposition is due are as follows:

(1) 2006/34/EC — amending the Annex to Directive 2001/15/EC as regards the inclusion of certain substances — due 31/12/06:

(2) 2005/50/EC — on the reclassification of hip, knee and shoulder joint replacements in the framework of Council Directive 93/42/EEC concerning medical devices — due 1/3/07:

(3) 2006/33/EC — amending Directive 95/45/EC as regards sunset yellow FCF (E110) and titanium dioxide (E171) — due 10/4/07:

(4) 2006/37/EC — amending Annex II to Directive 2002/46/EC of the European Parliament and of the Council as regards the inclusion of certain substances — due 30/4/07:

(5) 2006/52/EC — amending Directive 95/2/EC on food additives other than colours and sweeteners and Directive 94/35/EC on sweeteners for use in foodstuffs — due 15/2/08.

In addition, two Directives are currently overdue for transposition as follows: 2004/24/EC and 2004/27/EC, both of which were due to be transposed on 30th October 2005. They relate to traditional herbal medicinal products. It is expected that they will be transposed very shortly.

Mental Health Services.

300. **Aengus Ó Snodaigh** asked the Minister for Health and Children if she will arrange for research to be undertaken on the mental health of young people in areas with high incidence of joy-riding in view of the link between joy-riding and economic and resulting social disadvantage, physical environment and perceptions of public authorities established by a report published by UCD in October 2006 the nature and impact of joy-riding in Priorswood Report to the Priorswood Task Force on Joy-riding. [37878/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In "A Vision for Change", the report of the expert group on mental health policy published earlier this year, the mental health needs of troubled children and adolescents in community settings who come before the courts were considered and a number of recommendations made. The report recommends that this particular group of offenders should be catered for by their local community-based child and adolescent mental health teams. The report also recommends the provision of an additional community-based, child and ado-

lescent forensic mental health team to provide specialist advice, consultation and liaison to generic services.

I have appointed a monitoring group to monitor progress on the implementation of the recommendations of “A Vision for Change”. Implementation of the individual recommendations of “A Vision for Change” is a matter primarily for the HSE. The HSE recently established an implementation group to ensure that mental health services develop in a synchronised and consistent manner across the country.

Accident and Emergency Services.

301. **Mr. Connolly** asked the Minister for Health and Children her plans for minimising patient overcrowding and the incidences of patients on trolleys in hospital accident and emergency departments; and if she will make a statement on the matter. [37889/06]

Minister for Health and Children (Ms Harney): Tackling the problems in A & E departments is the Government’s top priority in health. Our objectives are to reduce the numbers waiting for admission, the time spent waiting for admission, and the turnaround time for those who can be treated in A & E and do not require admission.

The Health Service activity reports over recent months indicate a significant reduction in the average number of patients in A & E departments awaiting admission compared with 2005. Waiting times for patients have also been reduced. The percentage of people waiting longer than 24 hours for admission has decreased from 13% in May to 6% in October. The long-term objective is to ensure that no patient waits longer than six hours to be admitted after the clinical decision to admit has been made.

In order to ensure that the improvements that have been achieved in recent months can be sustained, particularly during the winter months, the HSE has introduced a broad-based Winter Initiative. The Winter Initiative will be similar to those in place in other health systems internationally. Its purpose is to ensure that the services required to address the particular demands of the winter season are in place and operating optimally. It will encompass not just hospital services but also primary and community care services.

The Initiative will build on work already underway and focus on a range of measures including:

- preventative measures;
- public communications;
- operational readiness (capacity, staffing, etc);
- out of hours arrangements;
- NHO/PCCC service integration (Ambulance/Primary Care/A&E links,

Discharge Initiatives, Continuing Care and Home Supports);

- planned escalation procedures to enable responsiveness to increased demand beyond normal operating levels; and
- ongoing development of necessary infrastructure particularly for continuing care.

A formal structure is now in place, with eight Local Implementation Teams covering the whole country. Each of the teams has provided an initial status report on the priority tasks and actions set out under the main elements of the Winter Initiative. Progress on addressing those tasks and actions is being monitored on a weekly basis.

Experiments on Animals.

302. **Mr. Sargent** asked the Minister for Health and Children the frequency of visits by inspectors from her Department to registered user establishments licensed for animal experiments. [37897/06]

Minister for Health and Children (Ms Harney): Inspections of registered user establishments are carried out in accordance with Section 10 of the Cruelty to Animals Act 1876, as amended. The Act provides for all registered establishments to be visited from time to time by inspectors for the purpose of securing compliance with the provisions of the Act. Veterinary staff of the Department of Agriculture and Food have acted as inspectors under a long standing arrangement with that Department; however, this arrangement is currently under discussion. Officials of my Department do not carry out these inspections.

Parliamentary Questions.

303. **Ms Shortall** asked the Minister for Health and Children the reason for the delay in replying to Parliamentary Question No. 706 of 27 September 2006; and if she will arrange for a reply to be issued as soon as possible. [37899/06]

Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. My Department has again requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

304. **Mr. McGuinness** asked the Minister for Health and Children if she will provide a list of speech therapists available for the south east, with addresses and contact numbers. [37909/06]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): The Deputy’s

[Mr. T. O'Malley.]

question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

305. **Mr. McGuinness** asked the Minister for Health and Children if a person (details supplied) will continue to be cared for at Kincora Hostel, Kilkenny in view of their age, the location of their family in Kilkenny city and the fact that they have been cared for by the psychiatric services for a long number of years; and if she will make a statement on the matter. [37910/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 306 withdrawn.

Question No. 307 answered with Question No. 255.

Question No. 308 withdrawn.

Departmental Properties.

309. **Mr. McGuinness** asked the Minister for Health and Children her plans for the use of a property known as Crannog, Cedarwood Avenue, Loughboy, Kilkenny; the length of time this property has been vacant or not in use; and if she will make a statement on the matter. [37992/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

310. **Mr. McGuinness** asked the Minister for Health and Children if the recommendation of the rights commissioner relative to nurses who acted in higher posts and to whom premium pay-

ments applied handed down on 13 September 2002 has been fully complied with by the Health Service Executive south east; if all those entitled to payment have been paid; if there are outstanding claims; if so, when these will be settled; and if she will make a statement on the matter. [37993/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act, 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and have a reply issued directly to the Deputy.

Nursing Home Charges.

311. **Mr. Collins** asked the Minister for Health and Children the number of applications received from applicants in County Limerick under the scheme for refund of nursing home charges; the number of these at present being disallowed because they relate to persons who were living in private nursing homes because they could not get a bed in a public home; and the status of the court challenge in this instance. [37994/06]

Minister for Health and Children (Ms Harney): The Health Service Executive has responsibility for administering the Repayment Scheme and the information sought by the Deputy relates to matters within the area of responsibility of the Executive. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

Medical Research.

312. **Mr. Dennehy** asked the Minister for Health and Children if her attention has been drawn to new scientific evidence in Canada that links the intake of drinking water, with high levels of aluminium, with people suffering from Alzheimer's; if research has been undertaken here; and if she will make a statement on the matter. [37995/06]

Minister for Health and Children (Ms Harney): I understand that the question is in relation to general research in relation to this issue and not to one specific study. Research to date has indicated a suspected correlation between aluminium uptake and Alzheimer's disease; however, there is no conclusive evidence of a causal relationship. The World Health Organisation (WHO) has indicated that "On the whole, the positive relationship between aluminium in drinking water and Alzheimer's disease which was demonstrated in several epidemiological studies, cannot be totally discounted. However, strong reservations about inferring a causal relationship are warranted in

view of the failure of these studies to account for demonstrated confounding factors and for the total aluminium intake from all sources.”

Council Directive 98/83/EC on the quality of water intended for human consumption puts in place parametric values for certain substances, including aluminium, in order to protect human health from the adverse effects of any contamination — the parametric value for aluminium is 0.2 mg/l. Legislative responsibility for the transposition of this Directive lies with my colleague the Minister for the Environment, Heritage and Local Government.

The Deputy may wish to note that the Report on the Quality of Drinking Water in Ireland for 2004, produced by the Environmental Protection Agency, indicates an overall compliance rate of almost 95% with the aluminium parametric value referred to above.

Departmental Staff.

313. **Mr. Naughten** asked the Minister for Health and Children the number of staff employed by her Department prior to the establishment of the Health Service Executive; the current number of staff employed in her Department; and if she will make a statement on the matter. [37996/06]

Minister for Health and Children (Ms Harney): The whole time equivalent number employed in the Department of Health and Children, based on the figures given to the Department of Finance Census Section for December 2004, (the last Census immediately prior to the establishment of the Health Service Executive) was 625.5.

The equivalent figure most recently returned to the Department of Finance was 610.98 whole time equivalents. This figure was returned for end September 2006. The September 2006 figure also includes staff who have transferred from the Department of Justice, Equality and Law Reform to the Office of the Minister for Children.

These figures include staff employed in:-

- the Department of Health and Children, including the recently expanded Office of the Minister for Children
- the General Register Office
- the Adoption Board
- the Social Services Inspectorate
- Office of the Ombudsman for Children.

Neither the figure for December 2004 nor the figure for September 2006 include seconded-in staff.

Arising from the Health Reform Programme and the establishment of the HSE some functions previously carried out by my Department have transferred, or are in the process of being transferred, to the HSE. This will involve a reduction of approximately 38 posts in my Department's complement of posts and a transfer of those posts

to the HSE. The initial transfer of functions to the HSE involving areas such as pensions administration, Casemix and speciality costing, health promotion campaigns and hospital planning is proceeding. This matter will also be kept under constant review with a view to identifying other areas of work which are appropriate for transfer.

Health Services.

314. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will receive orthodontic treatment; and if she will make a statement on the matter. [37997/06]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

315. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children the public hospital sites now involved in the proposed private hospital co-location scheme; the position regarding tenders at each site; and if she will make a statement on the matter. [37998/06]

Minister for Health and Children (Ms Harney): The Health Services Executive is currently undertaking a procurement process to select a consortium to build and operate private hospitals at each of the following 10 public hospitals:

- Limerick Regional
- Waterford Regional
- Cork University Hospital
- St. James' Hospital
- Beaumont Hospital
- Connolly Hospital (Blanchardstown)
- Adelaide & Meath Hospital Incorporating the National Children's Hospital (Tallaght)
- Sligo General
- University College Hospital, Galway
- Letterkenny General.

The new private hospitals will be procured by utilising the competitive dialogue tendering process. It involves a three stage process namely:

1. pre-qualification;
2. competitive dialogue phases within which solutions are identified and discussed
3. a final tendering stage.

[Ms Harney.]

The HSE received a large number of expressions of interest and pre-qualified a number of successful candidates to progress to the next stage. Outline proposals have been received from pre-qualified candidates and the HSE is currently evaluating these proposals under the competitive dialogue phase.

The intention is to invite up to 3 candidates per site to continue in competitive dialogue. At the end of the competitive dialogue short-listed bidders will be invited to the final tendering stage. The intention is to select a consortium for each site, negotiate the detailed contracts and sign the contracts by the first quarter of 2007.

Hospital Services.

316. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if St. Luke's Hospital, Rathgar will continue to play a role in the provision of cancer services following the implementation of the cancer strategy; and if she will make a statement on the matter. [37999/06]

Minister for Health and Children (Ms Harney):

The expertise and professional commitment of the staff at St. Luke's Hospital will continue to be an essential element in the development of cancer care. The decision to transfer this resource was taken by the Government in the context of its consideration of the National Plan for Radiation Oncology Services. The decision is based on expert advice and is designed to ensure that radiation oncology, one element of cancer care, is integrated with all other aspects of care, including surgery and medical oncology. This is in line with best international practice.

I am convinced that this model will provide better patient centred treatment with improved quality of service and outcome for patients. The Board of St. Luke's Hospital and its Executive Management Team are fully committed to supporting the Government's decision in relation to the development of radiation oncology. A transfer on similar lines took place earlier this year in Northern Ireland when radiation oncology services transferred to Belfast City Hospital, a major academic teaching hospital.

In progressing the transfer, I will build on the expertise and ethos of St. Luke's. I have ensured that experts at St. Luke's are centrally involved in the planning and delivery of the National Plan. The plan consists of large centres in Dublin (at Beaumont and St. James's Hospitals), Cork and Galway and two integrated satellite centres at Waterford Regional Hospital and Limerick Regional Hospital. Medical and scientific experts from the hospital are involved in developing the output specifications for the delivery of new radiation oncology services nationally. The Chief Executive at St. Luke's will lead the management team of the new facility at St. James's. I also appointed the Chairman of St. Luke's to chair a

National Radiation Oncology Oversight Group to advise me on progress on the implementation of the plan.

I have approved the provision of two additional linear accelerators at St. Luke's to provide much needed interim capacity pending the roll out of the national plan. I expect these services to commence late next year. I also recently announced the approval of two radiation oncology facilities at Beaumont and St. James's Hospitals, comprising of two linear accelerators and associated treatment planning at each site, to be delivered in early 2009. These are key elements of the delivery of the National Plan.

Health Service Staff.

317. **Mr. Naughten** asked the Minister for Health and Children the number of staff employed in the Health Service Executive; the number of non-front line staff employed by the organisation; the corresponding figure for the agencies who make up the HSE prior to its establishment; and if she will make a statement on the matter. [38000/06]

Minister for Health and Children (Ms Harney):

Almost 120,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the numbers of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Post Office Network.

318. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources the number of post office closures in County Donegal and specifically within the Milford electoral area for the past ten years. [37400/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The

matter of post office closures and conversions is, in the first instance, an operational matter for the Board and management of An Post and one in which I have no function. I would refer the Deputy to the appendix which outlines the information requested on the number and locations of post offices closed in County Donegal, particularly in the Milford electoral area for the past ten years.

Donegal Closures 1996 to 2006

Post Office	Date of Closure	Area
Shrove	13/06/1996	
Ballybeg	26/06/1997	
Cavangarden	10/11/1997	
Loughros Point	21/11/1998	
Glenmaquin	13/10/2000	
Clooney	30/11/2000	
Ballyheerin	31/12/2000	Milford Electoral Area
Doaghbeg	31/01/2001	Milford Electoral Area
Inch Lifford	31/08/2001	
Portnablagh	30/11/2001	Milford Electoral Area
Ballinamore	30/11/2001	
Tievemore	28/12/2001	
Tamney	23/06/2003	Milford Electoral Area
Drimfries	25/07/2003	
Cranford	31/03/2006	Milford Electoral Area

EU Directives.

319. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources when will he comply with the EU shellfish directive in respect of Carlingford Lough, County Louth particularly in relation to untreated sewage entering the lough at Omeath; if fines are expected to issue in respect of this breach of directive; and if he will make a statement on the matter. [37407/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Carlingford Lough is a designated shellfish water within the meaning of the European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. No. 268 of 2006), which implemented EU Directive 79/923/EEC of 30 October 1979 on the quality required of shellfish waters.

At present Carlingford Lough is fully compliant with the water quality requirements of the Regulations and no breach of EU Directives arises. Issues concerning the provision of sewage treatment in Omeath is a matter, in the first instance, for Louth County Council.

Offshore Exploration.

320. **Dr. Cowley** asked the Minister for

Communications, Marine and Natural Resources if his attention has been drawn to the initiative by a group (details supplied) on 6 November 2006 that an independent public commission of inquiry be established in order that investigations can be held into optimum development concept for the Corrib gas project and that community consent be the critical criterion in the development concept; his views on whether this proposal outlines a transparent and democratic method for determining the way the Corrib gas project can be developed; when the Government will respond to this; and if he will make a statement on the matter. [37408/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There is effectively nothing new in this idea. The Deputy will be aware that I have been endeavouring at every opportunity to create the conditions that would allow the difficulties associated with the project to be resolved with the assistance of independent bodies and individuals.

I would like to emphasise that in the case of the Corrib gas field, all of the required statutory approvals are in place. These approvals were only given after intense scrutiny of the various applications made to my Department. It was only after my predecessor was fully satisfied both in relation to the technical, safety and environmental aspects of the proposals that approval was given.

Authorisations were granted for the Corrib gas field under a number of provisions. Under the Continental Shelf Act 1968, authorisation was given for the construction of the sub-sea facilities. Consent was also given for the Plan of Development of the field under the Petroleum and Other Minerals Development Act 1960. Under the Gas Act 1976, as amended, consent was given for the construction of a gas pipeline from the gas field through the offshore up to the terminal building. A foreshore licence was also granted under the Foreshore Acts. In accordance with EU directives, an environmental impact assessment statement was submitted with each application for consent or approval. In addition, planning permission was granted by An Bord Pleanála for the gas terminal.

Arising from local concerns about safety, I had a further comprehensive safety review of the onshore upstream gas pipeline carried out by Advantica consultants last year. Advantica is a world leader in the development and application of advanced hazard and risk assessment technologies for gas pipelines.

It has been my priority that people who have views relating to the safety of the pipeline should have the opportunity to have those views considered by Advantica. During the period of the review, views were invited from local residents, communities and any interested party. A two-day public hearing was also held in the locality.

[Mr. N. Dempsey.]

The draft safety review was presented to the community and further comments were invited before the report was published. The Advantica report found that proper consideration to safety had been given. Moreover, the review found that so long as a number of measures were implemented, the project would carry a substantial safety margin and that both the pipeline and route should be accepted as meeting or exceeding international best practice.

A separate Technical Advisory Group, which supervised the safety review, made a series of further recommendations, covering, among other things, issues of design code, the drawing up of a Pipeline Integrity Management Plan and a range of measures on which the developer would have to gain approval to ensure that the actual construction and installation of the pipeline would be to highest international standards.

I published the full details of all of these recommendations in May of this year. The developer, Shell, has accepted the recommendations made by both Advantica and the Technical Advisory Group and has committed itself to meeting all of these requirements fully. Shell has notified my Department that they are well advanced with the additional work necessary to comply with these requirements.

I also appointed Mr. Peter Cassells as mediator in the dispute. Mr. Cassells was appointed following consultation with the protestors and Shell. Both sides agreed to this appointment. Mr. Cassells reported in July 2006. Shell has accepted the recommendations made by the mediator. Shell has indicated publicly that, in line with Mr. Cassells' recommendations, it is considering alternative pipeline routes and will consult widely when it has come to a conclusion in relation to options.

In conclusion, I think that any reasonable person will agree that the Advantica, the Technical Advisory Group and the Cassells reports have now dealt with the local concerns relating to this project. It is unfortunate that a number of the protestors have rejected the clearly independent and highly respected assistance which has been harnessed in the efforts to resolve the matter.

Broadcasting Services.

321. **Mr. Gregory** asked the Minister for Communications, Marine and Natural Resources if his Department has received representations from organisations representing people with hearing disabilities in the past seeking policy commitment on the issue of subtitling of television, films and so on on RTÉ; the response of RTÉ to this issue; and if he will make a statement on the matter. [37445/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has from time to time received rep-

resentations from various organisations representing people with hearing disabilities in relation to the matter of subtitling on television services.

Section 19 (11) of the Broadcasting Act, 2001 provides that the Broadcasting Commission of Ireland shall make rules requiring each broadcaster to take specified steps to promote the understanding and enjoyment by persons who are deaf or hard of hearing of programmes transmitted by that broadcaster. The rules drawn up by the BCI were developed following a comprehensive public consultation process and came into effect in 2005.

RTE is bound by BCI quotas on subtitling, signing and audio description. RTE maintains close contact with the deaf and hard of hearing user group associations and is committed to continuing to increase the output of subtitling each year.

Fisheries Protection.

322. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the number of fish counters currently in operation in Irish rivers; the location of rivers and specification of each such counter; the date of installation and regularity of monitoring; the information collected from each such counter; the number of counters requested to deal with each river; the name of each river not covered at the moment; the action he will take to install all necessary river counters; the estimated cost; the estimated time scale; the extra personnel to monitor all counters; and if he will make a statement on the matter. [37452/06]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): There are currently 19 locations with 21 operational fish counters in Irish Rivers including ESB owned and operated counters and Loughs Agency counters. Many of the counters were installed under the Tourism Operational Programme (TOP) of the Tourism Angling Measure (TAM) which occurred between 1995 and 2000. A number of counters purchased under this programme were subsequently installed between 2000 and 2005. Some have been in operation in one form or another prior to 1995 (ESB counters, Loughs Agency at Sion Mills, Blackwater counter). Since 2000, there has been considerable upgrading and ongoing improvements and maintenance on these counters.

Monitoring of counters is site dependent but usually Regional Fishery Board staff provide regular inspection (at least twice per week) to clean fish passes, scrub infra-red plates, brush electrodes and other standard maintenance if required. If water conditions are very high this may be carried out daily. More technical maintenance (e.g. replacement or upgrading of components, electronic failure etc) is carried out by

the Marine Institute or by way of sub-contract and occurs when reported and when resources are available to deal with the specific problem.

Standard information on upstream and downstream counts is available as well as relative size of the fish, dates and times of fish movement. In some instances counts are verified with video surveillance and supplementary information is therefore available on species (salmon vs. sea trout or eels). Depending on the size of the river and the number of main tributaries, several counters may be used to provide a definitive count of all of the potential stocks components entering the main system as these can differ in terms of run timing, ration of 1 sea winter to multi sea winter salmon etc. However, a single strategically placed counter provides a useable index of the size of the salmon stock for routine management purposes.

I have set out three tables, the first of which lists the rivers where counters are installed and can provide information for national assessments.

The second table consists of rivers above conservation limit with no fish counter and the third table consists of rivers below the conservation limit with no fish counter.

There has been a considerable investment in the National Fish Counter Programme over the past number of years. As the Deputy may be aware it was decided in June 2003 that the management of all of the existing counters be transferred to the relevant Regional Fisheries Boards and it is a matter for each Board to decide on its priorities in relation to investment in counters within their overall allocation of Exchequer funding for capital and current purposes.

In so far as real time monitoring and management of stocks is concerned, counters are only one method by which the assessment is made. Reliance is also placed on the expert analysis of catch data and surveys by fisheries officers and research officers of spawning areas, fish populations and habitat etc.

Table 1. The location of rivers and specification of each counter

River	District	Type
Slaney	Wexford	Resistivity
Eanymore	Ballyshannon	Resistivity
Eske	Ballyshannon	Resistivity
Cork Blackwater	Lismore	Resistivity
Blackwater (Kerry)	Kerry	Resistivity
Waterville	Kerry	Resistivity
Casla	Connemara	Resistivity
Ballisadare	Sligo	Infra-red
Feale	Limerick	Resistivity
Bandon	Cork	Infra-red
Erriff	Ballinakill	Resistivity
Boyne	Drogheda	Resistivity/Infra-red
Liffey x 2	Dublin	Resistivity/Infra-red
Muinghin	Bangor	Resistivity
Erne x 3 (ESB)	Ballyshannon	Resistivity/Infra-red
Shannon (ESB)	Shannon	Resistivity
Lee (ESB)	Cork	Resistivity
Clady (ESB)	Letterkenny	Resistivity
Foyle (Loughs Agency) x 3	Foyle	Resistivity

Table 2. Rivers above the Conservation Limit with no fish counter

River	District
Castletown	Dundalk
Fane	Dundalk
Black Water	Waterford
Owenacurra	Cork
Lower Lee (Martin, Shornach, Bride)	Cork
Llen	Cork
Mealagh	Cork
Coomhola	Cork

[Mr. Browne.]

River	District
Roughy	Kerry
Sneem	Kerry
Caragh	Kerry
Laune	Kerry
Bundorragha	Ballinakill
Owenglin (Clifden)	Ballinakill
Owenduff (Glenamong)	Bangor
Easky	Ballina
Drumcliff	Sligo
Duff	Ballyshannon
Drowes	Ballyshannon
Glen	Ballyshannon
Owenea	Letterkenny
Gweebarra	Letterkenny
Tullaghobegly	Letterkenny
Crana	Letterkenny

Table 3. Rivers below the Conservation Limit with no fish counter

River	District
Glyde	Dundalk
Dargle	Dublin
Barrow	Waterford
Nore	Waterford
Suir	Waterford
Colligan	Waterford
Bride	Lismore
Glengarriff	Cork
Croanshagh (Glanmore R. and L.)	Kerry
Sheen	Kerry
Inney	Kerry
Maine	Kerry
Fergus	Limerick
Dawros	Ballinakill
Culfin	Ballinakill
Carrownisky	Ballinakill
Owenwee (Belclare)	Ballinakill
Newport R. (Lough Beltra)	Bangor
Glenamoy	Bangor
Cloonaghmore (Palmerstown)	Ballina
Gweedore (Crolly R.)	Letterkenny
Ray	Letterkenny
Lackagh	Letterkenny
Leannan	Letterkenny

323. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if it is proposed to acquire all non-filament net used by heretofore licensed salmon drift net fisherman in order to see that no further drift net fishing occurs; the way it is proposed to implement and oversee the effect of the decision

to ban drift nets; and if he will make a statement on the matter. [37453/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Deputy is aware that the Government adopted the key recommendations

of the report by the Independent Group established to examine the implications of fully aligning the management of the wild salmon fishery with the scientific advice in 2007 and beyond. The central recommendation of this report is the creation of a hardship fund for those affected by the compulsory cessation of indiscriminate mixed stock fishing at sea.

One of the key recommendations of the Independent Group in addressing the financial hardship is that in every case those who avail of the direct payment scheme will be required to verifiably decommission their net(s) or fixed fishing engines to the satisfaction of the competent authority.

In 2006 the fisheries boards' allocation of funding from the Exchequer is €28 million. A large proportion of the boards' resources has been and continues to be allocated to the protection of wild salmon, including sea, land and river based protection programmes. The national protection programme is supported by the Navy, Air Corps and the Garda.

324. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the assessed extent of illegal drift net fishing that took place from 2000 to 2006; the estimated extent of salmon taken illegally in that period; and if he will make a statement on the matter. [37454/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the Fisheries Acts, the central and regional fisheries boards are primarily responsible for the management and protection of fisheries including measures in relation to enforcement.

The Wild Salmon and Sea Trout Scheme, first introduced by the Department through the fisheries boards in 2002, is intended to inter alia identify illegally caught salmon, eliminate sales outlets for such illegal fish and to improve traceability in the distribution chain. The programme provided, for the first time, an estimate of the previously unrecorded illegal catch in Ireland, which at that time, I am advised, was estimated at about 32%.

The current mandatory application of carcass tags and logbooks has alleviated some of the difficulty in identifying illegally caught salmon. Almost 100% of commercial fishing logbooks and 58% of anglers' logbooks were returned to the fisheries boards in 2004. An adjustment to the reported catch to take into account the numbers of fish that have been caught by anglers who have not returned logbooks is made in accordance with international practice.

The national illegal unreported catch of wild salmon is currently assumed to be approximately 10%. Based on direct monitoring of dealers and knowledge of the local fisheries, this is considered by many fishery inspectors to be an overestimate.

A large proportion of all fisheries boards' resources have been and continue to be allocated to the protection of wild salmon. Efforts concentrate on the elimination of the practice of illegal fishing, by both the Central and Regional Boards. These include sea, land and river based protection programmes. The National Protection programme is integrated with the Navy, Air Corps and the Gardaí. Ongoing monitoring of catch statistics is achieved through the Wild Salmon and Sea Trout Tagging Scheme.

Statistics in this regard are detailed in the annual Fisheries Statistics Report of the Central Fisheries Board and the fisheries boards' annual report.

325. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his reason for the decline in the catch of white trout in the past 10 years; the evidence presented to him by scientific advice in this regard; the action he has taken on foot of such evidence presented to him; his agenda for action for the future survival of the species; and if he will make a statement on the matter. [37456/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): A review of the status of Irish sea trout stocks has been carried out by staff from the Central and Western Regional Fisheries Boards and the Marine Institute. The report will be published before Christmas.

The paper will provide historical data and will update the national trap census and rod catch data from 1989 up to 2003. It will also provide an assessment of the current status of Irish sea trout stocks nationally.

I will consider whether and what action is required after I receive the report.

Aquaculture Development.

326. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the programme for aquaculture development he will undertake in order to meet the Government's own targets in respect of productivity, personnel employment and value of market to the economy; and if he will make a statement on the matter. [37457/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Seafood Strategy Review Group was established by myself and the Minister for Communications, Marine & Natural Resources in June 2006 with the objective of consulting with all stakeholders to devise a strategy for the 2007-13 period for the delivery of a sustainable and profitable seafood industry in Ireland.

I expect to receive the report of the Seafood Strategy Review Group within the next two to

[Mr. Browne.]

three weeks. This report will set out the development strategy for the aquaculture sector.

The achievement of the strategy will require the taking of a set of integrated, market led actions to improve competitiveness and profitability across all the sectors of the industry — sea fishing, aquaculture, processing and marketing — by targeting investment so as to achieve the highest level of value generation within the Irish seafood industry.

The strategy will feed into the Seafood Development element of the new National Development Plan being drawn up for the 2007-2013 period so that the seafood sector, including the Aquaculture sector, will have access to the necessary development funding for the coming years.

Fisheries Protection.

327. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the extent of personnel to be recruited in each fishery board area from 1 January 2007 in order to properly supervise and monitor the implementation of the ban on drift net fishing; and if he will make a statement on the matter. [37458/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the Fisheries Acts, primary responsibility for the management, conservation, protection, development and improvement of inland fisheries rests with the regional fisheries boards.

Funding is allocated directly to each fisheries board from the vote of the Department of Communications, Marine and Natural Resources. These funds are applied by the Fisheries boards towards their statutory functions of conservation, management, development, protection and improvement of inland fisheries in each of the regions according to their needs.

Funding will be provided in my Department's Estimate for the recruitment of additional staff in accordance with a request coordinated by the National Fishery Manager's Executive but the detailed implementation of this is still under discussion.

328. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the name of each river currently below salmon conservation and survival requirements; the rivers in respect of which there will be no rod angling allowed initially for 2007; the way it is proposed to supervise this; and if he will make a statement on the matter. [37459/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Government's primary motivation is the conservation of the wild salmon spec-

ies, which has long been regarded as one of Ireland's most prized fish. It is vital to afford every protection to the remaining salmon stocks and to clearly prioritise conservation over catch. The current imperative must be to maintain stocks above conservation limits or at the very least halt the observed decline.

I am advised that current scientific data has identified that 109 of the salmon rivers in the State are below their conservation limit and details of these are set out in the following table.

The draft Wild Salmon and Sea Trout Tagging Scheme Regulations 2007 will set out the rivers on which rod angling may take place and the controls that will apply and I intend publishing these regulations later this week, following which, there will be a 30 day consultation period.

Under the Fisheries Acts, the Central and Regional Fisheries Boards are primarily responsible for the management and protection of fisheries including measures in relation to enforcement.

Rivers below their Conservation Limit

District	River Name
Dundalk	Dee
Dundalk	Flurry
Dundalk	Glyde
Drogheda	Boyne
Dublin	Dargle
Dublin	Liffey
Dublin	Vartry
Waterford	Barrow
Waterford	Clodiagh
Waterford	Colligan
Waterford	Corock R
Waterford	Lingaun
Waterford	Mahon
Waterford	Nore
Waterford	Owenduff
Waterford	Pollmounty
Waterford	Suir
Waterford	Tay
Wexford	Avoca
Wexford	Owenavorrhagh
Wexford	Slaney
Lismore	Bride
Lismore	Finisk
Lismore	Glenshelane
Lismore	Lickey
Lismore	Tourig
Lismore	Womanagh
Cork	Adrigole
Cork	Argideen
Cork	Glengarriff
Cork	Owennacurra
Cork	Owvane

District	River Name
Kerry	Behy
Kerry	Carhan
Kerry	Cloonee
Kerry	Cottoners
Kerry	Croanshagh (Glanmore R. and L.)
Kerry	Emlagh
Kerry	Emlaghmore
Kerry	Feohanagh
Kerry	Ferta
Kerry	Finnihy
Kerry	Inney
Kerry	Kealincha
Kerry	Lee
Kerry	Lough Fada
Kerry	Maine
Kerry	Milltown
Kerry	Owenascaul
Kerry	Owenreagh
Kerry	Owenshagh
Kerry	Sheen
Limerick	Annageeragh
Limerick	Aughyvackeen
Limerick	Brick
Limerick	Deel
Limerick	Doonbeg
Limerick	Fergus
Limerick	Galey
Limerick	Inagh
Limerick	Maigue
Limerick	Owenagarney
Limerick	Skivaleen
Galway	Aille (Galway)
Galway	Clarinbridge
Galway	Kilcolgan
Galway	Knock
Galway	Owenboliska R (Spiddal)
Connemara	L. Na Furnace
Ballinakill	Bunowen
Ballinakill	Carrownisky
Ballinakill	Culfin
Ballinakill	Dawros
Ballinakill	Owenwee (Belclare)
Bangor	Glenamoy
Bangor	Muingnabo
Bangor	Newport R. (Lough Beltra)
Bangor	Owengarve R.
Bangor	Srahmore (Burrishoole)
Ballina	Ballinglen
Ballina	Brusna
Ballina	Cloonaghmore (Palmerstown)
Ballina	Leaffony

District	River Name
Sligo	Garvogue (Bonnet)
Sligo	Grange
Ballyshannon	Abbey
Ballyshannon	Ballintra (Murvagh R).
Ballyshannon	Bungosteen
Ballyshannon	Erne
Ballyshannon	Eske
Ballyshannon	Laghy
Ballyshannon	Oily
Ballyshannon	Owenwee (Yellow R)
Letterkenny	Bracky
Letterkenny	Clonmany
Letterkenny	Culoort
Letterkenny	Donagh
Letterkenny	Glenagannon
Letterkenny	Glenna
Letterkenny	Gweedore (Crolly R.)
Letterkenny	Isle (Burn)
Letterkenny	Lackagh
Letterkenny	Leannan
Letterkenny	Mill
District	River Name
Letterkenny	Owenamarve
Letterkenny	Owentocker
Letterkenny	Ray
Letterkenny	Straid
Letterkenny	Swilly

329. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the estimated numbers based on scientific evidence of the extra numbers of salmon that may return to Irish waters as a result of the drift net ban; the estimated numbers based on similar scientific evidence that may return to waters outside this jurisdiction; and if he will make a statement on the matter. [37460/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Scientific advice currently estimates that approximately 60,000 fish that might otherwise be taken in at-sea drift-net fishery may return to Irish rivers in 2007.

Advice is not available to indicate the possible numbers that may return to waters outside the jurisdiction.

The Government's primary motivation is the conservation of the wild salmon species, which has long been regarded as one of Ireland's most prized fish. It is vital to afford every protection to the remaining salmon stocks and to clearly prioritise conservation over catch. The current imperative must be to maintain stocks above conser-

[Mr. Browne.]

vation limits or at the very least halt the observed decline.

Inland Fisheries.

330. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the position in regard to the infestation of roach in lakes here with particular reference to western lakes; and if he will make a statement on the matter. [37462/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I have been advised that roach were first introduced to Lough Corrib in the mid to late 1970s and have spread throughout the catchment since then, including Lough Mask. The roach is now naturalised in Ireland and scientific studies have shown that populations of roach fluctuate greatly, particularly after initial introduction. In certain years, due to favourable spawning conditions, the number of juvenile roach has increased. This is a natural phenomenon and would no longer be considered an “infestation”. As these strong year-classes of roach mature, they will compete for food and habitat with other coarse fish species, and will be the most abundant species.

I am advised by the Central Fisheries Board that as roach is now widespread in the western lakes there are no control measures that could be put in place to limit population numbers.

Shellfish Industry.

331. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on the current and prospective strength of both crab and lobster species in Irish fishing grounds; the estimated future extent of the amount of further fishing that both species can take before critical conservation levels may be reached; and if he will make a statement on the matter. [37463/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I have been advised by Bord Iascaigh Mhara (BIM) that recent assessments of crab and lobster stocks undertaken by them indicate that both fisheries are fully exploited. In the case of lobster a number of biological and economic indicators used in the assessment and in discussion with industry suggest that further effort increases would erode profitability in the industry and increase the risk of recruitment failure in the stock.

In the case of crab, although recruitment seems to be well protected, the decline in catch per effort rates strongly suggest that further increase

in effort would threaten the viability of this fishery for all operators. This fishery also occurs outside of the Irish national 12-mile limit and is fished by vessels from Northern Ireland, Scotland and France. Under the Western Waters Effort Regime effort ceilings have been adopted for the Crab fishery in waters around Ireland for all Member States.

The Crab and Lobster advisory groups, which are established under the Management Framework for Shellfisheries and which include industry representatives, are currently examining management arrangements for these fisheries. The advisory groups are considering arrangements including a limit on the number of vessels in these fisheries, the management of effort and adding to the technical conservation measures that are already in place.

I have asked BIM to undertake a consultation with stakeholders on the proposals brought forward by the Advisory Groups.

Fisheries Protection.

332. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources his assessment of scientific evidence supplied to him on the increase of warm water species being increasingly present in the North Atlantic quadrant; his assessment of this scientific evidence for the long term future of native stock including salmon in the North Atlantic; his views on whether climate change impact is beginning to have an effect on the extent of native species; and if he will make a statement on the matter. [37464/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Marine Institute has advised me that there is overwhelming scientific evidence which shows that climate change, is a serious global threat and it demands an urgent global response. The earth’s climate is rapidly changing, mainly as a result of increased greenhouse gases caused by human activities.

The distribution and abundance of many marine species around Ireland are very sensitive to temperature and will be impacted by climate change. In addition the waters around Ireland are some of the most productive and biologically sensitive in the North Atlantic. There are major spawning grounds for mackerel, horse mackerel, blue whiting, cod and hake off the Irish coast and also very important fish nursery grounds closer inshore. Climate change would have major impact on these areas, such as shifting spawning areas further north. Furthermore, species such as cod and herring are at the southern limit of their north Atlantic distribution in the waters off Ireland, and any shift in temperature and ocean currents could have a major impact on the stocks.

In relation to salmon, the north Atlantic stocks are at the lowest ever. The southern salmon stocks (around Ireland and UK) are in the poorest shape. Climate change and other factors in the ocean are contributing to very high mortality on salmon. A major EU project (SALSEA) will investigate the reasons for this and the long-term future of the north Atlantic salmon stocks.

The Marine Institute also advise me that there has been an increase in the occurrence of warm water species in Irish waters. Warm water species such as trigger fish, sardines, blue fin tuna and boarfish have been more frequently encountered by fishermen and anglers. Sightings on warm species of dolphins, which were rarely sighted in the Irish Sea and North Atlantic have been turning up with increased frequency. The increased appearance of striped dolphins has paralleled the increased prevalence of fish species normally found further south.

Fish Quotas.

333. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the species and estimated tonnage of fish taken from Irish waters by Spanish fishing vessels in respect of purchased quota for each of the past five years; and if he will make a statement on the matter. [37465/06]

334. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the species and estimated tonnage of fish taken from Irish waters by Norwegian fishing vessels in each of the past five years; and if he will make a statement on the matter. [37466/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I propose to take Questions Nos. 333 and 334 together.

Member States, under the EU Common Fisheries Policy framework routinely exchange quotas either on a “cod equivalent” basis or as agreed between the Member States. The European Commission is notified of all such quota swaps or exchanges and adjusts Member States’ quotas accordingly.

The catches of each Member State in respect of each fishery are reported according to the relevant fish stock management area and not according to Member States EEZs. However, using the scientific data on catches the Marine Institute have generated the following table of estimated landings and values attributed to the Irish EEZ for Spanish and Norwegian fishing vessels for the last five years (2001-2005). It should be noted that these landings were not exclusively made into Irish ports. Norwegian vessels landed mostly pelagic (blue whiting) and deep-water

long-line species. Spanish vessels landed mostly whitefish species — hake, monkfish and megrim.

Year	Norway		Spain	
	Volume '000t	Value €Million	Volume '000t	Value €Million
2000	139	21	39	78
2001	120	18	27	59
2002	98	14	35	68
2003	219	31	45	88
2004	151	21	33	79
2005	277	39	36	77

Fisheries Protection.

335. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the results of scientific evidence available to him on the matter of salmon survival at sea; the evidence available to him on that survival with particular reference to salmon returning through the North Atlantic and before they reached any location of drift nets; the scientific evidence and reasons given for salmon mortality being as extensive as it is in that general location; if that mortality can be genetically accounted for as a human consequence; and if he will make a statement on the matter. [37467/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. J. Browne): A National Salmon Coded Wire Tagging and Tag Recovery Programme was initiated in 1980 to estimate marine survival of Irish salmon stocks, exploitation rates of high seas fisheries and home water commercial and recreational fisheries.

Since 1980, up to 200,000 salmon have been individually examined each year by the Marine Institute in over 30 locations around the country to identify coded wire tagged salmon and to recover these tags. Sampling locations are usually in the principal dealers or ports where salmon are landed but also include angling centres, fish processors and other fish outlets. In 2005, over 44,000 salmon were examined representing approximately 30% of the declared catch. Information is also collected from in-river traps and bloodstock returns to complete a return of fish to be estimated and providing invaluable information on marine survival and exploitations rates for tagged stocks. The analysis of marine survival is therefore based on a comprehensive sampling programme and on the returns of over 122,000 tag recoveries from releases of over 6.1 million tagged salmon over a 25 year period.

In addition to this two of the 10 European wild salmon index sites are located in Ireland where these assessments can be made directly i.e. the

[Mr. J. Browne.]

River Burrishoole where all outgoing smolts and all returning adults are assessed since the 1960's and the River Bush where similar data is available since the mid 1980s.

There is a decline in survival of wild salmon from the Irish index and values for both hatchery and wild stocks are the lowest in the time series. The current estimates suggest that less than 10% of wild smolts that go to sea from Irish rivers are surviving (i.e. less than 10 adults returning for every 100 smolts migrating).

The International Council for the Exploration of the Seas (ICES) provide an annual assessment of survival in three main areas i.e. the Northern part of the North East Atlantic (Iceland, Scandinavia, Russia), the Southern part of the North East Atlantic (i.e. Ireland, UK, France, Spain) and North America. While survival has generally decreased in all areas, there is a notable decline for southern European stocks.

Marine survival is influenced by many factors and may not be simply fishery related. There are real concerns relating to factors causing mortality at sea such a predation by seals, diseases and parasites, marine pollution, by-catch in other pelagic fisheries etc. The North Atlantic Salmon Conservation Organisation (NASCO) has endorsed a full marine investigation into the causes of the decline in marine survival over the past decade and Irish scientists will be contributing to these initiatives.

Genetic influences may be due to the constant fishing pressure on the salmon run in June and July.

Inland Fisheries.

336. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if he will instruct the Fisheries Board to clean out a river (details supplied) in County Mayo. [37524/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the Fisheries Acts, primary responsibility for the management, conservation, protection, development and improvement of inland fisheries rests with the regional fisheries boards, in this case the Western Regional Fisheries Board. Funding is allocated directly to each fisheries board from the vote of the Department of Communications, Marine and Natural Resources.

It is a matter for the Boards themselves to determine the priorities within their catchment areas.

Offshore Exploration.

337. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources

if he will acknowledge the great potential in terms of hydrocarbon resources that the North Atlantic has to offer and that these waters are under explored with only nine exploration wells drilled in the past 10 years with recent oil industry assessments of yet to find resource potential indicating in excess of 10 billion barrels of oil, which can be effectively and efficiently explored using modern technology and evaluation methods, which is in contradiction to his Department's pessimism of hydro carbon resources potential; and if he will make a statement on the matter. [37568/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The information in the Deputy's question came primarily from work undertaken by my Department. This work was presented by my Department in a paper at its conference in Dublin last week on "Exploring Atlantic Ireland". That paper specifically referred to the fact that the Irish offshore is under-explored with only ten exploration wells drilled since 1994 although an assessment of yet to find resource potential would indicate in the region of 10 billion barrels of oil. Accordingly, it is clear that I am not at all pessimistic in relation to Ireland's hydrocarbon resource potential. I am, however, realistic and am aware of the high cost involved in exploring for hydrocarbons in the deep waters of the Atlantic.

The key words in the Deputy's question are "potential" and "yet to find". Ireland may describe its prospectivity in the Atlantic Margin in terms of potential whereas in other provinces such as the UK and Norway their prospectivity is described as "proven". These figures give an honest assessment of what may be found offshore Ireland, but we need the industry to undertake the high-cost and high-risk activity of exploration to find these hydrocarbons.

Television Licences.

338. **Mr. Kirk** asked the Minister for Communications, Marine and Natural Resources his views on having a feasibility study of introducing a special television licence on a composite basis for self catering chalets; and if he will make a statement on the matter. [37569/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The requirement to have a television licence is set out in the Wireless Telegraphy Acts, 1926 to 1988. Under this legislation a licence is required in respect of each location at which a television set is kept.

I have recently submitted proposals for new broadcasting legislation to the Joint Oireachtas Committee on Communications, Marine and Natural Resources for the purposes of holding a

public consultation on the proposals under the eConsultation initiative. These proposals include proposed amendments to the statutory basis for the television licence regime.

I propose to introduce a Broadcasting Bill into the Houses of the Oireachtas in 2007 in the light of the outcome of the consultation process.

Telecommunications Services.

339. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if he will provide on a county basis a breakdown of the provision of broadband services and the rate of broadband take-up; the areas of the country currently not broadband enabled; and if he will make a statement on the matter. [37570/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

There are a number of platforms for delivery of broadband, and service providers are now offering broadband by wireless, satellite, fibre or standard telephone cable in all areas of the country. My Department operates a dedicated website, www.broadband.gov.ie where potential broadband customers can ascertain the availability of services in their area.

As regards broadband take-up, the independent Commission for Communications Regulation, ComReg, compiles data relating to broadband deployment in Ireland. ComReg's analysis and reporting of that data does not categorise it along the lines suggested by the Deputy.

Energy Costs.

340. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the reason the standing charges for gas here increased 50% in the past year alongside gas price increases despite the fact that the standing charge is not related to international fuel costs; if he will ask Bord Gáis Éireann to provide him with a report on this matter; and if he will make a statement on the matter. [37571/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I can advise the Deputy that, as the setting of charges fall within the statutory responsibility of the Commission for Energy Regulation, under the Electricity Regulation Act, 1999 and the Gas (Interim) (Regulation) Act, 2002. I have no function in the matter.

Telecommunications Services.

341. **Mr. Crawford** asked the Minister for Communications, Marine and Natural Resources the delay in announcing the third call for broadband; when he expects the call to be made; and if he will make a statement on the matter. [37675/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware of the importance of the roll out of broadband in rural areas and smaller communities. The most recent phase of the group broadband scheme, which provides grant aid for the installation of broadband in rural areas, has closed. However, the nature of the scheme is currently being reviewed in the context of options being considered for the achievement of nationwide broadband. Ultimately, my aim is to ensure that the most effective and efficient mechanisms are put in place to assist in the roll out of broadband nationally as quickly as possible.

Departmental Correspondence.

342. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the action his Department will take in relation to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [37787/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): This case is currently being examined by the Office of the Ombudsman and has been the subject of communication between the Department and that Office.

Until the Ombudsman's examination has been brought to finality it would not be appropriate for me to comment on the case.

EU Directives.

343. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37860/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Currently, there are eight Directives within the Department awaiting transposition into Irish law. Three of these are overdue for transposition. Details of expected transposition dates are outlined in the following table.

[Mr. N. Dempsey.]

Directive No.	Directive Name	Latest Date of Transposition	Expected Date of Transposition
2002/91	Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings	04/01/2006	Upon Enactment of the Building Control Bill
2003/54	Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity repealing Directive 96/92/EC	01/07/2007	Jul-07
2003/55	Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas repealing Directive 98/30/EC	01/07/2007	Upon Enactment of the Energy (Miscellaneous) (Provisions) Bill
2004/8	Directive 2004/8/EC of the European Parliament and of the Council of 11 February 2004 on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC	21/02/2006	Upon Enactment of the Energy (Miscellaneous) (Provisions) Bill
2004/67	Council Directive 2004/67/EC of 26 April 2004 concerning measures to safeguard the security of natural gas supply	19/05/2006	Dec-06
2005/89	Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard the security of electricity supply and infrastructure investment	24/02/2008	Dec-07
2006/21	Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC	01/05/2008	May-08
2006/32	Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006 on energy end-use efficiency and energy services repealing Council Directive 93/76/EEC	17/05/2008	May-08

Decentralisation Programme.

344. **Mr. Connolly** asked the Minister for Communications, Marine and Natural Resources the numbers of staff in his Department who have indicated willingness to decentralise; and if he will make a statement on the matter. [37886/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Eighty-five current staff members have indicated a willingness to decentralise with the Department to either Cavan or Clonakilty. Forty-two of these staff are by now in situ in either location.

An additional sixty-nine current staff from my Department have indicated a priority preference on the Central Applications Facility (CAF) to decentralise with other Departments.

Alternative Energy Projects.

345. **Mr. Connolly** asked the Minister for Communications, Marine and Natural Resources his plans for the development of renewable energy resources in view of our continually growing dependence on oil imports; and if he will make a statement on the matter. [37887/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): A number of innovative alternative energy programmes are in place as part of a €65m initiative announced in the context of Budget 2006. The programme is being rolled-out over a five year period and provides funding for the domestic, commercial,

services and industrial sectors as follows: the €27m Greener Homes domestic renewable heat grants programme is providing grants for householders for the purpose of installing renewable heating including wood biomass boilers and stoves, solar panels and heat pumps; the €22m Bioheat grants programme provides grants for commercial scale wood biomass boilers aimed at the business and services sectors; the €11m Combined Heat and Power grants programme is providing funding for the commercial sector to switch to more efficient electricity and heat generation.

In addition to these funding measures, a number of other financial initiatives have been introduced. In July, I launched a five-year excise relief programme for biofuels, valued at over €200m. The programme builds on a pilot initiative rolled out in 2005, in which eight biofuels project were granted excise relief over a two-year period. In June, I launched the Renewable Energy Feed-in-Tariff which is providing a fixed feed-in-tariff for renewable electricity over a fifteen year period.

The Bio-energy Ministerial Task Force, which I established in July, will develop, by end-year a cohesive national bioenergy strategy including biofuels. Further initiatives including the question of additional supports are being considered in the context of developments to date the Green Paper on Energy Policy, and the Estimates and Budgetary processes.

The Green Paper on Energy Policy published on 1st October envisages a target of 30% of electricity consumed, will be produced from renew-

able energy sources by 2020. This is double the 15% target already announced by 2010. It is expected that wind powered technology will make the key contribution to achieving the target.

Telecommunications Services.

346. **Mr. Connolly** asked the Minister for Communications, Marine and Natural Resources his plans for reversing the broadband uptake that currently exists, whereby our EU and European counterparts are outperforming Ireland in relation to broadband uptake; and if he will make a statement on the matter. [37888/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

However, it has been clear for some time that the sector has failed to invest at the level necessary to keep pace with the demand for broadband. My Department's regional broadband programme is addressing the infrastructure deficit by building high-speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These Metropolitan Area Networks (MANs) will allow the private sector to offer world-class broadband services at competitive costs. The networks offer towns opportunities to attract inward investment in advanced technology and knowledge based enterprises.

Twenty-seven MANs have been completed under the first phase and are currently being managed by ENet, the Management Services Entity. The second phase extends the programme to over 90 towns with a population of 1,500 and above that do not have a satisfactory broadband offering from the private sector.

The Department also offered funding assistance for smaller towns and rural communities through the Group Broadband Scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area. To date, over 160 projects have been approved for funding under this Programme. The most recent call for proposals has now closed and the question of a further round of financial assistance is under consideration.

A joint industry/Government fund of €18 million has been established for the Broadband for Schools Programme to resource the provision of high speed broadband connectivity to all primary and post primary schools in the country, at no cost to the schools themselves. 95% of schools have broadband installed to date.

Despite Government investment in broadband in the regions through the regional broadband

programme, there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband connectivity. Options to address these gaps in broadband coverage are currently being considered.

Repatriation of Remains.

347. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he has had discussions with or made representations to the British Prime Minister, Mr. Tony Blair regarding the return of the remains of the Manchester Martyrs; if he has had representations made to him by groups campaigning for same; his response to same; and if he will make a statement on the matter. [37357/06]

Minister for Foreign Affairs (Mr. D. Ahern): I refer the Deputy to my reply to a parliamentary question by him on this subject on 24th October 2006 in which I stated that representations have not been received from organisations campaigning for the repatriation of the remains. I also indicated that this matter has not been the subject of discussions with the British Government. The situation remains as conveyed in that reply.

Grant Payments.

348. **Mr. P. McGrath** asked the Minister for Foreign Affairs the amount of grant aid given to a charity (details supplied) in view of the statement on 10 November 2004 that the Government would provide grant aid to the charity equivalent to the VAT on the sales of Live Aid DVD for 2004, 2005 and to date in 2006;. [38014/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The Taoiseach announced on 10 November 2004 that the Government would refund the VAT paid on sales of the Band Aid CD and Live Aid DVD to the Band Aid Trust.

In 2005, Irish Aid reimbursed a total of €346,616 to the Band Aid Trust for VAT on sales of the Live Aid DVD. A further amount of €67,232 was reimbursed for VAT on sales of the Band Aid CD. Those payments were made in respect of sales in the period up to March 2005.

We are awaiting certified sales figures for subsequent periods from the distributors. These are due shortly. Once we have received those figures we will reimburse the amount to the Trust.

Human Rights Issues.

349. **Mr. F. McGrath** asked the Minister for Foreign Affairs the action he will take regarding the killing of Palestinian women in the Middle East by the Israeli armed forces. [37404/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Government is deeply concerned by the rising toll of death and destruction in Gaza. Last

[Mr. D. Ahern.]

week, I unreservedly condemned the deaths of 18 civilians, including women and children, in the shelling by the Israeli Defence Forces of the town of Beit Hanoun in northern Gaza. The UN has reported that, since the beginning of the latest Israeli military operation in the area on 1 November, 82 Palestinians have been killed, 39 of them civilians. In the same period, one Israeli soldier has been killed in Gaza. I have called very clearly for an immediate end to all violence. This includes the ending of the Israeli military operation and the firing of rockets on Israel from Palestinian Territory.

The Government and our EU partners have regularly reminded all parties of their obligation to protect civilian lives. We have stated on many occasions that Israel has a right to defend itself against attack, but that any action must be in accordance with international humanitarian law, and not at the expense of the lives and welfare of innocent civilians.

The terrible violence of recent months, in the Occupied Territories and in Lebanon, underlines that there can be no military or unilateral solution to the Israeli-Palestinian conflict. The Government has been active in direct contact with the parties, within the EU and at the UN in arguing strongly that the only way forward for the Israeli and the Palestinian people is the negotiation of a viable two-State solution. The EU strongly supports the continuing efforts of President Mahmoud Abbas to negotiate the formation of a Palestinian national unity government. If a government is formed which is committed to a two-State solution and based on the ending of violence, the Government will argue for a generous and creative political response by the EU. All parties have a clear duty to act now to revive a credible peace process, and avoid further tragedies such as those witnessed in the Occupied Territories in recent weeks.

350. **Mr. J. Higgins** asked the Minister for Foreign Affairs if he will raise at all appropriate forums as a matter of urgency the need to revoke the death penalty on Mumia Abu-Jamal, a former Black Panther spokesperson and journalist currently in prison in the United States, noting that the appeals procedure is nearing its end and the widespread view that he is innocent of the killing of a policeman for which he was convicted. [37413/06]

Minister for Foreign Affairs (Mr. D. Ahern): EU Member States collectively express their strong concerns regarding the death penalty to the United States Government on a regular basis. However, given the number of death penalty cases in the United States, the EU restricts its interventions in respect of individual cases to those involving EU nationals, juveniles, mentally retarded detainees or violations of the detainee's

rights under the Vienna Convention. As none of these criteria applies in the case of Mumia Abu-Jamal, EU intervention is not foreseen in this instance.

As the Deputy is aware, the Government is adamantly opposed to the use of the death penalty and accordingly seeks its universal abolition. We believe that its abolition contributes to the enhancement of human dignity and the progressive development of human rights.

We will continue to engage in dialogue with the US authorities to seek abolition of the death penalty, and are seeking in the interim the introduction of moratoria at state level and the reintroduction of the de facto moratorium at federal level.

Trade Sanctions.

351. **Mr. F. McGrath** asked the Minister for Foreign Affairs the action he will take regarding the inhuman economic sanctions imposed by the US against Cuba in order to end these draconian measures; and if he will highlight this issue at both EU and UN levels. [37497/06]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland, in common with our partners in the European Union, is of the view that the US economic embargo on Cuba seriously hampers the economic development of Cuba and negatively affects its entire people. EU companies account for at least half of all Cuba's foreign trade, and the EU rejects unilateral measures against Cuba which are contrary to commonly accepted rules of international trade. In the United Nations General Assembly, Ireland and our EU partners again voted on 8 November, 2006 in favour of the annual Cuban-tabled resolution related to ending the embargo. We will continue to make our opposition clear as appropriate.

The EU's overall policy on Cuba is as set out in the Common Position agreed on 2 December 1996, during the then Irish Presidency. The General Affairs and External Relations Council reaffirmed the validity of the Common Position on 12 June 2006. It reiterated that constructive engagement and a critical and comprehensive dialogue remain the basis of the EU's policy. However, the EU considers that full cooperation with Cuba will depend upon improvements in human rights and political freedom in that country, the restriction of which remains a matter of deep concern to the EU. I would again urge the Cuban Government to release all prisoners of conscience and to respect internationally acknowledged principles and practices so that dialogue can be resumed.

Passport Fees.

352. **Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs his views on making passports available at a prorated fee to persons nearing the

age of 65 to ensure that all senior citizens can benefit equally from the free passport scheme. [37522/06]

Minister for Foreign Affairs (Mr. D. Ahern): A passport is normally issued for ten years, and the fees to be charged are laid down by a Statutory Instrument. There is no provision in this Statutory Instrument to permit the Passport Office to waive the fee for persons aged less than 65 years.

Apart from the legal dimension, the reality is that, if this attractive concessionary scheme is to work satisfactorily, there clearly has to be a fixed starting date and fixed qualifications for persons to benefit under it. However, unless the passport holder has immediate travel plans, new passports do not of course have to be applied for on, or be valid from, the date when the previous passport expired. A person approaching 65 years may well wish, therefore, to wait until they reach that age and then apply for a free passport.

Overseas Development Aid.

353. **Mr. Timmins** asked the Minister for Foreign Affairs the amount of overseas aid granted in 2005; the way this was distributed and to who; the way this money was audited or accounted for; and if he will make a statement on the matter. [37550/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): In 2005, total funding for Overseas Development Assistance (ODA) amounted to €578 million which brought total spending to 0.43% of GNP. Funding for ODA administered by Irish Aid under Vote 29 amounted to €465 million. ODA contributions from other Government Departments in 2005, including Ireland's contribution to the EU budget for Development Cooperation amounted to €113 million.

Total ODA is expected to reach €734 million in 2006. This includes the additional contribution of €59 million for debt cancellation made to the World Bank. This will bring spending on ODA to just over 0.5% of GNP, meeting the Government's interim target a year in advance.

The funding administered by Irish Aid in 2005 was delivered through a wide range of partners including non-governmental organisations, missionaries, UN agencies, international organisations and humanitarian agencies. Funding was also delivered via local, regional and national government systems aimed at, inter alia, building health, education and local government systems. Assistance was delivered to very many of the world's poorest countries, with the majority in Africa.

A comprehensive and detailed list of all countries, projects and agencies funded by Irish Aid will shortly be available in the 2005 annual report, which will be placed in the Dáil Library.

Irish Aid operates an integrated accounting system, which covers the entire programme. This system operates to the best Irish accounting standards, is in compliance with public financial procedures, and additionally meets the OECD reporting requirements.

Like every Vote, Vote 29 is subject to the audit of the Comptroller and Auditor General. The appropriation account for 2005 has been audited and was recently published. Like every Vote, Vote 29 is subject to the audit of the Comptroller and Auditor General. The appropriation account for 2005 has been audited and was recently published. In addition, Irish Aid has a dedicated evaluation and audit unit, which contributes to an efficient and effective development programme by ensuring accountability and facilitates learning. The unit's mission includes promoting the culture of evaluation and audit in Irish Aid. Specifically, the role of the internal audit element of the unit is to independently examine and report to management and the Accounting Officer whether public funds and resources have been used for the purposes for which they have been authorised and accounted for in accordance with public financial procedures and are managed to good effect.

In addition, the Department of Foreign Affairs has an independent audit committee, consisting of five external members, whose role is to provide oversight regarding the accountability arrangements for the programme. The committee advises the Accounting Officer and operates under a written charter.

International Agreements.

354. **Mr. Morgan** asked the Minister for Foreign Affairs the provisions in EPAs to deepen South-South trade links among developing countries; and if he will outline the way in which these provisions are to be balanced with the negative revenue and de-industrialisation effects of EPAs; and if he will make a statement on the matter. [37714/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The Cotonou Agreement between the African, Caribbean and Pacific (ACP) States and the European Union (EU) provides for the negotiation of Economic Partnership Agreements (EPAs) between the Parties. The EPAs are first and foremost instruments for development that are intended to foster the smooth and gradual integration of the ACP States into the world economy, thereby promoting sustainable development and contributing to poverty eradication.

I am aware of the questions raised about the possible impact of EPAs on developing countries. Ireland's position, as repeated at the recent General Affairs and External Relations Council of 16 and 17 October last, is that development concerns must be to the fore in these Agree-

[Mr. C. Lenihan.]

ments. And, of course, regional integration and the promotion of South-South trade are cornerstones of the Cotonou Agreement.

For the purposes of EPA negotiations, the ACP states are organised into six regional groupings and the EPAs are intended primarily to foster trade between, as well as within, these regional groupings. As such, the EPAs have the potential to develop the conditions for South-South trade, with all the benefits of new markets which this promises for the countries concerned. However, if the ACP States are to take full advantage of the trading opportunities afforded by EPAs, greater and more effective trade-related assistance will be required to be made available to them. In this regard, EU Ministers for Development have already pledged to ensure that a substantial share of EU and national trade-related assistance will be devoted to them, with the total allocation rising to some €2 billion per annum by 2010. In Ireland's case and in line with the priorities outlined in the recent White paper on Irish Aid, we have committed to increase substantially our funding for Aid for Trade initiatives in the coming years.

International Agreements.

355. **Mr. Perry** asked the Minister for Foreign Affairs the funding available to an Irish citizen residing in the US who adhered to the regulations in the Hague Convention and due to the fact the other party involved was in breach of the regulation, they cannot leave the jurisdiction and find themselves in financial difficulties; and if he will make a statement on the matter. [37810/06]

Minister for Foreign Affairs (Mr. D. Ahern): The case in question is before a US Court at present and relates to the custody of the children of a marriage where the parents are divorced. As such, it would not be appropriate for the Department of Foreign Affairs to become involved, nor are funds available to the Department to fund the legal costs in question.

However, the Department has been in contact with the family of one of the parties to the case, who is an Irish citizen, and the Consulate in New York will also make contact at an early date to see if there is any appropriate consular assistance available that can be provided.

Human Rights Issues.

356. **Mr. M. Higgins** asked the Minister for Foreign Affairs if he has received representations in relation to human rights issues on behalf of republican prisoners at Maghaberry prison; if he has satisfied himself that standards required for compliance with the European Court for Human Rights and other international conventions are in place; and if he will make a statement on the matter. [37811/06]

Minister for Foreign Affairs (Mr. D. Ahern): I have received representations concerning the conditions under which certain prisoners are being held at Maghaberry prison, and the issue has been discussed with the British Authorities.

I keep all such matters under careful review, and raise them as appropriate with the British Authorities, including through the framework of the British-Irish Intergovernmental Conference. I will continue to follow developments closely in relation to this matter in the period ahead.

EU Directives.

357. **Mr. Allen** asked the Minister for Foreign Affairs the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37867/06]

Minister for Foreign Affairs (Mr. D. Ahern): There are currently no EU Directives awaiting transposition in my Department.

My Department has a particular responsibility to ensure a coordinated national response across the range of EU issues. The Interdepartmental Committee on European Union Affairs, which is chaired by my colleague Mr. Noel Treacy T.D., Minister of State for European Affairs, works to ensure that the implementation of EU Directives by Ireland is effective and timely.

In addition, the Cabinet Committee on European Affairs, which is chaired by the Taoiseach, keeps the issue of the national rate of transposition of EU Directives under regular review.

At EU level, the Internal Market Scoreboard tracks the rate of transposition of EU Directives on an EU-wide basis. The next Scoreboard is due to be published at the end of November and I will forward a copy of it to the Deputy for his information when it becomes available.

Departmental Appointments.

358. **Mr. Connolly** asked the Minister for Foreign Affairs the criteria for persons with disabilities for seeking employment opportunities within his Department; the application procedures that apply; and if he will make a statement on the matter. [37883/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs is strongly committed to positive action designed to enhance employment opportunities for persons with disabilities.

The Public Appointments Service (PAS) is responsible for recruitment across the Civil Service, including the recruitment of people with disabilities. Persons with disabilities can partici-

pate in all competitions for which they are eligible, and no special application procedures are required. Following the selection process, any particular accommodations required for an individual with a disability will, where possible, be provided.

My Department works with other Government Departments, the PAS and the National Disability Authority in the implementation of the provisions of the Disability Act 2005, including those relating to the recruitment and employment of people with disabilities in the Civil Service. This Department also participates in the confined promotion competitions for people with disabilities who are already in the Civil Service, which are organised by the PAS from time to time.

In addition, my Department is a participant in the Willing Able Mentoring (WAM) project, administered by AHEAD — the Association of Higher Education Access and Disability — and supported by the Department of Finance. It provides work experience of between three and six months for graduates with disabilities.

While recruitment to the Civil Service is, in the first instance, a matter for the PAS, the Human Resources Section of my Department would be happy to provide advice and guidance to any person with a disability who may be interested in pursuing an employment opportunity with the Department of Foreign Affairs.

Sports Funding.

359. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism his views on a submission made by a person (details supplied); and if he will make a statement on the matter. [37955/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Special Olympics Ireland has made a submission to the Government on the development and funding of the Special Olympics Programme and this submission is being considered.

The Irish Sports Council was set up as a statutory body in July 1999 with responsibility for the development of sport, increasing participation at all levels and raising standards. The provision in funding for the Irish Sports Council in the 2006 Estimates is €40.9 million, in comparison to just over €13 million in 2000.

The Sports Council provides funding to recognised National Governing Bodies (NGB) of sport including Special Olympics Ireland. NGBs are dealt with as autonomous organisations and grants are allocated under agreed funding conditions and with specific priorities in mind. The grant allocation process is run on an annual basis by the Sports Council, with NGBs submitting an application form covering their programmes for the coming year.

I recognise the extensive benefits that accrue to persons with intellectual disabilities through the

sporting and social activities provided by Special Olympics Ireland. Since 1999, Special Olympics Ireland has received over €4 million in funding from the Sports Council with grants of €596,473 in 2006.

360. **Mr. Gregory** asked the Minister for Arts, Sport and Tourism the financial assistance available to participants in the sport of canoeing including those who represent Ireland on the world stage; and if he will make a statement on the matter. [37446/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Irish Sports Council was set up as a statutory body in July 1999 with responsibility for the development of sport, increasing participation at all levels and raising standards. The provision in funding for the Irish Sports Council in the 2006 Estimates is €40.9 million, in comparison to just over €13 million in 2000.

The Sports Council provides funding to recognised National Governing Bodies (NGBs) including the Irish Canoe Union (ICU). NGBs are dealt with as autonomous organisations and grants are allocated under agreed funding conditions and with specific priorities in mind. The grant allocation process is run on an annual basis by the Sports Council, with NGBs submitting an application form covering their programmes for the coming year.

Since 1999, the ICU has received almost €4 million (€3,973,517) in funding from the Irish Sports Council with grants of €571,057 in 2006. Of the money allocated to the ICU in 2006, €275,000 was specifically targeted at high performance and €94,000 under the International Carding Scheme, which provides direct support in terms of grant-aid and indirect support in terms of sport science and medical backup to elite and top aspiring athletes.

Since 1998, the sport of canoeing has also received over €1 million in funding under the national lottery-funded Sports Capital Programme administered by my Department.

On 9th November 2006, I announced further funding for the provision of high-performance sports equipment for elite athletes. Of the eight grants announced, the ICU received an allocation of €56,146.

EU Directives.

361. **Mr. Allen** asked the Minister for Arts, Sport and Tourism the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37859/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): There are no EU Directives currently awaiting implementation by my Department.

Work Permits.

362. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment when an application for a work permit for a person (details supplied) in County Clare will be processed; and if he will make a statement on the matter. [37358/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Work Permits section of my Department has informed me that this application was refused and the employer was notified of this decision in writing and of their right of appeal. To-date no such appeal has been received in the Work Permit section.

In the aftermath of EU Enlargement, it is Government policy that employers should be able to source nearly all of their workforce needs from within the EU. Accordingly, only in cases where skills and qualifications are needed for the job, and the employer has made meaningful attempts to find EEA nationals first, will my Department now consider work permit applications.

Departmental Properties.

363. **Mr. Carey** asked the Minister for Enterprise, Trade and Employment if he will establish with Enterprise Ireland if it would be prepared to let, lease or rent an unused playing area (details supplied) to a local football club which is short of playing and training pitch space; and if he will make a statement on the matter. [37412/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In the context of Health and Safety and Security requirements, it would not be feasible for Enterprise Ireland (EI) to engage in the management of a sub letting, lease, or rent arrangement, in relation to that section of Enterprise Ireland's Glasnevin site. Security, and Health and Safety concerns include the fact that the area concerned is an integral part of the site in Glasnevin and is not physically separated from other facilities on the site. In addition, the EI site closes at 7.00 pm each evening and for weekends.

Site Visits.

364. **Mr. Deasy** asked the Minister for Enterprise, Trade and Employment the number of site visits to County Waterford, Dungarvan and Waterford City over the past 12 months; and if he will make a statement on the matter. [37468/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The marketing of individual areas, including Waterford, for new or expansion FDI investments and jobs is a day-to-day operational matter for IDA Ireland. I have been informed by the Agency that there have been 8 site visits to Waterford City and none to the County in the past twelve months.

In Waterford City, IDA Ireland continues to market its new Business and Technology Park on circa 28 hectares on the Cork Road (M25). In Dungarvan, the Agency owns 14 hectares of land, adjacent to its Industrial Park in the town. Phase 1 of the site development has been completed and the first client has been secured.

The recently announced "Invest in Waterford" initiative, led by Waterford County Council, is welcomed and is extremely useful in terms of its value to the overall marketing drive for foreign direct investment in the County. In particular, the collation of important information on skills availability in Waterford will be useful data to present to prospective IDA clients.

Belview is a key strategic site developed by IDA Ireland to attract a cluster of cutting-edge multinational utility-intensive industries to the South East. The recent announcement by Servier that it is investing €115m to establish a new high-value manufacturing pharmaceutical facility at the site was particularly welcome. The creation of some 155 new jobs in this sector will help in marketing this area for further investment.

I am confident that the strategies and policies being pursued by IDA together with the ongoing commitment by Government to regional development and the National Development Plan will bear fruit in terms of investment and jobs for the people of Waterford, Dungarvan and the region as a whole.

Job Losses.

365. **Mr. Deasy** asked the Minister for Enterprise, Trade and Employment the number of job losses in Waterford City and Waterford county in each of the past five years; and if he will make a statement on the matter. [37469/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The following table sets out the position in relation to the number of full time job gains and job losses in firms assisted by the enterprise development agencies under the aegis of my Department (Enterprise Ireland and IDA Ireland) in each of the years between 2001 and 2005 (agency data does not distinguish between Waterford city and county). Over the 5 year period there has been a net increase of 708 jobs in enterprise agency assisted companies.

Enterprise Ireland works with 185 client companies in County Waterford, employing over 5,000 people. In terms of job creation, their activity is focused on the creation of new jobs through supporting entrepreneurs in manufactur-

ing and internationally traded services companies who are setting up new High Potential Start-Up Companies or expanding existing companies. Enterprise Ireland is represented on an inter-agency working group set up by Waterford County Manager to foster economic development in the area. An Economic Development Executive was appointed to drive the project forward and the position has been operational since the end of 2005.

As the Gateway location for the South-East region, IDA Ireland is seeking to develop Waterford City as a first-class location for overseas investment with the necessary infrastructure, skills availability and support services capable of attracting investment into Waterford and the entire region. The agency continues to market its new Business and Technology Park in the city. In addition IDA has a total of 75 hectares spread between locations at Belview, Knockhouse and Waterford Industrial Park. In Dungarvan, the agency owns 14 hectares, adjacent to its Industrial Park in the town. Phase 1 of the site development has been completed and the first client has been secured.

Job Gains/ Job Losses in Agency Assisted Companies in Waterford

Full-time Jobs	2001	2002	2003	2004	2005	Total
Job Gains	927	1,009	987	603	467	3,993
Job Losses	-543	-734	-426	-856	-726	-3,285
Net Change	384	275	561	-253	-259	708

366. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment his views on the future for a company (details supplied) in Dublin particularly in relation to the proposed €100 million investment where a high percentage of this is going on pensions and the redundancy package; if future grants will be given to the company; and if he will ensure the maximum protection for the staff. [37498/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I was aware for some time that the company in question was carrying out a strategic review of its operation in Coolock. During the course of the review, the Chairman of the company and the Chief Executive Officer of Enterprise Ireland together with senior management from both organisations were in discussions.

I understand that the company was concerned about the high level of operating costs at the Coolock plant and decided that its current business model in Coolock was unsustainable. The options facing the company were closure of the operation or to streamline and increase efficiencies at the plant. The latter option is the company's preferred option and this underpins its commitment to the long term future of the Coolock plant.

In October, I announced that Servier was establishing a new high-value manufacturing pharmaceutical facility at Belview, three miles from Waterford City. Belview is a key strategic site developed by IDA Ireland to attract a cluster of cutting-edge multinational utility intensive industries to the South East. The winning of the Servier project for Belview will be a strong attraction for further investment to follow. Servier is to invest €115 million in establishing a bulk active pharmaceutical ingredients facility at Belview; 155 new jobs will be created in this facility.

The Invest in Waterford initiative, supported by the IDA is also a welcome development and is useful in terms of its value to the overall marketing drive for foreign direct investment in Co. Waterford. In particular, the collation of important information on skills availability in Waterford is useful data to present to potential clients.

In the five year period from 2001 to 2005 Waterford County Enterprise Board and the Waterford City Enterprise Board has approved over €3.5m in grant assistance to micro-enterprise businesses in respect of 231 projects.

The option which has been chosen will require a reduction of 400 to 450 jobs. This reduction is expected to be achieved on a voluntary basis over the next three years. Discussions between management and unions will determine the best way to achieve this.

The proposed investment is a matter for the company itself and, similarly, the question of future grants is a day-to-day operational matter for the Development agency Enterprise Ireland. However, I am aware that a number of initiatives, including capital and research projects, are being explored in order to maximise the number of activities that can be undertaken at the facility. Overall, I am anxious to ensure the best possible outcome for all the staff in the company.

Work Permits.

367. **Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment the number of new work permit applications filed, the number approved, the number approved on appeal; and the number rejected on appeal, for each month since 1 May 2004. [37520/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Work Permits Section of my Department have set out a chart indicating the number of new applications filed and the

[Mr. Martin.]

number approved for each month since 1st May 2004. Information on appeals since May 2004 is not readily available, however, the number of appeals received to date in 2006 is 1,000 approximately, of which it is estimated that about 50% have been upheld and 50% rejected.

Year	Month	Applications Filed	Applications Approved
2006		7,469	6,454
	January	588	519
	February	640	580
	March	667	590
	April	554	475
	May	794	694
	June	830	696
	July	912	799
	August	739	672
	September	805	652
	October	755	610
	November	185	167
2005		8,419	7,344
	January	725	572
	February	614	540
	March	639	566
	April	759	665
	May	605	519
	June	725	670
	July	743	666
	August	838	727
	September	733	643
	October	714	641
	November	910	772
	December	414	363
2004		5,617	4,851
	May	609	474
	June	659	619
	July	773	650
	August	667	538
	September	593	525
	October	785	700
	November	866	777
	December	665	568

Energy Costs.

368. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment the actions he is taking to protect consumers following the price increases in electricity and gas in recent months; and if he will make a statement on the matter. [37544/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Under the Electricity Regulation Act 1999 (as amended) the Commission for Energy Regulation is the responsible authority for regulating energy prices including the price of electricity and gas. I do not have any function in this area.

I would advise the Deputy, however, that it is intended that the forthcoming Bill establishing the new National Consumer Agency (NCA) will include a specific provision enabling the Agency to enter into co-operation agreements with the various regulatory bodies, including the Commission for Energy Regulation. The Bill will also require regulatory bodies, who are parties to such co-operation agreements, to consult the NCA in relation to any matter involving the determination of issues of consumer protection. I am satisfied that these provisions will help to provide a strong consumer voice in the regulated sector thereby ensuring full consideration of consumer issues in the regulatory process as recommended by the Consumer Strategy Group.

EU Directives.

369. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment the outstanding untransposed EU Directives within his portfolio and the deadline for each; the number of warnings received from the Commission for each unimplemented Directive; the number of Directives successfully transposed since January 2006; the timetable for further Directives he intends to transpose during the current Dáil session; and if he will make a statement on the matter. [37545/06]

372. **Mr. Allen** asked the Minister for Enterprise, Trade and Employment the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37864/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 369 and 372 together.

Of the four Directives overdue for transposition by the official EU Commission deadlines, it is expected that three will be implemented by 31 December 2006 as follows:

1. Council Directive 2001/86/EC supplementing the Statute for a European Company with regard to the involvement of employees
Transposition Deadline: 8 October 2004

2. Directive 2003/72/EC supplementing the Statute for a European Cooperative Society with regard to the involvement of employees

Transposition Deadline: 18 August 2006

3. Directive 2003/58/EC of 15 July 2003 amending Council Directive 68/151/EEC (First Company Law Directive), as regards the disclosure requirements in respect of certain types of companies

Transposition Deadline: 31 October 2006

It is expected that the fourth overdue Directive (Directive 2004/22/EC of the European Parliament and of the Council concerning technical harmonisation creating an internal market for measuring instruments), which was due to be officially transposed on 30 April 2006, will be implemented in early 2007.

Six Directives are due to be transposed by my Department in the first half of 2007 as follows:

1. Directive 2006/2/EC of 6 January 2006 amending, for the purposes of its adaptation to technical progress, Annexe II to Directive 96/73/EC of the European Parliament and of the Council on certain methods for quantitative analysis of binary textile fibre mixtures.

Transposition Deadline: 6 January 2007

2. Directive 2006/3/EC of 9 January 2006 amending, for the purposes of their adaptation to technical progress, Annexes I and II to Directive 96/74/EC of the European Parliament and of the Council on textile names.

Transposition Deadline: 9 January 2007

3. Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC.

Transposition Deadline: 20 January 2007

4. Directive 2004/109/EC of the European Parliament and of the Council on minimum transparency requirements for listed companies.

Transposition Deadline: 20 January 2007

5. Directive 2006/8/EC of 23 January amending for the purposes of their adaptation to technical progress, Annexes II, III and V to Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations.

Transposition Deadline: 1 March 2007

6. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business -to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No. 2006/2004 of the

European Parliament and of the Council (Unfair Commercial Practices Directive)

Transposition Deadline: 12 June 2007.

The following Directives are due for transposition during the latter half of 2007 to 2010:

1. Directive 2006/89/EC of 3 November 2006 adapting for the sixth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road

Transposition Deadline: 1 July 2007

2. Directive 2006/15/EC of 7 February 2006 establishing a second list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC and amending Directives 91/322/EEC and 2000/39/EC.

Transposition Deadline: 9 August 2007

3. Directive 2005/32/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for Energy-Using Products and amending Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council.

Transposition Deadline: 11 August 2007

4. Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies.

Transposition Deadline: 15 December 2007

5. Directive 2004/40/EC of the European Parliament and of the Council of 29 April 2004 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

Transposition Deadline: 29 April 2008

6. Directive 2006/42/EC of the EP and of the Council of 17 May 2006 on Machinery, and amending Directive 95/16/EC

Transposition Deadline: 29 June 2008

7. Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC.

Transposition Deadline: 6 June 2008

8. Directive 2006/46/EC of the European Parliament and of the Council of 14 June 2006 amending Council Directives 78/660/EEC on the annual accounts of certain types of companies, 83/349/EEC on consolidated accounts, 86/635/EEC on the annual accounts and consolidated accounts of banks and other financial

[Mr. Martin.]

institutions and 91/674/EEC on the annual accounts and consolidated accounts of insurance undertakings

Transposition Deadline: 5 September 2008

9. Directive 2006/25/EC of the European Parliament and of the Council on the minimum Health and Safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of article 16(1) of Directive 89/391/EEC).

Transposition Deadline: 27 April 2010.

In relation to Council Directive 2001/86/EC, the Commission issued a Letter of Formal Notice on 15 December 2004 and a Reasoned Opinion on 18 October 2005. The Commission issued proceedings on 27 July 2006 under Article 226 of the EC Treaty for failure to transpose this Directive into Irish law. In that regard, draft Regulations were sent to the Attorney General's Office for settling on 28 September 2006. As indicated earlier, it is intended to have the Regulations completed by the end of December 2006.

In relation to Council Directive 2003/72/EC, on the 16 October 2006 the Commission invited the Irish Government, under Article 226 of the Treaty, to submit within two months its observations on its failure to transpose this Directive. This Directive is linked with transposition of Directive 2001/86/EC. It is anticipated that Regulations to give effect to this Directive will be finalised and transmitted to the Attorney General's Office for settling by the end of November 2006.

Due to the collective efforts of my officials over the past few months in addressing transposition issues, my Department has successfully transposed 18 Directives (and partially transposed one Directive) since January of this year. As stated earlier, in addition to Directive 2001/86/EC, it is intended that Directives 2003/58/EC and 2003/72/EC will be transposed during the current Dáil session. It is my intention to continue to make transposition of EU Directives an ongoing priority in my Department.

Trade Missions.

370. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if he will report on his trade mission to Canada during October 2006; the cost to the State of this trade mission; and if he will make a statement on the matter. [37546/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Between 16th to 19th October, 2006, in my capacity as Minister for Enterprise Trade and Employment, I paid an official visit Canada at the head of an Enterprise Ireland- sponsored Trade Mission.

The main purpose of the Trade Mission was to promote Ireland as a source of world-class products and services in Canada, and also to highlight the growing economic links between the two countries. At company-specific level, it had the objective of raising the profile of selected clients and enhancing their relationship with local customers. Canada is a well-developed market of 32 million people, offering significant opportunities for increased sales growth for Irish exporters. It is the 7th largest economy in the world, is English speaking, has no trade barriers and offers a low cost gateway to the North American market place. As such, it offers unique opportunities for Irish exporters seeking to create new markets for their products.

A total of 32 companies participated on the Trade Mission, 23 of which were from the Republic and 9 from Northern Ireland. The companies involved on the Mission were representative of all sectors, including software and services, industrial, healthcare and consumer products. The Trade Mission played an important role in introducing these Irish companies to exporting opportunities in Canada, and in raising the awareness of Ireland among the Canadian business community. In this, it will also be greatly assisted by the opening of Enterprise Ireland's Toronto office, which took place during the course of my official visit.

In terms of the objectives set out for the visit, the Trade Mission was deemed a great success. During the Mission, contracts were signed between Irish suppliers and Canadian customers, totalling €32 million. In addition, another Irish company signed an investment contract worth €7 million. Over 500 meetings were held between the Irish participants and potential and existing customers.

During the course of the Trade Mission, I addressed two major business networking events in Toronto and Montreal, which were organised by Enterprise Ireland and at which approximately 400 people attended. During the opening ceremony for Enterprise Ireland's new office in Toronto, at which I officiated, separate contracts were signed by several Irish companies.

In all, a total of 11 signing ceremonies were organised for companies throughout the locations visited. In addition, a Memorandum of Understanding was signed between BioLink Canada and the MaRS organisation on Biotechnology, and a Memorandum of Understanding was signed between Enterprise Ireland and the National Research Council of Canada, (IRAP) on mutual cooperation and development in the area of Technology Transfer between Irish and Canadian SME companies.

The cost of the Trade Mission was approximately €110,000 — this included flights and logistical activity support to achieve Mission objectives, including evening networking receptions and dinners. The cost also included related activi-

ties such as signage, local fees, including local transport and hotel costs.

During my visit, I separately met Ms Sandra Pupatello, the Minister for Economic Trade and Development in the Ontario Government, Mr. Maxime Bernier, Minister for Industry in the Canadian Federal Government and Mr. Gary Lunn, Minister of Natural Resources in the Canadian Federal Government. We discussed a range of political issues and measures to strengthen the trade and economic links between Ireland and Canada.

I want to pay a warm tribute to my own officials and the staff of Enterprise Ireland for their hard work and dedication over the three days of the trade mission which took in engagements in the cities of Toronto, Montreal and Ottawa.

Community Employment Schemes.

371. **Mr. M. Higgins** asked the Minister for Enterprise, Trade and Employment if the Government has plans to increase the funding available to a centre (details supplied) in County Mayo, in order to ensure that those who choose to can live their lives independently; and if he has plans to mainstream community employment schemes in order to address the insecurity of losing personal assistants after a three to four year term. [37802/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The main purpose of the Community Employment (CE) programme is to provide work experience and training for the long term unemployed and disadvantaged groups (including those with a disability) and thereby enable participants to advance successfully to employment in the open labour market by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills. The programme is implemented and managed for this purpose having regard to the availability of resources and the needs of participants and the community.

In November 2004 following a review of FÁS Employment Schemes (Community Employment, Job Initiative and Social Economy), I announced that the 3 year cap for participants on Community Employment had been raised to 6 years for those over 55. I also announced on that occasion that Community Employment places supporting the delivery of health services would continue to be ring-fenced. There are currently no plans to mainstream these Community Employment places.

I am informed by FÁS that at present the Castlebar Centre for Independent Living has 15 community employment participants and one supervisor.

Question No. 372 answered with Question No. 369.

Equal Opportunities Employment.

373. **Mr. Connolly** asked the Minister for Enterprise, Trade and Employment the criteria for persons with disabilities for seeking employment opportunities within his Department; the application procedures that apply; and if he will make a statement on the matter. [37882/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department, in common with other civil service Departments and offices, fully implements the Government's policy on the employment of people with a disability.

The recruitment of staff to all Government Departments, including my Department, is undertaken by the Public Appointments Service. Provided the qualifying criteria for each particular competition are satisfied, persons with disabilities are eligible to compete in all such competitions. Every effort is made to ensure that the particular needs of staff with disabilities are met throughout the selection process.

Furthermore, independent research commissioned by the Department of Finance into the operation of the policy on the employment of people with disabilities in the civil service, and published as "Employment and Career Progression of people with a disability in the Irish Civil Service", recommended, inter alia, that action be undertaken to recruit more people with a disability to the higher grades. On foot of the research findings, the Government decided to adopt a new approach to the recruitment of people with a disability into the Civil Service, which will include special competitions being held from time-to-time with the aim of ensuring that 3% of all recruits to the Civil Service are people with a disability.

In addition, my Department is currently participating in the Willing Able Mentoring (WAM) Project. The WAM project, which is administered by the Association of Higher Education Access and Disability (AHEAD), aims to provide graduates with disabilities placements of between three and six months with public and private sector employers. Persons claiming Occupational Injuries Benefit in cases of Pneumoconiosis are referred to Consultant Respiratory Physicians in the first instance for an examination and report. This examination consists of a clinical assessment and pulmonary function testing (PFT). Disablement benefit is awarded on the basis of the consultant's report, including the pulmonary function test result. The degree of disablement is expressed as a percentage of loss of faculty and the compensation payable varies accordingly. Loss of faculty may be determined within a range of less than 1% to 100%, depending on the severity of the condition. There are 21 persons currently in receipt of disablement benefit as a result

[Mr. Martin.]

of contracting pneumoconiosis arising from their occupation, the percentage of disablement assessed ranges from 8% to 90%. A person must be assessed as having a minimum of 20% loss of faculty before they may be considered as being incapable of work due to their disablement. There is no reason, medical or otherwise, to make special arrangements in the case of Pneumoconiosis and this includes making an ex-gratia payment.

While I have not met formally with interest groups representing miners who have acquired pneumoconiosis, I am fully aware of the issues as raised in these and other parliamentary questions which I have answered. I would be happy to meet with such interest groups in the future if they so wish to discuss this matter.

Decentralisation Programme.

374. **Mr. Naughten** asked the Minister for Social and Family Affairs the number of civil servants to be decentralised from his Department to Carrick on Shannon; the number who have applied to transfer to the town; when the first phase will be completed and the numbers involved; the capacity of the proposed building to house the decentralised offices; the plans there are to facilitate the full decentralisation to the one site; and the reason the new building will only have capacity for half the staff which will be decentralised. [37477/06]

Minister for Social and Family Affairs (Mr. Brennan): Under the Decentralisation Programme 220 posts in my Department are to be decentralised to Carrick-on-Shannon.

According to figures received from the Central Application Facility (CAF), through which all applications for decentralisation locations must be submitted, 273 applicants applied for Carrick-on-Shannon before the priority applicant date of 7 September 2004. Since this date, there have been 23 new applications and 14 applicants have changed their application to record Carrick-on-Shannon as their first preference.

The Office of Public Works (OPW) has been charged with securing accommodation for this Department under the decentralisation programme. Following an examination of the availability of accommodation in Carrick-on-Shannon, it was decided, in consultation with this Department, that a building under construction would provide the most suitable solution in the short-term and would allow the Department to make progress on its decentralisation programme. The construction and fit-out of a building is underway and is expected to be ready for occupation in the first quarter of 2007.

The most recent progress report from the Decentralisation Implementation Group indicates that there are 186 accommodation spaces available in this building. Initially, some 130 posts

will transfer and the Department is pressing ahead with the plans for moving these posts as early as possible in 2007. The Department is committed to completing the programme in Carrick-on-Shannon and will review the position when the initial moves have taken place.

Question No. 375 answered with Question No. 162.

Social Welfare Code.

376. **Mr. Stanton** asked the Minister for Social and Family Affairs when he will publish the review of the habitual residence condition completed by his Department; the impact the HRC has had on migrant workers in terms of poverty; the number of claims referred to the HRC unit of his Department for decision for which the two year residency rule has been satisfied but have been refused on other HRC grounds; and if he will make a statement on the matter. [37971/06]

419. **Mr. Stanton** asked the Minister for Social and Family Affairs when he will publish the review of the habitual residence condition completed by his Department; the impact the HRC has had on migrant works in terms of poverty; the number of claims referred to the HRC unit of his Department for decision for which the two year residency rule has been satisfied but have been refused on other HRC grounds; and if he will make a statement on the matter. [38012/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 376 and 419 together.

The review of the operation of the habitual residence condition was completed by my Department in July this year and, following consultation with other relevant Departments, is being brought to the attention of the Government in the near future and following Government approval, it is expected to be published.

Deciding officers in my Department determine the question of a person's habitual residence on the basis of factors which have been set down in decisions of the European Court of Justice. This means that a combination of factors including length and continuity of residence, employment prospects, reasons for coming to Ireland, future intentions and centre of interest (e.g. family, home, connections) are taken into consideration. It would be impossible and potentially misleading to try to record which factors were decisive in each case, and statistics are therefore not available to answer the Deputy's question in this regard. There have been cases where a person has been in Ireland for more than two years and yet does not satisfy the habitual residence condition, but I am advised that a frequent occurrence (noticeable particularly in one parent family payment claims) is that a person's statement that

they have been in Ireland for such a period has not been supported by satisfactory evidence.

The operation of the condition is being continuously monitored by my Department, and steps are ongoing to ensure that it is operated consistently and with full regard to our EU and international obligations.

Occupational Injuries Scheme.

377. **Mr. Durkan** asked the Minister for Social and Family Affairs if his attention has been drawn to the number of sufferers of pneumonocosis arising from the mining industry; if he will examine the situation with a view to achieving a level of compensatory payment on the grounds of occupational injury; and if he will make a statement on the matter. [37953/06]

404. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will offer ex gratia payments to all sufferers of pneumonocosis as a first step towards meeting their occupational injury requirement; and if he will make a statement on the matter. [37958/06]

405. **Mr. Durkan** asked the Minister for Social and Family Affairs the discussions he has had with various interested groups or bodies with a view to addressing the long standing issue of former miners suffering from pneumonocosis; if he will investigate the extent to which qualification for occupational injury benefit payments can be eased for those who are diagnosed as sufferers, regardless of the extent; and if he will make a statement on the matter. [37959/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 377, 404 and 405 together.

The legislation governing the Occupational Injuries Scheme provides entitlement to benefit for persons suffering from certain prescribed diseases which are listed in the legislation and where that person has contracted that disease in the course of their employment.

Where a person has contracted one of the diseases listed in the legislation, benefits are payable if they were employed in an occupation which is specifically prescribed in relation to that disease. In addition, benefits may be payable if the claimant can show that the disease was contracted through an employment not specifically prescribed in relation to that disease.

Employment under a contract of service as a miner is insurable for Occupational Injuries Benefit under the Social Welfare Acts. Miners who are unable to work due to an accident arising from their employment may be entitled to occupational injury benefit for the first 26 weeks of their claim. If their incapacity extends beyond that period they may receive Disability Benefit or Invalidity Pension, subject to meeting the qualifying conditions for these payments.

Miners may be entitled to Disablement Benefit if they suffer a loss of physical or mental faculty as a result of an accident at work or a disease prescribed in legislation that they contracted at work. Medical assessments are undertaken in all such cases to determine the degree of disablement, which is calculated by comparison of the state of health of the applicant with a person of the same age and gender.

Persons claiming Occupational Injuries Benefit in cases of Pneumoconiosis are referred to Consultant Respiratory Physicians in the first instance for an examination and report. This examination consists of a clinical assessment and pulmonary function testing (PFT). Disablement benefit is awarded on the basis of the consultant's report, including the pulmonary function test result. The degree of disablement is expressed as a percentage of loss of faculty and the compensation payable varies accordingly. Loss of faculty may be determined within a range of less than 1% to 100%, depending on the severity of the condition. There are 21 persons currently in receipt of disablement benefit as a result of contracting pneumoconiosis arising from their occupation, the percentage of disablement assessed ranges from 8% to 90%. A person must be assessed as having a minimum of 20% loss of faculty before they may be considered as being incapable of work due to their disablement. There is no reason, medical or otherwise, to make special arrangements in the case of Pneumoconiosis and this includes making an ex-gratia payment.

While I have not met formally with interest groups representing miners who have acquired pneumoconiosis, I am fully aware of the issues as raised in these and other parliamentary questions which I have answered. I would be happy to meet with such interest groups in the future if they so wish to discuss this matter.

Child Support.

378. **Ms Burton** asked the Minister for Social and Family Affairs the reason in May 2004, the habitual residence condition was introduced when assessing families for child benefit payments depriving children of non-EEA workers resident here of this support; if there are proposals to re-establish the universality of this child benefit payment; and if he will make a statement on the matter. [38101/06]

379. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will review the decision to refuse child benefit under habitual residence condition as a vital step in guarding against child poverty and preventing inequality amongst children living in the State; and if he will make a statement on the matter. [38171/06]

401. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs if, in view of the recent decision by the Government to support a

[Caoimhghín Ó Caoláin.]

constitutional amendment on the rights of children, he will consider restoring the universality of child benefit and end his Department's discrimination against children on the basis of their parents' immigration status. [37851/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 378, 379 and 401 together.

Since the introduction of the habitual residence condition in May 2004, some 14,600 claims to child benefit have been decided following a detailed examination of the habitual residence aspect. Of these only 10% were refused, while in 90% of the cases the condition was found to be satisfied.

The EU Regulations provide that migrant workers who are EEA nationals, i.e. EEA nationals who have been employed since coming to this country, are entitled to payment of family benefits under the same conditions as Irish nationals and the habitual residence condition does not apply in their case.

The effect of the condition, therefore, is principally in relation to claims by non-EEA nationals. Approximately 15% of such claims, received in the period May 2004 to October 2006, were refused on the grounds that the habitual residence condition was not satisfied.

Those who are refused are mainly persons whose claim to asylum has not yet been decided, who do not have a work permit or who have a minimal attachment to the workforce in Ireland. The original reason for the introduction of the habitual residence condition in May 2004 was to ensure that persons who have not worked in Ireland or who have not established their habitual residence in Ireland cannot take advantage of our assistance schemes or child benefit, and this continues to be its purpose.

The NESR report entitled "Migration policy", released on 22nd September 2006, acknowledges that "A delicate balance must be struck between protecting the rights of EU workers and their families to necessary social provision while at the same time avoiding qualifying criteria which may act to distort migration decisions." This applies with equal relevance to migrants and asylum seekers from non-EEA countries. A balanced co-ordination of employment policies, asylum policies and social welfare policies assures the best conditions for stable economic growth which will in turn enable this country to provide the optimum environment for the support and social protection of all children residing in Ireland.

A review of the operation of the habitual residence condition was completed by my Department in July this year and, following consultation with other relevant Departments, is being brought to the attention of the Government. There are no proposals to remove the habitual residence condition from the child benefit pro-

visions and I am satisfied that to do so would conflict with the above goal.

Social Welfare Benefits.

380. **Mr. Callely** asked the Minister for Social and Family Affairs the moneys allocated for supplementary welfare allowances in 2006; the breakdown of the type of payments made under this scheme; and if he will make a statement on the matter. [37371/06]

Minister for Social and Family Affairs (Mr. Brennan): Over 110,000 people receive an SWA payment each week. Net expenditure on the scheme in 2005 was €654.6m, including administration costs of €47m.

Some €708.6m has been provided for the scheme in 2006 including provision for administration costs of €51.4m. A breakdown for each of the various components is shown in the following tabular statement.

These expenditure data exclude the cost of the back to school clothing and footwear scheme. That scheme is administered by the Community Welfare Officers in parallel with the SWA but it does not form part of the SWA scheme.

Estimated Cost of Supplementary Welfare Allowance 2006

Breakdown of Supplementary Welfare Allowance	€000
Basic Payments — net, after refunds	183,200
Direct Provision Allowance for Asylum Seekers	3,500
Rent Supplement	390,000
Mortgage Interest Supplement	6,500
Diet Supplement	6,000
Other Supplements *	9,000
Exceptional / Urgent Needs Payments	59,000
Administration Costs	51,400
Grand Total	708,600

* Other Supplements include Crèche, MABS and Heating Supplements.

381. **Mr. Callely** asked the Minister for Social and Family Affairs the percentage of social welfare recipients that are in receipt of their payment by way of direct payment into their bank or building society account; and if he will make a statement on the matter. [37372/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department's policy is to ensure that a range of payment options is available to customers and that the service is continually improved by providing access to the wide range of payment options and new facilities now available. The current range of payment options offered by my Department includes payment made directly to the customer's bank or building society account, at post offices by means of a pen-

sion order book or by electronic or manual post-draft issued to a customer's designated post office, or by cheque to the home address of the customer.

Currently some 37.5% of customers receive direct electronic payment to their bank or building society account, 52.5% of customers receive payment through their local post office and 10% are paid by cheque through the postal system.

382. **Mr. Callely** asked the Minister for Social and Family Affairs the percentage of social welfare increases for the period 1994 to 1997; and the comparison for the years 2003 to 2006; and if he will make a statement on the matter. [37373/06]

Minister for Social and Family Affairs (Mr. Brennan): For the period 1994 to 1997 personal rates of payment increased by between 9.8% and 15.6% depending on payment type, while for the

	2001	2002	2003	2004	2005	2006 (at end-Oct)
*Jobseekers Benefit	66,709	75,371	77,781	66,249	61,728	56,038
*Jobseekers Allowance	73,959	78,897	80,725	81,067	83,926	82,988
Total	142,669	156,270	160,509	149,320	147,659	139,026

* Please note: Jobseekers Benefit was formerly Unemployment Benefit and Jobseekers Allowance was formerly Unemployment Assistance.

385. **Mr. Callely** asked the Minister for Social and Family Affairs the range of payments available to families which are targeted to prevent the risk of poverty; the level of additional supports available; and if he will make a statement on the matter. [37376/06]

Minister for Social and Family Affairs (Mr. Brennan): The main business of my Department is the provision of income support, including insurance based payments, social assistance payments, associated secondary benefits and universal schemes such as child benefit. My Department is also responsible for the provision, either directly or indirectly through its agencies, of other services designed to support individuals and families in participating actively in society.

Among the main goals of my Department is one to support families and to strive to attain better outcomes in tackling poverty. I believe that these twin aims are best achieved by improved employment opportunities and decreasing barriers to work.

While many of the income support payments are designed to provide a replacement income in the event of a particular contingency arising, a number of programmes and schemes are directly focused on families and benefit families at risk of poverty. Examples of these include the one parent family payment, family income supplement and the back to school clothing and footwear allowance.

period 2003 to 2006 personal rates increased by between 22.3% and 42.3%.

383. **Mr. Callely** asked the Minister for Social and Family Affairs the breakdown of unemployment payments over the past five years; and if he will make a statement on the matter. [37374/06]

384. **Mr. Callely** asked the Minister for Social and Family Affairs the breakdown of payments under the various subheads made to people unable to find work over the past five years; and if he will make a statement on the matter. [37375/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 383 and 384 together.

The numbers of people recorded on the Live Register who have been in receipt of unemployment payments at end year over the past five years are detailed in tabular format.

Research has shown that lone parent families tend to be at greater than average risk of poverty. One of the key tasks in the "Ending Child Poverty" initiative under Sustaining Progress is to address obstacles to employment for lone parents. In March of this year I launched a major Government discussion paper "Proposals for Supporting Lone Parents" which addresses the social exclusion and risk of poverty faced by many such families and their children.

The report puts forward proposals for reform of the income support system for all parents on a low income. It proposes the expanded availability and range of education and training opportunities for lone parents, the extension of the National Employment Action Plan to focus on lone parents, focused provision of childcare, improved information services for lone parents and the introduction of a new social assistance payment for all low income families with young children. Work on developing these proposals further is underway. Once I am convinced that we have reached conclusions that are equitable, with a fully workable implementation strategy, it is my intention to bring forward proposals for legislation to implement the new income support structures.

In addition, cash support is provided by way of weekly payments to families, including lone parent families, at work on low pay, through the family income supplement scheme. This scheme is designed to provide income support for employees on low earnings, with families, and

[Mr. Brennan.]

thereby preserve the incentive to remain in employment in circumstances where the employee might be only marginally better off than if s/he were claiming other social welfare payments.

A number of improvements have been made to the scheme over the years, including the assessment of entitlement on the basis of net rather than gross income and progressive increases in the income thresholds, making it easier for lower income households to qualify for payment.

There are currently 20,116 people in receipt of a weekly FIS payment. This is an increase of 2,628 or 15% since the beginning of this year. The average value of each FIS payment is over €113 per week.

The back to school clothing and footwear allowance scheme is provided to qualifying persons to help towards the cost of children's school uniforms and footwear. The scheme operates from the beginning of June to the end of September each year. The rate of allowance in 2006 was €120 in respect of qualified children aged from 2 to 11 years, or €190 in respect of qualified children aged from 12 to 22 years.

The Government's approach to supporting families at risk of poverty will be further enhanced through the forthcoming National Action Plan for Social Inclusion, due to be launched in the new year, which will outline in more detail the Government's strategies to combating poverty and social exclusion. The plan is being prepared in tandem with and will complement the forthcoming National Development Plan 2007-2013, which will contain a specific chapter on social inclusion.

386. **Mr. Callely** asked the Minister for Social and Family Affairs the amount of funding allocated for diet supplement which are provided through the supplementary welfare allowance scheme; and if he will make a statement on the matter. [37377/06]

Minister for Social and Family Affairs (Mr. Brennan): Diet supplements are provided through the supplementary welfare allowance scheme which is administered on my behalf by the Community Welfare division of the Health Service Executive.

Any person who is receiving a social welfare or health service executive payment, who has been prescribed a special diet as a result of a specified medical condition and who is unable to provide for his or her food needs from within his or her own resources, may qualify for a diet supplement under the supplementary welfare allowance scheme.

The current diet supplement arrangements were put in place following a study commissioned by the Department from the Irish Nutrition and Dietetic Institute which was published in January

2006. Under the new arrangements, a supplement may be paid in respect of four categories of diet:

- low lactose, milk free diet,
- gluten free diet,
- high protein, high calorie diet, and
- altered consistency (liquidised) diet.

The amount of supplement payable depends on the category of diet that has been prescribed by the applicant's medical adviser, as well as the income of the individual and his/her dependants. The objective is to ensure that a person does not have to pay any more than one third of their income on their special food needs. The amount of Diet Supplement payable is the cost of the category of diet less one-third (single people) or one-sixth (couples) of the actual rate of their current weekly social welfare payment.

Expenditure to date on the scheme in 2006 is €5.05 million. It is expected that a total of €6m will be spent in 2006 as a whole.

387. **Mr. F. McGrath** asked the Minister for Social and Family Affairs the reason there are two assessment forms needed in relation to family income supplement payments and rent allowance as there is a serious communication breakdown between the Health Service Executive and his Department on this matter. [37403/06]

Minister for Social and Family Affairs (Mr. Brennan): Family Income Supplement (FIS) is designed to provide income support for employees on low earnings with children and thereby preserve the incentive to remain in employment in circumstances where the employee might be only marginally better off than if s/he were claiming other Social Welfare payments. As with all social welfare schemes, applicants must complete the relevant application form and provide details of income where means is being assessed in accordance with the qualifying criteria governing the scheme.

The legislation governing the Supplementary Welfare Allowance (SWA) scheme, including rent supplement, provides that responsibility for its administration lies with the Health Service Executive. The scheme operates under the Community Care Programme, under the general direction and control of my Department and is delivered by Community Welfare Officers (CWOs).

The situation to which the Deputy refers arises because the two schemes are administered independently by two separate agencies. Earlier this year, the Government decided to transfer the administration of the SWA scheme from the Health Service Executive to the Department of Social and Family Affairs. This provides an opportunity to bring about positive change for customers and staff, including the streamlining of claim and decision processes, less duplication,

improved communication and better customer service. The issues raised by the Deputy will be addressed in the context of implementing that Government decision.

388. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the estimated cost of changes to maternity benefit whereby it would be paid at 100% of wages and where the minimum rate would be increased to €216.80 per week and the maximum rate increased to €309.70 per week. [37428/06]

Minister for Social and Family Affairs (Mr. Brennan): Entitlement to maternity benefit for employees is contingent on entitlement to maternity leave — legislation for which is the responsibility of the Minister for Justice, Equality and Law Reform. Where women have accrued the requisite number of contributions required to establish entitlement and have been certified by their employers as being entitled to statutory maternity leave, maternity benefit is paid during their absence from work.

Based on the current average maternity benefit payment and existing levels of scheme take-up, the estimated cost of funding the scheme at 100% of wages — subject to a weekly minimum rate of €216.80 and a weekly maximum rate of €309.70 — would be some €36m per annum.

There have been significant improvements in the rate and duration of maternity benefit over the recent past. Any further improvements have to be examined in the context of the wider fiscal environment and the strategy which we have adopted in relation to social insurance contributions.

Question No. 389 answered with Question No. 149.

Question No. 390 answered with Question No. 115.

Question No. 391 answered with Question No. 172.

Community Welfare Service.

392. **Mr. O'Dowd** asked the Minister for Social and Family Affairs the changes proposed in the role of the community welfare officer nationally; the way he will ensure their independence in relation to decision making in view of any proposed changes; and if he will make a statement on the matter. [37554/06]

Minister for Social and Family Affairs (Mr. Brennan): Earlier this year the Government decided to implement the recommendations of the Core Functions of the Health Service Report. This provided for the transfer of certain functions, mainly from the Health Service Executive (HSE) to my Department. The main element of

the decision was that income support and maintenance schemes, including the supplementary welfare allowance scheme (SWA), and other cost of disability and caring payments, together with associated resource should be transferred from HSE to my department. This would include Community Welfare Officers (CWOs), Superintendent Community Welfare Officers (SCWOs), senior managers and support staff. The other elements of the decision relate to the transfer of the General Register Office (GRO) and an examination to be conducted on the mechanics of transferring the treatment benefit scheme from my Department to the HSE. A number of inter-departmental working groups have been established to implement the decision.

The SWA scheme is delivered by some 700 CWOs and 59 SCWOs working within the Community Welfare Service (CWS) of the HSE. They provide a service that is flexible, responsive and outcome based. These are positive attributes for which there will be an obvious and continuing need in the future, which my Department will be anxious to preserve and build upon as part of the transfer process.

The SWA scheme is a statutory scheme under the Social Welfare Acts. Under this legislation the HSE is charged with delivering the scheme on my behalf under my general direction and control. In that regard, the scheme is delivered in accordance with guidelines and circulars, issued by my Department. While the executive may avail of advice and guidelines, they have sole responsibility for decision making in individual cases. This principle of independent decision making is one that applies to all statutory social welfare schemes, and I would see it continuing to apply to SWA following the implementation of the transfer programme. Some technical legislative changes will be required in this area and this something that the working group dealing with the transfer of SWA will be examining as part of its implementation programme.

The transfer programme involves major organisational and human resource challenges for my Department and for the Community Welfare Service. At the same time, the proposed change provides a unique opportunity to develop a fully integrated and enhanced income support system which will benefit both customer and service provider alike. I am confident that the transfer of services from the CWS to my Department will be embraced successfully. During the period of transition my Department will continue to give high priority to supporting the delivery of the high standard of service currently provided by staff in the Community Welfare Service.

Pension Provisions.

393. **Mr. Penrose** asked the Minister for Social and Family Affairs if he has received correspondence from a person (details supplied) who has made positive suggestions as to how to deal with

[Mr. Penrose.]

anomalies that have arisen with regard to the pre-1953 pension from the perspective of the wrong formula being used and the credits not being used; if in this context their proposal to replace the pre-1953 pension with effect 4 January 2006 by way of the senior citizens special pension will be examined; and if he will make a statement on the matter. [37559/06]

Minister for Social and Family Affairs (Mr. Brennan): I have received and noted the correspondence referred to by the Deputy. In considering eligibility for contributory payments it is necessary to uphold the contributory principle which underpins entitlement. This requires, amongst other things, that people make a minimum level of contribution to the social insurance system. The pre-1953 pension is one of a number of special pensions introduced to provide a payment for people who could not satisfy the standard qualifying conditions and could not, therefore, qualify for any pension.

In deciding on the qualifying conditions for such special pensions I think it is reasonable to expect a minimum level of paid contributions that is at least equivalent to that which is expected of those qualifying for standard rate payments. At present the minimum paid requirement for standard payments is 260 contributions and this was applied to the pre-1953 and other pensions such as that provided for self employed who were already over 56 years of age when compulsory social insurance was introduced for the self employed in 1988. Accordingly, the use of credited contributions, as suggested by the person in question, to make up the basic paid requirement would not, I consider, be appropriate.

Where a person has social insurance contributions from another EEA country, or a country with which Ireland has a bilateral agreement, these can also be used to qualify a person for a payment. The manner in which contributions from EEA countries are to be used is laid down in Regulation (EEC) No. 1408/71 and the same general principles are applied in the reciprocal agreements Ireland has with a number of other countries.

These Regulations provide that where the conditions required by the legislation of a country for entitlement to old age benefits are satisfied only after counting the contributions made in another country, the first country shall calculate the amount of pension the person would be entitled to if s/he had completed his/her full career of periods of insurance under the legislation of that country. Then the proportional pension is calculated by multiplying the theoretical amount of pension by the ratio of periods of insurance in that State to the person's full career.

The person concerned had originally sought a change in these Regulations and Agreements to provide that the pre-53 pension paid should be

based on the proportion of Irish contributions contained in the basic requirement of 260 paid contributions as this would result in a higher pro-rata rate being paid. Similar arguments could also be applied to standard pro-rata pensions, as people can often have more contributions than required to satisfy the theoretical rate for which they qualify. A change in the manner in which contributions from other countries are counted would require an amendment to EU regulations and bilateral treaties.

As already indicated, the pre-53 pension is a special measure designed to provide a pension to people who would not otherwise qualify for any payment. I consider that, as implemented, the scheme is being operated in accordance with legislation and is a fair response to the representations which led to its introduction. Major changes to legislation and EU regulations to change the basis of calculation of pro-rata pre-53 pensions could not be justified.

Increases in pensions to be announced in the forthcoming Budget will be applied in the normal way to pre-53 pensions. However, the introduction of a new pension, as suggested, incorporating the cost equivalent of the household benefit package and at an enhanced 75% of the maximum rate, would be extremely costly and would have implications for other payments made abroad as well as reduced payments made here. In the circumstances, there are no plans to introduce a pension along the lines suggested.

Social Welfare Benefits.

394. **Mr. Crowe** asked the Minister for Social and Family Affairs the position regarding an all-Ireland travel pass. [37562/06]

Minister for Social and Family Affairs (Mr. Brennan): The Programme for Government contains a commitment to a scheme of all-Ireland free travel for pensioners resident in all parts of the island of Ireland. The scheme will enable pensioners resident here to travel free of charge on all bus and rail services in Northern Ireland. Likewise, pensioners in Northern Ireland will travel free of charge on services in this State.

Implementation of a single travel pass, acceptable in both jurisdictions, is complex and requires the completion of the Integrated Ticketing project being run under the auspices of the Department of Transport and subsequent integration with the ticketing systems being run in Northern Ireland. My Department will continue to engage with these bodies and projects on these issues. Pending development of a single pass, my Department has engaged with the Department of Regional Development in Northern Ireland and Translink, the main transport authority in Northern Ireland, to put in place a separate scheme to permit residents of both jurisdictions to avail of free travel within each others jurisdiction. Discussion of this scheme has raised a

number of policy, legal, financial, operational and technical issues. Significant progress has been achieved in resolving these.

Delivery of technical elements of the new system has commenced. When the technology is delivered, it will allow a programme of testing and training to be undertaken. In the meantime, the necessary staff consultation and negotiation processes will continue. Subject to satisfactory conclusion of these processes, the project is scheduled to progress towards completion early in 2007.

395. **Mr. Boyle** asked the Minister for Social and Family Affairs his views on criticisms made at the recent budgetary perspectives conference organised by the ESRI that the present system of combating child poverty and the lack of control exercised in paying disability payments are failures of the budgetary system here. [33192/06]

Minister for Social and Family Affairs (Mr. Brennan): Two interesting papers were presented at the recent ESRI conference which have relevance to the services administered by my Department.

The paper relating to the growth of disability payments in Ireland sets out to examine, using an econometric model, the extent to which individuals, who classify themselves as disabled or ill for the purposes of labour force surveys, may be misreporting their status. The key question addressed is whether the level of, or accessibility to, disability payments actually encourages such misreporting. While there is no firm conclusion on this question, some interesting issues were raised and my Department has written to the author with a view to discussing the analysis further and to clarify some aspects of the paper and the methodology used.

The issue of control on disability payments was addressed also in the 2006 report of the Public Accounts Committee which examined the area of Medical Review and Assessment Service (MRAS) within the Department. That report pointed to the need for a review of the system of medical review and examination for disability payments.

In this regard a comprehensive review of the MRAS has been undertaken which reported on all aspects of the MRAS in terms of efficiency, effectiveness, economy and customer service. That review examined various alternative models to meet my Department's requirements in this area and recommended a particular model for the development of the service which will enable my Department to process examinations and reviews more quickly and effectively thereby reducing backlogs and achieving positive outcomes more quickly. Implementation of this model will be progressed as a matter of priority throughout 2007.

The paper relating to child supports set as its goal an examination of how policies can be made more effective in supporting the incomes of families with children by comparing child poverty rates across various countries and identifying countries which follow 'best practice' in this area. The paper then examines the implications of introducing a new 'second tier' child income support payment here which would be means-tested and employment-neutral. In relation to child poverty the considerable improvements in child-related income supports and services since 2000, for example the €1.27 billion additional investment package in child benefit which was completed in 2006, and a range of other reforms, increased welfare supports for adults (identified as a key factor in reducing child poverty rates) and expanded child-centred services which all combine to make significant progress in tackling child poverty, are not reflected in the comparative material in the report.

At least 100,000 children have been lifted out of deprivation and hardship inside the last decade as a result of targeted measures and supports. These include increases of from €21 to €282 a week for families on family income supplement which is being claimed by over 20,400 families; some 80,000 families are benefiting from the €40 per child increase in the back to school clothing and footwear allowance; over 350,000 children have qualified for the €1,000 per year early child-care supplement, a third of whom are the children of lone parents, and 41,000 childcare places have been created since 2000 under the €500 million equal opportunities childcare programme. The most recent statistics on poverty rates show that 9.5% of children under the age of 15 are in consistent poverty, down from 12.2% in 2003.

The ESRI paper also examines the implications of a new second tier child income support and estimates that, at a cost of €510 million per annum (including the cost of retaining a residual FIS scheme), such a scheme could reduce the numbers of children 'at risk of poverty' by 4.5%. The paper concludes that the best results in tackling child poverty will not necessarily be found by concentrating on higher child-related cash income support measures, but in a more general support regime with a greater balance between cash and non-cash supports.

The issues which were raised in both papers are being taken into account in the development of policy for further changes in social welfare services.

Question No. 396 answered with Question No. 102.

Wealth Distribution.

397. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs his views on the findings of a recent OECD report which found that the level of wealth distribution here is among

[Caoimhghín Ó Caoláin.]

the lowest in the OECD, ranking 27th out of its 30 Member countries when it comes to so-called social transfers. [33235/06]

Minister for Social and Family Affairs (Mr. Brennan): The OECD's use of the phrase "social transfers" encompasses not only social welfare expenditure but also expenditure in other areas such as health care, social housing, employment support programmes and other social inclusion programmes. My Department is responsible for some 50% of this expenditure. The OECD acknowledges the fact that differences in the structure of social protection systems and programmes between countries result in the data not being directly comparable. In relation to Ireland in particular, the level of expenditure is significantly influenced by the age profile of the population. Ireland, currently with one of the youngest populations, needs to spend less on pensions, healthcare and care of the elderly than most other OECD countries. In addition, the relatively low level of unemployment means that social protection expenditure for this contingency has been low. Comparisons are also affected by the fact that Irish social security payments are flat-rate while most other OECD countries have pay-related benefits, financed by considerably higher rates of social security contributions — in some cases 3 times higher than the Irish rates.

Under this Government there has been a sustained and substantial increase in social protection expenditure. The OECD report is based on figures of Irish social protection expenditure in 2002. What is significant is the rate of growth of social expenditure in Ireland. The level of 13.75% of GDP in 2001 jumped to 15.8% in 2002 at a time when many other countries showed no growth or even a reduction in this aspect. No comparable figures are yet available from the OECD for 2003 or since, whereas the expenditure by my Department during 2003, 2004 and 2005 rose by almost 28%. It should also be borne in mind that between 1997 and 2006 the basic rate of social welfare payment increased by 99.7%, well ahead of the 34.2% increase in consumer prices and the 67.7% increase in gross average industrial earnings. This Government will continue to address the scope for further improvements in Ireland's social protection infrastructure, while at the same time continuing to take the measures necessary to maintain economic growth and competitiveness and thereby generate the resources for further social investment.

Family Support Services.

398. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the measures which he will introduce in budget 2007 to assist low income families cope with rising prices. [33228/06]

Minister for Social and Family Affairs (Mr. Brennan): I am currently developing proposals for inclusion in the forthcoming Budget which will benefit all social welfare recipients including low income families. In this regard, I am taking into account various factors including Government commitments relating to weekly rates of payment, such as bringing the lowest social welfare rate to €150 per week in 2002 terms and to have the combined value of child income supports at 33-35% of the adult rate; taking a decisive step forward towards the elimination of poverty, and especially child poverty; the development of a programme of supports and opportunities for those parenting alone who, with their children, are in danger of falling into a cycle of deprivation and marginalisation; ensuring that this Budget reflects, and underpins with financial supports, the evolving new social agenda that I am pursuing and that has at its core a social welfare support system that is active instead of passive and that assists people to live with dignity and enables them to make a valuable contribution towards society, and the views expressed at the recent Pre-Budget Forum at which 30 welfare organisations made submissions to me about the issues they wished to see pursued in the Budget. The levels of increases and other improvements announced in the last Budget were exceptional and well ahead of emerging inflation in 2006. I look forward to making further progress for low income families and all other social welfare claimants in the forthcoming Budget.

Social Welfare Code.

399. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the costs of increasing dependent allowance to a single weekly figure of €30 for all recipients. [37687/06]

415. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the cost of increasing the child dependent allowance to a single weekly figure of €30 for all recipients. [38006/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 399 and 415 together.

The cost of increasing child dependant allowance rates to a single weekly figure of €30 for all recipients is €180 million in a full year.

Social Welfare Benefits.

400. **Mr. Perry** asked the Minister for Social and Family Affairs the reason the rent allowance has been refused for persons (details supplied) in County Leitrim; if he will have it reinstated; and if he will make a statement on the matter. [37696/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance

scheme, which includes rent supplement, is administered on my behalf by the Community Welfare division of the Health Service Executive. Under standard SWA rules, rent supplements are normally calculated to ensure that a person, after the payment of rent, has an income equal to the rate of SWA appropriate to their family circumstances less a minimum contribution, currently €13, which recipients are required to pay from their own resources. The SWA rate for a couple with no dependants is €275.80 per week. Many recipients pay more than €13 because they are also required, subject to income disregards, to contribute any additional assessable means they have over and above the appropriate basic SWA rate towards their accommodation costs. The Executive has been contacted regarding the persons in question and has advised that rent supplement was refused in this case as their additional assessable means exceeded the amount of their accommodation costs. After paying their rent, their net income is in excess of the rate of SWA appropriate to their family circumstances. It is open to the person concerned to appeal this decision to the designated Appeals Officer within the Health Services Executive.

Question No. 401 answered with Question No. 378.

402. **Mr. Penrose** asked the Minister for Social and Family Affairs the legislative provision which specifies that widow or widowers can only receive the half rate of disability benefit for a maximum period of 15 months irrespective of the fact that they remain indisposed and submit relevant medical certificates to his Department; and if he will make a statement on the matter. [37854/06]

Minister for Social and Family Affairs (Mr. Brennan): There is a general rule in the social welfare code whereby a person who is entitled to more than one income maintenance payment at any one time may only receive one of the payments. This is designed to ensure that limited resources are not used to make two income support payments to any one individual. However, there are some exceptions to this rule, including the payment of half-rate illness benefit concurrently with widows and widowers pension for 15 months if a person is medically unfit for work and satisfies the relevant PRSI contribution conditions. The legislation which provides for the payment of half rate illness benefit (or jobseeker's benefit) to recipients of widows or widowers pension or One-Parent Family payments for a period of 15 months is the Social Welfare (Consolidated Payments Provisions), Regulation 1994 (S.I. No. 417/94) Article 27 (as amended). Claimants are advised to continue to submit medical certificates after their payment has ceased while they remain unfit for work. PRSI credits will be allowed in respect of these certifi-

cates which may protect their rights to future payments. These provisions discriminate positively in favour of widowed people and other one parent families. In the circumstances, I am satisfied that the current arrangements for payment of illness benefit in addition to widow or widower's pension are reasonable.

EU Directives.

403. **Mr. Allen** asked the Minister for Social and Family Affairs the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37870/06]

Minister for Social and Family Affairs (Mr. Brennan): No outstanding EU directives within the competency of my Department have yet to be transposed into law.

Questions Nos. 404 and 405 answered with Question No. 377.

Question No. 406 answered with Question No. 111.

Social Welfare Benefits.

407. **Mr. Durkan** asked the Minister for Social and Family Affairs the extent to which he intends to expand, improve or extend the back to education allowance with particular reference to easing some of the qualification criteria; and if he will make a statement on the matter. [37961/06]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance is a second chance education opportunities scheme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications and, therefore, their prospects of returning to the active work force. I reduced the qualifying period for access to the third level option of the scheme to 12 months in the 2005 Budget. I also increased the annual cost of education allowance, paid to people on BTEA, from €254 to €400. These changes came into effect from 1 September 2005. Following an undertaking to the Dáil and the social affairs committee, I reduced the qualifying period for access to the third level option to 9 months. This condition applies to people who are participating in the National Employment Action Plan process, if a FÁS Employment Services Officer recommends that the pursuance of a third level course of study is essential to the enhancement of the individual's employment prospects. This new condition came into effect from 1 September 2005. The qualifying period for access to the second level option of the scheme is six months. In the

[Mr. Brennan.]

2006 Budget, I announced that time spent in receipt of supplementary welfare allowance from the HSE or the direct provision system operated by the Department of Justice, Equality and Law Reform can count towards the qualifying period for back to education allowance if the person establishes an entitlement to a relevant social welfare payment before commencing an approved course of study. This provision came into effect in September 2006. I will continue to monitor the scheme. Overall, the current arrangements ensure that the scheme continues to provide valuable assistance to people who have been out of the workforce for some time and enhances the opportunities of obtaining employment.

Pension Provisions.

408. **Mr. Durkan** asked the Minister for Social and Family Affairs if it is intended to address the issue of retired Irish missionaries living abroad who only qualify for non-contributory old age pensions if they return home; and if he will make a statement on the matter. [37962/06]

409. **Mr. Durkan** asked the Minister for Social and Family Affairs the estimated number of Irish missionaries currently living abroad who might qualify for old age pension subject to means testing, if they returned home; and if he will make a statement on the matter. [37963/06]

410. **Mr. Durkan** asked the Minister for Social and Family Affairs the progress which has taken place in regard to offering non-contributory old age pension payments to retired Irish missionaries who cannot qualify while living abroad; and if he will make a statement on the matter. [37964/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 408 to 410, inclusive, together.

My Department operates two main types of pension scheme; contributory and non-contributory payments. Contributory payments are paid on the basis of social insurance contributions made over a person's working life. Missionaries who have made sufficient social insurance contributions can qualify for the state pension (contributory). These pensions are payable abroad and so missionaries who qualify and who choose to settle overseas can receive a payment. Non-contributory pensions are only payable if a person is resident in this country. Accordingly, missionaries who return here and who satisfy the habitual residence condition and a means test can qualify for a pension. It is not possible to estimate the number of Irish missionaries abroad who might qualify for the state pension (non-contributory) if they returned home, as my Department does not have information on their

individual cases. The question of paying pensions to missionaries who remain abroad has been discussed by the Joint Committee on Foreign Affairs which established a working group to examine the issues raised in more detail. A report is being finalised for the working group between my Department and the Department of Foreign Affairs. The report examines the question of pensions for missionaries and the wider issue of social insurance for volunteer development workers in general. This will be forwarded shortly to the working group who may then, I understand, bring forward proposals to the Joint Committee.

Social Welfare Code.

411. **Mr. Durkan** asked the Minister for Social and Family Affairs the number of countries with which Ireland currently has bilateral social welfare arrangements; the extent to which the process is working effectively and efficiently in either direction; and if he will make a statement on the matter. [37965/06]

Minister for Social and Family Affairs (Mr. Brennan): Ireland has social security agreements with Austria, Australia, Canada, New Zealand, the United Kingdom, the USA and Switzerland. These agreements came into effect between 1989 and 1999, except for that with the UK which came into effect in 1971. Ireland has had a bilateral understanding with Quebec since 1 October 1994. All these agreements are in operation and are working satisfactorily. The main purpose of the agreements is to protect the social security pension rights of workers who have worked both in Ireland and the other country to which the agreement applies. In the case of certain countries they have limited application as the EU Regulations normally apply in these cases. Liaison procedures have been established with each country and are kept under constant review. Regular contact is made with the appropriate agencies to ensure the smooth transfer of the necessary information required to decide on claims. At present, no significant difficulties are being experienced in relation to any of the agreements. For all schemes, the time taken to process claims that fall to be examined under bilateral agreements is longer than that for standard Irish entitlements, reflecting the added complexity that arises in determining entitlements under these agreements. While every effort is made to minimise processing times, the overriding objective in dealing with these claims is to ensure that people receive their full entitlements. I am satisfied that overall the procedures are working effectively and efficiently.

Social Welfare Benefits.

412. **Mr. Durkan** asked the Minister for Social and Family Affairs if he will provide for substantially enhanced free electricity allowance and free

fuel schemes with particular reference to increased energy costs; and if he will make a statement on the matter. [37966/06]

Minister for Social and Family Affairs (Mr. Brennan): Approximately, 340,000 pensioner and other households qualify for the electricity or gas allowances through the household benefits package. In recognition of the recent increases in the price of natural gas and electricity I have recently announced significant increases to the gas and electricity allowances. In order to cover the 33.8% increase in the cost of natural gas, from October 1st, I increased the value of the natural gas allowance to cover increased standing charges and the associated VAT as well as additional kilowatt hours usage. This means that the value of the natural gas allowance to a household has increased from €313.17 to €516 per year. At present, the electricity allowance covers normal standing charges and up to 1,800 units of electricity. The allowance also covers the VAT applicable to these charges. In light of the recent increase in electricity charges the allowance will be increased to cover increased standing charges and the units will also increase from 1,800 to 2,400 with effect from January 2007. I am confident that these increases will be of major benefit to these recipients. In addition to the electricity and gas allowance my Department also pays a fuel allowance for 29 weeks from end-September to mid-April to assist householders on long-term social welfare or Health Service Executive payments with meeting the cost of their additional heating needs during the winter season. In Budget 2006, I provided for an increase in the rate of fuel allowance of €5, from €9 per week to €14 per week and to €17.90 in designated smokeless areas. This matter is being kept under review.

Questions Nos. 413 and 414 answered with Question No. 90.

Question No. 415 answered with Question No. 399.

416. **Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the cost of introducing a cost of disability payment of €40 per week with disabilities regardless of whether a person is in work or not. [38007/06]

Minister for Social and Family Affairs (Mr. Brennan): A National Disability Survey, a follow-up to the latest Population Census is currently being conducted by the Central Statistics Office, the results of which will be available next year. This is the first national survey in Ireland specifically designed to capture the prevalence of different types of disability and the extent to which those affected participate in various activities.

The three most recent sources of data on the demographics and economic status of people with disabilities are the Census 2002, the Quarterly National Household Survey (QHNS) special modules on disability undertaken in 2002 and 2004, and the Living in Ireland Survey, which was conducted on a uniform basis each year from 1995 to 2001. A recent report by the National Disability Authority on a Comprehensive Employment Strategy for People with Disabilities, drawing on the data sources for 2004, estimates that of a population of 298,300, 110,800 people with disabilities were in employment 9,200 were unemployed and 178,300 were not economically active. Using this data, the estimated cost of the introduction of a universal payment of €40 per week for people with disabilities, regardless of labour force status is €620m per annum. If this payment was directed only towards those who are unemployed or not economically active, the estimated cost is €390m per annum.

A working group established under the Programme for Prosperity and Fairness (PPF), with cross-departmental membership which includes my Department and chaired by the Department of Health and Children, has examined the feasibility of the introduction of a cost of disability payment. The National Disability Authority, on behalf of the working group and in line with its own remit, commissioned research into the feasibility of the introduction of such a payment. The purpose of this research was to advise regarding the additional costs incurred by people with disabilities, owing specifically to the direct or indirect costs of disability and the appropriate mechanisms or instruments by which to address identified additional costs. The resultant report, Disability and the Cost of Living, was subsequently published by the National Disability Authority.

The group considers it vital that comprehensive data is available on which to base consideration of the introduction of a cost of disability payment, in addition to a structured process of the assessment of need. The working group recommended that steps be taken to improve the quality of data relating to disability in Ireland, for example, adjustment of existing data gathering exercises undertaken by the Central Statistics Office. This will be addressed in the aforementioned disability survey currently being undertaken by the CSO.

The group has also examined the scope for addressing barriers that exist for people with disabilities who wish to undertake or increase their employment and thus move to a position of greater economic independence. In this regard, as part of the Social Welfare Budget package 2006, I introduced a change to the withdrawal rate of Disability Allowance and Blind Pension for income in excess of the current earnings disregard level which means that a single person can earn

[Mr. Brennan.]

up to a maximum of €390 per week from rehabilitative employment before their Disability Allowance or Blind Pension is fully withdrawn. The outcome of this change will be monitored to assess its effect on increased employment participation and to identify any further policy changes required.

In terms of ensuring adequate levels of income for people with disabilities, the current ten-year Social Partnership Agreement, Towards 2016, includes the commitment to work for the continued enhancement and integration of supports in line with overall social welfare targets. These will include a rationalisation of existing allowances for people with disabilities in the context of the Government's policy of mainstreaming and the proposed transfer of functions from the Health Services Executive to my Department which includes a number of disability-related schemes, including the Domiciliary Care Allowance, Mobility Allowance and Blind Welfare Allowance. An inter-departmental working group has now been established to progress the implementation of this transfer. Other issues around the cost of disability will be considered following the development of a needs assessment system provided for under Part 2 of the Disability Act, 2005.

My Department's Disability Sectoral Plan similarly contains actions in relation to the rationalisation of existing allowances for people with disabilities. The Plan also includes agreed protocols with the Department of Health and Children and the Department of Enterprise, Trade and Employment on actions required to ensure that income supports and associated benefits do not create financial barriers to people with disabilities participating in the labour force or availing of training, educational or other developmental opportunities. I look forward to the implementation of the sectoral plan over the next three years and to continuing the commitment to expand and deliver services that best support, recognise and encourage people with disabilities as well as those who provide a caring role.

Poverty Levels.

417. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of contributory state pensioners in receipt of the fuel allowance; the percentage of the number of contributory state pensioners this figure represents and the percentage of fuel allowance recipients; and if he will make a statement on the matter. [38009/06]

418. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of households experiencing fuel poverty here; the number of people in receipt of the fuel allowance who do not receive a means tested social welfare payment

in particular with regard to people of pension age; his plans to ease qualification criteria for the fuel allowance; and if he will make a statement on the matter. [38011/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 417 and 418 together.

The aim of the national fuel scheme is to assist householders on long-term social welfare or health service executive payments with meeting the cost of their heating needs during the winter season. Fuel allowances are paid for 29 weeks from end-September to mid-April. The allowance represents a contribution towards a person's normal heating expenses. It is estimated that some 274,000 people (151,000 with basic fuel allowance and 123,000 with smokeless fuel supplement) will benefit in 2006 at an estimated annual cost €125.1m.

40% of fuel allowance recipients, some 106,500 people, do not receive a means tested social welfare payment. This includes 60,500 who have the smokeless supplement in addition to the basic fuel allowance. The number of people on state pension (contributory) who have a fuel allowance is almost 16,000 (including 9,755 with the smokeless supplement), 12% (approximately) of all people on state pension (contributory) and 6% of all fuel allowance recipients.

Some 74,800 people over 65 years on a range of social welfare payments are in receipt of fuel allowance. These payments include state pension contributory and transition, widow/er's and guardian's contributory, deserted wife's benefit. This is 22% of all people on these schemes and 27% of all fuel allowance recipients.

The term 'fuel poverty' has been described as the inability to afford adequate warmth in a home, or the inability to achieve adequate warmth because of the energy inefficiency of the home. Various studies have been conducted on this issue in recent years, with varying estimates of the numbers and types of households affected by fuel poverty as defined in this way. I am not aware of any definitive estimates of the number of households in this situation.

People on a qualifying non-contributory pension or other social welfare payment are normally eligible for a fuel allowance without further means test, subject to the other conditions for entitlement. Other applicant households may have a combined income of up to €51.00 above the current maximum weekly contributory old age pension rate, and still qualify for a fuel allowance. Based on this formula, the current upper limit income for fuel allowance eligibility is €244.30 for a single applicant or €373.10 for a couple, with further additions if there are any qualified dependent children, or if the applicant is over 80 years of age. This fuel allowance

income limit increases each winter season in line with the reference rate of state pension (contributory). On this basis, there have been significant real increases in the income limits for fuel allowance applicants in recent years. This situation will continue automatically in future winter heating seasons, in line with prevailing pension rates.

Any changes to the fuel allowance scheme such as rates of payment or easing of qualifying criteria would have significant cost implications and would have to be considered in the context of the Budget and in the light of the resources available for improvements in social welfare generally.

Question No. 419 answered with Question No. 376.

Parking Regulations.

420. **Mr. Gormley** asked the Minister for Transport if he will change the law in relation to parking on footpaths in order that occupants of houses in residential areas could park on a footpath if the white line was painted on it in order to allow emergency services to enter a specific road or avenue, and so on; and if he will make a statement on the matter. [37416/06]

Minister for Transport (Mr. Cullen): Article 36 of the Road Traffic (Traffic and Parking) Regulations 1997 (SI No. 182 of 1997) imposes a prohibition on parking a vehicle, fully or partly, on a footway of a public road. In this regard I wish to point out that article 5 of the 1997 Regulations

1997, as amended by SI No. 274 of 1998, provides that the prohibitions in relation to parking on a footpath do not apply where an emergency situation, which could not have reasonably been expected or anticipated, confronts a road user.

In the emergency scenario referred to by the Deputy, it is not necessary to have regulatory line markings provided on a footpath because, in a given emergency situation, persons would be exempt from the parking prohibition if they proceeded to park a vehicle on a footpath while an emergency vehicle was entering and passing on a public road. I do not propose any changes to the law in relation to this matter.

Departmental Contracts.

421. **Mr. Timmins** asked the Minister for Transport the number of contracts currently entered into for the provision of search and rescue services; the date on which such contracts were entered into; the length remaining to run for each of these contracts; the cost of each contract for the provision of search and rescue services; and if he will make a statement on the matter. [37574/06]

Minister of State at the Department of Transport (Mr. Gallagher): There are at present four contracts for provision of Search and Rescue (SAR) services. These relate to the provision of emergency helicopter services. The contracts and the other information requested by the Deputy are listed in the following table.

Contracts for Provision of Search and Rescue Services

Contract	Date entered into	Length remaining to run for Contract	Approximate cost of each Contract for provision of SAR services [to end of October, 2006]
1. SAR services based at Dublin airport	16 April, 2003 Service provision started: 01.07.2003	7 months, (until 30 June, 2007)	€23m
2. SAR services based at Waterford airport	06 February, 2002 Service provision started: 01.07.2002	7 months, (until 30 June, 2007)	€24m
3. SAR services based at Shannon and Sligo airports	06 July, 2000 Service provision started: Shannon 01.01.2002 Sligo 11.10.2004	7 months, (until 30 June, 2007)	€40m
4. SAR services based at Dublin, Waterford, Shannon and Sligo airports	28 March, 2006 Service provision to start: 01.07.2007	Contract enters into operation on 01 July, 2007 and ends on 30 June, 2010. The Minister has the option to extend the contract for a further three years.	€25m p.a. (estimate)

National Car Test.

422. **Cecilia Keaveney** asked the Minister for Transport the position in relation to a matter (details supplied) in County Donegal; and if he will make a statement on the matter. [37382/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. 477 of 2006) the Road Safety Authority has responsibility for the operation of the national car testing service.

Road Traffic Offences.

423. **Mr. Naughten** asked the Minister for Transport if he will enact Section 13 of the Road Traffic Act 2002; the reason it has not been enacted; and if he will make a statement on the matter. [37434/06]

Minister for Transport (Mr. Cullen): Section 13 of the Road Traffic Act 2002 empowers me to make regulations in relation to a range of road traffic related matters. However, many of the provisions in respect of which regulations can be made replicate provisions applicable under existing regulatory codes, for example, speed limit regulations for roads and classes of vehicles, road traffic regulation and regulations in relation to the construction, equipment & use of vehicles. I do not have any proposals to commence this section at this time.

National Car Test.

424. **Mr. Crowe** asked the Minister for Transport his views on whether it is fair that a person who purchased a second hand car in April 2006 which subsequently passed the National Car Test was then informed that the NCT would only be valid for 6 months instead of 2 years as the previous owner failed to ensure the vehicle passed its NCT when requested; and his advice on the action the person should take in this matter. [37442/06]

Minister for Transport (Mr. Cullen): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. 477 of 2006) the Road Safety Authority has responsibility for the oversight and monitoring of the National Car Test scheme.

Airport Development Projects.

425. **Mr. Kenny** asked the Minister for Transport the analysis carried out on the need for a future second airport for the Dublin region; and if he will make a statement on the matter. [37488/06]

Minister for Transport (Mr. Cullen): This issue was addressed in the Warburg Dillon Read Report of 1999 on Aer Rianta. Among other things, that report concluded that Dublin does not need a second airport given Dublin Airport's capacity to expand for the foreseeable future. I am satisfied that the analysis remains a valid assessment of the Airport's potential. Because of the prudent policy of acquiring land banks in the environs of the airport to cater for future growth, the Dublin Airport Authority is now in the happy position of being able to construct the proposed second runway and the second terminal on land it already owns.

Public Transport.

426. **Ms O. Mitchell** asked the Minister for Transport the amount allocated in 2004, 2005 and to date in 2006 for the provision of park and ride facilities; and if he will make a statement on the matter. [37489/06]

Minister for Transport (Mr. Cullen): My Department provides funding for park and ride facilities in three ways. These are: funding for Iarnród Éireann developments at stations; funding through the RPA for park and ride on the Luas line; and funding through local authorities for park and ride facilities in the GDA and the regional cities. In 2004 and 2005, there were no direct payments from my Department to Iarnród Éireann for parking facilities at stations. To date in 2006, my Department has paid just under €1.1 million to Iarnród Éireann in relation to parking facilities.

To date my Department has provided capital funding of €349,131 to the RPA which was used for the purchase, installation and commissioning of equipment and control systems at the four 'Park and Ride' facilities on the Luas network. It is expected that a further €49,000 will be provided in 2006 to complete these works. The amount paid out by my Department to local authorities for park and ride facilities in the GDA in 2004 was €0.8 million and €0.289 in 2005. In 2006, I have made €5 million in capital available.

In 2004, my Department paid €2.4 million to local authorities for park and ride in the regional cities, and €1.5m in 2005. In 2006 to date, my Department has paid €425,000 in respect of park and ride facilities in the regional cities.

EU Directives.

427. **Mr. Allen** asked the Minister for Transport the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37872/06]

Minister for Transport (Mr. Cullen): The information sought by the Deputy is outlined in the following tables. In relation to directives which are overdue for transposition, I will make the necessary arrangements to have the transposition effected at the earliest possible date.

There are a number of technical directives relating to the type approval of motor vehicles which have been partially but not fully transposed. These are listed separately in the second table. The provisions yet to be implemented relate to the sale or use of component parts.

Table 1: Directives not Transposed

	Title	Deadline for Transposition
1	Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation.	4th July 2005
2	Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive).	30th April 2006
3	Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports	30th April 2006
4	2005/49/EC of 25 July 2005 amending, for the purposes of their adaptation to technical progress, Council directive 72/245/EEC relating to the radio interference (electromagnetic compatibility) of vehicles and Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers.	30th June 2006
5	Directive 2003/59/EC of the European Parliament and of the Council of 15th July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC	10th September 2006
6	Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles.	9th November 2006
7	Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC	15th December 2006 (15 July, 2010 — Implementation Date for small vans).
8	Directive 2005/35/EC of the European Parliament and Council on ship-source pollution and on the introduction of sanctions for infringements.	March 2007
9	Commission Directive 2006/20/EC of 17 February 2006 amending for the purposes of its adaptation to technical progress, Council Directive 70/221/EEC concerning fuel tanks and rear underrun protection of motor vehicles and their trailers.	11th March 2007
10	Directive 2005/14/EC of the European Parliament and of the Council of 11 May 2005 amending Council Directives 72/166/EEC, 84/5/EEC, 88/357/EEC and 90/232/EEC and Directive 2000/26/EC of the European Parliament and of the Council relating to insurance against civil liability in respect of the use of motor vehicles.	11th June 2007
11	Directive 2005/65/EC on enhancing Port Security	15th June 2007
12	Directive 2004/45/EC amending Directive 2001/25 on the minimum level of training of seafarers.	20th October 2007
13	Directive 2006/40/EC of the European Parliament and of the Council of 17th May 2006 relating to emissions from air-conditioning systems in motor vehicles and amending Council Directive 70/156/EEC.	4th January 2008
14	Directive 2006/23/EC of the European Parliament and of the Council of 5th April 2006 on a Community air traffic control licence.	17th May 2008
15	Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures	10th June 2008
16	Directive 2006/22/EC of the European Parliament and of the Council of 15th March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No.3820/85 and 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC.	1st April 2007
17	Regulation (EC) No.561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No. 3821/85 and (EC) No. 2135/89 and repealing Council Regulation (EEC) No. 3820/85	11th April 2007

[Mr. Cullen.]

Table 2: Directives Partially Transposed

(Provisions governing the sale or use of component parts have yet to be implemented)

	Title	Deadline for Transposition
1	Directive 70/220/EEC as amended by Directive 98/77/EC relating to measures to be taken against air pollution by emissions from motor vehicles	*1st October 1999
2	Directive 70/221/EEC as amended by Directive 2006/20/EC relating to fuel tanks and rear underrun protection of motor vehicles and their trailers	*11th March 2007
3	Directive 71/320/EEC as amended by Directive 98/12/EC relating to the braking devices of certain categories of motor vehicles and their trailers	*31st March 2001
4	Directive 72/245/EEC as amended by Directive 2004/104/EC relating to the radio interference (electromagnetic compatibility) of vehicles	*31st December 2005
5	Directive 74/61/EEC as amended by Directive 95/56/EC relating to devices to prevent the unauthorized use of motor vehicles	*1st October 1998
6	Directive 74/408/EC as amended by Directive 96/37/EC relating to the interior fittings of motor vehicles (strength of seats and of their anchorages)	*1st October 1999
7	Directive 76/757/EEC as amended by Directive 97/29/EC relating to retro-reflectors for motor vehicles and their trailers	*1st October 1999
8	Directive 76/758/EEC as amended by Directive 97/30/EC relating to the end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers	*1st October 1999
9	Directive 76/759/EEC as amended by Directive 1999/15/EC relating to direction indicator lamps for motor vehicles and their trailers	*1st April 2001
10	Directive 76/760/EEC as amended by Directive 97/31/EC relating to the rear registration plate lamps for motor vehicles and their trailers	*1st October 1999
11	Directive 76/761 as amended by Directive 1999/17/EC relating to motor vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps	*1st April 2001
12	Directive 76/762 as amended by Directive 1999/18/EC relating to front fog lamps for motor vehicles and filament lamps for such lamps	*1st April 2001
13	Directive 77/538/EEC as amended by Directive 1999/14/EC relating to rear fog lamps for motor vehicles and their trailers	*1st April 2001
14	Directive 77/539/EEC as amended by Directive 97/32/EC relating to reversing lamps for motor vehicles and their trailers	*1st October 1999
15	Directive 77/540/EEC as amended by 1999/16/EC relating to parking lamps for motor vehicles	*1st April 2001
16	Directive 77/541/EEC as amended by Directive 96/36/EC relating to safety belts and restraint systems of motor vehicles	*1st October 1999
17	Directive 88/77/EC amended by Directive 2001/27/EC relating to measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles	*1st October 2001
18	Directive 92/22/EEC amended by Directive 2001/92/EC relating to safety glazing and glazing materials on motor vehicles and their trailers	*1st July 2003
19	Directive 92/23/EEC as amended by Directive 2001/43/EC relating to tyres for motor vehicles and their trailers and to their fitting	*4th August 2002
20	Directive 2001/56/EC relating to heating systems for motor vehicles and their trailers	*9th May 2005
21	Directive 2003/97/EC relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices	*24th January 2005

	Title	Deadline for Transposition
22	Directive 2005/55/EC as amended by Directive 2006/51/EC relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles	*1st October 2006
23	Directive 2005/66/EC relating to the use of frontal protection systems on motor vehicles	*25th May 2007
24	Council Directive 93/14/EEC relating to the braking of two or three-wheel motor vehicles	9 May 2003
25	Council Directive 93/30/EEC on audible warning devices for two or three-wheel motor vehicles	9 May 2003
26	Directive 97/24/EC of the European Parliament and of the Council of 17 June 1997 on certain components and characteristics of two or three-wheel vehicles, as amended by directive 2003/77/EC	9 May 2003
27	Directive 2000/7/EC of the European Parliament and of the Council on speedometers for two or three-wheel motor vehicles	9 May 2003

* Different sections of these directives have different transposition dates. The dates listed above refer to the transposition date for the section governing the sale or use of component parts.

Departmental Staff.

428. **Mr. Connolly** asked the Minister for Transport the criteria for persons with disabilities for seeking employment opportunities within his Department; the application procedures that apply; and if he will make a statement on the matter. [37885/06]

Minister for Transport (Mr. Cullen): Staff with disabilities are recruited by the Public Appointments Service (PAS). The criteria and procedures that would apply would therefore be those of the PAS.

Public Transport.

429. **Dr. Upton** asked the Minister for Transport his plans to address the lack of public transport facilities in areas (details supplied); if his attention has been drawn to the lack of proposals in the Transport 21 programme to include these areas; when these areas can expect to have their traffic and transport needs addressed; if his attention has been drawn further to the chronic traffic congestion, every day, in these areas; and if he will make a statement on the matter. [37926/06]

Minister for Transport (Mr. Cullen): The areas referred to by the Deputy are currently serviced by extensive bus services operated by Dublin Bus. In line with the commitments in the Agreed Programme for Government and Transport 21, the Government has made a number of significant decisions recently that will provide a solid basis for expanded and improved bus services in Dublin over the coming years. In this regard, my statement of 28th September about additional bus services in Dublin and my more recent statement about establishing a Dublin Transport Authority refer. As regards local traffic management issues, these are the responsibility of the local authorities in the area.

Road Traffic Offences.

430. **Ms Shortall** asked the Minister for Transport the penalties that exist for taxi drivers who drive with a wheelchair accessible taxi licence but who do not carry the necessary equipment to make the vehicle fully accessible; and if he will make a statement on the matter. [37927/06]

Minister for Transport (Mr. Cullen): The Road Traffic (Public Service Vehicles) (Amendment) Regulations 1998 (S.I. No 47 of 1998) set out the requirements for wheelchair accessible taxi vehicles. In particular the regulations require that a wheelchair accessible taxi vehicle be provided at all times with a ramp or other mechanism to permit the safe entry and egress of a passenger seated in a wheelchair.

The enforcement of the public service vehicle regulations is a matter for An Garda Síochána. The penalties for offences under these regulations, which were originally established under section 102 of the Road Traffic Act 1961, are now set out in section 18 of the Road Traffic Act 2006. Where a person is guilty of an offence, the person is liable on summary conviction to a fine not exceeding €1,000 in the case of a first offence and a fine not exceeding €2,000 in the case of a second, third or subsequent offence. In the case of a third or subsequent offence in any period of twelve consecutive months, the penalty is a fine not exceeding €2,000 or, at the discretion of the court, a term of imprisonment for any term not exceeding 3 months or to both a fine and term of imprisonment.

Inland Waterways.

431. **Mr. Kenny** asked the Minister for Community, Rural and Gaeltacht Affairs if it is proposed to have private companies or community interests take over the management and operation of inland waterways; and if he will make a statement on the matter. [37461/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department is jointly responsible with the Department of Culture, Arts & Leisure in the North for Waterways Ireland, a North South Implementation Body set up under the British-Irish Agreement in 1999. Waterways Ireland has responsibility for the management, maintenance, development and restoration of certain inland navigable waterways principally for recreational purposes. The waterways under the remit of the Body are the Shannon-erne Waterway, the Shannon, the Erne, the Grand Canal (including the Barrow Navigation), the Lower Bann and the Royal Canal. There are no proposals North or South to have private companies or community interests take over the management and operation of these navigable waterways.

Logainmneacha.

432. D'fhiafraigh **Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén uair atá sé chun teorainn na Gaeltachta a atarraingt chun Daingean Uí Chúis nó Dingle as Béarla a chur sa Ghalltacht de thoradh ar an bpobalbhreith ar 20 Deireadh Fómhair 2006. [37356/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Dírím aird an Teachta ar an bhfreagra ar Cheist Uimh. 3 ar 9 Samhain 2006 agus ar an bplé a bhí sa Teach faoin ábhar.

Pension Provisions.

433. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs the plans he has to introduce an allowance (details supplied); and if he will make a statement on the matter. [37415/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department has been at the forefront in recent years in bringing forward proposals and introducing initiatives designed to reduce the cost of living for communities in the circumstances described by the Deputy and to enhance their lifestyle accordingly. In the matter of allowances, I would remind the Deputy that for a number of years now an extra allowance of €12.70 is paid to persons in such circumstances who are entitled to State pensions and other categories of assistance from the Department of Social and Family Affairs.

While a range of practical steps has been taken in regard to supporting the communities in question, the Deputy will appreciate the constraints that arise in seeking to address these matters adequately in the context of a 'details supplied' Question. Accordingly, I propose to write separately to the Deputy setting out some further information regarding the considerable progress that has been achieved in this regard in recent years.

Postal Services.

434. **Mr. M. Moynihan** asked the Minister for Community, Rural and Gaeltacht Affairs if funding can be made available from his Department in conjunction with the Department of Communications, Marine and Natural Resources to ensure the automation of rural post offices in order that rural societies are preserved and a greater sense of community is fostered. [37790/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The automation of rural post offices is primarily a matter for my colleague, Noel Dempsey T.D., Minister for Communications, Marine and Natural Resources to progress.

EU Directives.

435. **Mr. Allen** asked the Minister for Community, Rural and Gaeltacht Affairs the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37861/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): There are no EU directives awaiting transposition into law relating to my Department's work.

Crime Prevention.

436. **Aengus Ó Snodaigh** asked the Minister for Community, Rural and Gaeltacht Affairs if his attention has been drawn to the report published by UCD in October 2006 the nature and impact of joy-riding in Priorswood Report to the Priorswood Task Force on Joy-riding and the report's recommendation that the joy-riding issue be considered within a concerted approach by local government and local development agencies and the RAPID programme, and that this be done within a wider context of developing local anti-poverty and social inclusion measures; and the steps he will take to give affect to this recommendation. [37879/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): This is a matter primarily for the Minister for Justice, Equality and Law Reform.

The Deputy will be aware that under the RAPID Leverage Schemes my Department co-funded a number of measures that directly help to counter anti-social behaviour. The two main schemes in this area are the community-based CCTV scheme and the traffic-calming measures scheme. The other Leverage Schemes co-funded by my Department supports the provision of

playgrounds, health centres and environmental improvements to housing estates.

The local A.I.T also have a central role to play in bringing a co-ordinated response for the statutory and voluntary and community agencies to the issues facing these communities.

Grant Payments.

437. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will be allocated additional entitlements from the national reserve as a Category D applicant. [37355/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2005 Single Payment Scheme National Reserve under Category D.

Category D caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

As Category D is a non-mandatory category of the National Reserve, any allocation made is subject to the Regional Unit Value. Should a farmer purchase or inherit entitlements with the land, the value of these entitlements must be less than the Regional Unit Value in order to receive a top-up.

The person named applied in respect of land that he had inherited. However, as he inherited entitlements with all of this land and the inherited entitlements were higher in value than the Regional Unit Value, the person named did not qualify under Category D of the National Reserve. A formal letter outlining my Department's decision on the National Reserve has issued to the person named.

Environmental Policy.

438. **Mr. Sargent** asked the Minister for Agriculture and Food if her attention has been drawn to suggestions that forest brash should be removed from sensitive sites where the nutrients may be causing damage to the ecosystem; her views on whether this would be feasible or if there are difficulties in operating such a policy. [37410/06]

Minister for Agriculture and Food (Mary Coughlan): I am aware of the issues relating to brash management, particularly where sensitive sites are concerned. In general, the removal of brash is not advocated as such a practice may increase the need for fertiliser application following reforestation.

On sensitive sites, the brash can provide protection to the surface soil layers. Its removal, using current technologies, can pose difficulties and the benefits need to be weighed up against the risks of increased sediment loss in removing the protective brash mat.

The issues of sedimentation and nutrient release from forest sites are the subject of current research by the Western River Basin District's Forest and Water Quality Group.

Grant Payments.

439. **Mr. Lowry** asked the Minister for Agriculture and Food when payment will issue to a person (details supplied) in County Tipperary; the reason for the delay to date; and if she will make a statement on the matter. [37565/06]

Minister for Agriculture and Food (Mary Coughlan): The holding of the person concerned has been restricted since 10 August 2004.

With regard to payment of compensation, my Department's local District Office wrote to the person concerned on 16 May 2006 informing him of the decision to withhold part of the compensation and advising him that he could appeal to the Regional Assistant Principal Officer. The file is currently under review by the Regional Assistant Principal Officer and the herd-owner will be notified of the outcome of the appeal in due course. However, any payment that may arise will not be paid until the herd-owner submits any outstanding documents and complies with the instruction which issued on 4 December 2005 to cleanse and disinfect the holding.

Grant Payments.

440. **Mr. Penrose** asked the Minister for Agriculture and Food the steps she will take to have a single payment which is due to a farmer (details supplied) immediately paid out to him; and if she will make a statement on the matter. [37566/06]

Minister for Agriculture and Food (Mary Coughlan): The person named established 47.83 Entitlements during the reference period. In 2005, he applied and was accepted under the Consolidation measure of the Single Payment Scheme and his entitlements were consolidated to 46.50. As a result of a shortfall in land, which could not be accounted for under the measures applicable to consolidation, the applicant accepted the loss of 1.12 entitlements to the National Reserve. Arrangements to allow the reversion of these entitlements to the National Reserve are now being made and advance payment will issue to the person named early next week.

Herd Keepers.

441. **Mr. Naughten** asked the Minister for Agriculture and Food the rights of a joint herd owner who is not the keeper of animals; the reason they do not have their name on the animal passports; if they are entitled to sign such passports, dispose of animals, apply for schemes, receive payment under schemes; her views on whether this discriminates against women in agriculture; and if

[Mr. Naughten.]

she will make a statement on the matter.
[37567/06]

Minister for Agriculture and Food (Mary Coughlan): A herd number is an administrative arrangement designed primarily for the purposes of disease control under the disease eradication schemes, which involves the allocation of a number to a herd as provided for under S.I. No. 276 of 1999 (European Communities (Identification and registration of bovine animals) Regulations, 1999). The traditional term “herd-owner”, which required the nomination of one person in respect of the herd in the 1989 TB Order, has been substituted by the term “keeper” which is defined in Regulation (EC) No. 1760/2000 as any natural or legal person responsible for animals, whether on a permanent or on a temporary basis, including during transportation or at a market. In effect, the “keeper” is the person who is to be the initial point of contact in regard to animal inspections, testing, identification, records etc. to sign movement documents and passports of animal(s) and to be deemed legally responsible for the day to day care and welfare of the animals. The keeper also has responsibility to notify the database of animal births, deaths and movements, to keep the herd register and to sign certain documents such as the animal passport when the keeper takes possession of an animal. Owners who are not registered as keepers may not sign the passports. With regard to the disposal of animals, the movement permit is issued to the keeper.

My Department, as a matter of policy, when issuing a herd number registers one individual person as the “keeper” of the animals. The designation of more than one person as “keeper” would lead to general confusion, possible denial of responsibility, duplication of communication to all named parties difficulties in supply of identification tags and documents and difficulties in prosecutions, all of which could delay immediate action in relation to the prevention of the spread of animal disease and the protection of animal welfare.

The registration of a person as keeper does not infer ownership of the lands or animals in the herd. When multiple persons, a company, or an institution wish to register an interest in the herd number, they are registered as “herd-owners” and are asked to nominate the keeper.

Irish national legislation on the TB eradication programme has, since its inception in the 1950s, required the nomination of a single responsible person when more than one person is involved with the herd. In a recent effort to align Department computer systems, to regularise records and to bring the terminology more into line with the EU regulations, in cases where multiple persons had been recorded and no single person was nominated as keeper, my Department issued a

request to farmers to nominate one person as keeper for the herd.

With regard to the position of persons who have a beneficial interest in the herd but who are not registered as keepers, such persons may register their interest in the herd as “herd-owners” through Form ER1.1 and, accordingly, qualify for payment under the various schemes implemented by my Department. In this regard, I should emphasise that the “keeper” role is classified as a non-financial role and payments are made to “herd-owners” rather than to “keepers”.

In view of the fact that access to herd numbers is open to persons of either gender to be nominated as keeper, the implementation of this policy is not a discriminatory practice against women in agriculture. Nevertheless, I have asked my Department to undertake a review of this policy.

Grant Payments.

442. **Mr. McGuinness** asked the Minister for Agriculture and Food the reason decoupling payments were stopped in the case of a person (details supplied) in County Laois without explanation; if she will expedite a positive resolution to the case and resume payments. [37774/06]

Minister for Agriculture and Food (Mary Coughlan): The person named established 51.29 Entitlements during the reference period. In 2005, he applied and was accepted under the Consolidation measure of the Single Payment Scheme and his entitlements were consolidated to 42.82. As a result of a shortfall in land, which could not be accounted for under the measures applicable to consolidation, the applicant accepted the loss of 0.12 entitlements to the National Reserve. Arrangements to allow the reversion of these entitlements to the National Reserve are now being made and advance payment will issue to the person named early next week.

Pesticide Control.

443. **Mr. Sargent** asked the Minister for Agriculture and Food the reason for the decline in the frequency of inspections by the pesticides control service of her Department in 2002; and the low frequency of inspections in subsequent years. [37775/06]

Minister for Agriculture and Food (Mary Coughlan): The Pesticide Residue Monitoring Programme is a risk based programme which is agreed between my Department and the Food Safety Authority on an annual basis. In the years 2000, 2001 and 2002 the number of mushroom samples analysed for pesticide residues included samples taken by An Bord Glas. The results which are published in the Department’s annual report ‘Pesticides Residues in Food’ contained

the results of between 40 and 50 mushroom samples taken per year.

Since 2002, the number of mushroom samples analysed annually under the Department's residue monitoring programme was 9 or 10 samples. This number compares favourably with other EU countries, where e.g., 10 mushroom samples were analysed in Sweden, 48 in the UK, 12 in the Netherlands and 19 in Belgium in 2005. The numbers taken were based on a risk analysis which was significantly influenced by the fact that there was no exceeding of the Maximum Residue Level for mushrooms sampled in Ireland since 1994.

444. **Mr. Sargent** asked the Minister for Agriculture and Food if she has plans to reform her Department's pesticides inspection regime. [37776/06]

Minister for Agriculture and Food (Mary Coughlan): The Pesticide Residue Monitoring Programme is one agreed annually between my Department and the Food Safety Authority of Ireland, FSAI, as part of the existing service contract between both organisations. My Department has fully implemented the monitoring programme for pesticide residues in food as agreed with the FSAI.

At present, within the EU, the legislation controlling the authorization and use of plant protection products is being revised and updated. The Proposal for a Regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market 11755/06 AGRILEG 127 ENV 411 CODEC 773 on adoption will replace Directive 91/414/EEC and will also repeal Council Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances. The Proposal was developed following extensive consultations and is designed to update the existing regulatory framework for plant protection products. These discussions are linked to the Commission Communication on the Thematic Strategy on the Sustainable Use of Pesticides and the Commission Proposal for a Directive establishing a framework for Community action to achieve a sustainable use of pesticides. These initiatives form a cohesive package of measures. When discussions are finalised and legislation is adopted by the EU a revised set of comprehensive measures underpinned by revised national legislation will be put in place to control the authorisation and use of plant protection products.

Food Safety Standards.

445. **Mr. Sargent** asked the Minister for Agriculture and Food if the Food Safety Authority has the authority to inspect foodstuffs for chemical residues; if and how frequently it has exercised this power; if and how frequently it has

exercised this power to inspect mushrooms. [37777/06]

Minister for Agriculture and Food (Mary Coughlan): The Food Safety Authority has service contracts with my Department, the Department of Communications, Marine and Natural Resources, the Marine Institute, the Health Service Executive and 32 Local Authorities. These service contracts include the testing of various foodstuffs for a range of chemical residues, including pesticides, residues of animal remedies, marine bio-toxins and organic and inorganic contaminants.

The national chemical residue testing programmes include the annual National Residue Monitoring Programme for residues of animal remedies and the annual National Pesticide Monitoring Programme, for pesticide residues in various foods of animal and non-animal origin. FSAI also carries out independent surveys for specific chemical residues including dioxins, furans and PCBs. In all, over 30,000 foodstuffs will be inspected for the presence of chemical residues in 2006.

The foodstuffs inspected under the chemical residue testing programmes include mushrooms and other agricultural and horticultural produce. Residues analysed in mushrooms include pesticides, under the National Pesticide Monitoring Programme. The service contract with the Department of Agriculture and Food specifically encompasses the work carried by the Departments' Pesticide Control Service on the implementation of the National Pesticide Monitoring Programme.

This annual monitoring programme is risk based and is drawn up by the Pesticide Control Service in consultation with the FSAI. The types of factors that are taken into account each year in determining the programme include the incidences of residue breaches the previous year, the dietary importance of particular foods, the residue history of the pesticide and the analytical capacity of the laboratory. The programme for 2006 includes analysis of 1350 samples for pesticide residues with each sample analysed for up to 150 different pesticides. On the basis of the criteria outlined above 10 mushroom samples are to be tested in 2006 for 150 different pesticide residues or 1500 different analyses. Between 1994 and 2006 no illegal pesticide residues have been found in mushrooms sampled from the Irish market. 183 samples of mushrooms have been analysed for pesticide residues since 2000 and the results of these yearly monitoring programmes are published.

446. **Mr. Sargent** asked the Minister for Agriculture and Food if she has satisfied herself that An Bord Bia's quality assurance scheme is a sufficiently rigorous mechanism for inspecting

[Mr. Sargent.]

mushrooms and other foodstuffs for illegal chemical residues. [37778/06]

Minister for Agriculture and Food (Mary Coughlan): As this is an operational matter for An Bord Bia, it is not appropriate for me to comment.

447. **Mr. Sargent** asked the Minister for Agriculture and Food if a company (details supplied) has been in receipt of awards from An Bord Bia between 2000 and 2006; and if the company's produce was tested for pesticide residues by An Bord Bia during this time. [37779/06]

Minister for Agriculture and Food (Mary Coughlan): As this is an operational matter for An Bord Bia, it is not appropriate for me to comment.

448. **Mr. Sargent** asked the Minister for Agriculture and Food the reason her Department first claimed to a television station that an inspection of a company's (details supplied) premises had been carried out on 24 October 2006, but in reply to Parliamentary Question Nos. 432 and 434 of 7 November 2006, said that, as there was no visible sign of activity at one of the premises, an inspection was not carried out. [37780/06]

Minister for Agriculture and Food (Mary Coughlan): Arising from allegations on the misuse of pesticides made in the media regarding the company in question, an inspector of my Department visited two sites of the company on the 24 October. One site was closed and not in operation and was not inspected. The other was inspected and no evidence of illegal use of plant protection products was detected.

On the 9 November the Department inspector re-visited the sites. On inspection one was again found not to be operational, and the other where six of the 18 production tunnels are operational was again inspected.

449. **Mr. Sargent** asked the Minister for Agriculture and Food if her Department conducted chemical residue testing of mushrooms grown on the premises of a company (details supplied) since the claims of employees that illegal pesticides were sprayed on their produce were first aired on a radio station on 27 October 2006. [37781/06]

Minister for Agriculture and Food (Mary Coughlan): Arising from media allegations concerning the misuse of pesticides in mushroom production, an inspector of the Department of Agriculture and Food visited the company in question on the 24 October and 9 November to determine if any illegal plant products were present. Neither of these inspections detected the

presence of illegal plant protection products at the site.

The company has currently six mushroom tunnels in production. Two samples of mushrooms from this production unit were sampled and analysed. No illegal residues of prochloraz or fluzinam, both named in the allegations made, were found in the mushrooms analysed. With regard to the presence of formaldehyde residues which was also named in allegations made, samples have been sent to a laboratory in Germany for analysis, the results of which will be available within two weeks.

450. **Dr. Upton** asked the Minister for Agriculture and Food if her attention has been drawn to a recent debate on the alleged addition of banned chemicals to mushrooms (details supplied); the investigation she proposes to take or has taken arising from the alleged incident; the findings of her investigation; and if she will make a statement on the matter. [37782/06]

Minister for Agriculture and Food (Mary Coughlan): I am aware of the recent debate relating to the alleged misuse of chemicals on mushrooms.

My Department was informed by RTE of the identity of the company, on the 23 October. An inspector from my Department visited it on the 24 October and again on the 9 November to determine if any illegal plant products were present. Neither of these inspections detected the presence of illegal plant protection products at the site.

The company has currently six mushroom tunnels in production. Two samples of mushrooms from this production unit were sampled and analysed. No illegal residues of prochloraz or fluzinam, both chemicals named in the allegations made, were found in the mushrooms analysed. With regard to the presence of formaldehyde residues which was also named in allegations made, samples have been sent to a laboratory in Germany for analysis, the results of which will be available within two weeks.

Food Traceability.

451. **Dr. Upton** asked the Minister for Agriculture and Food the legislation or regulations that apply to traceability of foods including fruit and vegetables from farm level; and if she will make a statement on the matter. [37783/06]

452. **Dr. Upton** asked the Minister for Agriculture and Food the procedures that apply to traceability and recall of fruit and vegetables that are found to be in breach of food safety regulations when it is the producer of the product responsible for the breach; and if she will make a statement on the matter. [37784/06]

454. **Dr. Upton** asked the Minister for Agriculture and Food the audits carried out on production units for fruit and vegetables to ensure that they are compliant with all appropriate legislation or regulations; and if she will make a statement on the matter. [37786/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 451, 452 and 454 together.

Traceability of foods including fruit and vegetables is provided for in Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety. Regulation No. 178/2002 is given effect insofar as my Department is concerned by the European Communities (Food and Feed Hygiene) Regulations 2005 (S.I. No. 910 of 2005), as amended by the European Communities (Food and Feed Hygiene) Regulations 2006 (S.I. No. 387 of 2006). Under Regulation 178/2002, all food business operators must have a traceability system in place to identify from whom and to whom a product has been supplied.

Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs lays down general rules to ensure food safety throughout the food chain, starting with primary production. Those rules include the keeping and retention of records relating to any use of plant protection products and biocides, any occurrence of pests or diseases that may affect the safety of products of plant origin and the results of any relevant analyses carried out on samples taken from plants or other samples that have importance to human health. Regulation No. 852/2004 is given effect insofar as my Department is concerned by the European Communities (Food and Feed Hygiene) Regulations 2005 (S.I. No. 910 of 2005) as amended. The powers of authorised officers under those Regulations include the seizure or detention and/or prohibition or restriction of the movement of any food or foodstuff. Regulation 178/2002 also obliges food business operators to take action to withdraw products from the market where there is reason to believe that food which has been imported, produced, processed, manufactured or distributed is “unsafe”.

Other Regulations to implement Regulation No. 852/2004 have been adopted by the Minister for Health and the Minister for Communications, Marine and Natural Resources.

These Regulations are part of the overall EU Hygiene Package which is a suite of 5 regulations which came into force on 1 January this year. They replaced or updated a series of some 17 EU Regulations some of which dated back to the 1960s. My Department carried out inspections and other control procedures under these earlier

regulations and continues to do so under the Hygiene Package. All of our control measures are subject to audit by the FSAI and the EU Food and Veterinary Office.

Food Safety Standards.

453. **Dr. Upton** asked the Minister for Agriculture and Food the number of mushrooms samples tested annually on behalf of her Department since 2002, for residues of banned additives; if she has satisfied herself that this sampling plan is adequate to ensure confidence in the safety of the produce; and if she will make a statement on the matter. [37785/06]

Minister for Agriculture and Food (Mary Coughlan): The Pesticide Residue Monitoring Programme is a risk based programme which is agreed between my Department and the Food Safety Authority on an annual basis. There are detailed discussions between the FSAI and the DAF prior to determining the numbers of samples of each of the different food commodities to be included in the monitoring plan. This plan takes account of the dietary importance of mushrooms and other food commodities in the Irish diet and also takes account of information relating to the pesticide residue profile of these crops. In Ireland mushroom producers also participate in quality assurance schemes which provide assurance, among other things, that the crops are cultivated with proper use of plant protection products.

In the years 2000, 2001 and 2002 the number of mushroom samples analysed for pesticide residues included samples taken by An Bord Glas. The results which are published in the Department’s annual report ‘Pesticides Residues in Food’ contained the results of between 40 and 50 mushroom samples per year.

Since 2002, the number of mushroom samples analysed annually under the Department’s residue monitoring programme was 9 or 10 samples. This number compares favourably with other EU countries, where e.g., 10 mushroom samples were analysed in Sweden, 48 in the UK, 12 in the Netherlands and 19 in Belgium in 2005. The numbers taken were based on a risk analysis which was significantly influenced by the fact that there was no exceeding of the Maximum Residue Level for mushrooms sampled in Ireland since 1994.

In the event that illegal pesticide residues or levels exceeding Maximum Residue Levels of approved pesticides were detected then in agreement with the FSAI appropriate follow up action would take place. This would include tracing back to the producer and if it was determined that there was an unacceptable risk to the consumer the seizure and destruction of the product would take place.

I am satisfied that the existing sampling and testing arrangements for pesticides in mushrooms

[Mary Coughlan.]

and the associated contingency arrangements are adequate to ensure the safety of mushrooms.

Question No. 454 answered with Question No. 451.

EU Directives.

455. **Mr. Allen** asked the Minister for Agriculture and Food the number of EU directives awaiting transposition in her Department; the date by which these directives are to be, or were

to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when she expects that overdue directives will be transposed; and if she will make a statement on the matter. [37858/06]

Minister for Agriculture and Food (Mary Coughlan): The 18 directives to be transposed into national law for which my Department has responsibility are set out in the following schedule. None are overdue for transposition. I intend to have the directives implemented by the due date in each case.

Directives to be implemented by the Department of Agriculture and Food: 18

Title of Directive	Date by which Directive is to be implemented
Commission Directive 2006/53/EC of 7 June 2006 amending Council Directive 90/642/EEC as regards the maximum residue levels of fenbutatin-oxide, fenhexamid, cyazofamid, linuron, triadimephon/triadimenol, pymetrozine, and pyraclostrobin. (OJL 154, 8/12/2006, p11)	8 December 2006
Commission Directive 2005/86/EC of 5 December 2005 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards camphechlor. (OJL 318, 06/12/05, p16)	26 December 2006
Commission Directive 2005/87/EC of 5 December 2005 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards lead, fluorine and cadmium. (OJL 318, 06/12/05, p17)	26 December 2006
Commission Directive 2006/26/EC of 2 March 2006 amending, for the purposes of their adaptation to technical progress, Council Directives 74/151/EEC, 77/311/EEC, 78/933/EEC and 89/173/EEC relating to wheeled agricultural or forestry tractors. (OJL 35, 07/03/06, p22)	31 December 2006
Commission Directive 2006/59/EC of 28 June 2006 amending Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for carbaryl, deltamethrin, endosulfan, fenithrothion, methidathion and oxamyl. (OJL 175, 29/06/06, p61)	29 December 2006
Commission Directive 2006/55/EC of 12 June 2006 amending Annex III to Council Directive 66/402/EEC as regards the maximum weight of seed lots. (OJL 159 13/06/06, p.13)	31 December 2006
Commission Directive 2006/41/EC of 7 July 2006 amending Council Directive 91/414/EEC to include clothianidin and pethoxamid as active substances. (OJL 187, 08/07/06 p. 24)	31 January 2007
Council Directive 2005/24/EC of 14 March 2005 with regard to the use of ova and embryos and storage centres for semen from pure-bred breeding animals of the bovine species. (OJL 78, 24/03/05, p43)	23 March 2007
Commission Directive 2006/56/EC of 12 June 2006 amending the Annexes to Council Directive 93/85/EEC on the control of potato ring rot. (OJL 182, 04/06/2006, p1)	31 March 2007
Commission Directive 2006/63/CE of 14 July 2006 amending Annexes II to VII to Council Directive 98/57/EC on the control of <i>Ralstonia solanacearum</i> (Smith) Yabuuchi <i>et al.</i> (OJL 206, 27/07/06, p.27)	31 March 2007
Commission Directive 2006/75/EC of 11 September 2006 amending Council Directive 91/414/EEC to include dimoxystrobin as active substance. (OJL 248 12/09/06, p.3)	31 March 2007
Commission Directive 2006/92/EC of 9 November 2006 amending Annexes to Council Directives 76/895/EEC, 86/362/EEC and 90/642/EEC as regards maximum residue levels for captan, dichlorvos, ethion and folpet. (OJL 311 10/11/2006, p 31)	10 May 2007
Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC. (OJL 10, 14/01/06, p16)	1 July 2007
Commission Directive 2006/77/EC of 29 September 2006 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels for organochlorine compounds in animal feed. (OJL 271, 30/09/2006, p53)	19 October 2007
Commission Directive 2006/64/CE of 18 July 2006 amending Council Directive 91/414/EEC to include clopyralid, cyprodinil, fosetyl and trinexapac as active substances. (OJL 206, 27/07/06, p.107)	31 October 2007

Title of Directive	Date by which Directive is to be implemented
Commission Directive 2006/74/EC of 21 August 2006 amending Council Directive 91/414/EEC to include dichlorprop-P, metconazole, pyrimethanil and triclopyr as active substances. (OJL 235 30/08/06, p17)	30 November 2007
Commission Directive 2006/62/EC of 12 July 2006 amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for desmedipham, phenmedipham and chlorfenvinphos. (OJL 206, 27/07/2006, p.27)	20 January 2008
Commission Directive 2006/85/EC of 23 October 2006 amending Council Directive 91/414/EEC to include fenamiphos and ethephon as active substances. (OJL 293, 24/10/2006, p.3)	31 January 2008

Grant Payments.

456. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers in County Roscommon who have received the first instalment of their single farm payment; the number still awaiting payment; and if she will make a statement on the matter. [37890/06]

Minister for Agriculture and Food (Mary Coughlan): The number of farmers in County Roscommon who have applied for the 2006 Single Payment Scheme is 6,589. A total of 5,867 farmers have been paid the advance payment while 722 farmers have yet to be paid their advance payment.

Delays in processing of Single Payment Scheme applications can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant.

In many cases, payment could not be made because applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase; the majority of the 2006 cases which have yet to receive an advance payment are in this category.

My Department will continue to issue payments, to farmers, as outstanding problems are resolved.

Balancing payments under the 2006 Single Payment Scheme are scheduled to commence on 1 December 2006.

457. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers in County Leitrim who have received the first instalment of their 2006 single farm payment; the number still awaiting payment; and if she will make a statement on the matter. [37891/06]

Minister for Agriculture and Food (Mary Coughlan): The number of farmers in County Leitrim who have applied for 2006 Single Payment Scheme is 3,697. A total of 3,162 farmers have been paid the advance payment leaving 535 farmers yet to be paid.

Delays in processing of the Single Payment Scheme can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant.

In many cases, payment could not be made because applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase; the majority of the 2006 cases which have yet to receive an advance payment are in this category.

My Department will continue to issue payments, to farmers, as outstanding problems are resolved.

Balancing payments under the 2006 Single Payment Scheme are scheduled to commence on 1 December 2006.

Milk Quota.

458. **Mr. Sargent** asked the Minister for Agriculture and Food her plans to improve the transparency and consultation with milk quota owners before the new quota exchange schemes are announced; the legal status of milk quota; and to revise the decision to penalise those who sell their milk quota, including those who do so for reasons of ill health, old age or bereavement. [37892/06]

Minister for Agriculture and Food (Mary Coughlan): I announced the detailed rules governing the Milk Quota Trading Scheme in late September following a six-month period of consultation with the main farming organisations, each of which represents both buyers and sellers of milk quota. These consultations were extensive and involved a series of meetings with each organisation. I also received submissions from some organisations and individuals.

The Milk Quota Trading Scheme supersedes the Milk Quota Restructuring Scheme. It differs from the latter in the introduction of a market mechanism, which did not exist heretofore. This will afford buyers and sellers far greater freedom to determine the volume and price of quota they wish to buy and sell than was the case under the old scheme. Rather than being penalised, sellers are being provided with the opportunity to obtain

[Mary Coughlan.]

a better price for their quota than would have been the case had I continued to implement the Milk Quota Restructuring Scheme for a further year. Indeed part of the rationale of the scheme was to encourage those wishing to exit the sector for personal or family reasons to do so while securing a market return rather than the fixed price available in the old scheme.

As regards the legal status of milk quota, “delivery quota”, as defined in the European Communities (Milk Quota) Regulations, 2000 (SI No. 94 of 2000), means the quantity of milk or other milk products which may be delivered by a producer to a purchaser from his or her holding, in accordance with the Regulations, in a milk quota year without the producer being liable to pay levy. These Regulations, as amended, allow the Minister to introduce schemes for the surrender of milk quota at the end of each milk quota year and the reallocation of the surrendered quota at the beginning of the subsequent milk quota year, including the setting of a maximum payment for surrendered and reallocated quota.

Grant Payments.

459. **Mr. P. McGrath** asked the Minister for Agriculture and Food the number of farmers in County Westmeath who received their single farm payment in full, reduced rate or not paid at all in 2005 and 2006; and if she will make a statement on the matter. [37893/06]

Minister for Agriculture and Food (Mary Coughlan): Applications were received from 3,399 Westmeath herd owners under the 2005 Single Payment Scheme, of which in excess of 98% have received payment.

Applications were received from 3,163 Westmeath herd owners under the 2006 Single Payment Scheme, of which approximately 88% have already received their advance payment.

In common with the coupled schemes, which the Single Payment Scheme replaced, delays in processing can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant. In many cases, payment could not be made because applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase; the majority of the 2006 cases which have yet to receive an advance payment are in this category.

My Department will continue to issue payments, under both the 2005 and 2006 Schemes, to farmers, as outstanding problems are resolved.

Balancing payments under the 2006 Scheme are scheduled to commence on 1 December 2006.

460. **Mr. P. McGrath** asked the Minister for Agriculture and Food the number of farmers in County Longford who received their single farm payment in full, reduced rate or not paid at all in 2005 and 2006; and if she will make a statement on the matter. [37894/06]

Minister for Agriculture and Food (Mary Coughlan): The number of farmers in Co. Longford who have applied for 2005 Single Farm Payment was 2,745. A total of 2,023 farmers have received their 2005 Single Farm Payment in full and a further 419 farmers were paid a reduced payment. Of the remaining 303 applications, in many cases, payment was not due because these applications were made for entitlement activation purposes only, after which these entitlements were subject to a transfer by way of inheritance, gift or lease to another applicant under the 2005 Scheme.

The number of farmers in Co. Longford who applied for 2006 Single Farm Payment is 2,559. To date, 2,308 farmers have been paid the 50% advance of their 2006 Single Farm Payment while 251 farmers have yet to be paid.

Delays in processing of Single Payment Scheme applications can be caused by many factors, including incomplete application forms, errors on applications and discrepancies highlighted following computer validation, which must be resolved via correspondence with the applicant. In many cases, payment could not be made because applicants did not submit an application to transfer the Single Payment entitlements, with lands, by way of inheritance, gift, lease or purchase; the majority of the 2006 cases which have yet to receive an advance payment are in this category.

My Department will continue to issue payments, under the 2005 and the 2006 Schemes, to farmers, as outstanding problems are resolved.

Balancing payments under the 2006 Single Payment Scheme are scheduled to commence on 1 December 2006.

Pesticide Controls.

461. **Mr. Gregory** asked the Minister for Agriculture and Food further to Parliamentary Question No. 426 of 7 November 2006 with reference to the extensive monitoring programme referred to the number of inspections carried out at the company in question in each of the past five years. [37900/06]

Minister for Agriculture and Food (Mary Coughlan): The Pesticide Residue Monitoring Programme of my Department is aimed at detecting the presence of residues on foods which are for sale on the market. Strategically, food samples are taken for analysis at

wholesale/distribution level and effective action can be taken if a problem is detected.

The monitoring programme is agreed following detailed consultation between the Food Safety Authority. It is a risk based programme which takes account of, inter alia, the dietary importance of mushrooms for Irish consumers and the results of earlier monitoring programmes. In the period 1994 to date in 2006 no illegal pesticide residues were found in Irish mushroom. There is no record of samples being analysed from the company in question during the past five years.

The 2006 Irish monitoring programme has scheduled the analysis of ten mushroom samples for pesticide residues. Each of these samples will be analysed for residues of 150 different pesticide compounds. This programme compares favourably with testing carried out in other EU countries where in 2005 the numbers of samples analysed were as follows: Sweden, 10; UK, 48; Netherlands, 12; Norway, 12; and Belgium 19.

In the event that illegal pesticide residues or levels exceeding Maximum Residue Levels of approved pesticides were detected then in agreement with the FSAI appropriate follow up action would take place. This would include traceback to the producer and if it was determined that there was an unacceptable risk to the consumer the seizure and destruction of the product would take place.

Animal Welfare.

462. **Mr. Gregory** asked the Minister for Agriculture and Food if the ban on electro-immobilisation on live farm animals will include the 1 Brinder Compact as advertised in a newspaper (details supplied); and if she will make a statement on the matter. [37901/06]

Minister for Agriculture and Food (Mary Coughlan): As already announced, I propose to introduce legislation to prohibit the use of electro-immobilisation on live farm animals on animal welfare grounds. In that context, the precise terms of the legislation have yet to be finalised and consequently it is not possible to indicate if the procedure referred to by the Deputy will be included in the ban.

Farm Retirement Scheme.

463. **Mr. Naughten** asked the Minister for Agriculture and Food the reason her recent announcement on a top-up payment for current farm retirement participants did not include a backdated payment; if she will review this decision; and if she will make a statement on the matter. [38001/06]

Minister for Agriculture and Food (Mary Coughlan): Substantial increases in the maximum pension rates under both Schemes of Early

Retirement from Farming will take effect from 1 November 2006. I have decided to increase the maximum in the 1994-99 Scheme from €12,075 to €14,075 and the maximum in the current Scheme from €13,515 to €15,000.

These increases will cost some €33 million extra over the remaining period of the two Schemes and the expenditure will not be eligible for EU co-funding. Consequently the full cost of the increases must be met from the Exchequer.

Pupil-Teacher Ratio.

464. **Mr. Durkan** asked the Minister for Education and Science when the pupil-teacher ratio will be reduced to acceptable best practice for those children attending first class at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [37483/06]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the staffing schedule for primary schools is structured to ensure that all primary schools will operate to an average mainstream class size of 28 pupils. Posts allocated on the basis of this schedule are specifically for mainstream classes and should be deployed accordingly. School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment). In particular, school authorities should ensure that there is an equitable distribution of pupils in mainstream classes and that the differential between the largest and smallest classes is kept to a minimum.

The staffing of the school referred to by the Deputy for the current school year is a Principal, 9 mainstream class teachers (based on an enrolment of 248 pupils on 30th September, 2005), 3 Permanent Learning Support/Resource teachers, (1 of these is a shared post), 1 Permanent Special Class teacher and 1 Temporary Language Support teacher.

The enrolment figure submitted by the Board of Management for the 30th September, 2006 is 243 pupils. The average class size in the school this year is therefore 27.

The Deputy should note that when calculating the pupil teacher ratio, all posts based in the school, including ex-quota posts, are taken into consideration. The pupil teacher ratio in this school compares favourably with the average pupil teacher ratio for primary schools generally.

Decentralisation Programme.

465. **Mr. Connaughton** asked the Minister for Education and Science when a person (details supplied) in County Galway will be transferred to the Department of Education in Mullingar in view of the fact that they accepted such a transfer

[Mr. Connaughton.]

some months ago; and if she will make a statement on the matter. [37808/06]

Minister for Education and Science (Ms Hanafin): The latest report by the Decentralisation Implementation Group (DIG) dated September 2006 gives an indicative date of Quarter 1 2009 for the provision of permanent accommodation in Mullingar. The decentralisation of the 300 posts in my Department from Dublin to Mullingar as set out in the Government's Programme of Decentralisation will take place when this accommodation is ready for occupation.

No decision has been made regarding an advance move to temporary accommodation in Mullingar of some of these 300 posts.

Special Educational Needs.

466. **Mr. Timmins** asked the Minister for Education and Science the position in respect of a group (details supplied) that has submitted an application to her Department and the Health Service Executive for full State recognition and appropriate funding for a centre of education for children in County Wicklow with autistic spectrum disorders; if she will ensure that children with autism in County Wicklow are treated equally and given the same opportunities as the hundreds of children with autism attending the 12 ABA schools around the country; if their application can be sanctioned as a matter of urgency; and if she will make a statement on the matter. [37384/06]

Minister for Education and Science (Ms Hanafin): My Department is of the view that children with autism, in common with all children should have access to appropriate provision delivered by suitably qualified teachers within the school system where children can mix with their wider peer group and have maximum opportunities for integration. The preferred approach to the provision of appropriate education for children with autism, is through the primary and post primary school network, whether through placement in mainstream classes, in special classes or in special schools, a view that is supported by the findings of the Task Force Report on Autism. My Department's ongoing commitment is to ensuring that all children, including those with Autistic Spectrum Disorders receive an education appropriate to their needs.

Additional training supports for staff engaged in the education provision for children with special needs including autism can be accessed through the Special Education Support Service (SESS). The service will, as appropriate, consolidate, co-ordinate, develop and deliver a range of professional development initiatives and support structures to the relevant staff.

An application was recently received from the group in question to participate in the pilot scheme which has facilitated the establishment of a number of ABA-specific autism units nationwide. This application is currently under consideration.

467. **Mr. Howlin** asked the Minister for Education and Science the number of special needs assistants employed in special schools in County Wexford; and if she will make a statement on the matter. [37385/06]

Minister for Education and Science (Ms Hanafin): The number of Special Need Assistants employed in Special Schools in Co Wexford is 45.

468. **Mr. F. McGrath** asked the Minister for Education and Science if she will give the maximum support and finance to a school (details supplied) in Dublin 5 particularly in respect of students with special needs; and if he will make this a priority issue. [37406/06]

Minister for Education and Science (Ms Hanafin): My Department provides a range of supports to second level schools to enable them to cater for students with special educational needs. The supports in question include remedial and additional teaching support, special needs assistant support and funding for the purchase of specialised equipment.

With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from the Department of Education and Science in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of the Department of Education and Science 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, 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 SENOs 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.

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. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

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.

469. **Mr. Sargent** asked the Minister for Education and Science if epilepsy is considered a disability or a medical condition by her Department; if its classification as a disability or medical condition has changed recently; the way her Department's special education needs organisers classify epilepsy; and the way this classification affects children's entitlements to educational supports. [37443/06]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that epilepsy is considered to be a medical condition. It has come to my Department's attention that there are a small number of children with significant medical conditions attending school, who may not require additional teaching support but who may require support to meet their care needs, in order to ensure their continued attendance. Arising from discussions with the National Council for Special Education (NCSE), it has been decided that children with medical conditions may be considered for access to special needs assistant (SNA) support based on their assessed care needs. Not all children with medical conditions will require access to SNA support.

SNA support is provided specifically to address the care needs of pupils with special educational needs. The nature and level of support provided is based on the assessed needs of the individual child having regard to the criteria set out in my Department's circulars. The NCSE, through the local special educational needs organisers (SENOs), is responsible for processing applications for special educational needs supports from primary and post primary schools.

School Transport.

470. **Mr. P. McGrath** asked the Minister for Education and Science the reason school children have been omitted from the school bus service in County Westmeath (details supplied) in view of the fact that these pupils have paid their fees to date. [37508/06]

Minister of State at the Department of Education and Science (Miss de Valera): Under the terms of the Primary School Transport Scheme, only eligible children qualify for free transport. In order to be eligible, children must live 3.2 kilo-

metres or more from, and be attending, their nearest national school.

Bus Éireann, which operates the school transport service on behalf of my Department, has advised that the pupils referred to by the Deputy in the details supplied are not eligible for free transport but may apply for transport on a concessionary fare paying basis.

I should point out that concessionary transport is not guaranteed and depends on the number of spare seats available on a term to term basis after all fully eligible children have been accommodated.

Bus Éireann has advised my Department that the children concerned could not be accommodated on a concessionary basis in the first school term and were refunded their payments in October 2006.

Departmental Expenditure.

471. **Dr. Cowley** asked the Minister for Education and Science if her Department will increase the investment in second level education; if her attention has been drawn to the recent OECD report which shows that Ireland is almost at the bottom of the international league in terms of investment in second level education relative to the country's economic wealth; and if she will make a statement on the matter. [37509/06]

Minister for Education and Science (Ms Hanafin): The most recent OECD 'Education At A Glance' report provides figures for 2003/04 which fail to reflect the major increases in second level funding in recent years.

Spending by my Department on second level education increased by 17% between 2003 and 2005. In 2005, €2.7 billion was spent on second-level education — up from €2.3 billion in 2003 and €1.25 billion in 1997.

These increases have allowed for major progress to be made both in the staffing and in the day-to-day funding of our schools.

Since the financial year referred to in the OECD report — 2003 — second-level schools have benefited from substantial increases in funding. The standard capitation grant of €266 per pupil in 2003 now stands at €298 per pupil from 1 January last. In addition, the support services grant for secondary schools has been increased from €127 per pupil in 2003 to €159 per pupil in 2006. These grants are in addition to the per capita funding of up to €40,000 per school that is provided by my Department to secondary schools towards secretarial and caretaking services.

Significant improvements have also been made in the staffing of our second level schools in recent years. With the creation of over 2,000 additional posts and the retention of over 2,100 posts which would otherwise have been lost due

[Ms Hanafin.]

to the fall in enrolments, there is now one teacher for every 13 students at second level.

These significant increases in the funding and staffing of schools are a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

School Enrolments.

472. **Mr. O'Dowd** asked the Minister for Education and Science if a person (details supplied) in County Louth could obtain a school place as a matter of urgency for the current school year; and if she will make a statement on the matter. [37519/06]

Minister for Education and Science (Ms Hanafin): The selection and enrolment of pupils in second-level schools is the responsibility of the school management authorities. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking second level places in an area. This may result, however, in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Section 29 of the Education Act 1998, provides parents with an appeal process where a Board of Management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of Education Act 1998 to appeal that decision to the Secretary General of my Department. Only where an appeal under Section 29 is upheld can the Secretary General of my Department direct a school to enrol a pupil.

Information in relation to the section 29 appeals procedures, including an appeals application form and contact details for the appeals administration section of my Department, have been sent to the parent of the student referred to by the Deputy. The parent has also been advised to contact the National Educational Welfare Board to seek assistance in this matter.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

Higher Education Authority.

473. **Ms Enright** asked the Minister for Education and Science if she has asked the Higher

Education Authority to conduct an investigation into allegations relating to management at University College Cork; when she made such a request to the HEA; when she expects to receive an account or report into these allegations from the HEA; if she has given the HEA a timescale within which to conduct this investigation; and if she will make a statement on the matter. [37525/06]

Minister for Education and Science (Ms Hanafin): The Higher Education Authority is the statutory body which advises on the full range of policy issues relating to higher education and research.

On foot of various representations which I received regarding management at University College Cork, I asked the Higher Education Authority for a report on the issues raised. The Chief Executive and representatives of the HEA met the Chair and representatives of the Governing Body of UCC on 24th October 2006, to discuss the issues and how they may be addressed. Following these consultations the HEA announced that a person who is external to, and independent of UCC, is to be appointed by the Governing Body of UCC to review allegations not already inquired into by the Governing Body. The Governing Body of UCC, in agreement with the HEA have, on 13th November 2006, appointed Mr. John Malone as the independent person. Mr. Malone was, until 2004, Secretary General of the Department of Agriculture and Food.

In the case of allegations which have been, or are being, inquired into by the Governing Body, the independent person will review the Governing Body's process. The independent person will report to the Governing Body, stating if there is substance in any allegations and s/he can make recommendations for remedial action and/or a further process of examination if considered appropriate. An interim report is expected by 12 December 2006. The Governing Body will report to the HEA who will advise me of any action they consider appropriate.

School Transport.

474. **Mr. Kenny** asked the Minister for Education and Science the reason children from Blackwater, County Wexford were deemed ineligible for access to school transport services to attend secondary schools in Wexford town; if this policy is under consideration by her Department at present; when new school accommodation will be provided for Kilmuckridge; the number of places that will be provided; and if she will make a statement on the matter. [37526/06]

Minister of State at the Department of Education and Science (Miss de Valera): Under the

terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if he or she resides 4.8 kilometres or more from his or her local post primary education centre, that is, the centre serving the catchment area in which he or she lives. The scheme is not designed to facilitate parents who choose to send their children to a post primary centre outside of the catchment area in which they reside.

However, children who are fully eligible for transport to the post primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their own post primary centre have been catered for.

A number of applications were received for pupils residing in the Blackwater area but these pupils were deemed ineligible for school transport to the Wexford post primary centre because they reside within the Kilmuckridge catchment area. Bus Éireann have advised my Department that the school transport service into Wexford post primary centre is operating to capacity.

A 2,100 m² extension to Kilmuckridge Vocational College is scheduled for completion by September 2007. This extension has a long term enrolment projection of 200 pupils.

Schools Building Projects.

475. **Mr. Connaughton** asked the Minister for Education and Science the present position of an application for an extension by a school (details supplied) in County Galway; and if she will make a statement on the matter. [37527/06]

Minister for Education and Science (Ms Hanafin): An application for an extension has been received from the school to which the Deputy refers.

An assessment of projected enrolments, demographic trends and housing developments in the area, is currently underway in my Department and will assist in determining the long term projected enrolment for the school on which the school's long term accommodation needs will be based. When the longterm projected enrolment has been finalised and agreed with the school authorities my Department will draw up schedules of accommodation for the project which will be considered in the context of the School Building and Modernisation Programme 2006-2010.

Special Educational Needs.

476. **Mr. Penrose** asked the Minister for Education and Science the steps she will take to ensure that a person (details supplied) is admitted

to a school; and if she will make a statement on the matter. [37540/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE) is now operational. A specific function of the NCSE, through its network of local Special Educational Needs Organisers (SENOs) is to identify appropriate educational placements for all children with special educational needs. The matter of the enrolment of a pupil in a school is a matter for the Board of Management of the school.

The NCSE has advised that the local SENO has not received any communication from the child's family or from the school concerning enrolment. It is open to the family to contact the school directly to discuss the matter of enrolment. The family may also contact the NCSE or SENO. Contact details for the SENO may be sourced from the NCSE at (046) 9486400. Alternatively, these details may be accessed on the NCSE website at www.ncse.ie.

School Accommodation.

477. **Mr. Penrose** asked the Minister for Education and Science the reason a school (details supplied) has not been allocated funding under the summer schools capital programme which the school has applied for directly to her Department for the past three years; the steps she will take to ensure the necessary funding is provided to enable the school management to convert accommodation to classrooms to facilitate increased numbers; and if she will make a statement on the matter. [37541/06]

Minister for Education and Science (Ms Hanafin): The management authority of the school to which the Deputy refers applied for funding for the first time under the Summer Works Scheme 2006. It sought funding to modify a classroom. The application fell under Category 8 of the published prioritisation criteria for the Scheme. Due to the level of demand for funding for higher priority projects, unfortunately, it was not possible to fund the project in question that year. The school authority has applied for a resource room under the Summer Works Scheme for 2007. The 2007 applications are currently being assessed and I intend to publish a list of successful applicants before Christmas.

Special Educational Needs.

478. **Dr. Cowley** asked the Minister for Education and Science further to Parliamentary Question No. 212 of 11 October 2006, if she will review this in view of the additional information now provided; and if she will make a statement on the matter. [37542/06]

Minister for Education and Science (Ms Hanafin): I understand that additional information in support of the application for special educational needs supports for the pupil in question was provided to the special educational needs organiser (SENO) recently. The SENO will consider this information and convey a decision on the application directly to the school.

479. **Dr. Cowley** asked the Minister for Education and Science further to Parliamentary Question No. 292 of 18 October 2006, if she will review this in view of the additional information now provided; and if she will make a statement on the matter. [37543/06]

Minister for Education and Science (Ms Hanafin): The information supplied refers to the provision of additional resource teaching hours to the pupil in question.

I wish to advise the Deputy that the National Council for Special Education (NCSE) has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education Act, 2005. With effect from 1 January 2005, the NCSE through local Special Educational Needs Organisers (SENOs) is responsible for processing resource applications for children with special educational needs.

Where a pupil with special educational needs enrolls in a post primary school, it is open to the school to apply to the local SENO for additional teaching support and/or special needs assistant support for the pupil. I have made arrangements to forward the additional information provided to the local SENO for attention.

School Attendance.

480. **Mr. Carey** asked the Minister for Education and Science if her Department has received an application from schools (details supplied) in Dublin 11 for funding to support a school attendance programme; and if she will make a statement on the matter. [37580/06]

Minister for Education and Science (Ms Hanafin): An application for funding has been received from the schools referred to by the Deputy through the School Completion Programme which provides general support for almost 1,600 primary students and approximately 790 post primary students. Intensive targeted supports are provided for 201 primary students, 25 post primary students and 18 out of school young people in this area.

The School Completion Programme is targeted at children and young people who are at risk of early school leaving and/or those who may have already dropped out of school. It is a broadly based programme which is cross-community and

cross-sectoral. Attendance tracking and monitoring is one of the most widely implemented supports offered in SCP. The tracking of young people at risk of early school leaving is a cornerstone approach in the work of SCP and often leads to the identification of other difficulties in the class or at home.

The allocation to the SCP project concerned includes substantial funding for attendance promotion within the project for 2006/2007. Requests for additional funding cannot be considered until the completion of the evaluation of the School Completion Programme and following this, it will be integrated into the School Support Programme of DEIS over the five year implementation period, with any appropriate changes being made to the model of support involved. School clusters participating in the School Support Programme of DEIS will be required to incorporate the best practices identified through the evaluation of School Completion Programme into their cluster-level action plans.

School Staffing.

481. **Mr. Quinn** asked the Minister for Education and Science the number of additional posts in full-time equivalents of guidance counsellors appointed under circular letter PPT 12/05. [37581/06]

482. **Mr. Quinn** asked the Minister for Education and Science the schedule for the appointment of guidance counsellors in second level schools on September 1980; and the number in full-time equivalents, approved for the school year 1980/81. [37582/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 481 and 482 together.

In 1980/81, in general all post primary schools with an enrolment of 250 pupils or more were granted one ex-quota post for the provision of Guidance. Any school with an enrolment of less than 250 pupils did not receive any guidance allocation. This meant that a maximum guidance provision of 22 hours per week applied regardless of school size.

Under the current arrangements, my Department makes a specific ex-quota allocation of teaching hours in respect of guidance to schools in the second level system based on the pupil enrolment in September of the preceding school year. As a result of my decision to allocate an additional 100 posts to guidance from September 2005, an improved schedule of guidance allocation was put in place. This enhanced provision means that in the case of schools in the Free Education/Block Grant Schemes, the level of allocation ranges from 8 hours per week for schools with enrolments below 200 pupils to 47

hours per week for schools with an enrolment of 1,000 pupils or more.

My Department's Circular Letter PPT 12/05 which issued to the managerial authorities of all second level schools outlined the new arrangements and asked schools to utilise the additional guidance allocation, as far as possible, to focus on guidance provision at junior cycle.

The additional posts also allowed a further improvement in the allocation of guidance hours for post-primary schools participating in the DEIS programme — Delivering Equality of Opportunity in Schools. The allocation for these schools now ranges from 11 hours per week for schools with enrolments below 300 to 55 hours per week for schools with an enrolment of 1,000 pupils or more.

The improved provision means that, for example, a school with 1,000 pupils now receives an allocation of 47 hours per week compared to the maximum of 22 hours per week which applied in 1980/81. Furthermore if that school is in DEIS it now receives 55 hours per week.

The information requested by the Deputy in relation to the number of guidance posts allocated to second level schools in 1980/81 is not readily available.

Schools Building Projects.

483. **Mr. Quinn** asked the Minister for Education and Science the details of each school building project at first and second level sanctioned or approved between 17 May 2001 and 16 May 2002 with brief details of each project including projected cost. [37583/06]

Minister for Education and Science (Ms Hanafin): The information is not readily available in the format sought by the Deputy for the period in question.

However, I can assure the Deputy that the Government has made a record investment of over €2 billion in the period from 2000 to 2005 in upgrading existing school infrastructure and providing new school accommodation at both first and second-level. Over 6,500 projects were delivered in this period, including 76 new school buildings, 380 major refurbishment/extensions and over 6,050 smaller scale projects. In addition the investment covered site purchases; the minor works grant issued to all primary schools annually, dust/asbestos and radon remediation programmes, science and technology initiatives, contingency works and grants for the purchase of furniture and equipment. This year alone over 1,300 building projects will be delivered.

I am also pleased that over recent years my Department has streamlined its processes for delivering projects with a particular emphasis placed on devolving the delivery of projects to local school management level.

The infrastructural investment needs in schools will continue into the future. Building on the record investment in recent years the Government's has decided to provide €3.9 billion in capital funding for the education sector over the next 5 years. This is proof of its continuing commitment to educational infrastructure and will allow my Department to continue to take a pro-active approach in modernising school accommodation throughout the country.

Educational Disadvantage.

484. **Mr. Crowe** asked the Minister for Education and Science the supports, funding or otherwise which a project (details supplied) has received from her Department in view of the positive educative role being carried out in supplying a breakfast club, a service for early school leavers including children with special educational needs and foreign nationals and the holistic development of young people in the community facility; and if she will make a statement on the matter. [37584/06]

Minister for Education and Science (Ms Hanafin): Funding was allocated by my Department to the project referred to by the Deputy in 2000 and 2001 under the Fund for the Development of Targeted Educational Responses to Certain Children at Risk with further funding of €10,000 sanctioned in 2004 and €12,500 in 2005 under my Department's Special Projects for Youth Scheme. An application for mainstream funding was submitted by the project in 2005 but was not successful on that occasion.

Application forms for the 2007 grants issued to Administering Agencies, in this instance, Co. Dublin VEC and this project has been invited to re-apply for funding. The project's application will be given full consideration, in the context of the overall budgetary provision to the Youth Sector for 2007.

In assessing applications for funding, consideration must be given to Department interventions already in place in order to avoid duplication of effort and resources.

There are 6 School Completion Programme Projects in Tallaght, comprising 6 post-primary and 21 primary schools with an allocation in excess of €1.3 million for 2006/2007 which includes a project site in Jobstown. The School Completion Programme directly targets those in danger of dropping out of the education system and is a key component of my Department's strategy to discriminate positively in favour of children and young people who are at risk of early school leaving, and in line with current thinking favours an integrated cross-community and cross-sectoral approach based on the development of local strategies to ensure maximum participation levels in the education

[Ms Hanafin.]

process. It entails targeting individual young people aged 4 — 18, both in and out of school, and arranging supports to address inequalities in education access, participation and outcomes.

The new action plan for Educational Inclusion, DEIS, (Delivering Equality of Opportunity in Schools) which is being introduced on a phased basis — starting during the current school year — aims to ensure that the educational needs of children and young people, from pre-school to completion of upper second-level education (3 to 18 years), from disadvantaged communities are prioritised and effectively addressed. Each of the 873 schools participating in the new School Support Programme will have access to a range of academic supports such as one to one, small group tuition, literacy/numeracy and curricular supports, individual learning plans, revision and study skills courses and non-academic supports such as sports/recreational/ extra-curricular activities, clubs & meal provision, after school supports including homework support and holiday time supports.

1 Post Primary school and 3 Primary schools in Jobstown have been invited to participate in the School Support Programme under DEIS.

Clár Tógála Scoileanna.

485. D'fhiafraigh **Mr. O'Shea** den Aire Oideachais agus Eolaíochta cathain a chuirfidh an Roinn litir atá geallta chuig scoil i gContae Phort Láirge (sonraí tugtha); agus an ndéanfaidh sí ráiteas ina thaobh. [37674/06]

Minister for Education and Science (Ms Hanafin): Tá an Roinn tar éis iarratas a fháil ar mhaoiniú mór caipitil ó údarás bainistíochta na scoile dá dtagrann an Teachta. Measúnaíodh an t-iarratas de réir na gcritéar tosaíochta a foilsíodh do thionscadail foirgníochta ar scála mór agus sannadh rátáil Bhandá a 2 dó.

Tá foirniú réamheasta fadtéarmach na scoile dá leagadh amach faoi láthair ag an Rannóg Phleanála Scoileanna. Chomh luath agus atá sé seo socraithe cuirfear scéala chuig an scoil. Tá an Rannóg Phleanála Scoileanna ag súil go mbeidh ar a cumas an fhaisnéis seo a chur ar aghaidh chuig an scoil go gairid.

School Accommodation.

486. **Mr. Costello** asked the Minister for Education and Science her response to the recent recommendation of the United Nations Committee on the Rights of the Child that the State should promote the establishment of non-denominational and multi denominational schools; if her attention has been drawn to the fact that the UN Committee on the Elimination of Racial Discrimination issued a similar recom-

mendation in 2005; and if she will make a statement on the matter. [37677/06]

Minister for Education and Science (Ms Hanafin): The criteria and procedures for the recognition of new primary schools were revised in 2002 based on the recommendations of a report of the Commission on School Accommodation, on which the Education Partners were represented.

Applications for the recognition of new primary schools are assessed by an independent advisory board (the New Schools Advisory Committee) on the basis of the facts provided by the patron body in support of the case for the new school and the likely demand for places. Schools are granted provisional recognition and permanent recognition follows when long term viability has been established on actual enrolments over a period.

Under this process all patron bodies are treated on an equal footing regardless of whether they are denominational, inter-denominational or multi-denominational. The Committee's annual programme of work culminates in a report with recommendations on the granting of recognition to application. I am happy to support all new schools where it has been clearly demonstrated in accordance with the criteria that a demand exists.

School Transport.

487. **Mr. Penrose** asked the Minister for Education and Science if she will confirm that she has received an application for financial assistance towards the provision of transport for three children (details supplied) who must attend a school in another area as they are unable to gain admission to schools where they are residing; and if she will have a decision made on same without further delay; and if she will make a statement on the matter. [37678/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department is currently examining the background to this case.

Special Educational Needs.

488. **Mr. Penrose** asked the Minister for Education and Science if she will take steps to ensure that a person (details supplies) in County Westmeath who has a place in a school and who is profoundly deaf, has the appropriate assistance provided for that school to enable them to be admitted and to continue their education there; and if she will make a statement on the matter. [37679/06]

Minister for Education and Science (Ms Hanafin): My Department provides a range of supports to second level schools to enable them

to cater for students with special educational needs including children with hearing impairment. The supports in question include remedial and additional teaching support, special needs assistant support and funding for the purchase of specialised equipment.

With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from the Department of Education and Science in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st 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.

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. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

The NCSE, 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.

The NCSE has confirmed that an application for additional support was received on behalf of the pupil to whom the Deputy refers. I under-

stand from the NCSE that the SENO has processed the application and sanction for additional SNA support has been approved.

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.

Higher Education Grants.

489. **Mr. Perry** asked the Minister for Education and Science if she will give a ministerial order to the local VEC to have the higher education grant for a person (details supplied) in County Sligo sanctioned in view of the fact that the person is a mature student and failed their examinations in 1997 and due to a lack of finances will have to forfeit their education; and if she will make a statement on the matter. [37691/06]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third level or further education grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except, in exceptional cases, where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired. It appears that no such advice or instruction has, to date, been sought in the case of the student referred to by the Deputy.

My Department contacted County Sligo VEC, the awarding body responsible for assessing the grant application for the student referred to by the Deputy. Co. Sligo VEC confirmed that the candidate referred to has already completed 2 years of a Level 8 course from 1995 to 1997 and is now returning to College to pursue a course at a lower level under the Third Level Maintenance Grant (TLT) Scheme.

The TLT Scheme administered by the VECs on behalf of my Department provide means-tested grants to students who are, generally speaking, pursuing their first undergraduate qualification and who comply with the terms and conditions of the Scheme.

Clause 3.1 of the TLT Scheme states, inter alia, that:

This scheme applies to those who require higher level initial education and training to enhance their employment prospects in line with the Government's sectoral employment priorities and who are entering approved Middle Level Technician (MLT) or Higher Technical and Business Skills (HTBS) courses for the first time in the 2006/2007 academic year or mature candidates re-entering in order to complete such a course.

Candidates are ineligible if:

[Ms Hanafin.]

- They already hold an Honours Bachelor Degree or equivalent Level 8 qualification
- They have completed more than first year of an Honours Bachelor Degree or equivalent Level 8 course
- they are pursuing a level 8 Honours Bachelor Degree course.

In accordance with clause 3.1 of the TLT Scheme the candidate is ineligible for grant assistance in respect of his current course in Sligo I.T.

The student referred to by the Deputy may be eligible to apply for the Student Assistance Fund. The objective of the Fund is to assist students, in a sensitive and compassionate manner, who might otherwise, due to their financial circumstances, be unable to continue their third level studies. Further information on this fund is available to the candidate from the Student Access Officer in Sligo I.T.

You will appreciate that the prescribed terms of my Department's Grant schemes are of general application and it is not open to me or my Department to depart from them and make exceptions in individual cases regardless of the circumstances.

Special Educational Needs.

490. **Mr. Kehoe** asked the Minister for Education and Science the status of the application for a special needs assistant for a school (details supplied) in County Wexford; when will a decision be made; and if she will make a statement on the matter. [37710/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE), through the local special educational needs organisers (SENO), is responsible for processing applications from schools for special needs supports. These supports include resource teaching hours and special needs assistant support for pupils with low-incidence special needs, based on applications in respect of individual pupils.

My officials have been in contact with the NCSE regarding the pupil referred to by the Deputy. The NCSE has advised that the SENO will make direct contact with the school concerning its application for special educational needs supports for the pupil.

School Staffing.

491. **Mr. Blaney** asked the Minister for Education and Science if she will approve additional resources to accommodate the 58 children (details supplied) in need of learning support; and if she will make a statement on the matter. [37711/06]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that my Department has recently received correspondence from the school concerning the level of general allocation teaching support in the school. A response will issue to the school as quickly as possible.

School Discipline.

492. **Mr. Gogarty** asked the Minister for Education and Science the rules that exist regarding visits by parents to schools to discuss their son or daughter's suspension; if anyone other than a spouse can accompany them, such as a neighbour, a friend or other party; if this is a matter for the board of management or principal; if this is covered under legislation; and if she will make a statement on the matter. [37712/06]

Minister for Education and Science (Ms Hanafin): My Department has provided guidelines to Boards of Management to assist them in discharging their obligations in the area of school discipline. These guidelines, which still apply, were drawn up following consultation with representatives of management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of the school. Each Board of Management is responsible for formulating, in consultation with parents, a fair and efficient code of behaviour. Among other things, the current guidelines provide that Codes of Behaviour should be considered in the context of the school being a community in which mutual respect, co-operation and natural justice are integral features. The Guidelines stress that poor behaviour can stem from a range of causes, some of them external to the school, some possibly arising from the home environment, and some from emotional or physical problems. It is important to identify problems as early as possible.

Good parent-teacher and home-school links are vital in this context. The Guidelines advise that Parents should be encouraged to visit the school to familiarise themselves with the environment, to discuss their children's progress and, when necessary, aspects of their behaviour in a spirit of mutual co-operation. The guidelines also advise that schools must ensure that the rules of natural justice apply. Pupils and, when necessary, their parents, should be advised of the nature of any complaint and be given an opportunity to respond. The question of who might accompany a parent would be a matter for the board of management of the school to decide based on the circumstances of the case. Parents should also be informed of their right of appeal to the next level of authority.

Section 21 of the Educational (Welfare) Act 2000 provides that where a student is suspended

from a recognised school for a period of not less than 6 days, the principal of the school shall inform the Educational Welfare Officer (EWO) in writing of the suspension. The EWO is then required to consult with the student, his or her parents, the principal and such other persons as he or she considers appropriate and to make all reasonable efforts to ensure that provision is made for the continued education of the child and his or her full participation in school. The National Educational Welfare Board (NEWB) is at present developing further guidelines for schools on Codes of Behaviour, as provided for under section 23 of the Education (Welfare) Act 2000. Work on the guidelines is at an advanced stage and will be informed by broad consultation. It is envisaged that implementation will commence in the current school year. Parents also have the right, under Section 29 of the Education Act 1998, to appeal to the Secretary General of my Department, against a decision made by a school's Board of Management to suspend a student from the school for a period which would bring the cumulative period of suspension to 20 school days in any one school year.

Freedom of Information.

493. **Mr. Gogarty** asked the Minister for Education and Science the files parents can access on their children from primary and second level schools; if this information is at the discretion of an individual school; if such information is covered under the Freedom of Information Acts; and if she will make a statement on the matter. [37713/06]

Minister for Education and Science (Ms Hanafin): Section 20 of the Education Act 1998 places an obligation on the board of management of each school to establish procedures for informing parents of matters relating to the operation and performance of the school. Section 22(2)(b) of the Act provides that the principal and teachers of a school must regularly evaluate students and periodically report the results of the evaluation to the students and their parents. By virtue of section 9(g) of the 1998 Act, every recognised school must ensure that parents of a student who is under 18 years of age have access to records kept by that school relating to the educational progress of their child. While the Freedom of Information Acts do not apply to schools, they are subject to data protection law in the same way as other bodies that hold personal information on individual people.

Schools Building Projects.

494. **Mr. Ring** asked the Minister for Education and Science the reason approval for new primary schools can be sanctioned and fast-tracked in commuter belt areas in a matter of

months, while pupils and parents in rural schools must wait longer than that; and if she will make a statement on the matter. [37791/06]

Minister for Education and Science (Ms Hanafin): School building projects are selected for inclusion in the School Building and Modernisation Programme on the basis of priority of need. All applications for capital funding are assessed in accordance with the Department's published prioritisation criteria for large scale building projects which were drawn up following consultation with the education partners. Following this assessment, each application is assigned a band rating. Progress on individual projects is consistent with that band rating. In recent years that Department introduced two devolved schemes to fast track the delivery of capital projects in smaller schools which are generally found in rural areas — the Permanent Accommodation Scheme and the Small Schools Scheme. Schools can apply for capital funding under this delivery approach or they can opt to remain in the traditional delivery system. Between the years 2003 and 2005, 275 schools have been allocated over €70m in funding under these schemes. Applications under the 2007 Schemes are currently being assessed and I will be publishing the list of successful applicants when this process has been completed.

495. **Mr. Ring** asked the Minister for Education and Science when an on-site technical assessment of needs will be carried out for a school (details supplied) in County Mayo, particularly as the school has to make do with critical accommodation deficits while awaiting this assessment; and if she will make a statement on the matter. [37792/06]

Minister for Education and Science (Ms Hanafin): Following an allocation of funding to the school referred to by the Deputy, under the Small Schools Scheme 2006 to undertake an extension/refurbishment of the existing school building, the school authorities subsequently requested my Department to consider the provision of a new school building on the existing school site. An assessment of the long term projected enrolment, on which the schools accommodation needs are based is required. This assessment will take into account factors such as current and projected enrolment, and the likely impact of proposed housing developments. Once this assessment is complete, a decision will be taken on how best to provide for the schools accommodation needs. The project will be considered in the context of the School Building and Modernisation Programme 2006-2010.

School Transport.

496. **Mr. Ring** asked the Minister for Education and Science her views on whether the safety of students in County Mayo is being compromised due to changes in their school transport provision; the reason for the change in this service; and her further views on whether it is dangerous for juveniles to be in town, unsupervised and left to their own devices, for one hour before school starts each day. [37793/06]

497. **Mr. Ring** asked the Minister for Education and Science the reason the collection time for pupils in County Mayo (details supplied) was changed on 7 November 2006, in view of the fact that they are already in the second term of the school academic year; the reason for the time change; and if she will make a statement on the matter. [37794/06]

Minister of State at the Department of Education and Science (Miss de Valera): I propose to take Questions Nos. 496 and 497 together.

My Department has requested Bus Éireann to provide a report on the background to the case referred to by the Deputy in the details provided. When this report is received and reviewed my Department will advise the Deputy.

Schools Building Projects.

498. **Mr. Gogarty** asked the Minister for Education and Science the analysis carried out regarding future primary and second level school requirements in the Newcastle area in the view of new housing developments and the increasing population; if there are plans in place to open new schools or expand existing ones; and if she will make a statement on the matter. [37795/06]

Minister for Education and Science (Ms Hanafin): My Department has examined the long term accommodation needs of the Newcastle area of County Dublin and has determined that additional provision will be required to meet demand emanating from current and planned housing developments in the area. The matter of how best this additional accommodation should be provided having regard to existing accommodation and the alternative options available is currently under consideration. A decision in this regard will be made as soon as possible.

School Staffing.

499. **Mr. Quinn** asked the Minister for Education and Science if she will undertake a review of the staffing allocation to a school (details supplied) in Dublin 4 under DEIS and under the weighted model for resource teachers, due to the fact that inaccuracies in data relating to this school have resulted in inadequate staffing pro-

visions; and if she will make a statement on the matter. [37796/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the general allocation scheme has been in operation since September 2005 under which mainstream primary schools have been provided with resource teaching support, based on enrolment figures, to cater for children with high-incidence special educational needs such as dyslexia and those with learning support needs. The school referred to by the Deputy qualified for 1 full-time permanent post under the general allocation model, based on its enrolment at that time. The school principal wrote to my Department on 10 October 2006 requesting an increase in its general allocation under the terms of Circular 0036/2006, on the basis of the school's developing status. The school satisfies the terms of the scheme. I am pleased to confirm that the general allocation teaching support for the school has been reviewed and the general allocation for the 2006/2007 school year is now 1 full-time permanent post and 7.5 part-time hours, an increase of 7.5 hours. The school authorities were notified of this increase on 10 November 2006.

In addition, the school has accepted an invitation to participate in Band 2 of the urban strand of the new School Support Programme under the DEIS Action Plan. Band 2 schools will benefit from the following supports in the current school year: sanction to employ administrative principals on lower staffing and enrolment figures than apply to primary schools generally; the extension of the School Meals Scheme to any Band 2 schools that don't already have it; the roll-out of the Home School Community Liaison and School Completion services to all Band 2 schools which do not already have them; allocation of additional capitation grants; and the allocation of additional funding under the School Books Grant Scheme. A review process was put in place for schools in Band 2 which considered that their level of disadvantage was such as to warrant inclusion in Band 1 of the School Support Programme. Schools were informed of the review process by letter on 4 August 2006 and the closing date for receipt of completed applications for review was 25 September 2006. The Social Inclusion Unit of my Department did not receive an application for review from the school in question.

Schools Building Projects.

500. **Mr. Healy** asked the Minister for Education and Science if she is in a position to agree the site for a school (details supplied) as a site and new school is urgently needed as the current school building is substandard and overcrowded; and if she will make a statement on the matter. [37797/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works, which acts on behalf of the Department in relation to site acquisitions generally, was requested to explore the possibility of acquiring a site for the school in question. Following an advertisement seeking proposals in relation to possible sites a number of responses were received. Six sites have been visited and their technical suitability as a location for the school was considered. Following this process, a site on the existing Tipperary Rural and Business Institute (TRBDI) campus emerged as the preferred option. This site is in the ownership of the Institute. The TRBDI, however, has proposed to the Department that its campus be relocated to a large-scale technology park. Expressions of Interest were sought by TRBDI from the private sector to determine what exactly could be provided at the technology park in exchange for the Institute's current property in Clonmel. The Expressions of Interest sought required the incorporation of a suitable site for the school on the current campus or on an alternative site approved by the Department and the Office of Public Works. The Expressions of Interest received by TRBDI are currently being evaluated. I want to assure the Deputy again that the permanent accommodation needs of this school are being addressed and the provision of a permanent building for the school will be progressed in the context of the School Buildings and Modernisation Programme when a suitable site has been acquired.

501. **Mr. Healy** asked the Minister for Education and Science the position regarding the transfer of an institute (details supplied) including the question of a preferred developer and the timescale for the commencement and completion of building works and the actual transfer of the institute; and if she will make a statement on the matter. [37798/06]

Minister for Education and Science (Ms Hanafin): In March 2005, my Department gave the Institute to which the Deputy refers approval to proceed with seeking expressions of interest from private sector property developers in this matter. This was advertised in June 2005. The expressions of interest received were evaluated in June 2006 by an evaluation committee and short-listed. The short-listed companies have been asked to provide more detailed bids. These bids are due to be submitted to the Institute shortly. Once evaluated, one or more bidders will then be invited to enter into detailed negotiations with the Institute. The Institute will then have to make a final proposal to my Department for consideration and approval.

502. **Mr. Penrose** asked the Minister for Education and Science if discussions have taken place between her Department and the local authority in Westmeath, with the necessity to provide an additional secondary school in Mullingar west to facilitate the significant increase in population that has now occurred in the Mullingar area; and if she will make a statement on the matter. [37799/06]

Minister for Education and Science (Ms Hanafin): There are five post primary schools serving Mullingar. Three of the schools have applications for major capital funding with the Department for extension/refurbishment works. One of the projects is in architectural planning and the other two are under active consideration. Officials in School Planning Section have met with Westmeath County Council to discuss educational infrastructure in Mullingar. In addition, the Department carried out a review of primary and post primary provision in Mullingar recently and it is satisfied that the existing post primary schools in the area can, between them, cater for the demand for pupil places in the short to medium term. The Department accepts, however, that Mullingar is a growing area and it will factor this into its assessment of applications on hand for capital funding.

503. **Mr. Penrose** asked the Minister for Education and Science if her Department is examining the proposal to construct a secondary school at Kinnegad, County Westmeath in the context of the recent Commission M4-M6 report; if discussions have taken place with Westmeath County Council with a view to securing a site for such a school; and if she will make a statement on the matter. [37800/06]

Minister for Education and Science (Ms Hanafin): The N4/M4 Area Development Plan indicates that a post primary school will not be required for Kinnegad until post 2011. The Department will ask the local authority to reserve a site at the appropriate time for this development.

Special Educational Needs.

504. **Mr. Connaughton** asked the Minister for Education and Science the reason a person (details supplied) in County Galway is not entitled to a full-time special needs assistant; if her attention has been drawn to the fact that the person has been allocated only four hours resource teaching which is deemed to be insufficient; and if she will make a statement on the matter. [37801/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the National Council for Special Education (NCSE) has been

[Ms Hanafin.]

operational since 1 January 2005, and is responsible for processing applications for special educational needs supports through its network of Special Educational Needs Organisers (SENOs). My officials have been in contact with the NCSE regarding the pupil referred to by the Deputy. The NCSE has advised that the local SENO will make direct contact with the school concerning the needs of the pupil in question.

EU Directives.

505. **Mr. Allen** asked the Minister for Education and Science the number of EU directives awaiting transposition in her Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when she expects that overdue directives will be transposed; and if she will make a statement on the matter. [37863/06]

Minister for Education and Science (Ms Hanafin): Directive 2005/36/EC on the recognition of professional qualifications is the only Directive awaiting transposition into Irish law in my Department. The date for transposition of this Directive is 20 October 2007 and preparatory work for the drafting of the regulations to meet this transposition date is ongoing within my Department.

Special Educational Needs.

506. **Mr. McGuinness** asked the Minister for Education and Science the reason the resource hours automatically granted to children with Down Syndrome were withdrawn; if an appeals process is in place for schools or individuals who are refused resource hours; if not, when that process will be introduced; if the National Council for Special Education has brought these matters to the attention of her Department; and if she will make a statement on the matter. [37902/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department provides a range of teaching and care supports for children with special educational needs, including children with Down Syndrome. The professionally-assessed needs of the individual child determines the appropriate model of response in each case. Children with Down Syndrome are entitled to additional provision in school, either under the terms of the general allocation system of teaching supports if the assessment places the child in the high incidence disability category or through an allocation of additional resources if the child is assessed as being within the low incidence category of special need, as defined by my Department's circular. It would appear that a significant percentage of chil-

dren with Down Syndrome have been assessed as having a Mild General Learning Disability which comes under the high incidence disability category. Such pupils fall to be catered for from within a school's general allocation of resource teaching support which was introduced in primary schools in September 2005. It is not a case of resource hours for children with Down Syndrome being withdrawn but rather a case of giving schools the flexibility in using its professional judgement to decide how these hours are divided between different children in the school, to ensure that all their needs are met. In circumstances where a Down Syndrome child has other associated needs and would fall into the low incidence disability categories, this may automatically attract an individual resource teaching allocation. Such applications should be referred to the local Special Educational Needs Organiser (SENO) by the school. I am satisfied that the mechanisms are in place to provide appropriate resources for children with special needs in our schools, including those with Down Syndrome.

With regard to an appeals process, the Deputy will be aware that the Education for Persons with Special Educational Needs (EPSEN) Act 2004 was enacted in July 2004. The Special Education Appeals Board (SEAB) was established under section 36 of the Act to hear and determine appeals pursuant to a number of sections of the Act. The SEAB will become operational as soon as the relevant sections of the Act have come into effect. The relevant sections of the Act could not come into effect without the NCSE having an opportunity to present an implementation report to me, which it did recently and I am currently considering its contents. In the interim, the NCSE will undertake to review a decision taken by a SENO on foot of a request from a school or parents/guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The NCSE has outlined this process in its Circular 01/05.

Schools Refurbishment.

507. **Ms Shortall** asked the Minister for Education and Science if her Department has received a recent application for grant aid for improvement works from a school (details supplied) in Dublin 9 and in view of the urgent nature of these works will she give early approval of the necessary funding. [37903/06]

Minister for Education and Science (Ms Hanafin): I can confirm that the Department is in receipt of an application under the Summer Works Scheme 2007 from the management authority of the school to which the Deputy refers. All applications under this Scheme are currently being assessed in accordance with the published

prioritisation criteria. I intend to publish a list of successful applicants before Christmas. I can also confirm that the school to which the Deputy refers was recently approved for grant aid under the 2006 Contingency Fund for works to address security issues at the school.

Vocational Education Committees.

508. **Mr. O'Shea** asked the Minister for Education and Science further to Parliamentary Question No. 203 of 22 June 2006, the reason there has not been direct contact with the person concerned since that date; and if she will make a statement on the matter. [37904/06]

Minister for Education and Science (Ms Hanafin): I regret the delay in responding to the correspondence in question. I can confirm that the matter referred to by the Deputy is receiving attention within my Department and a response will issue shortly to the person concerned.

Higher Education Grants.

509. **Mr. Durkan** asked the Minister for Education and Science if review can be undertaken in the application for an educational grant in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [37954/06]

Minister for Education and Science (Ms Hanafin): As previously pointed out it is understood from Kildare VEC that the candidate referred by the Deputy was not eligible for the maintenance grant as the reckonable income in this case exceeded the prescribed income limit for the 2005 tax year as set out in the grant scheme. If the candidate referred to by the Deputy has any further information to add to the initial grant application it should be forwarded to Kildare VEC directly. If an individual applicant considers that he/she has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, he/she may appeal to Kildare VEC. Where an individual applicant has had an appeal turned down, in writing, by the relevant Local Authority or VEC, and remains of the view that the body has not interpreted the schemes correctly in his case, a letter outlining the position may be sent to my Department. Alternatively, the VEC may, itself, in exceptional circumstances, seek clarification on issues from my Department. However, it is not open to me, or my Department, to depart from the terms of the maintenance grant scheme regardless of the circumstances.

Special Educational Needs.

510. **Mr. McGuinness** asked the Minister for Education and Science the reason children who

attend a school (details supplied) in County Kildare and who are autistic have never received an educational assessment and have had no input from the National Education Psychological Services; if children in mainstream schools are given priority in this regard; her plans to correct this situation; and if she will make a statement on the matter. [37986/06]

Minister for Education and Science (Ms Hanafin): All children allocated places in units for children on the Autism Spectrum have been most likely assessed by services provided by HSE prior to entry to these units. I understand that some of the children attending the school identified by the Deputy but residing in his constituency are located in the area covered by HSE South. Health services including ongoing psychological interventions have been traditionally provided for children attending such units from within the designated Primary, Community and Continuing Care (PCCC) areas in which the children reside. Children placed in mainstream classes usually do not have the same access to psychological services and are seen when prioritised by the school principal. Consultation to teachers in autism units in the school identified will continue to be available from NEPS in the current school year on request.

School Staffing.

511. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 285 of 18 October 2006, if she has received clarification from the Office of Public Works; if she will proceed with the project; and if she will make a statement on the matter. [37987/06]

Minister for Education and Science (Ms Hanafin): The Property Management Section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, has been requested to source a site for the school referred to by the Deputy.

The OPW is currently in negotiations for a suitable site for the school in question.

Special Educational Needs.

512. **Ms C. Murphy** asked the Minister for Education and Science if an application for approval and funding of school based educational provision throughout June and not July of 2007 has been received from a school (details supplied) in County Kildare; if her Department will sanction school based educational provision throughout the month of June 2007 for certain pupils within the special unit for autism at this school; the further action or applications that should be forwarded by interested parties in order to secure

[Ms C. Murphy.]

such educational provision; and if she will make a statement on the matter. [37988/06]

Minister for Education and Science (Ms Hanafin): My Department's support package for the July Education Programme is available to all special schools and mainstream primary schools with special classes catering for children with autism who choose to extend their education services through the month of July. The Department also provides for a July Programme for pupils with a severe/profound general learning disability. The package includes special nationally agreed rates of remuneration for teachers and special needs assistants involved in the July Programme. Participating schools also receive a special rate of capitation funding in respect of pupils participating in the programme. Funding is also available to facilitate the provision of school transport and escort services for the children.

All relevant schools are encouraged to participate in this initiative in the interest of the children in question. If schools are not participating in the July Education Programme, home tuition is offered as an alternative for the pupils who would normally attend such schools.

My Department is currently considering proposals to extend the July Programme service to post primary schools catering for pupils with autism. In this regard, the development of appropriate support measures to facilitate post primary schools in participating in this programme is being examined. My Department is evaluating existing arrangements with a view to formalising a programme in consultation with all concerned. An application from the school referred to by the Deputy has recently been received in my Department and will be considered in the context of the above considerations.

Higher Education Grants.

513. **Mr. P. McGrath** asked the Minister for Education and Science the number of students per local authority who were refused higher education grants in each of the years 2002 to 2005 even though their parents income were within the guidelines, but where SSIA participation by the parents precipitated these refusals. [38015/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not available. My Department does not collate information from the awarding authorities on the reasons why an applicant was refused a higher education grant. Failure to qualify for assistance could be for many reasons, included are those related to reckonable income, residency, nationality, previous periods of study, previous academic attainment, course of study, place of study.

In relation to SSIA income, I want to assure the Deputy that the Government is determined to ensure that SSIA savers are treated fairly in the calculation of reckonable income under my Department's maintenance grant schemes.

This is being achieved in two ways:

Firstly, income from SSIA's is being treated exactly the same as income from similar savings and investment products; and

Secondly, the reckonable income limits for student grants have been increased considerably in recent years.

Since SSIA's were introduced, the amount of income to be included in respect of them is the government grant earned on the savings in the relevant tax year plus, in the case of savings accounts, the gross interest earned in the relevant tax year, and, in the case of investment accounts, the investment profit earned in the relevant tax year. Investment losses sustained in the relevant tax year are deductible.

The same position has long applied to interest earned on other savings products, including deposit accounts, post office savings certificates, life assurance bonds etc. The treatment of SSIA's is therefore consistent with the traditional treatment of other similar investments over many years. The Department of Finance is aware of this approach to the assessment of income for eligibility for student support.

So, in applying for a grant for the 2006/07 academic year, only the relevant income earned, as outlined above, on the SSIA in 2005 has to be declared. The maximum that the Government grant to any SSIA saver could have amounted to last year, as in any year of the SSIA scheme, is €762. This has been the position since SSIA's were introduced.

In relation to the income limits which apply when a person's eligibility for a grant is being assessed, the Deputy will be pleased to know that these have increased significantly since SSIA's were introduced.

The 2003/04 academic year was the first year in which the full year SSIA income had to be included in applying for a grant, as the reference tax year for the purpose of grant assessment was 2002.

For the 2003/04 academic year, the income limit for a family with 4 children was increased from €23,770 to €35,165 — an increase of nearly 48%.

The income limits have continued to rise each year, to the point where the limit for a family with 4 children this year is €41,055 — an increase of nearly 73% on the amount allowed in the 2002/03 academic year.

As these increases show, this Government has shown a clear determination to improve the grant system to ensure that students get as much support as possible.

But, not only have we increased the income limits significantly, we have also made other improvements to the grants system:

- We have introduced two new income thresholds to allow for 25% and 75% grants as well as the 50% and 100% rates;
- We have brought in a new 'top-up grant' to target extra funding at those who need it most; and
- We have increased grant payment rates.

Indeed, the maximum level of the ordinary maintenance grant available this year is €3,110 — compared to €2,390 in 2002. The maximum level of the Top Up Grant in 2006/07 is €5,970 — compared to €3,000 in 2001/02.

This year, over €228 million has been allocated for the third level student support schemes. And, as the Deputy will be aware, further improvements to the grant system are on the cards, with the development of the Student Support Bill and the introduction of payment deadlines to ensure that students get their grants earlier.

So, in summary, not only has this Government ensured that SSIA savers are treated fairly in the assessment of income for maintenance grant purposes, but we have made major improvements to the grant system overall.

This is in line with our proven commitment to increase access to third level education and ensure the maximum level of support for those who need it most.

Defence Forces Staff.

514. **Mr. Timmins** asked the Minister for Defence the position in relation to a person (details supplied) in County Galway; and if he will make a statement on the matter. [37383/06]

Minister for Defence (Mr. O'Dea): The military authorities have advised that no retired Medical Officer of the Permanent Defence Force has any claim as of right to be engaged to provide medical services to the Defence Forces. When and where a need arises to engage a civilian medical practitioner to provide services to the Defence Forces, the services of a suitable practitioner(s) living in the area of the post in question are sought. If there happens to be a retired Defence Forces Medical Officer living in the area, due consideration is given to inviting him or her to provide the service. Equally, doctors practising in the area who are serving/former members of the Reserve Defence Force would also be duly considered. However, previous service in the Permanent Defence Force or current/previous Reserve Defence Force service do not, of themselves, constitute reasons to engage a particular doctor.

State Property.

515. **Mr. J. O'Keeffe** asked the Minister for Defence when the transfer of lands (details supplied) will be finalised by his Department. [37435/06]

Minister for Defence (Mr. O'Dea): The Sale Contract for transfer of lands, which are the subject of this question, to the relevant Local Authority is being finalised at present. The Office of the Chief State Solicitor, acting on behalf of my Department, is awaiting a response from the Solicitor to the Authority concerned in relation to an outstanding aspect of the Contract conditions. On finalisation of the outstanding matter, it should be possible to execute the Contract and proceed to closure at an early date. The formal allocation of part of the lands to local sporting Clubs is a matter for the Local Authority.

Defence Forces Operations.

516. **Mr. Timmins** asked the Minister for Defence the cost to the Exchequer to date as a result of the requirement to have a military presence at Shannon Airport; and if he will make a statement on the matter. [37530/06]

517. **Mr. Timmins** asked the Minister for Defence the number of Defence Force personnel that are on duty at Shannon Airport since security was enhanced there; the numbers required to facilitate this; and if he will make a statement on the matter. [37532/06]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 516 and 517 together.

An Garda Síochána have the primary responsibility for law and order, including the protection of the internal security of the State. Among the roles assigned to the Defence Forces is the provision of aid to the civil power (meaning in practice to assist, when requested, an Garda Síochána), which duties include the protection and guarding of vital installations, the provision of certain security escorts etc.

The Gardaí, who undertake threat assessments for Shannon Airport on an ongoing basis, requested the Defence Forces to provide assistance in securing the Airport. Such assistance has been rendered by the Defence Forces since 5 February 2003, and liaison between the Gardaí and the Defence Forces in this regard is continuing. It would not be appropriate for me, for reasons of security, to indicate the number of Defence Forces personnel involved in such operations. However, the estimated costs to the Defence Forces for personnel on security duty at Shannon Airport for the years in question are outlined in the following table. These costs are met from within the Defence Vote.

[Mr. O'Dea.]

Year	Approx. amount including costs in respect of Security Duty Allowance, Subsistence & Fuel	Comments
	€	
2003	1,113,200	First year of operations
2004	760,500	Including US-EU Summit
2005	225,900	
2006 (To date)	299,100	Including visit of President Bush in March 2006
Total	2,398,700	

Defence Forces Recruitment.

518. **Mr. Timmins** asked the Minister for Defence the procedures a Latvian citizen living here must go through in order to join the Irish army. [37539/06]

Minister for Defence (Mr. O'Dea): Entry to the Permanent Defence Force is either through the Cadetship Competition, Apprenticeship Competition, General Service Enlistment or Direct Entry Competitions which are held to fill vacancies in specialist appointments. All applicants for each of these entry streams are required to meet qualifying criteria.

The question of the recruitment of foreign-nationals to the Defence Forces is not a new one and Defence Force Regulations have always allowed for the recruitment of foreign-nationals to the Defence Forces.

The Cadet Competition is the entry level for recruitment as an officer of the Defence Forces. I have recently made changes to the Cadet competition to broaden the entry criteria thereby making it easier for qualifying foreign nationals/ethnic minorities to apply for cadetships.

Candidates for cadetships are now required to:

1. Be a citizen of Ireland or,
2. Be a refugee under the Refugee Act 1996 or,
3. Be Nationals of EEA States (Member States of the EU, Iceland, Liechtenstein, Norway and Switzerland) or,
4. Be Nationals of any other State who are lawfully present in Ireland and have five (5) years lawful residence here.

The special approval of the Minister must be sought for a person other than an Irish Citizen to be appointed as an officer of the Defence Forces. In such a case, and provided that security clearance has been obtained, I would normally recommend that such a person be commissioned to the Defence Forces.

The current requirements for general service enlistment are that applicants:

- Be of a particular minimum height and physical fitness.
- Be ordinarily resident in the State and satisfy such general and education qualifications as may be determined by the Minister for Defence.

Candidates from within the European Economic Area (EEA) and refugees have the same right to apply for general service enlistment as citizens.

Candidates from outside the EEA must have three years legal and unbroken residency, be in possession of a work permit and have security clearance.

The primary focus in recruitment is to attract people with the core competencies required by the Defence Forces.

My Department and the Defence Forces are fully committed to ensuring that all who wish to do so (and that includes ethnic minorities and foreign-nationals) are given the opportunity to join the Defence Forces.

State Property.

519. **Mr. Timmins** asked the Minister for Defence the total size of the island at Haulbowline, County Cork; the amount of the island which is in the ownership of the Defence Forces; the amount which is in private ownership; and if he will make a statement on the matter. [37572/06]

Minister for Defence (Mr. O'Dea): Haulbowline Island comprises approximately 84 acres in total and is, in its entirety, vested in the Minister for Finance. The area of the Island formerly under Lease to Irish Ispat, and now under the administration of the Department of the Environment Heritage and Local Government arising from the liquidation of that Company, covers c. 44 acres. My Department administers the balance of the Island lands, which are occupied by the Naval Service. None of the lands on Haulbowline Island are in private ownership, however, Rocky Island, which lies between Haulbowline Island and the mainland at Ringaskiddy, was sold by the liquidator of Irish Ispat to a private individual in 2005.

520. **Mr. Timmins** asked the Minister for Defence the precise amount of Defence Force lands or buildings which have been sold since 1997; the location of such lands or buildings; the size of such lands or buildings; the person of persons, or agency, to which these lands of buildings have been sold; the price paid for these lands or buildings; if this price was the actual market value for these lands or buildings; and if he will make a statement on the matter. [37573/06]

Minister for Defence (Mr. O’Dea): The sale of 97 acres approximately at Murphy Barracks, Ballincollig was completed in 2003 for a total of €42 million. The bulk of the lands were purchased by O’Flynn Construction. The sale of a site comprising c. 2.7 acres to the Southern Health Board for €1.73 million was completed in December 2004.

19.218 acres at the former Fitzgerald Camp, Fermoy, were sold to Cork County Council in 2001 for €0.974 million for development in conjunction with the IDA.

Castleblayney Military Post, Co. Monaghan, comprising c. 10 acres, was sold to the North Eastern Health Board for €0.762 million in 2002.

7 acres at Devoy Barracks, Naas, Co. Kildare, were ceded free of charge to Naas Urban District Council, while a further 14 acres were sold to that authority for €8.888 million. The balance of the Barracks lands — one acre — was sold to Kildare County Council for €0.381 million in 2002.

Clancy Barracks, Dublin, comprising 13.65 acres approximately, was sold to Florence Properties Ltd. for €25.4 million in 2004.

The Government agreed on 16 December 2003 to the release of circa 2.5 acres at St. Bricin’s Military Hospital, Dublin for inclusion in the Sustaining Progress Affordable Housing Initiative. The site was recently transferred to Dublin City Council as specified by the Department of the Environment, Heritage and Local Government for a nominal consideration.

Details of additional military property which was surplus to requirements and, which was disposed of since 1997 are as follows:

- 6.39 acres, known as “Susan’s Field”, adjoining Collins Barracks, Cork, was sold to Cork City Council for €1.523 million in 2002;
- circa 3.4 acres at Sarsfield Barracks, Limerick, was disposed of to Limerick City Council for €1.162 million in 2002/2003;
- a site comprising circa 0.931 acre, adjacent to my Department’s RDF premises in Kanturk, Co. Cork, was disposed of to the Southern Health Board for a consideration of €0.178 million in 2003;
- approximately 1.559 acres at Waterford Barracks was sold to Waterford City Council for €0.662 million in 2003;

- the sale by public tender of Belmont Huts, Cobh, Co. Cork, comprising c. 2.89 acres, to a Wexford based partnership for €2.4 million, was completed during 2004;
- Spike Island, Co. Cork, was sold to the Department of Justice for €0.065 million in 2004;
- Custume House, Athlone was sold to the Organisation of National Ex-servicemen and women Teoranta for €0.254 million in 2005;
- In addition, in excess of 100 married quarters, which were located outside of barracks, have been disposed of, realising an income of over €4 million.

A number of minor properties were also disposed of during the period in question. In addition, from time to time land at various locations has been dedicated to local authorities to allow for projects such as road widening or realignment schemes.

All transactions were carried out in accordance with proper procedures.

Defence Forces Operations.

521. **Mr. Timmins** asked the Minister for Defence if he will provide a general estimate of the number of members of the Defence Forces engaged in regimental duties on a daily basis; and if he will make a statement on the matter. [37575/06]

Minister for Defence (Mr. O’Dea): The term “Regimental Duties” is no longer used within the Defence Forces and has been replaced by reference to “Security Duties”. However, the information requested by the Deputy is not disclosed for operational and security reasons.

Army Training Programme.

522. **Mr. Timmins** asked the Minister for Defence when the apprentice school was closed; the number of apprentices taken into the apprentice school for each of the three years before its closure; the annual cost of running the apprentice school for each of the five years before its closure; and if he will make a statement on the matter. [37576/06]

524. **Mr. Timmins** asked the Minister for Defence the number of apprentices that have entered the Defence Forces for each year since the apprentice school was closed; the way the training of these apprentices is organised; the average cost to train each of these apprentices for each year since the apprentice school closed; and if he will make a statement on the matter. [37578/06]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 522 and 524 together.

The Army Apprentice School at the former Devoy Barracks Naas was closed in September 1998.

There were only 28 apprentices remaining in the School at the time. The annual costs of running the Army Apprentice School were estimated to be about IR£2.85 million in 1998. Therefore, the average cost of training each apprentice had reached a level of IR£100,000 per annum per apprentice. These levels of expenditure were quite clearly unsustainable. The closure has not impacted adversely on the Defence Forces.

Eighteen (18) final year apprentices in the School at the time of closure attended the Dublin Institute of Technology for the purpose of completing their final training modules.

The remaining 10 apprentices (who were training in electronics/communications and who had entered the School in January 1998) were relocated to the School of Signals in the Curragh where they completed their training in mid 2001.

The number of apprentices taken into the apprentice school during its final year and during the three years prior to closure was as follows:

Year	1995	1996	1997	1998
Apprentice intake	14	18	none	10

The Army Apprentice School came into operation in 1956 at a time when there was no formal training available for Army apprentices elsewhere. At the height of its activity and operations, up to sixty (60) apprentices were recruited each year and each apprentice spent three years in training at the School. The School would thus have accommodated some 180 apprentices overall at any one time during its peak years.

However, the number of Army apprentices had been falling steadily year on year since 1990. In the 1990s, the need to recruit apprentices to the Army reduced very considerably. This was due to a major structural change in traditional manpower/skill demand patterns due to policy and operational changes within the Defence Forces.

An Army Board established by the military authorities in 1992 examined the matter of apprentice training in the Defence Forces. Arising from their internal report of 1993, the then Chief of Staff recommended that the training of apprentices at the Army Apprentice School be discontinued and that existing external State training and educational agencies, such as FÁS and Regional Technical Colleges, would be much more appropriate for modern apprentice training, with apprentices attending academic and off the job training modules at third level educational facilities, as was already the case with Naval

Service apprentices in the Naval Base at Haulbowline.

The internal military programme of vocational training for enlisted personnel comprises both the Technician Training Scheme and the recruitment and training of apprentices. The Trainee Technician Scheme was introduced in 1999 and provides modern technical and technological training to persons who are already serving within the Permanent Defence Force in an enlisted but non-technical capacity.

The scheme involves both ‘in house’ training in Defence Forces establishments and outplacement to FÁS and to third level centres of education such as regional Institutes of Technology for academic modules of courses. Apprentices, like the trainee technicians, undergo a mixture of ‘on the job’ training within the Defence Forces, FÁS training and external academic modules leading to recognized qualifications. For both groups, therefore, the programme structure provides ‘on the job’ training within the Defence Forces coupled with ‘off the job’ external provision of academic and other specialist training by regional Institutes of Technology and by FÁS. In general terms, only very specialised training, which is not available externally from civil sources, is now provided directly by the Defence Forces themselves.

The distinct and different technical training and apprenticeship needs of the Army, the Air Corps and the Naval Service are all kept under regular review by the appropriate military authorities. The types of training to be provided to selected enlisted personnel under the trainee technician scheme, and the needs for apprentice recruitment, are determined by the particular skills and service requirements of the Defence Forces over time.

The Naval Service and the Air Corps have long had their own independent training arrangements for training apprentices in the light of their own respective specialist needs in the area of skills and technology.

The following table shows the pattern of apprentice recruitment to the PDF from 1999 to date.

	Air Corps	Army	Naval Service
2006	11	26	—
2005	8	20	—
2004	7	—	—
2003	19	—	—
2002	17	—	—
2001	37	—	—
2000	---	—	—
1999	15	—	17

Naval Service Vessels.

523. **Mr. Timmins** asked the Minister for Defence the number of patrol ships in the Naval Service fleet; the number of personnel assigned to each ship; the maximum number of personnel that may be sent on patrol on a patrol ship; the minimum number of personnel that may be sent

on patrol on a patrol ship; the average number of personnel routinely sent on patrol on a patrol ship; and if he will make a statement on the matter. [37577/06]

Minister for Defence (Mr. O'Dea): The information sought by the Deputy is set out in a tabular statement which indicates the manning levels of vessels (all ranks).

Vessel Category	Maximum Manning Possible	Recommended Level of Manning as per NSIP ¹	Minimum Manning as per Naval Service Operations Command ²	Average Sailing Manning ³
Helicopter Patrol Vessel (HPV)	86	52	38	53
Large Patrol Vessel (LPV)	49	39	30	40
Offshore Patrol Vessel (OPV)	54	40	30	41
Coastal Patrol Vessel (CPV).	46	38	30	38

¹As per the agreed Naval Service Implementation Plan (NSIP) for each class and recommended for routine patrolling.

²This is the minimum number per ship for routine patrolling. In an emergency, the Ship's Captain may sail with less than the minimum to respond to urgent operational demands.

³Figures include trainees from time to time in addition.

The Naval Service operates a fleet of eight ships categorised as follows:

- 1 × Helicopter Patrol Vessel (HPV)
- 2 × Large Patrol Vessels (LPV)
- 3 × Offshore Patrol Vessels (OPV)
- 2 × Coastal Patrol Vessels (CPV).

- Standard NCO's Course — HETAC Level 6
- Command and Staff Course — HETAC Level 9
- Naval Officer Engineering Training — NMCI Degree
- Fire Fighting Damage Control — STCW 95.

Question No. 524 answered with Question No. 522.

Defence Forces Training.

525. **Mr. Timmins** asked the Minister for Defence if there is a mechanism through which members of the Defence Forces can have qualifications gained during service with the Defence Forces recognised outside the forces or by an external body like the National Qualifications Authority Ireland; and if he will make a statement on the matter. [37579/06]

Minister for Defence (Mr. O'Dea): The Defence Forces Strategy Statement 2005-2007 recognises among its various objectives the need to train and to develop members of the Defence Forces, so that they can fulfil their roles effectively and fulfil their individual training and developmental goals. One of the strategies in the Statement designed to achieve this objective is the provision of opportunities for individuals to achieve recognized qualifications through both external and internal education. This is an aspect which the Defence Forces continue to develop for personnel. Presently there are a range of Defence Force qualifications which are externally recognized by the National Qualifications Authority of Ireland and by other external bodies such as and including:

- MT Driving Modules — Dept of Environment

Overseas Missions.

526. **Mr. Costello** asked the Minister for Defence if he will make a provision for the EUFOR and KFOR troops serving in Kosovo and Bosnia and Herzegovina to conduct a search of the Medjugorje area for an Irish citizen (details supplied) who disappeared there. [37676/06]

Minister for Defence (Mr. O'Dea): My colleague the Minister for Foreign Affairs has the lead role in relation to this issue. I understand that extensive efforts have been made by the consular service of the Department of Foreign Affairs to assist and support the family at this difficult time. The consular service has also maintained ongoing contact with the local police force, rescue services, politicians and senior officials in the region in which the town of Medjugorje is situated. Diplomatic officers and our Ambassador have travelled from the Embassy in Slovenia, which is also accredited to Bosnia and Herzegovina, to the region to review the search arrangements.

Since the person's disappearance, there has been six large scale searches, some of which involved the use of a helicopter. In addition to these large scale searches, there have been other, more localised, searches. The searching continues, and an officer from our Embassy will again shortly visit Medjugorje to review the situation.

[Mr. O'Dea.]

In relation to the role of EUFOR and KFOR troops, as the Deputy will appreciate, these forces have a specific role in the region. As such, it would not be appropriate nor do I have the authority to task these forces to conduct searches for this person. That said, I understand that members of An Garda Síochána and of our Defence Forces on EU service in Bosnia and Herzegovina have participated actively and very helpfully in the searches for the missing person. I expect that the Defence Forces, within the requirements of their mission, will continue to assist in whatever way they can.

Proposed Legislation.

527. **Mr. Allen** asked the Minister for Defence the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37862/06]

Minister for Defence (Mr. O'Dea): This question does not apply to my Department at this time.

Wildlife Statistics.

528. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the estimated number and population of common seal at estuary entries; and if he will make a statement on the matter. [37455/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The National Parks and Wildlife Service of my Department, and University College Cork, carried out a joint project on the national population of common, or harbour, seals in 2003. This provides the most recent and most reliable data on the common seal population and is published on one of my Department's websites at www.npws.ie.

This work was carried out in mid summer 2003 and reflects the distribution of common or harbour seals, when the largest number of animals are ashore and thus can be most reliably counted.

This study used new technology and its findings are not directly comparable with previous data. However the indications are that while the distribution of common seal may change, there has been little change in the national population in recent years.

529. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the assessments of grey seal population in the past 10 years migrating from Scotland to the breeding grounds at Iniskea Islands; his views on whether there has been an increase in numbers in recent years; and if he will make a statement on the matter. [37512/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The National Parks and Wildlife Service of my Department and University College Cork are concluding work on an assessment of the Irish population of grey seals. This species can be accurately censused only when they come ashore to breed in autumn and early winter. As breeding takes place on exposed and remote islands and cliff sites, this is difficult work, based mainly on aerial photography.

While we know from satellite tagging that some grey seals move between Scotland and Ireland, there is no data on numbers, nor on whether they travel to Ireland to breed, to moult or for other reasons.

The report of this work will be published shortly on one of my Department's websites www.npws.ie.

Tax Collection.

530. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the value of motor tax in each of the years 1994 to 1997; and the value expected in 2006. [37874/06]

544. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the value of commercial rates, of local development levies and of motor tax raised in each of the years 1994 to 1997; and the value expected in 2006. [37873/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 530 and 544 together.

The information requested is set out in the following table:

Year	Commercial Rates	Development Levies	Motor Tax
	€m	€m	€m
1994	383.5	26.1	296
1995	407.00	28.4	314
1996	431.10	45.9	344
1997	458.20	57.8	382
2006 (estimate)	1,100	520	870

Recycling Policy.

531. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government if he will assist a charity (details supplied) in Dublin 10 in finding a suitable location for a textile bank; and if he will make a statement on the matter. [37930/06]

548. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government his views on the needs of a charity (details supplied) in Dublin 12 in trying to access a suitable location for a recycling facility for used textiles; his further views on their request for infor-

mation on accessing suitable raw materials for recycling; and if he will make a statement on the matter. [37929/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 531 and 548 together.

The National Strategy on Biodegradable Waste promotes the reuse of textiles. In particular it advises householders to bring good quality textiles to charity and second-hand shops and encourages local authorities to accept waste textiles at recycling centres. There is currently competition between organisations for donations of textiles. Householders should exercise caution in relation to door-to-door collections of second-hand clothes. Genuine charities may benefit from such collections but bogus operators may undermine traditional charity shops.

A local authority has adequate powers to control such activities if it is of the opinion that a person is collecting waste for the purposes of reward, with a view to profit, or otherwise in the course of business. Section 34(1) of the Waste Management Act 1996 requires that any such person must obtain a waste collection permit from the relevant local authority. A waste collection permit is needed for each region in which the person intends to collect waste. It is a matter for individual local authorities to decide if an individual / business is involved in the collection, transport or storage of waste. In making their decision, local authorities are guided by the definition of waste which is set down in the Waste Management Act 1996.

A charitable organisation that wishes to source textiles, either by way of a collection service or by providing bring banks, should discuss the matter in the first instance with the relevant local authority.

Shooting Rights.

532. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government his views on a query (details supplied) in County Donegal; and if he will make a statement on the matter. [37360/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The correspondence received is being dealt with and a written reply will issue to the Deputy this week.

My Department's National Parks and Wildlife Service (NPWS) are long term tenants of Lough Inch and the area contained within the embankment. The area is being managed for the conservation of breeding terns and wintering waterfowl. This site has the potential to become a flagship conservation site in Donegal. It is planned to provide facilities for visitors including bird hides, walks and car parks, and to encourage interest from organised groups of bird watchers and school groups.

There has been traditionally some wildfowling on the site, which has not had a significant conservation impact. NPWS have made contact with the National Association of Regional Game Councils and on foot of this four local gun clubs are being permitted limited shooting: namely Burt, Inch, Aileach, and Faughan. These clubs have formed a parent body — Inch Wildfowling Club with which a protocol has been agreed for limited shooting.

Discussions are also taking place with two other clubs, where a submission about their traditional usage, will be evaluated at the close of this shooting season. In the meantime these have also agreed to abide by the protocol and will not shoot on Inch Lake.

Environmental Policy.

533. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to suggestions that forest brash should be removed from sensitive sites where the nutrients may be causing damage to the ecosystem; his views on whether this would be feasible or if there are difficulties in operating such a policy. [37411/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am aware of concerns regarding the possibility that nutrient release from forest brash may be harmful to certain ecosystems. Brash management has been discussed by a Steering Group chaired by the Forestry Service of the Department of Agriculture and Food that is currently drawing up a consultation document on requirements for forest management in freshwater pearl mussel catchments.

Water and Sewerage Schemes.

534. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the location where raw sewage still enters the sea in this jurisdiction; and if he will make a statement on the matter. [37470/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Detailed information on urban waste water discharges in Ireland is contained in Urban Waste Water Discharges in Ireland — A Report for the Years 2002/2003, produced by the Environmental Protection Agency, which is available in the Oireachtas Library.

Since 2003, many of the agglomerations shown in the EPA publication as having treatment levels below the secondary treatment standard have now reached that standard, including Cork, Limerick and Galway cities. Compliance with the requirements of the EU Urban Wastewater Treatment Directive in relation to secondary treatment of wastewater discharges has risen from 25% at the start of 2000 to 90% at present. All remaining schemes required to achieve full compliance are included in my Department's

[Mr. Roche.]

Water Services Investment Programme 2005–2007.

Road Network.

535. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the expenditure allocated by him for the development for a road (details supplied) in County Mayo for the past three years and for 2007 to 2010; and if he will make a statement on the matter. [37472/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision of non-national roads in County Mayo is a matter for Mayo County Council to be funded from its own resources supplemented by State grants provided by my Department.

Details of grants provided by my Department to Mayo County Council in 2004 and 2005, and the initial 2006 grant allocation, for works on the regional road sections of the Castlebar to Belmullet Road, are set out in the following table:

Year	EU co-financed grant scheme	Restoration Improvement grant scheme	Total
	€m	€m	€m
2004	2,211,595	60,000	2,271,595
2005	1,063,841	228,770	1,292,611
2006 (allocation)	1,500,000	1,105,542	2,605,542
Total	4,775,436	1,394,312	6,169,748

Mayo County Council may also use the discretionary improvement grant provided by my Department towards the carrying out of such works. The discretionary improvement grant payments to Mayo County Council in 2004 and 2005 were €1,453,000 and €1,417,429 respectively and the 2006 allocation is €1,603,000. The selection of works to be funded from discretionary grant allocations is a matter for Mayo County Council.

Non-national road grants are allocated to local authorities on an annual basis. I intend to announce the 2007 allocations early in the new year.

Water and Sewerage Schemes.

536. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the amounts granted to each local authority to fund sewerage schemes and plants in each of the past five years. [37473/06]

537. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the amounts granted to each local authority to fund public water supply projects in each of the past five years. [37474/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 536 and 537 together.

The information requested is being compiled and will be forwarded to the Deputy as soon as possible.

Local Authority Boundaries.

538. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if he will immediately make provision for the transfer of estates (details supplied) in County Limerick from the Limerick County Council area into the Limerick City boundary area, as these estates in their current situation effectively denies these residents any local political representation, in view of the fact that there will be no local consensus reached in resolving the boundary issue. [37490/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Government recently appointed Mr. John Fitzgerald, former Dublin City Manager, to lead an initiative to address social exclusion, crime and disorder issues in Moyross, Limerick. He has been asked to work with existing agencies and community groups to identify immediate actions which can be implemented; in particular seeking to overcome any blockages which might currently exist to delivering local solutions. Mr. Fitzgerald, who will regularly report on progress to the Cabinet Committee on Social Inclusion, of which I am a member, has also been asked to bring forward suggestions about the regeneration of Moyross and other disadvantaged areas of Limerick in the context of the wider strategic development of the Limerick/Shannon Gateway.

As outlined in the reply to Questions Nos. 428 and 429 of 13 June 2006, an exploratory process has been initiated at my request between the Managers of Limerick City and Limerick and Clare County Councils, with the assistance of officials of my Department, to consider the range of options open to the three Councils in the context of Limerick City Council's application for a boundary alteration. This process is ongoing.

I will continue to keep the position of the estates concerned under review in regard to service provision from, and representation on, Limerick City and County Councils respectively.

Social and Affordable Housing.

539. **Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government the steps he proposes to take to compel developers to commence and progress to completion, in tandem with the private element of their approved construction works, their Part V obligations in all developments where there is an agreed transfer of houses to the relevant local authority; and if he will make a statement on the matter. [37510/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Part V provides an important mechanism for the delivery of social and affordable housing as part of overall housing output. Local authorities have been urged to ensure the earliest possible delivery of output under Part V. In relation to individual developments, it is a matter for local authorities to ensure full compliance by developers with the conditions associated with the granting of planning permission including, where appropriate, the timely transfer of units on-site agreed by the developer to satisfy the Part V condition.

Water and Sewerage Schemes.

540. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the Ministerial order he has given for the allocation of funding for a new sewerage system for Grange as the present system is overloaded and has now reached crisis point and unable to cater for the present growth with serious health and safety issues; when it will commence; and if he will make a statement on the matter. [37695/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Grange Sewerage Scheme has been approved for funding of €0.7m under my Department's Water Services Investment Programme 2005-2007 as part of the Serviced Land Initiative. It is being procured as grouped project jointly with schemes for Tubbercurry and Strandhill.

I approved Sligo County Council's Preliminary Report for the grouped project in April last.

Rural Renewal Scheme.

541. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government when a certificate of qualification under the rural renewal scheme will issue to a person (details supplied) in County Longford; and if he will make a statement on the matter. [37803/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Inspections in relation to 4 applications involving a number of properties by this company were carried out on 7 November 2006. The applicant was advised that additional works must be completed in respect of each of the properties concerned. On receipt of notification in writing that all specified works are completed a further inspection will be arranged.

Register of Electors.

542. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government if he will make a statement on the fact that many young people are being knocked off the voters register if they stay a number of nights in a city or large town where they work to avoid commut-

ing for long hours but come home each weekend or on other days off, in view of the fact that these young people regard their permanent address as home and have no social or cultural attachment to the area where they work. [37804/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The compilation and publication of the register of electors is a matter for each local registration authority in accordance with electoral law. While I have put in place a programme of measures to assist and support local authorities in their registration work, it is the duty of local authorities to ensure as far as possible the accuracy and comprehensiveness of the register; in carrying out this work, local authorities depend to a significant degree on the cooperation and engagement of the general public.

Section 8 of the Electoral Act 1992 states that to be eligible for registration as a Dáil elector a person must be ordinarily resident in a constituency on the qualifying date (1 September in the year preceding the year in which the Register comes into force). Section 11 of the Act places a prohibition on a person being registered as an elector more than once in any registration area or in more than one registration area.

Long standing guidance from my Department suggests that students be given the option of being registered at their parents' home or at the students' residential address. While the guidance further suggests that persons who normally return to their parents' home at the weekends and for holidays should be registered where they live for work purposes, the determination of ordinary residence is a matter for decision by the local authority (or the County Registrar in the case of a claim) in the light of the circumstances of each particular case.

EU Directives.

543. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when he expects that overdue directives will be transposed; and if he will make a statement on the matter. [37865/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am fully aware of the importance of timely transposition of EU environmental legislation, some 200 items of which, including more than 140 Directives, have by now been transposed in this country. There are currently seven Directives in my Department's area of responsibility which are outstanding for transposition. A further four Directives are due for transposition between February 2007 and September 2008. Details of these Directives are set out in the following table:

Directive Number and Title	Date of Directive	Date Due for Transposition	Current Position on Directives Overdue for Transposition
Directive 2002/88/EC of the European Parliament and of the Council amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery	9 December 2002	11 August 2004	Draft Regulations have been prepared and it is anticipated that the legislation fully transposing the Directives will be finalised at the earliest possible date.
Directive 2004/26/EC of the European Parliament and of the Council amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery	21 April 2004	20 May 2005	Draft regulations for the transposition of this Directive are under consideration and it is intended that it will be transposed by the end of 2006.
Directive 2003/4/EC of the European Parliament and of the Council on public access to environmental information and repealing Council Directive 90/313/EEC	28 January 2003	14 February 2005	Work is continuing on the various instruments with a view to completing transposition at the earliest possible date.
Directive 2003/35/EC of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC	26 May 2003	25 June 2005	The drafting of Regulations to transpose this Directive is ongoing. It is anticipated that the legislation fully transposing the Directive will be finalised by the end of 2006.
Directive 2004/42/EC of the European Parliament and of the Council on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC	21 April 2004	31 October 2005	Key elements of this Directive have already been transposed. Work is continuing, in co-operation with the Department of Communications Marine and Natural Resources, with a view to fully transposing the Directive by the end of 2006.
Directive 2002/91/EC of the European Parliament and of the Council on the energy performance of buildings	16 December 2002	04 January 2006	Drafting of regulations to transpose this Directive is ongoing. It is anticipated that the Directive will be transposed by the end of 2006.
Directive 2005/33/EC of the European Parliament and of the Council amending Directive 1999/32/EEC on the reduction in the Sulphur content of certain Liquid Fuels and itself amending Directive 93/12/EEC	6 July 2005	11 August 2006	—
Directive 2004/107/EC of the European Parliament and of the Council relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air	15 December 2004	15 February 2007	—
Directive 2004/35/EC of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage	21 April 2004	30 April 2007	—
Directive 2006/7/EC of the European Parliament and of the Council concerning the management of bathing water quality and repealing Directive 76/160/EEC	15 February 2006	24 March 2008	—
Directive 2006/66/CE of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC	26 September 2006	26 September 2008	—

Question No. 544 answered with Question No. 530.

Anti-Social Behaviour.

545. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the report published by UCD in October 2006 the nature and impact of joy-riding in Priorswood Report to the Priorswood Task Force on Joy-riding and the report's recommendation that the joy-riding issue be considered within a concerted approach by local government and local development agencies, and the RAPID programme, and that this be done within a wider context of developing local anti-poverty and social inclusion measures; and the steps he will take to give affect to this recommendation. [37880/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A copy of the report referred to in the Question was furnished to my Department on 13 November 2006 and will be examined. It is noted that the report concerns an area which is designated under the RAPID programme. Tackling anti-social behaviour including issues such as joy-riding is an important focus of that programme, and it is desirable that all relevant agencies, including local authorities, participate on an inter-agency basis in appropriate initiatives in this regard.

Building Regulations.

546. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the reasons for the delay in issuing floor area compliance certificates to persons (details supplied) in County Kilkenny; and if he will make a statement on the matter. [37906/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A Floor Area Compliance Certificate can only issue where a house or apartment meets the conditions and standards specified by my Department and set out in the Explanatory Memorandum (HA1). In particular, the construction of a house or apartment must be in compliance with the requirements of the Building Regulations and Part C Technical Standards of the HA1. Where unconventional materials or methods of construction are used their suitability must be demonstrated through certification by a competent body such as the National Standards Authority of Ireland (NSAI)/Irish Agreement Board (IAB).

In the present case, the certification for the whole wall system as constructed has not yet been submitted to my Department. The issue of Floor Area Compliance Certificates by my Department, must await this.

Register of Electors.

547. **Mr. J. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself or has caused any enquiry to be made as to whether for the purpose of the preparations of the Draft Register of Electors each local authority has, as laid out by the Second Schedule of the Electoral Act 1992, made a house to house or other sufficient enquiry in their electoral area. [37907/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In law, the preparation of the Register of Electors is a matter for each local registration authority. It is their duty to ensure, as far as possible and with the cooperation of the public, the accuracy and comprehensiveness of the Register; house to house or other sufficient enquiries must be made for this purpose.

In April 2006, I announced a package of measures to assist local authorities in their work on preparing the 2007/8 Register, which included the use of Census enumerators or other temporary personnel to support local authorities in preparing the Register; over 1,500 personnel were engaged in this work.

In addition, my Department worked with a group of local authority managers and senior officials to put in place an enhanced programme for improving the next Register. Detailed procedures for the carrying out of registration fieldwork were finalised and issued to local authorities in early July. The procedures included provision for ensuring that each household was visited and provided with forms and information at least twice, if necessary. In the event that this process did not satisfactorily register the household, written notification would then be given cautioning of the danger of being omitted from the Register. A person not on the draft register may apply (before 25 November) for inclusion on the final register to be published on 1 February 2007, or may apply for inclusion on the supplement to the register which closes on the fifteenth day before the next polling day.

I also committed to providing additional ring-fenced financial resources to support local authorities' own spending in respect of the register campaign and advised authorities that a contribution of some €6 million can be made available in this regard. An initial allocation of some €3 million, based on the number of households in each local authority area, was made available in July to local authorities for registration work.

As regards publicity and awareness, a two-stage approach has been developed, involving information notices followed by an intensive media campaign. Information notices were published in the national press on 19–21 August, urging co-operation with local register campaigns. In addition, a national publicity and awareness campaign involving TV, radio, press and outdoor

[Mr. Roche.]

advertising commenced on 11 September and will run until 25 November (the closing date for submitting corrections to the Draft Register).

An online register search facility is now available through local authority websites and a central website www.checktheregister.ie is also now available, containing direct links to each local authority's eReg enquiry screen, to facilitate people in checking that they are on the Draft Register.

New arrangements for the deletion of names of deceased persons from the Register are now in place: the new system allows for the efficient and timely deletion of the names of deceased persons from the Register using the Death Event Publication Service which has been developed by Reach in association with the General Register Office.

New guidance for local authorities on Preparing and Maintaining the Register of Electors was made available to authorities in electronic format on 31 May. Printed copies of the guidance were subsequently sent to all local authorities, returning officers and relevant Government Departments. In the final version of the guidance, the importance of local authorities cross-checking the Register with other databases available to them is stressed.

It is internationally acknowledged that electoral registration presents particular difficulties and challenges for electoral authorities. I am satisfied that local authorities have carried out the most extensive registration campaign in decades for the Draft Register 2007/8, with both significant numbers of additions to, and deletions from, the Register.

Question No. 548 answered with Question No. 531.