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DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 9 October 2007.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Dé Máirt, 9 Deireadh Fómhair 2007.
Tuesday, 9 October 2007.*

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

*Paidir.
Prayer.*

Ceisteanna — Questions.

Strategic Management Initiative.

1. **Deputy Enda Kenny** asked the Taoiseach the progress made by the quality customer service working group within his Department established under the Strategic Management Initiative; and if he will make a statement on the matter. [16805/07]

2. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the progress made by the quality customer service working group in his Department under the Strategic Management Initiative; and if he will make a statement on the matter. [18783/07]

3. **Deputy Enda Kenny** asked the Taoiseach the objectives of the OECD study of the public service commissioned by his Department; and if he will make a statement on the matter. [19843/07]

4. **Deputy Enda Kenny** asked the Taoiseach the projected cost of the OECD study of the public

service; and if he will make a statement on the matter. [19844/07]

The Taoiseach: I propose to take Questions Nos. 1 to 4, inclusive, together.

In December 2006, the Government approved a major review of the public service by the Organisation for Economic Co-operation and Development, OECD. The review has two main objectives, namely, to benchmark the public service in Ireland against comparable countries and, to make recommendations as to future directions for public service reform.

A twin track approach is being taken to the review, namely, a review of the key institutional dimensions in the public sector as a whole and five case studies examining key questions in specific areas including, health and local government services. The terms of reference of the review have been published and are available on the Department's website. A high level steering group of senior officials chaired by the Secretary General of my Department is overseeing the review.

While the review is not a detailed audit of individual sectors such as health, education, local government and so on, it is examining the effectiveness of arrangements through which Govern-

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ment objectives are translated into outputs and outcomes. It is focussing on the connections between the different sectors including, the links between Department offices and local government, health and education sectors with particular focus on the delivery of quality public services.

Separately, a major public consultation undertaken by my Department included an invitation to the general public, social partners and all interested parties to make submissions. My Department has also facilitated dialogue between the OECD and a consultative panel. For the OECD to develop this holistic approach to reviewing the public service as an entity and to apply it in the first instance to Ireland, we have increased our contribution to the OECD on a once-off basis by €490,000 to be paid over the two years 2006 and 2007. I expect the review to be completed by the end of the year and to be published early in 2008. Regarding quality customer service in the public service, the development, promotion and implementation of this initiative has been driven in recent times mainly by two groups: the QCS officers' network and the QCS research group. The QCS officers' network continues to work intensively on the development and promotion of a range of customer service issues, including promotion of the customer charter approach. This is an important initiative whereby public service organisations publicly commit to service standards and report on progress made. The QCS officers' network has met four times so far this year and is due to meet again in the coming weeks.

Similarly, the QCS research group has been active and was involved last year in the development of a major survey of customer satisfaction levels and attitudes towards Civil Service Departments. The research group has met three times so far this year and is due to meet again shortly to discuss the next such customer surveys, which are planned to begin before the end of the year.

A new task force on customer service has also been established to look at the further development of customer charters and various commitments to customer service in the programme for Government. This task force, which is made up of senior officials from Departments, offices and agencies, is chaired by the Secretary General of the Department of Justice, Equality and Law Reform and will bring forward proposals on how best to enhance and deepen the quality of customer service in key front line areas of the Civil and wider public service.

Deputy Enda Kenny: Someone spent a long time writing out that answer for the Taoiseach.

Before the recent general election, the Taoiseach proclaimed, more than once, that we had world class public services. In early May, he said, "I am not saying this tongue-in-cheek or in a light-hearted way, but I should really have people

congratulating me on the health service". The Taoiseach went on to say that "people are immensely happy with the health service". He should tell that to some of those who are on waiting lists or suffering as a consequence of the cut-backs by the Health Service Executive. If our public services were world class in early May, why has it been necessary to call in the OECD to review them and bring about world class public services?

The benchmarking review group is due to report soon. Will the OECD look at benchmarking? I would be the first to say public servants deserve to be well paid for the job they do. The vast majority work exceptionally hard. Will the OECD do what the benchmarking group did not do, which is set out tangible targets and performance indicators so that the public will know what improvements are achieved following increases in pay? This issue was fudged on many occasions although, as Deputy Sargent pointed out many times from this side of the House, benchmarking has brought no tangible efficiency benefits and achieved no objective targets which the public can identify.

Has the OECD been given the remit of examining benchmarking? Following its report, will we be able to get what we did not get from the benchmarking process, despite frequent questioning in the House? Will tangible targets and objectives be set so the public can see where their tax is being spent and how public services are benefitting?

The Taoiseach: The OECD review was undertaken last year. The work has been going on for the better part of a year. The report is not simply on the public service. It is the first comprehensive review ever undertaken on the public service as a system. It is holistic and is a service-wide assessment. It will identify many things but it has two main areas in its remit. It will examine how the Irish public service compares with other services that are recognised as representing good practice in various aspects of public management, using the unique insights of the OECD in its field. However good we are in areas, other people are good in other areas and we should always examine how we can improve services and systems across Departments and agencies.

The second issue under consideration is how the different parts of our system relate to each other, for example, the relationship between central and local government and how objectives are translated into actions. It is examining the health and education sectors to see if there are better ways in which common issues such as child care and social inclusion can be tackled.

As I mentioned, a large number of groups are involved on a consultative basis and are giving their views. Some are international figures, including people from OECD headquarters and others who can bring fresh thinking, and they are talking to the leaders in the field. They have also

engaged with the political system and have been talking to the chairpersons of various committees of the House, such as the Committee of Public Accounts and the health and education committees.

Individual sectors and parts of the public service have been reviewed in the past but last year it was felt it was time to take stock of the system as a whole with a view to making recommendations on the future direction of the public service in supporting the Government's drive for delivery of world class services and contributing to the sustainable national competitive advantage. Deputy Kenny would have seen the research findings of a detailed survey of 3,500 patients in the hospital system published some weeks ago. This showed clearly the satisfaction of patients with the health service.

Benchmarking was introduced to replace relativities and numerous old systems. It was made clear at the beginning that benchmarking was never intended to be a once off exercise, but a process that would be repeated at appropriate intervals and that is happening at present. Benchmarking is an exercise that examines the pay and conditions of similar jobs in the public and private sectors with a view to determining whether the pay levels of public service jobs should be altered. In this way, public service pay can be determined by comparison to real and competitive market demands. It is necessary to ensure that the public service can continue to attract and retain a high calibre of staff with necessary skills to provide an excellent service to the public.

I believe benchmarking is a substantial improvement on the old pay determinants in a system that operated from 1946 and was based on relativities. If one grade got an increase for whatever reason, that was followed by other grades leapfrogging and catching up based on no factual outcome. This was the system that existed for the better part of 60 years and it led to industrial disputes and unrest across the public service from 1946.

The second benchmarking group was established in January of last year. It is chaired by Dan O'Keeffe, SC, and is due to report at the end of this year. It comprises a number of eminent individuals from the public and private sectors and from the world of academia and will undertake a fundamental examination of the pay of public servants *vis-à-vis* the private sector. There are no predetermined outcomes. If there is little movement in the private sector salaries, then the same will happen to public service salaries.

In response to the question from Deputy Kenny, the benchmarking body seeks to ensure the optimum level of transparency in carrying out its work. Following issues that were raised after the last benchmarking process, we made the point on the need to ensure the process is consistent, effective and transparent. As has been pointed out to me by all the people involved, there is a need to handle some of the information in a con-

fidential way in an exercise of this nature. The body can only do its job if it receives the information from the private sector and the system is based on using confidential commercial information. It cannot publish everything it receives, but it is conscious of being as transparent as possible. I understand the benchmarking body will consider practical steps to examine the level of transparency, having regard to its remit.

It is not true that previously the productivity measures to be delivered by public servants were not validated. In each Department and area they were validated and the benchmarking body reported on that basis. Although I accept there were issues in some areas, in most areas the body produced a very detailed report.

Deputy Enda Kenny: Does the Taoiseach still stand by the statement he made last May that people should congratulate him on the state of the health services and that the vast majority of Irish people are happy with the health services?

The Taoiseach mentioned that the OECD will examine a number of relationships. Will it examine the relationship between the taxpayer and the consumer in the context of increased efficiencies and better service in the public service? The former Minister for the Environment, Heritage and Local Government, Deputy Roche, referred to people ringing local authorities and being instructed to press button five or 12 or whatever. From that perspective does the Taoiseach accept that, despite the volumes written and the amount of paper shredded within the benchmarking process, the benchmarking body failed ultimately to set out for members of the public, for taxpayers, many of whom are themselves public servants, any real and tangible benefits, any demonstrable advantages on foot of which they could say they are happy to pay their taxes because they get a level of public service which complies with best practice? That did not and does not happen in many cases. Vague generalities were published but there was no validation of tangible benefits. Members on this side of the House asked Minister after Minister to cite three areas in their Department where there was increased service to the public consequent on the benchmarking process. In every case the answer was negligible or complete waffle. Does the Taoiseach accept that the benchmarking process did not set out tangible benefits for the public? Is the OECD now going to move into that space and make recommendations in regard to what should be done in various Departments?

The Taoiseach: Deputy Kenny and I regularly discuss problem areas in the health service. It is not me that people should congratulate. They should congratulate the staff in the health services. Across a large part of our health services, including cardiac surgery, children's cardiac surgery, liver transplants and maternity services, we are up there with the very best. We

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have eminent teams of consultants and other medical staff. More than 3,500 people were surveyed, far more than normally would be surveyed in consumer and political surveys, and it showed the level of satisfaction in percentage terms is approximately from the mid eighties to the early nineties. Of 52 accident and emergency departments, there are problems in half a dozen, or eight or ten at times. However, across the health sector, we have a service of which we can and should be immensely proud. There are problems in some areas and we must continue to provide resources and work to resolve these.

In regard to benchmarking, I have no difficulty with consistently seeking transparency showing why increases should be given, which should be the basis of it. Where there is movement in pay in line with the public or private sector, issues should be agreed and put forward. In the last programme, *Towards 2016*, it was agreed to build on previous achievements in the modernisation of the public service to provide more responsive better quality customer services, which is happening, and better management of performance both individually and organisationally. There is better financial and human resource management right across the Civil Service, although that might not apply to the entire public service. The Civil Service has implemented new financial management and human resources systems that are far better than they were even five years ago. There is also a greater flexibility to openness and change, including the extension of opening hours so that services open earlier in the mornings and later in the evenings. The Civil Service has reformed the system to widen the use of open recruitment to take account of the requirements of a modern public administration and the age profile of civil servants. It has taken some years but that is the difficulty with industrial relations. Co-operation has been introduced in the form of shared services between public and related organisations and there are many other areas where initiatives have been taken. Some believe public servants should do these things as a matter of course and should not be paid for them but that is not the way the system works.

A huge number of technology-related issues emerged from the last benchmarking discussions. Access to services has been enhanced through information technology and there is now 24-hour access to information in the Civil Service and other public services. The motor tax on-line system came directly from discussions involving local authorities. In the area of agriculture, food e-services were developed for livestock registration, identification and movement, which has been hugely important to farmers and those involved in the food sector throughout the country. The Revenue on-line service is considered probably the best in the modern world and has been studied and followed by others. There has been huge progress in the area of social welfare,

where 1 million payments per week can now be made in a very efficient way. Other initiatives relating to the General Register Office and visa office came out of the benchmarking process. The single farm payment scheme was sorted out on the basis of people committing themselves, in benchmarking negotiations, to doing things in a different way. The scheme used to be a very difficult area and Members, particularly those from rural areas, will remember all the difficulties we had with agricultural payments in previous years.

If Deputy Kenny asks me whether there is much more that can be done then my answer is “Yes” — I readily admit that. A huge amount of change is still necessary and many new initiatives will be required in the next round. If any Ministers stood up in the House and said they could not remember three benefits in their own Departments they must not have asked the question but I do not believe that to be the case. There has been a huge amount of progress in every Department.

Deputy Enda Kenny: I will forward the evidence to the Taoiseach.

Deputy Caoimhghín Ó Caoláin: We should not give too much credence to the Taoiseach's remarks last May that people were happy with the health services. It is eminently possible that, given the number of people with whom the Taoiseach engages, a number may have expressed such a view but I do not know what they are talking about. Deputy Kenny might reflect for a moment on the comment by the Minister for Health and Children, who apparently spoke to somebody on a trolley in an accident and emergency unit who described the experience as comfortable and happy. Can the Taoiseach give any credibility to that claim?

Is there a cut-off point for the strategic management initiative in its present form? It was supposed to improve services to the public from Departments and it is arguable that it has performed the task to some degree. However, it has also produced a lorry load of long-winded reports. In his response today the Taoiseach talked about examining effectiveness and efficiency but how effective and efficient is the whole exercise? Should improved services to the public, including greater access to and understanding of the role and function of Departments, not be part of the ongoing review Departments are undertaking into matters within their own ambit? Can the Taoiseach give us a sense of where the strategic management initiative stands at this point in time? How long does he see it continuing in its current form? Can he also indicate what improvements he would like to see in its work?

The Taoiseach: I am talking about the Civil Service and not the wider public service, although there have been huge improvements in the latter

as well. My Department is involved in driving the quality service initiatives. The sections in my Department that deal with this, deal with people across the Civil Service.

For several years, the Civil Service has had declining numbers in the overall management system. It was given a target of 3% in recent years and most areas have achieved it. It is constantly taking on extra work and functions while reducing staff. As a country, our Civil Service is small. It is very small on a *pro rata* basis compared to most other countries. In fairness to civil servants, it is because they have worked particularly since 1992 to strategically manage their area and to focus on their customers, evaluating what their customers require while taking on a huge amount of services and technology. New technology was embraced with little or no industrial problem or unrest, as has occurred in many other countries. Whether the issues involved relate to business, farmers, the social partners or the general public, the reviews carried out by independent organisations have demonstrated that although the service is not perfect, it has exhibited a constant rate of improvement. That does not mean there are not many other issues to be dealt with.

With regard to where we should go, the QCS research group has been involved in overseeing the management of the recent evaluation of customer charters. Fitzpatrick Associates, the economic consultants, have been engaged to undertake this evaluation independently and they have now put out their survey. The QCS networks are also overseeing a process of promoting customer charters in the wider public service. These charters exist to spell out what staff are doing, how they are doing it and to report on how they got on with it. These are published every year and people can examine them.

Staff are also involved in the Public Service Excellence Awards, the final ceremony of which I have attended along with many others in this House. Individual public servants and civil servants who bring in new efficiencies in their areas can put ideas up for awards. Although awards are not everything, this shows an interest in being able to take a new project and deliver a better service to the public. Many Members have attended the final ceremonies of these awards, where we have seen some 20 schemes put up for case study. There is much happening in that area.

An example of what is ongoing at the moment is that in the health sector, the feasibility of implementing an advisory charter of patients rights, similar to the European charter, is being examined. In the agricultural sector there is a commitment to monitor outcomes being delivered under the farmers' charter and to modify it in light of new findings. There is a commitment in the justice area for the introduction of a Garda charter, setting out targeted Garda response times and the level of service the public can expect.

As part of the significant commitments in local government, there is a commitment to put customer service to the fore and develop a customer charter. There are many other areas now being developed to bring about what the public require, with staff challenging themselves to deliver the service. In most cases such action is not easy. Much of the easier work is probably finished and the technology has been implemented. Key personnel of the Civil Service, including the commissioner and other senior civil servants such as the head of Revenue and the Department of Social and Family Affairs, are working on these issues.

There is a genuine effort to make a good attempt to build on what has been done in recent years and to improve the service to the public.

Deputy Eamon Gilmore: I have listened to the Taoiseach answering these questions for the past half hour and I confess I am still unclear on the reason the State is to pay another
 3 o'clock €500,000 for another study on the public service from the OECD.

Among the various other studies that have emerged are that published earlier in the year by the NESF, the Comptroller and Auditor General's report, published in June, which states that problems remain in a number of State agencies regarding value for money, the benchmarking report and the strategic management initiative. As the Taoiseach indicated earlier, there is also the work being done by the QCS research group, Fitzpatrick Associates and the QCS officers' network.

Is it not time to stop studying the public service and to start reforming it? What does the Taoiseach expect the OECD to tell us that we have not already been told in many of the reports published heretofore? The NESF report indicates that there is often a wide gap between what public service providers believe they are providing and what people actually receive. Does the issue at hand not revolve around narrowing that gap? Is the latter not what Ministers are supposed to be doing? If, for example, there is a gap between what the public service believes itself to be doing and what people actually want, is it not the responsibility of Ministers to ensure that line Departments and agencies under their remit deliver what was originally envisaged?

Why are we continuing to study the public service? Is this merely some kind of substitute for inaction on the part of Government to introduce the reforms required? Some of these reforms are extremely simple in nature. I refer, for example, to putting in place staff to answer telephone calls instead of requiring members of the public to push various buttons, be transferred from one voice message to another and not have access to a facility whereby they could talk to someone who might assist them with minor queries? In a country with a population of just over 4 million, it should not be impossible to organise the public

[Deputy Eamon Gilmore.]

service in a way which makes it accessible and which ensures that it delivers that for which people are paying.

The Taoiseach: I will answer the second part of the Deputy's query first. Most of these systems and schemes have been in place since the period 1992 to 1997, the year when the Public Service Management Act was introduced. Reforms relating to Revenue customer charges and those that brought about improvements to the social welfare system, improved services for pensioners, replaced the mess that used to be the agricultural scheme and facilitated the introduction of the motor tax on-line system and the registration offices, have all been fully implemented. A host of other reforms of a very high standard have been introduced in every area of the public service, including those relating to information, communication and technology services, in their broadest sense, through to others that apply to an entire range of schemes. In education, for example, many reforms have been introduced regarding the examination system.

The OECD will acknowledge that these reforms measure up to the best on offer elsewhere. Ireland does not need to look to the example of any other country as regards how it operates its systems. Compliance with Revenue stands at 94% and there are very few queries relating to the 1 million plus people on social welfare. Our systems are as good as any that exist elsewhere and Singapore might be our only competitor as regards many of them.

There are other areas in respect of which, for a number of reasons, reforms have not been introduced. We have, therefore, asked the OECD to benchmark our levels of performance in certain areas, particularly in terms of the disconnect. We have not been good at cross-departmental and cross-agency co-operation. Traditionally, civil servants have been viewed as working for particular Departments and Ministers and, as a result, the co-operation to which I refer did not exist. The main reason for the OECD's work is to discover how connections can be made and how people can work for the system rather than for individual Departments or agencies. The record of other countries in this regard is better than ours.

The OECD's review will concentrate, in particular, on the aspect to which I refer. It is, however, not the only aspect involved. People from the private sector are assisting the OECD in its work and individuals from the latter's head office in Paris have been engaged for most of the year in examining this matter. We will consider the OECD's recommendations and we will, it is hoped, learn something from them.

On the broader issue of our own charters, the Deputy is correct that what has shown up in surveys in new areas is that people would like to get information faster and want clear guidance. This

applies to the Garda Síochána and other areas. In the customer charters, every Department, tying in civil servants across the system, is to work out what it is prepared to do as a service and benchmark itself against whether it can deliver this.

In respect of the Civil Service and its trade unions and staff associations, we are at a stage where most of the reports from the Departments, if they are not finished, will be finished by the end of this month. These reports will set out for the period from 2008 to 2010 the next challenges they are trying to deal with as Departments. That is being overseen by Ministers and probably the management advisory committees in every Department. It is the next level of how we can make our Departments more user and customer friendly.

This issue comes up all the time. When we are talking about reform of the public service, we tend to be marvellous at bringing it down to the telephone system. Many of these systems have come from the great and the good of the private sector where everyone believes that if one follows the most efficient parts of the private sector, everything will work and all one has to do is press this button or that button. The old Shanks' mare of the Civil Service was perhaps better. I was here five years ago answering questions about why we could not use the great technology in some parts of the private sector which would allow people to press buttons rather than having to explain themselves to various people. Now that we have all the buttons, everyone wants to go back to the old system. I agree that in life, one sometimes goes around the merry bush and then goes back to the way it was. That is where that came from.

Deputy Seán Barrett: It is the same with the voting machines.

The Taoiseach: I am in favour of voting machines. We have an enlightened——

Deputy Seán Barrett: A total of €15 million down the swanny.

The Taoiseach: We would still have the same result so it would not matter. The technology sometimes works but it does not do so in other cases. In most cases, the schemes in which the research groups are involved are good and they are doing precisely what Deputy Gilmore is requesting. They are not trying to think up things themselves but rather to reflect on what the public is telling them. Civil servants are genuinely trying to do that.

Deputy Eamon Gilmore: Like the Taoiseach, I am not besotted with the latest gadgetry from the private sector. In respect of customer charters and evaluations carried out in the public sector, has this not simply created another tier of paperwork? If one calls a Garda station, one wants a garda to appear. One does not want to be sent a

copy of the customer charter, or if one contacts a Department, one wants to receive a service from it. Has this method of reforming the public sector, which involves the use of charters, evaluations and so on, not simply created a new culture of box ticking where, instead of delivering the service directly to the member of the public who asks for it, one must make sure the procedures are all being followed and that the boxes are all ticked so that it complies with whatever charter or evaluation document must be complied with?

I return to this simple idea that in a country of 4.25 million people, should it not be possible to have a service culture in the public service generally that holds that the job is to provide the service to the public as quickly and efficiently as possible. I believe this culture exists in many areas of the public sector and among probably the great majority of public servants. I am concerned that we are creating a parallel universe in the public service which is about complying with charters and evaluation documents and ticking boxes, and we are spending more time doing that than delivering the service to the public. That is a complaint I hear repeatedly from public servants — even nurses in hospitals — who find the amount of time they spend on paperwork is taking away from the time to provide direct services to patients, for example.

The Taoiseach: I will not disagree with that in the context of the wider public service. For example, if gardaí catch an individual robbing a car, they must fill out ten forms to justify they caught the person robbing the car. However, that is called justice and one has to go through these procedures. If we keep going this way, we will have more gardaí who are better at handwriting than catching criminals. This is the problem. Procedures are in place and people check on gardaí as to how they caught someone and whether they got the right person. That is part of modern life.

The Deputy is correct that it is an annoyance to people in the health, education and justice services. In the Civil Service, however, it is different. When drawing up its customer charter initiative, the Revenue Commissioners asked members of the public, such as those involved in small businesses, what they wanted in, for example, turn-around times. This was done in tangible terms, looking at what standards of service customers could expect to receive from a section or division. With this in mind, over the past several years each Department and Government office has drawn up and is committed to a charter of service standards for customers that will be delivered. These are measurable in order to establish a benchmark for future improvements in services. It requires work in setting it up but it is not done by a group of civil servants in isolation but through consultation with the people they are serving.

There are many benefits to these charters. The process of drawing them up is based on consul-

tation with customers and frontline staff. It establishes clear performance standards which are committed to publicly. It introduces a series of methods to measure standards performance and service delivery through, for example, surveys and the publications of results.

Public service organisations must make these public statements and must be accountable in this way. I accept they should not spend all day drawing up reports and plans when they must deliver services. However, the idea is that if the charter is in place, they must deliver. It puts pressure on the system to deliver. This has worked well in my Department with regard to the speed at which queries from the public are replied to. These replies contain an acknowledgement and detailed information. The process has changed the way public service organisations think.

All Departments and Government offices have published customer charters. The extent to which service targets have been met are reported in their annual reports. It is not just an excuse for paperwork but a commitment as to what they must do and the time it should take to provide a service. Delivery of these commitments is then detailed in the annual report.

The process is making the Civil Service more efficient. The Deputy will recall how it was difficult to introduce new technology in the Civil Service. Both the Civil Service and the public service now embrace new technology. Is it enough? No, it is not. Is there room for improvement? Sectors, such as the HSE, need far better technology. We had rows about PPARS but some services need better technology. There are too many different systems with different procedures. Leaving aside delivery of services to the public, the management of systems can be too complicated and cumbersome. There were too many systems in the health board and there still are. It is a major task, on which I have been spending some time recently, to see whether we can put in place a system that makes sense in terms of better management performance and financial data.

Deputy Joan Burton: I agree with the Taoiseach that the Revenue Commissioners, in particular, have improved communications and now have texting facilities for customers, which is genuinely innovative. Social welfare provision has also been reformed. However, in recent times, partly as a consequence of decentralisation, as the Taoiseach knows, people are told they must submit their applications months in advance if they are coming to retirement and as regards child benefit, lone parent allowances etc. When we had limited technology the total turnaround time was less than 12 weeks and it is now much longer. The point is that when something happens whereby the service visibly deteriorates, all the jargon about better regulation, better Government and so on is meaningless to someone who is coming up to pension age having paid his or her contributions and finding that it is far more difficult to

[Deputy Joan Burton.]

get the State pension than he or she first thought. Will the Taoiseach agree that what we are doing in the public service at the moment is growing middle management, people who write reports? What is being done about this type of proliferation?

Everybody in senior management in the public service gets a bonus. How is a distinction made between some Departments which palpably do not produce the goods and those that do? They all get bonuses and there is no distinction. Even the head of the HSE received an €80,000 bonus.

Deputy Seán Barrett: The Taoiseach rightly said that the customer deserves a service. Will he agree that where the State imposes an obligation on the public, such as NCT testing, a service provided on behalf of the State as a result of legislation passed in this Parliament, the customer should be facilitated? Is he aware that in some testing stations, at present, where previously car owners were sent a date and an appointment time for vehicles to be tested, now they have to phone up and be put on a waiting list? This is a perfect example of somebody who must adhere to the law, but whose date might have expired before the company carrying out the service on behalf of the State had changed the rules. Does the Taoiseach agree that it is important that this Parliament be answerable? When a Deputy such as myself tables a parliamentary question as to why this has happened, the Minister responsible passes him or her on to the Road Safety Authority. We should be able to talk about service in the Dáil. I ask the Taoiseach to get the Minister to look into this matter and ensure questions are answered in the House reflecting the service, as he rightly says, that the customer deserves.

The Taoiseach: The point Deputy Burton makes is the very reason charters are important. If there are delays in any of the areas she has mentioned, pensions in particular, targets should be set towards dealing with the issues, getting the paperwork in and turning matters around as quickly as possible. The Department of Social and Family Affairs, given the volume of work it handles, has a good record, but if there are certain areas that are slow, that is an issue for the charter.

The same may be said as regards the point Deputy Barrett makes. Where there are statutorily bound public services for which people must pay, then it is up to the Civil Service to facilitate matters. I shall raise the particular issue he mentions as regards the NCT test. It is a matter of getting shorter time spans so that real efficiencies and savings, where applicable, can be achieved in the time that public servants take to turn around the services the public needs.

Priority Questions.

Garda Strength.

93. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform if he is satisfied that the Garda Síochána is sufficiently resourced to tackle gangland crime; and if he will make a statement on the matter. [22611/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Last week in a lengthy debate in this House on tackling crime I made the point that the Government has a duty to vindicate the rights of citizens to enjoy their lives and their property peaceably. I repeat the assurance I gave to the House that this Government will never be found wanting in taking whatever measures can reasonably be taken to tackle crime. I also said it is my intention to prioritise areas such as gun crime, organised crime and drugs and public order. At the very forefront of those measures is providing the Commissioner of the Garda Síochána with the level of resources he needs to tackle crime in all its shapes and forms.

The current programme for Government reaffirms the commitment to increase Garda strength to 15,000, with a target date of 2010, with a commitment to further increase Garda strength to 16,000 by 2012. The current strength of the Garda Síochána is 13,288 with a further 1,358 recruits in training.

Approval has also been given for the recruitment of 600 civilian staff, 300 of whom have already been assigned. The civilianisation of non-policing functions is a priority development for the future of the force. As set out clearly by the Garda Síochána inspectorate, international best practice focuses police officers on core policing functions. Civilianisation will release many gardaí for the operational duties for which they are professionally trained.

The Garda budget now stands at €1.44 billion. This compares to just over €0.9 billion five years ago. Garda overtime this year will total about €140 million. This compares to €66 million five years ago. The Garda fleet is undergoing major modernisation. Last year €24.7 million was used to purchase 1,378 vehicles for the force, renewing over half the entire fleet. The national development plan provides €260 million over the next five years for Garda stations and other accommodation. This level of resources translates into tangible improvements with increased and improved levels of policing on the ground.

Additional information not given on the floor of the House.

Technology is and will continue to be an essential tool in supporting the gardaí in their day to day work and I am determined that the gardaí will have access to state of the art technology in carrying out their duties. The Garda Síochána will

deploy the latest technology to enhance its capability to effectively tackle gangland crime. A new national digital radio system is being implemented over the next two years. Over 17,000 radios will be provided for gardaí, in Garda vehicles and other locations. The development of a new major incidents system will automate many of the functions currently being performed manually when a major incident occurs. The roll-out of a new automated fingerprint identification system for the Garda technical bureau is virtually completed. The procurement of a new automated ballistic identification system is underway.

Last week the Garda Commissioner announced significant enhancements to the way in which the investigation of major crimes will be managed by the gardaí. In addition to the appointment of 21 divisional detective inspectors and additional regional detective superintendents, a senior investigating officer will take charge of each serious crime investigation and each serious crime will also have a designated incident room co-ordinator.

Combating gun crime, organised crime and drug trafficking requires a sustained and long-term effort. There is no quick fix solution. However, this Government and I are committed to continue resourcing the force to face these challenges into the future.

Deputy Charles Flanagan: As we awoke this morning to the news of yet another gangland murder in our community I put it to the Minister that not enough is being done to resource the Garda Síochána. In saying that, I accept the Garda Síochána alone will not solve the crime crisis. There is a need for a community response. However, this community response must be led by a properly resourced and properly equipped Garda Síochána. Does the Minister accept the need for modern resources is paramount?

The gangland killings of the type to which we are now becoming accustomed on a daily basis will not be resolved or minimised until the Minister addresses the matter of resources as opposed to mere numbers. I draw his attention to the recently published report of former chief inspector, Kathleen O'Toole, in which she states almost half the Garda stations do not have access to a car. The Garda digital radio equipment promised by the Minister's predecessor *ad nauseam* has still not been delivered. Will the Minister specify when the contract for the pay and go radio network will be signed? It has been tested on numerous occasions.

Deputy Brian Lenihan: I agree technology resources continue to be an essential tool in supporting the gardaí in their day to day work. I am determined the gardaí will have access to state of the art technology in carrying out their duties. In particular, the Garda Síochána will deploy the latest technology to enhance its capability to effec-

tively tackle gangland crime. A new national digital radio system is being implemented over the next two years. Over 17,000 radios will be provided for gardaí in Garda vehicles and other locations. The development of a new major incidents system will automate many of the functions currently being performed manually when a major incident occurs. The roll out of a new automated fingerprint identification system for the Garda technical bureau is virtually completed. The procurement of a new automated ballistic identification system is underway.

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Combating gun crime, organised crime and drug trafficking requires a sustained and long-term effort. There is no quick-fix solution but the Government is committed to continuing to resource the force to face these challenges.

Deputy Charles Flanagan: Does the Minister agree that these gangsters are not living in fear of anybody and that there is now a subculture of vicious crime that needs to be addressed? Does he agree that the standard stage-managed response of the Government over the past five years or more has been to say that, on foot of a meeting with the Garda Commissioner, the Minister has been assured the question of resources is not an issue? This well-worn mantra is no longer valid in the context of Kathleen O'Toole's report.

Will the Minister comment on improvements for the emergency response unit and his attitude towards arming further units of the Garda Síochána? Will he consider favourably discussing with the Garda Commissioner the concept of introducing the Defence Forces as back-up, if necessary? We are dealing with circumstances in which the Garda is so under-resourced that it is not equipped properly to deal with this issue. We need a response of a kind that has not featured to date.

Deputy Brian Lenihan: I do not accept that the Garda is under-resourced — this is not at the heart of the difficulties we are facing — and I do not accept my discussions with the Garda Commissioner are stage managed. As a matter of necessity, every Minister for Justice, Equality and Law Reform must liaise constantly with the Commissioner. As late as yesterday, the Commissioner assured me he has sufficient resources to deal with the intelligence aspects of the problem in question.

Under the relevant legislation, it is not the function of the Chief Inspector of the Garda

[Deputy Brian Lenihan.]

Inspectorate to advise the Minister on resources; there are plenty of people who give us opinions on resources. It is the function of the inspector to ensure resources are being utilised efficiently and wisely, and the inspector's reports to date on this subject have been of a very high standard and repay study.

On the possible deployment of the Defence Forces, the Defence Forces assist the civil power when required. As the Deputy has raised the question, I will certainly raise it with the Commissioner. Naturally, if the Garda Síochána were of the opinion that it needed the assistance of the Defence Forces to back up the civil power, it would request such assistance. However, it should be borne in mind that the Defence Forces are not trained in policing functions.

Proposed Legislation.

94. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform when he will publish the promised Property Services Regulatory Authority Bill; if the Bill will include provisions to regulate the operation of management companies; and if he will make a statement on the matter. [22756/07]

Deputy Brian Lenihan: It is important at the outset to distinguish between the respective roles and functions of property management companies and property management agents. Property management agents undertake property-related services under contract for the property management companies which comprise the residents in multi-unit developments. Since they provide property services, property management agents, together with auctioneers and estate agents, will be covered by the licensing system to be operated by the new regulatory authority that is to be established under the Property Services Regulatory Authority Bill. The Government's legislative programme, published on 25 September, provides for publication of this legislation early in 2008.

Pending enactment of the legislation, an implementation group has been established to assist and advise on practical matters relating to the new authority and to prepare for the new licensing system. The current licensing system in the District Court will be transferred to the new authority. A chief executive designate has been appointed and is engaged in preparatory work for the establishment of the new regulatory structure.

Property management companies, on the other hand, are legal entities incorporated under company law and are subject to its provisions. In December last, the Law Reform Commission of Ireland published a consultation paper on multi-unit developments which drew attention to a broad range of issues arising in respect of the governance and operation of such developments, including problems arising from the manner in which company law currently applies to property

management companies. The paper makes it clear that action to address these problems will be required across several policy fields, including company law, consumer protection law and the development of regulatory structures for the companies. In recognition of the cross-cutting nature of the issues identified by the Law Reform Commission in its paper, a high level inter-departmental committee has been established to assist in the development of a coherent and comprehensive response to the problems arising in this area. A key task of the committee will be to identify the legislative and administrative actions that will be taken in response to the definitive recommendations for legislative reform which, following a lengthy consultation process, will be set out in the Law Reform Commission's forthcoming report on multi-unit developments. I expect that the report will be published later this year. I am anxious to make progress with the legislation that will establish an authority to regulate the auctioneers and agents and make some associated changes to regulate the multi-unit development companies.

Deputy Pat Rabbitte: This issue was being raised in the House, on behalf of thousands of predominantly young people, for two years in advance of the recent general election. Such people are experiencing problems with property companies and their agents which they could not have envisaged. Many of them are contractually wedded to such companies, often without having known in advance that they would be. These companies sometimes arbitrarily increase the fees they charge for services which are often illusory. Is the Minister saying that the Government, notwithstanding the commitment given by the Taoiseach more than 18 months before the general election, is still examining legislative proposals that might afford some protection to the owners of apartments etc., who find themselves in these circumstances? Is the Minister merely proposing to transfer the current licensing system to the new regulatory authority? Is he saying that a broader change is still being examined by the high-level group and is likely to take a considerable amount of time? While I appreciate the distinction the Minister is drawing between management property companies and their agents, I am not sure that young people with mortgages — who are up to their eyes in debt and are getting the run-around from such companies and their agents — will share his sympathy for that distinction. When a young property owner contacts a developer, he or she is usually told to contact the local authority, which refers him or her to the management company, which then refers him or her to the management agent. Young people are being sent back and forth from Billy to Jack without being given much relief from the conditions which oppress them.

Deputy Brian Lenihan: I can give the Deputy more assurance than he realises. I drew attention to the distinction between the agents and the companies because separate legislation is required to deal with each of those categories. In respect of agents, the legislation is not restricted simply to transferring the jurisdiction of the District Court to the new authority. The forthcoming legislation will go far beyond that — it is intended that it will regulate not only auctioneers but also the agents which provide the services for the property management companies. At the heart of the legislation that is being drafted is a desire to ensure that codes of practice, qualifications and proper standards are observed by agents. The authority that will operate the legislation has been established on a shadow and provisional basis, pending the enactment of the legislation. That is the position with regard to the agents. I am sure Deputy Rabbitte, on foot of his examination of the working paper that was produced by the Law Reform Commission, is familiar with the complex questions which arose in respect of the companies. The issues raised in the working paper are not simply matters of strict company law — they also concern consumer law and other branches of the law. It is intended to deal with those issues comprehensively when the LRC's report has been received. The interdepartmental committee was established to ensure that the issues being examined by the LRC, which will be reported on before the end of this year, can be dealt with in an expeditious way after the report has been published.

Deputy Pat Rabbitte: When is it proposed that legislation will be enacted to give a statutory basis to the shadow authority which has been established? Does the Minister accept that significant abuses are affecting thousands of young people?

Some of these property management companies operate as intended for a defined set of services but many of them do not. Many of them are front companies for the developer and they are up to every trick in the book. They know the local authority will not take the estate into charge until it is completed. They will retain a unit in the development so as to forestall other elements of company law that would normally give the residents the ability to direct the affairs of a management property company so that they would have some say in critical decisions.

I ask the Minister to be more precise in his answer to the House as to when these proposals are likely to come before the House.

Deputy Brian Lenihan: The legislation in respect of agents and auctioneers will be published early next year. I propose to proceed with that legislation with dispatch.

I agree with Deputy Rabbitte that there have been abuses in this area. There has been a lack of regulation of the agents who provide the services and the traditional model of company

law which applies to these companies is not appropriate to the companies that have been established on such a large scale in many new developments.

Some element of management company or management system is desirable in multi-unit developments in order to ensure that common services are properly maintained.

Recidivism Rate.

95. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform the steps he will take to deal with the high level of repeat offending within the criminal justice system; and if he will make a statement on the matter. [22612/07]

Deputy Brian Lenihan: I assure the Deputy that I attach the highest importance to addressing and reducing the rate of repeat offending and recidivism.

My Department commissioned the first major study of prisoner re-offending from the UCD Institute of Criminology, the results of which were published in December 2006. The study found that 27.4% of released prisoners were serving a new prison sentence within one year. This rose to 39.2% after two years, 45.1% after three years, and 49.2% after four years. Recidivism was highest among property offenders and lowest for sex offenders.

These findings are in line with international experience. I understand they may be considered to fall in the mid to lower range of recidivism by international standards. While these figures are high, they still show that just over half of prisoners do not re-offend within four years of release, which compares well by international standards.

In order to reduce the rates of re-offending, it is vital that offenders, or those who come in contact with the law, are targeted at as early an age as possible. Significant progress has been made in recent years in creating a more effective youth justice system, based on principles which are set out in the Children Act 2001, as amended. The office of the Minister of State with responsibility for children has brought greater coherence to children's policy across Departments. The Irish Youth Justice Service, an executive office within my Department which is co-located in the office of the Minister of State with responsibility for children, has responsibility for developing youth justice policy and operating the children detention schools. The youth justice service is working to bring about a more effective youth justice system in which there is strong public confidence.

All the provisions of the Children Act 2001 have now been commenced and the implementation of new community sanctions, which offer the courts a number of ways of dealing with offenders in a non-custodial setting, are being rolled out throughout the country.

[Deputy Brian Lenihan.]

Additional information not given on the floor of the House.

The Government has allocated additional judges for the Children Court and it recently approved a juvenile justice and child protection package which provides 88 additional posts for the probation service. The Garda Commissioner has agreed to appoint 28 additional juvenile liaison officers over the next four years.

The new programme for Government contains commitments to double the number of Garda youth diversion projects to 168, to invest in the provision of appropriate detention facilities for youth offenders and to fund the implementation of a range of new community sanctions, including sanctions against the parents of offending youths which came into force last March as an alternative to detention. I recently approved the establishment of an additional 12 new projects, bringing the current total to 93 projects.

I wish to assure the House that the measures provided for under the programme for Government to deal with re-offenders, such as the expansion of the Drug Court programme, the introduction of a community payback scheme, investment in the rehabilitation of prisoners and the provision of Garda powers and resources, will be implemented.

I have dealt in my reply with some of the issues which arise directly in the area of the prevention of re-offending to which the Deputy's question refers. There is also a wide range of measures in place, many of which were discussed in the House last week, to tackle the issue of crime generally, be it committed by repeat offenders or others.

An Leas-Cheann Comhairle: Go raibh maith agat, a Aire. I call Deputy Flanagan.

Deputy Charles Flanagan: I am not sure how much of the Minister's reply remains unannounced and will be stitched into the Official Report but I regret that his answer so far gave absolutely nothing in terms of a positive response as to what plan the Government might have to deal with this issue.

I refer to the stark statistics quoted by the Minister. Within four years of release, more than half of these offenders are back in jail. These are not the violent criminal gangsters to which we referred earlier but people who are unemployed and petty criminals for the most part who are being failed by the system. The reason the system fails them is because there is no rehabilitative programme in prisons. The workshops are being closed, educational facilities are being withdrawn, the rate of literacy among prisoners is running at 65% to 70% and nobody is doing anything about it.

I ask the Minister to announce to the House a plan or a policy his Government might have to deal with the question of habitual offending

which is contributing to an unacceptable revolving door system within prisons.

Deputy Brian Lenihan: There is no revolving door system in our prisons. People serve their sentences as prescribed by law.

Deputy Charles Flanagan: They get out and then go back in.

Deputy Brian Lenihan: The last time there was a revolving door system, the Deputy's party was in Government. That is a fact.

A great deal is being done about these matters in the prisons. It is not correct to state that the vast majority of our prisoners are petty criminals. People are committed to prison for the commission of many different types of offence. Our record of committing individuals to prison is in the middle range by international standards. It is not as high per head of population as in the United Kingdom and is very low when compared with the United States. People are incarcerated under our system after careful consideration by the courts.

With regard to what is being done, there is a wide range of services in place within the prison custodial system aimed at providing offenders with the means to avoid re-offending following their return to the community. These include work skills training and education, which are matched to individual aptitudes and abilities. A range of medical, psychological and other support services is available. They include: individual and group counselling on offending issues; programmes in the areas of education, vocational training and life skills; drug treatments; specific programmes addressing the factors causing crime; one-to-one counselling and support; and facilitating the involvement of voluntary organisations in appropriate prisoner support services. These programmes are delivered by a wide range of specialist services that operate in the prisons, such as psychologists, teachers, probation officers and prison officers. Education is provided in partnership with a range of educational agencies, including the VECs, the public library services, colleges and the Arts Council.

In 2005, over 50% of the prisoner population participated in educational activities and half of these did so for more than ten hours per week. That is a high participation rate by international standards. There is a particular focus on basic literacy and numeracy education. A work and training programme operates in each prison. As well as organising necessary services such as catering and laundry, it provides work and training opportunities for prisoners while ensuring a high quality of service delivery within the prison. Work and training provide structured vocational training so people in custody can acquire the skills they might require to obtain employment after their release.

Deputy Charles Flanagan: A total of 87% of those jailed for defaulting on fines are back in jail within a four-year period. This is indicative that the system is failing. Will the Minister set about putting in place a national support system for prisoners on their release, to assist integration in the community and to reduce the stark but real statistic on those who return to jail within a four-year period?

Deputy Brian Lenihan: I will examine the option proposed by the Deputy.

Residency Permits.

96. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the steps he is taking to deal with the delay in processing immigration and residency applications; and if he will make a statement on the matter. [22287/07]

Deputy Brian Lenihan: I take it that Deputy Naughten's question refers to the processing of immigration and residence applications in so far as permission to remain in the State is concerned. There is a broad mix of applications for permission to remain in the State that range from student conditions, work permit conditions, visitor conditions, dependant family members, marriage to an Irish national, EU treaty rights deriving from a spouse from another EU member state, and family reunification for family members of refugees to several other categories. Furthermore, the international nature of immigration, has meant that there is now a wider and more complex range of issues associated with applications for permission to remain in the State, all of which require detailed and careful consideration. Preserving the integrity of the State's immigration, security and social-economic systems, together with maximising customer responsiveness, are at the core of these considerations.

Immigration and residency applications are managed under a variety of administrative and statutory schemes, including several EU, UN and other international directives. These schemes are significant both in terms of the process itself and the number of applications received. Due to the high volume of applications received and the fact that each application has to be considered individually, it has been necessary to assign significant additional resources to the general immigration area in recent years.

The number of immigrants coming to the country over the past decade and wanting to stay here is a reflection of the strength and buoyancy of the Irish economy, and an acknowledgement of the contribution that immigrants have made, and want to continue to make, to Irish society. An indication of the scale of applications can be gathered from the fact that in 2004 a total of 2,235 applications were received from individuals seeking permission to remain or change their residence status.

By 2006, this figure had increased to 8,925 applications which represents a 400% increase in only two years. Likewise, applications under the EU directive on the free movement of persons increased from 355 applications in 2004 to 1,462 applications in 2006. This represents a 411% increase in two years. In addition, 17,920 applications for leave to remain under the Irish born child 2005 scheme were received of which 16,983 were granted. The renewal scheme commenced in February and 11,167 applications had been received by the end of August of which 9,701 were given renewal of leave to remain. Deputies will recall progression was a condition of this scheme.

Additional information not given on the floor of the House.

The level of work across the Irish Naturalisation and Immigration Service is kept under constant review and staff are redeployed regularly to meet these demands. In doing this, it is important to state that the service has finite staff resources and a delicate balance must be struck between the various services which must be supported and the requirement to meet public and customer expectations, including Government priorities at any given time.

In addition to dealing with the various types of immigration and residence applications, the Irish Naturalisation and Immigration Service operates four helplines for applicants for visas, citizenship, residency status and related immigration matters. These helplines have proved to be very worthwhile with large numbers of callers availing of them.

The Immigration Residence and Protection Bill 2007, published in April 2007, is being reviewed with a view to re-publication shortly. This Bill, when enacted, will streamline our immigration system to the benefit of applicant and practitioner alike. It will provide for more rapid processing in certain areas. The new legislation will pull together a wide body of immigration legislation and also for the first time will provide a legal status of long-term resident with rights equivalent to those of Irish citizens. In addition, the legislation will place the visa process on a statutory footing for the first time.

The Irish Naturalisation and Immigration Service will implement new technology platforms, including new visa, fingerprinting and case management systems, replacing some 20 disparate systems. These new systems will deliver better customer service and enable speedier decision-making in respect of applications across the service. The introduction of such systems will provide an end-to-end view of a client in the immigration service and link into IT systems in other Departments. The systems will further strengthen the capability of the State to deal with fraudulent claimants by providing enhanced identity verification capability. Significant savings have been made to the Exchequer in recent years

[Deputy Brian Lenihan.]

by such enhanced co-operation between the Irish Naturalisation and Immigration Service, the Garda National Immigration Bureau and the Departments of Enterprise, Trade and Employment and Social and Family Affairs.

I have given a snap-shot of the level of business conducted in the Irish Naturalisation and Immigration Service in so far as immigration and residence applications are concerned. I am sure the Deputy will agree that the statistics I referred to are significant and demonstrate the shifting pattern of inward migration dealt with by the Irish Naturalisation and Immigration Service. I am confident that all the necessary steps are being taken by the Irish Naturalisation and Immigration Service to manage the significant level of business it receives across the entire range of services within its remit. I am also satisfied that the resources available to the service are deployed to optimum benefit and that this is proactively kept under review having regard to work flows and service demands.

Deputy Denis Naughten: The Minister did not address the certificate of naturalisation or citizenship in his response. Will he explain the increase of 2,600 applications between 27 September and 4 October? This is an increase of 520 citizenship applications per day during this period and brings the total to 17,000. What is the reason for this and what steps will be taken to cater for the additional demand? The waiting list to deal with these applications is approximately two and a half years. I agree they must be dealt with in detail but surely it should not take this long.

No clear rules or guidelines are set down by the Department for this application process or for other immigration, residency and visa applications. As a result, many applications are returned or refused because of insufficient documentation. This delay facilitates illegal immigration. What specific steps will the Minister take to deal with it and when will we see immigration legislation?

Deputy Brian Lenihan: Deputy Naughten raised several matters and I will take them in turn. I am delighted to deal with the question of citizenship which was not asked in his question. The question dealt with residency and immigration which do not of themselves guarantee Irish citizenship. Citizenship rests in my discretion as Minister for Justice, Equality and Law Reform. It is a privilege to be made a citizen of Ireland and a person accepted for citizenship must subscribe to a declaration of fidelity to the nation and loyalty to the State.

I am advised by the citizenship section of the Department that the number of applications for naturalisation yet to be processed to a conclusion is approximately 17,000 and we have had a large increase in these—

Deputy Denis Naughten: In five days.

Deputy Brian Lenihan: The applications are processed in a manner which preserves the necessary checks and balances to ensure it is not undervalued and given only to persons who satisfy the necessary qualifying criteria. On average, the processing time is 30 months. This is primarily due to the significant increase in the volume of applications received in recent years. Generally, such applications are dealt with in chronological order as this method is deemed fairest to all applicants.

These applications eventually land on my desk and clear rules and guidelines exist, and I am anxious to establish and see to it that this is the case. I will examine the 1956 Act as amended and the discretion the Minister enjoys with regard to adults, children and spouses to consider whether it is more desirable to have a separate arrangement in respect of each.

I can furnish the Deputy with a table which shows the increase in the number of applications in the past two—

Deputy Denis Naughten: I have it.

Deputy Brian Lenihan: A total of 46 staff work on this, 31 of whom work full-time.

Deputy Denis Naughten: Does the processing time of two and a half years lead to major frustration? It is madness. What steps will the Minister take specifically to deal with them in an appropriate time? It is at the Minister's discretion to whom they are given and I have no difficulty in this regard. However, they should be dealt with in a specific timeframe. Will the Minister explain the increase of 520 citizenship applications per day from 26 September to 4 October? Such a large increase in five working days seems amazing.

Deputy Brian Lenihan: The Deputy referred to the danger of illegal immigration here. Many countries have a much longer residential period specified for the acquisition of nationality than this jurisdiction.

Deputy Denis Naughten: I was dealing with the other issues.

Deputy Brian Lenihan: That is an important point because in no sense can it be suggested that the current manner in which the nationality laws are being administered is encouraging illegal immigration. In regard to the current position, there are 46 staff currently assigned to the citizenship section of my Department—

Deputy Denis Naughten: 31 full-time staff.

Deputy Brian Lenihan: —of whom 31 work full time and the remainder work various work-sharing patterns, which is a pattern in the modern public service.

Deputy Charles Flanagan: There are no telephones.

Deputy Brian Lenihan: The constant use of a 'phone to make inquiries in this matter simply delays the process further and at vast cost.

Deputy Pat Rabbitte: People have no alternative but to put down parliamentary questions.

Deputy Alan Shatter: No civilised State takes two-and-a-half years to process citizenship applications.

Deputy Brian Lenihan: We are entitled as a State to process all citizenship applications.

Deputy Alan Shatter: If one ran a business that way one would go bankrupt.

Deputy Brian Lenihan: It is a privilege not a right.

Deputy Alan Shatter: It is outrageous.

Deputy Pat Rabbitte: There are no alternatives to putting down parliamentary questions on the issue.

Detention Centres.

97. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the consideration given to date to the provision of a new industrial school near Lusk; if a report on what is proposed will be published in advance of a final decision being made; and the effect of the proposal on existing residential institutions for children. [22835/07]

Deputy Brian Lenihan: I thank Deputy Shatter for tabling this question because it allows me to outline the correct position. The Government is committed in the programme for Government to invest in the provision of appropriate detention facilities for young offenders. I take the opportunity to clarify that the Government's plans to develop new children detention school facilities do not amount to the development of prisons, and it is misleading to label them as such as some newspapers have done in the past week. The industrial school concept, referred to by the Deputy in his question, has been abolished since the commencement of the relevant sections of the Children Act 2001 earlier this year and the facilities which will be developed will follow the children detention schools model, precisely the model envisaged in the Children Act 2001, as amended. Children detention schools are focused on the care, welfare and education of young offenders within a secure environment. The objectives of these schools are the provision of education and training and the preparation of the young persons to make positive and productive contributions to their communities on their

return to them. They are very different to prison environments and they are not staffed by prison officers. The reference to these establishments as prisons or, as the Deputy put it in his question, industrial schools is inaccurate, although I do not fault the Deputy for it because the report appeared in the newspapers.

In October 2004, a youth justice task force was established to examine the entire youth justice system and make recommendations to improve structures and services. A youth justice reform package was brought to the Government arising from this review. Among the recommendations approved by the Government in December 2005 was the transfer of responsibility for children detention schools from the Department of Education and Science to my Department, to come under the auspices of the Irish Youth Justice Service. The Government also agreed to extend the children detention school model from children aged under 16, to children aged up to 18 years, removing all children from the prison system.

There are currently four children detention schools. Three of these: Oberstown Boys School, Oberstown Girls School and Trinity House are located on a single site in Lusk, County Dublin. The fourth, Finglas Child and Adolescent Centre, a former industrial school, is located in Finglas. The transfer of these schools required legislative changes and the necessary amendments to the Children Act 2001 came into effect on 1 March 2007. The existing buildings are in need of substantial investment and redevelopment and new detention school accommodation is needed to extend the system to include 16 and 17 year old children. Young males aged between 16 and 17 are currently accommodated in St. Patrick's Institution. This facility will continue to be used, only as an interim measure, until sufficient children detention school places are completed. Planning for the additional accommodation is under way. Sufficient space is available on land already owned by the State to accommodate any necessary developments.

Deputy Alan Shatter: What is it planned to construct in Lusk? Will a planning application be made? Exactly what facilities will be provided? What educational services will be provided? What is the timeframe for putting this in place? In the context of the Government decision that the new schools, or detention facilities as they are described, will provide for children up to the age of 18 years, why does it appear that a facility is planned to be put into Thornton Hall for children between the age of 16 and 17? Would such a facility not be contrary to the views of the United Nations committee that reviewed our performance under the convention relating to the rights of the child?

Deputy Brian Lenihan: The Deputy has asked a number of questions and I will try to answer

[Deputy Brian Lenihan.]

them in the time available to me. An expert group was established to plan for the redevelopment of the existing school facilities and the development of new facilities for older children. I am sure the Deputy is aware that some of the buildings at Oberstown require refurbishment, which is the first priority. I understand that the planning process is under way for the refurbishment. The group submitted a progress report in December 2006 and is due to submit its final report by the end of this year. It is considering a range of options, one of which is to locate all the facilities on the existing Lusk site where three of the existing schools are located and another is to consider working on the two sites. Sufficient space is available on lands already owned by the State to accommodate these developments. For that reason I want to put on the record of the House that there are no plans to acquire additional lands in the Lusk area for any further developments, contrary to a recent media report.

The Deputy also mentioned Thornton Hall. The proposed development of a juvenile facility on the Thornton Hall site predated the Government decision to establish the Irish youth justice service and to extend the children detention school model to all children under the age of 18 years. The provision of this facility at Thornton Hall will be a temporary measure only, allowing for the earliest possible closure of St. Patrick's Institution. The development of new children detention school facilities to provide for 16 and 17 year old boys is already in the planning stages within the Irish youth justice service. While these new facilities may not be completed as quickly as Thornton Hall, they will not be in any way delayed or postponed as a result of that development. The Irish youth justice service is committed to delivering dedicated children detention school facilities for all children under the age of 18 entirely separate from any Prison Service locations as quickly as possible.

Deputy Alan Shatter: Is the reality not that the part of this proposal most likely to be speedily implemented is the provision of a new facility within the Prison Service in essentially what will be an adult prison complex in Thornton Hall? Does that not run directly counter to the decision in principle made by the Government in 2005? As the Government is waiting for the committee to complete its deliberations and report, is it not the case that no final decisions have been made on the location of new facilities or the type of facilities to be constructed and that whoever leaked the information to the newspapers was premature?

Deputy Brian Lenihan: Final decisions have been made in terms of the capital allocations required to develop these facilities.

Deputy Alan Shatter: However, not on the nature of the facilities.

Deputy Brian Lenihan: As part of the transfer from the Department of Education and Science to my Department, the necessary capital was secured to ensure that what is required by the under 18 group would be provided. That was not in place before the Government decision in 2006. Clearly detailed planning is required on the best utilisation of our sites and the appropriate facilities that may be required on them. By the end of this year that report will be on the desk of the Minister of State, Deputy Smith, who was delegated responsibility for this area some days ago. At that point final decisions can be taken on the roll-out of these capital investments. The provision of possible accommodation in Thornton Hall is purely a precautionary measure and that accommodation can be used by adults in due course.

Other Questions.

Garda Investigations.

An Leas-Cheann Comhairle: I remind Deputies that supplementary questions should last one minute and the Minister has one minute to respond.

98. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform the progress made in the Garda investigation into recent allegations (details supplied); if the Garda investigation has been concluded; if a file has been sent to the Director of Public Prosecutions; and if he will make a statement on the matter. [22492/07]

Deputy Brian Lenihan: Níl an Teachta anseo, I will proceed nevertheless.

An Leas-Cheann Comhairle: It does not matter.

Deputy Brian Lenihan: I am informed by the Garda authorities that the allegations referred to were the subject of a comprehensive investigation by An Garda Síochána. An investigation file in this matter has been submitted to the law officers and directions are awaited. As the file is under consideration by the law officers, it would be inappropriate for me to comment further at this time.

Deputy Pat Rabbitte: While I do not want to probe the matter unduly either, these are very serious allegations. A mother stumbled across information which implied that her 14 year old was being used at the centre of a paedophile ring. This caused her to visit her local Garda station and hand over her young son's mobile telephone. As I understand it, the initial investigation led to

the suspension of a serving member of the Garda and a civil servant. The Minister said the investigation has concluded and a file has been referred to the DPP. I do not know if he can say when and if charges are likely to be preferred.

Deputy Brian Lenihan: As I understand the position, the investigation has not yet concluded and a file remains to be submitted to the law officers. That is the factual position.

4 o'clock It is the responsibility of the Garda to investigate criminal complaints, to gather whatever evidence may be available and, where appropriate, to submit the file to the DPP, who then decides whether a person should be prosecuted on the basis of the quality of the evidence before him. I do not have a function in the circumstances of this case.

Deputy Pat Rabbitte: I misheard and I did not appreciate the Minister said the file remains to be submitted. I thought it had been and the investigation concluded. This is a serious matter——

Deputy Brian Lenihan: On completion of the investigation, a file will be submitted to the law officers. As the Garda investigation is ongoing, it would be inappropriate for me to comment further at this time.

An Leas-Cheann Comhairle: The original reply stated a file is under consideration by the law officers.

Deputy Pat Rabbitte: That is what I heard.

Deputy Brian Lenihan: I am sorry. I have inadvertently misled the House because I read the reply to a previous question. The Deputy is correct. The investigation file has been submitted to the law officers and we are at the stage where directions are required. I apologise to the Deputy.

Proposed Legislation.

99. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform if he will introduce legislation to implement the recommendations of the report of the Law Reform Commission on spent convictions; and if he will make a statement on the matter. [22509/07]

Deputy Brian Lenihan: It would be useful to clarify the terminology used in this area. Terms such as “spent conviction”, “expunging of convictions” and “clean slate” are regularly used. A “clean slate” is considered to mean a wiping away of a criminal record. “Expunge” is similarly used to indicate the deletion of old convictions. “Spent conviction”, however, indicates that the law allows people to decline to disclose their old convictions. This approach assumes that the conviction will remain on the record but it encourages the rehabilitation of ex-offenders by, for example,

opening up certain employment opportunities that might not otherwise be available to them if the record had to be revealed. This is the approach advocated by the Law Reform Commission, LRC.

Currently, no general provision in Irish law allows for the deletion of criminal convictions from Garda records. However, with the introduction of the Children Act 2001, provision was made for a limited “wiping of the slate” in respect of most offences committed by persons under 18, once certain conditions have been met. The provision in the Children Act, which came into operation on 1 May 2002, limits, as far as possible, the effects of a judgment of guilt, where the relevant conditions have been met, by treating the person for all purposes in law as a person who has not committed, been charged with, prosecuted for, found guilty of or dealt with for an offence.

The second programme of the LRC for the period 2000 to 2007 proposes, as part of an examination of the law on privacy, to consider longevity of criminal records and expunging of convictions for certain offences from the records. The Law Reform Commission’s 2004 Consultation Paper on the Court Poor Box conducted a preliminary examination of the issue of spent convictions. In July of this year, the commission published its report on spent convictions, which included a draft spent convictions Bill to implement its recommendations. The commission proposes the following in the report: the type of offences to be excluded completely from any proposed legislation on spent convictions include (i) any offence triable by the Central Criminal Court; (ii) any offence under the Sexual Offenders Act 2001; and (iii) any offence where a sentence of imprisonment of at least six months, including suspended sentences, has been imposed by a court.

In addition, it proposes that a person will qualify for “conviction free” status after seven years from the date of convictions where a custodial sentence of less than six months was imposed or after five years where a non-custodial sentence was imposed. The LRC’s proposal is, therefore, aimed at relatively minor offences and at offenders who do not re-offend during the following seven years.

It further proposes that all convictions, including spent convictions, will be disclosed at a sentencing hearing and in some non-criminal cases, for example, vetting procedures involving access to children; and that the system would be automatic rather than application-based. In other words, the person in question would benefit automatically once he or she met the conditions and in those cases the person would not be obliged to apply to avail of the right not to mention a previous conviction.

Additional Information not given on the floor of the House.

[Deputy Brian Lenihan.]

The report also makes more detailed recommendations regarding the issue of vetting and disclosure of criminal history for certain purposes. The commission recommends that the current Garda vetting system be put on a statutory footing. The report also recommends that certain sensitive posts would require full disclosure of all convictions, including spent convictions. These would include any post involving care of children or vulnerable adults; any health care post; judges, barristers, solicitors, court clerks, court registrars and employees of the Courts Service; civil servants; members of the Defence Forces, prison officers, members of the probation service and of An Garda Síochána; accountants; and director, controller or manager of a financial institution or of any financial service provider which is regulated by the financial regulator.

The report, its recommendations and proposals for legislation are being examined closely in my Department with a view to determining whether legislative proposals should be prepared on this issue. My own initial view is that the report is seeking to find a fair balance in the approach to an issue that is taking on increasing importance. I am sure the House would also seek to ensure such a balance when it considers the long-term implications of having a criminal record, albeit for a minor offence. In considering this issue, we must be mindful not only of the need to provide the convicted person with an opportunity to make a fresh start, but also of the effects of crime, even relatively minor crime, on victims. However, I will await the outcome of the current examination before commenting further on the topic.

Deputy Pat Rabbitte: Does the Minister agree that a breach of the law in respect of a relatively minor matter ought not be a millstone around the neck of a person for the rest of his or her life, impacting on his or her employment and promotional possibilities? The Minister stated the LRC report includes a draft Bill. Is it his intention to bring it before the House at a reasonably early date? I reiterate that these cases typically involve a young person who in his or her relative immaturity may have breached the law in respect of a minor matter but over a subsequent period of good conduct ought to have that expunged. The Minister has adverted to the fact that quite clearly this does not apply in regard to more serious matters but, where it applies, can he indicate when he is likely to bring the legislation before the House?

Deputy Brian Lenihan: I agree with the Deputy that the matter requires attention. In the case of young persons under the age of 18, the Oireachtas has provided a regime of protection but, in the case of adults, a system of protection requires to be put in place. It is of particular importance because the Garda PULSE system has been in operation for a number of years and

it provides more accurate criminal records of individuals than were available before its installation. With the passage of time and the increasing number of names recorded on the system, it is important that this issue be addressed. It has been under examination in my Department and I am anxious to ensure legislation is introduced.

Deputy Pat Rabbitte: I take it from the Minister's comments that because of the operation of the PULSE system and the capacity of modern technology, it is all the more probable these days that a person would find himself or herself in a situation where, for example, an application for a job is the subject of an adverse report from his or her youth on a relatively minor matter. It is all the more imperative for that reason that we deal with this matter. Will the Minister indicate in the context of the legislative workload within the Department when the Bill might be introduced in the House, given the Law Reform Commission has attached a draft Bill to its report?

Deputy Charles Flanagan: The Minister did not say his proposed legislation would mirror that of the LRC but I assume that may well be the case. There is an anomaly in the current system in so far that if a criminal conviction is struck out by the courts, the details remain on the Garda's records, with particular reference to data protection. I am not sure of the extent to which this has been covered by the LRC but I ask the Minister to address the issue of data collected and recorded by the Garda remaining on the record. When will that be addressed?

Deputy Brian Lenihan: That issue can be examined. The LRC report is still under examination in my Department and no final decision has been on the detail of legislation. However, I acknowledge the problem in this area, which requires to be addressed.

Drugs in Prisons.

100. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform if he will proceed with the planned introduction of full drugs screening in jails; his further plans to reduce the flow of drugs into prisons; and if he will make a statement on the matter. [22504/07]

Deputy Brian Lenihan: In May 2006, my predecessor launched the Irish Prison Service drugs policy and strategy, entitled Keeping Drugs out of Prison. The implementation of this policy and strategy has seen an intensification of efforts to eliminate the availability of illicit drugs within prisons. A key part of these efforts is the introduction of mandatory drug testing, which is provided for under the prison rules which became operational on 1 October 2007. Other elements include enhancement of CCTV, utilisation of video scope camera cell search systems, and enhanced security generally. In addition, new vis-

iting arrangements are in place in almost all closed prisons whereby only persons who have been nominated by the prisoner and pre-approved by the governor are permitted to visit.

Facilities for screened visits have been installed in all closed prisons. In accordance with the Prison Service drugs policy and strategy, prisoners in respect of whom the governor is satisfied that there is no risk of contraband being passed may be facilitated with open visits. Prisoners who are caught receiving drugs or who test positive for drugs will be facilitated with screened visits only.

On enhanced security, I have recently announced a range of security measures aimed at keeping contraband out of prisons. These measures include the establishment of a drug detection dog service within the Prison Service; the establishment of an operational support group dedicated to, and developing expertise in, searching and gathering intelligence; and the introduction of enhanced security screening and searching of all persons — prisoners, visitors and staff — entering prisons.

The drug detection dog service will involve approximately 30 staff and an appropriate number of dogs. A pilot service has been in place since 23 May 2006 and is currently running in the midlands-Portlaoise area and also in Wheatfield and Cloverhill prisons, the Mountjoy complex and Cork and Limerick prisons.

The operational support group will be available in addition to the normal prison staff and can target specific problem areas. It will also gather and collate intelligence information in prisons, carry out high profile escorts and assist the chief officer in charge of security in the continuing assessment and improvement of security.

There are drug-free units in Wheatfield Prison, St. Patrick's Institution, Castlerea Prison and Mountjoy Prison.

Deputy James Reilly: They are only small.

Deputy Brian Lenihan: There is also a detox programme in operation in Mountjoy. In addition, the training unit in Arbour Hill, Loughan House and Shelton Abbey are regarded as drug-free institutions.

Deputy Pat Rabbitte: I know the Minister is interested in history. I refer him back to the last programme for Government, for which I presume he also takes responsibility. It includes the statement:

By the end of 2002 we will publish a plan to completely end all heroin use in Irish persons. This will include the availability of treatment and rehabilitation for all who need them and the introduction of compulsory drug testing for prisoners where necessary.

This was in the zero tolerance era. The latest programme for Government promises to build on this and do it all over again.

My question was prompted by information prominently displayed in the public domain to the effect that the Government has “capitulated” in its commitment to introduce drugs screening in prisons and is not proceeding as set out in the programme for Government. The Minister has provided much useful information, but it is not pertinent to the question of whether it is true that the Government is no longer proceeding to maintain our prison institutions as drug free and taking the necessary steps to ensure this is the case. Does the professional advice available to the Minister indicate that it might be dangerous to proceed as the Government intended in making our prisons drug free?

Deputy Brian Lenihan: The Deputy appears to be under a misapprehension. I have received no such professional advice. One of the first matters I brought to the Government as Minister for Justice, Equality and Law Reform was a comprehensive programme of measures to prevent the smuggling of drugs into prisons. Under the pilot drug detection dogs scheme, searching has been concentrated on visitors, but limited proactive searching of areas within prisons has also taken place. The evidence is that the teams have had a significant interception and deterrent effect, and the current contract has been extended to November of this year.

I am satisfied that the introduction of drug detection dogs has led to a significant reduction in the number of drugs being introduced into prisons. It is my intention to establish a permanent drug detection dog unit within the Prison Service. In addition, as previously stated, new prison visiting arrangements have been introduced and enhanced detection technology services are being applied.

An Leas-Cheann Comhairle: I will allow a final supplementary question from Deputy Reilly.

Deputy James Reilly: I was going to congratulate the Minister on the new measures being put in place. However, Deputy Rabbitte has reminded us that all of this was promised before. This strikes a chord in terms of what is happening in the health service.

I and other GPs cannot understand why the opportunity is not taken while people are incarcerated to ensure they get and remain free of drugs. Everybody now acknowledges that a person who is sent to jail——

An Leas-Cheann Comhairle: I ask the Deputy to put a question to the Minister.

Deputy James Reilly: I will do so presently.

An Leas-Cheann Comhairle: The Deputy must do so immediately so that we can commence the next business.

Deputy James Reilly: Why is that the numbers emerging from prisoners as drug-users are greater than for those who enter prison abusing drugs? What proposals does the Minister have to address this availability? How will he provide resources within prisons to ensure prisoners can access detoxification programmes and subsequently stay off drugs? The sniffer dogs should be brought into pubs also.

Deputy Pat Rabbitte: Jack Russells, however, should be kept out of pubs.

Deputy Brian Lenihan: As a respected general practitioner, I am sure Deputy Reilly is aware of the concept of a willing patient. We are investing substantial resources throughout the prison system in the types of services to which the Deputy referred. However, it requires a willing patient to avail of them.

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 Jimmy Deenihan — the delay in sending a technical team by the Department of Education and Science to commence planning for an eight-classroom school to replace an existing defective building, which was approved in January 2006 and highlighted by the commission on school accommodation in November 2006; (2) Deputy Chris Andrews — the need for the Minister to offer assurance, given the chronic shortage of step-down facilities in the Dublin south east area, that St. Luke's Hospital in Rathgar will eventually become a step-down health care facility; (3) Deputy Willie Penrose — the refusal of an application for funding under the summer works scheme 2007; (4) Deputy Brian O'Shea — the need for the Minister to provide funding in his Department's capital works programme 2007 towards the Tallow fire station project; (5) Deputy Deirdre Clune — the need to increase services for those suffering from eating disorders; (6) Deputy Tom Hayes — the timescale for the provision of new accommodation for a school; (7) Deputy Pat Breen — the reports that the Minister for Transport is to intervene to safeguard Heathrow slots for Cork and Dublin Airports; (8) Deputy Jan O'Sullivan — the need to address the concerns of community pharmacists and to engage in discussions with the Irish Pharmaceutical Union in advance of the implementation of proposals contained in a letter sent to pharmacists on 17 September 2007 which would reduce the wholesale mark-up on medicines; (9) Deputy Martin Ferris — the cutbacks by the HSE for carers.

The matters raised by Deputies Pat Breen, Willie Penrose and Tom Hayes have been selected for discussion.

Leaders' Questions.

Deputy Enda Kenny: One of the major challenges facing this country is the ability to deal with the disconnect between Crime Ireland and the Ireland of the law abiding citizen. Jessica Ward is four years of age today and, like any child, she would love above all to have her Dad present on her birthday. That cannot be, however, because somebody shot him dead last weekend. Unfortunately, Edward Ward is not the most recent victim of gangland crime. Last night, Gary Grant was shot dead yards from his home.

In Dublin last month, there was the gunning down in broad daylight of Garda Sherlock. Brian Downes was murdered at the weekend. Whenever one switches on the television or radio news these days, the first five or six items relate to gangland crime. People are being shot — many of them shot dead — on the streets, shots are fired into houses and innocent people find themselves in the wrong place at the wrong time. We remember Donna Cleary's death and the expressed wisdom of the Government that she was an innocent person in the wrong place. So too was young Anthony Campbell, shot dead because he was in the wrong place at the wrong time. How many more Anthony Campbells, Edward Wards, Donna Clearys and Garda Sherlocks will there be?

Ten years ago, 38 murders were recorded for the year. These were murders rather than gangland hits. Of those 38 murders, 34 were solved, giving a detection rate of 90%. Ten years later, the detection rate for gun crime is 16%. So far this year, 14 gangland killings have occurred and firearms offences have rocketed by 600%. However, the detection rate for firearms offences has reduced from 75% in 1998 to 37% last year. Conviction rates are also decreasing. The question needs to be asked: "Who is in charge of our streets, Taoiseach? Is it the Government or the gunmen?"

The Fine Gael Party will support Government measures to deal with gangland crime and crime in general. Why would we not? It is in all our interests to do so. Perhaps the Taoiseach will tell the House, following his meetings with the Garda Síochána and other persons involved in this area, what increased action will be taken by Government? We have been told the CAB will receive increased resources and facilities to enable it to do its job. Please explain in simple English what this means? How many officers and extra resources in terms of Garda vehicles, radio equipment and weapons for those who carry them and so on will be provided? What does the Taoiseach mean when he says the CAB will be given extra resources? What does this mean for the woman who spoke at the public meeting in Neilstown of

her daughter having to pass through a team of drug pushers on the street corner on her way to school on Monday mornings? Will these people be arrested? Is this what the Taoiseach means when he says CAB officers will move down from the higher level operators? Will the Taoiseach explain, in plain English, what will happen?

I understand cocaine parties are now the rage at locations around the country. These parties are attended not by those impoverished on the streets but by those very much removed from that scene. Are we to see that issue tackled by the CAB as well?

The Taoiseach: The killings in Dublin last Friday and in Limerick last night were appalling. I agree with what Deputy Kenny said and wish to again highlight the threat we face from members of armed gangs who have no regard for human life and who, by extension, shoot people who have nothing to do with crime. Several people were killed this year — we are aware of at least three — who had no association with crime. All deaths of this kind are to be deplored and leave grieving families in their wake, as has been stated. We are all aware of the anguish of the family of Edward Ward and their moving comments in recent days about his death.

The Government has no greater priority than doing what it can to bring to an end this cycle of killing which has gone on for some considerable time. The Government is providing the agencies of the criminal justice system with the financial resources and legislative framework required to tackle this issue. Effective police work, successful prosecutions and prison places for those convicted hold the key to bringing to justice those involved in gangland activities and, in particular, gun crime. We should not under-estimate the difficulties faced by the Garda Síochána in bringing these killings to an end. As Deputy Kenny stated, this issue was recently discussed by the Cabinet and in the House last week.

The Garda Síochána has launched countless operations in an effort to protect people's lives. Unfortunately, while statistics such as 12,000 vehicles seized, 32,000 drug searches carried out and 60,000 checkpoints set up are impressive, the Garda Síochána receive absolutely no assistance from those people they seek to protect when seeking information in respect of the leaders or members of these gangs who wish to continue their criminal activities. This is a problem.

Deputy Pat Rabbitte: They are afraid.

The Taoiseach: The Government has provided unprecedented resources to help achieve this. In terms of what this means, Deputy Kenny will be aware that during the lifetime of the previous Government an extra 4,000 gardaí were recruited to bring Garda strength to 16,000. Garda strength is at 14,000 now. The current budget is €1.44 billion compared to €0.9 billion five years ago.

Garda over-time this year amounted to €140 million compared to €66 million just a few years ago. Last year, €24.7 million was expended on the purchase of almost 1,400 vehicles for the Force. This is continuing. The new digital radio system will be implemented during the next two years, a priority for the Garda Síochána.

Deputy Charles Flanagan: It has been in testing for years.

The Taoiseach: Other priorities for the Garda Síochána in terms of its ability to break up these gangs are; a major incident computer system which will automate many of the functions currently performed manually following a major incident, the introduction of an automated number plate recognition system, an automated finger-print identification system and an automated ballistic identification system. These are the four systems which the Garda Síochána has highlighted it requires in the short term. The resources are required to implement these four systems along with ongoing expenditure. These are just some examples of ongoing investment to ensure the Garda Síochána has the up to date technology required to allow it deal, to the best of its ability, with gun and other forms of crime.

Deputy Enda Kenny: I asked the Taoiseach "Who is in charge of the streets, the Government or the gunmen?" What increase in terms of staff will the CAB receive? I acknowledge the four systems identified are necessary and that this programme has been ongoing for many years. However, the Taoiseach recently announced that the CAB would receive extra resources. How many new officers will be recruited? Will CAB officers arrest drug pushers at a lower level, admittedly, visible on street corners in this and other cities in the early morning and evening? Will they target those who put them on the streets and provide help for their victims?

Will Deputy Flanagan's call for the establishment of a real witness protection programme be considered? The Taoiseach signed up in Lisbon last week to the trans-Border, trans-European measures in terms of drugs which I assume everybody in this House would support. Will the Taoiseach confirm that the Government will not opt out on cross-Border terrorism and cross-country capacity to deal with crime, which is becoming ever-more sophisticated and globalised? Has the Government made a decision on this? I do not believe the Government should blindly follow Britain which wants to opt out, when it already has an in-built mechanism by having an emergency brake applied and the capacity of Council to resolve any difficulties for our legislative system by virtue of consensus within the Council.

Who is in control of our streets, the Government or the gunmen? I have told the Taoiseach that the Fine Gael Party will support Govern-

[Deputy Enda Kenny.]

ment on this. Let us now hear what he has to say about it.

The Taoiseach: A large number of gardaí are involved in operation Anvil and the CAB. We are determined that the CAB will go after drug dealers. The change involves gardaí becoming operational at all levels rather than dealing only with bigger issues of criminality. It is an operational issue for the Garda Síochána.

On the question of the establishment of a witness protection scheme, Deputy Flanagan's question related to whether such a scheme if put on a statutory basis would make a difference. This is not considered a crucial issue from a Garda Síochána point of view. Obviously, if it were, we would not have a problem with it. As recently as yesterday the Minister for Justice, Equality and Law Reform discussed this issue with the Garda Commissioner who is of the view that no benefit would be gained by its being placed on a statutory footing. The real issue is the willingness of witnesses to participate in the scheme. It seems clear that putting it on a statutory footing would have no effect and this is a big issue for us.

Deputy Kenny spoke about cocaine parties. This issue is being addressed by the Garda Síochána. I agree with the Deputy on that matter. We need not debate it. One must set an example.

If we want strong justice and home affairs arrangements we must ensure that our common law procedures are fully adhered to and that we have the power, within the Justice and Home Affairs Council, to deal with these issues. We do not take the same view as the United Kingdom on those issues. Our view is to participate fully in the debates on justice and home affairs. There are times when qualified majority voting would not be the wisest decision for us. We will draft a declaration that we believe is in Ireland's best interests.

Deputy Kenny expressed concern about border crimes. We are totally committed to maintaining protection of our borders. Some of the issues dealt with by the Justice and Home Affairs Council are not in line with our criminal justice system and it is not in our interest to be part of them. We must keep an Irish perspective on these matters. In many cases our position is closer to that of the United Kingdom, although not in all cases.

Deputy Eamon Gilmore: I join the Taoiseach and Deputy Kenny in expressing my horror at the three gun murders which occurred since the House met last Thursday. Mr. Eddie Ward, another man in the wrong place at the wrong time, joins a list of people, including Ms Donna Cleary and Mr. Anthony Campbell, who have been gunned down in cold blood. There have been 14 gun murders this year.

In 1997 prior to his election to Government, the Taoiseach told the country that he would

make the fight against crime his priority. He said the Fianna Fáil message to the drug barons and criminal gangs was simple. He said he would not accept them, they would no longer be allowed to hold sway over our communities and they would not live in luxury with impunity because Fianna Fáil had a plan to arrest them, prosecute them and put them out of business. Since the Taoiseach made that statement in 1997, there have been more than 140 gun murders in the country and only one in six of those murders has resulted in a conviction. In five out of every six, the gunmen have not been arrested, prosecuted or put out of business.

The Taoiseach may talk about prison spaces, but the prison spaces are empty. There are 27 cells awaiting those not convicted of the 27 gun murders last year. There are 20 cells awaiting those not convicted of 20 of the 21 gun murders in 2005 and 18 prison spaces await those not convicted of 18 of the 20 gun murders in 2003. Will the Taoiseach explain why five of every six gun murderers in the past ten years have got away with their crime? Is it not because they got away with it that the problem is continuing and we see a continuing spate of increasingly vicious gun murder? What will the Taoiseach do to deal with this problem that he has not done in the past ten years? What does he now say to the Irish people when the vast majority of the gun murderers of the past ten years, who committed their crimes on his watch, have not been arrested, prosecuted or put out of business?

Deputy Pádraic McCormack: Bring back zero tolerance.

The Taoiseach: I do not want to simplify the problem to the level of prison places. Nevertheless, we have increased them by more than 1,300. Even allowing for the population increase in the past ten years, the number of people in prison for serious crime, under the various new legislative measures, has substantially increased.

In reply to Deputy Kenny's question I listed the resources allocated to CAB, Operation Anvil, the Garda capital programme and the various Garda programmes and schemes to tackle identification, ballistics, fingerprinting and car plate numbers. These are all areas where the Garda needs resources to fight a more sophisticated level of crime.

The key point of what the Garda Commissioner and other senior garda state is that the high detection rates of other areas of crime are not achieved in gun crimes because in many cases the associates of the victims of gun crimes offer the gardaí no co-operation in their attempt to pursue the perpetrator. In many cases, while any rational person would say it is in the interest of those associated with a victim to co-operate with the Garda, the gang culture does not allow it. Even where the gardaí are close to a situation and feel they have a good view of what has happened,

the associates of a victim often will not give information. That prohibits the efforts of the Garda. In a number of recent cases the gardaí, through good intelligence and police work, got very close to arrests, convictions and the breaking up of gangs, but co-operation was not given. In some of these cases, even people who have been badly affected or beaten still do not co-operate with the Garda. This is not something that happens in the broader society but only in certain gangs, which are known to the Garda. It is a real deterrent to the Garda in carrying out their function.

Deputy Eamon Gilmore: That is a message of defeat. We know the problem in getting convictions arises because the associates of criminals do not co-operate. Some do so out of choice and some because they are afraid. We know there is a culture of intimidation and fear associated with these gangs, but that is not a new problem. It was encountered in the United States and Italy when the authorities in those countries dealt with the Mafia. The problem was dealt with by the introduction of an effective witness protection scheme.

There is no point in the Taoiseach describing the problem to us when he has presided over it for ten years. We need a sense of what the solution is. Will the Taoiseach put a witness protection scheme on a statutory basis and make it effective? I accept that a witness protection scheme in a country like Ireland must be different from a scheme in a larger jurisdiction such as the United States. Will the Taoiseach make membership of a criminal gang a crime so the Garda has a different basis on which to pursue these gangs effectively?

The Taoiseach said that he did not want to simplify the problem but he was happy to simplify it ten years ago when he talked about zero tolerance. It is not a simple problem, I acknowledge that, but after ten years of presiding over 140 gun murders with only one out of every six cases ending with a conviction, in circumstances where in 58 cases the Garda know the perpetrators but could only convict 19 of them. What are the solutions? I will put forward some solutions, but what are the Taoiseach's solutions? Will this situation be allowed to continue? Will the Taoiseach simply say there is nothing we can do, as people are afraid to give evidence because they are being intimidated and so on?

The Taoiseach: Across the range of crimes the Garda detection figures have risen substantially. Long and tougher sentencing, more manpower and better resources is allowing the Garda to deal with the issues, particularly in the area of gun crime. Deputy Gilmore please do not ask me to do what is done in the United States, because if I were to suggest any of the measures taken in the United States, he would not support me.

Deputy Eamon Gilmore: The Taoiseach did.

Deputy Olivia Mitchell: Zero tolerance.

Deputy Eamon Gilmore: The witness protection scheme

The Taoiseach: Please do not simplify it. The Deputy knows if you hold somebody for ten years, which is not unreasonable in the US, without a prosecution——

Deputy Jim O'Keeffe: Or in New York, it is no problem.

Deputy Pat Rabbitte: The Ceann Comhairle is blushing

The Taoiseach: On the question of the witness protection scheme, the Minister met the Garda Commissioner to discuss this yesterday. The scheme is ten years in existence. It is under the direct operational control and administration of the Garda Commissioner, in response to attempts by criminal and other groups to prevent the normal functioning of the criminal justice system. A review of that scheme was completed just short of two years ago. Certain enhancements were made in its operation and they have been implemented. For obvious reasons it is not the practice to comment on the details of the operation of the scheme and I will not do that, but as recently as yesterday, it was looked at again. The real issue is the willingness of witnesses to participate and not the basis of the statutory scheme. Quite frankly, the Garda Commissioner and senior management do not believe that changing the basis of the scheme would be of help. Some Deputies may believe it would but I am stating the factual position. Deputy Gilmore is correct that the Garda by and large know who is involved in these groups and gangs, but we live in a democracy where people have constitutional rights, for example to remain silent. During the term of the last Government we brought in very severe and tough measures that were within the limits we thought were reasonably safe.

The Garda has asked the Government to deliver the schemes I mentioned at the start and the Minister for Justice, Equality and Law Reform is proceeding with the automated number plate recognition system, the automated fingerprint identification system, the automated ballistic identification system and moving administrative staff to areas where it frees up numbers. These are practical measures which aid the Garda and they must be viewed in the knowledge that the Garda has the capacity to purchase 1,400 vehicles a year. We are in a position to be able to give the Garda all the things for which it has asked.

Requests to move Adjournment of Dáil under Standing Order 32.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with a

[An Ceann Comhairle.]

number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my office.

Deputy Pat Breen: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, media reports that the Minister for Transport is to intervene to safeguard Heathrow slots for Cork and Dublin airports and is to abandon Shannon Airport leaving the entire region bereft of any connectivity and thereby abandoning the business and tourism sectors of the west. I urge the Minister to put the case for Shannon-Heathrow on the agenda for the forthcoming extraordinary general meeting.

Deputy Arthur Morgan: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the need for the Government to establish its own team of scientists to investigate the impact of the 1957 fire at Windscale in Cumbria, now known as Sellafield, on the people of County Louth and to examine the latest report from the former British Atomic Energy Authority researcher, John Garland; to establish if there is enough evidence to pursue Britain legally after it was discovered that Britain may have lied about the impact of the 1957 fire and to examine the continuing radioactive contamination of County Louth by Sellafield, which many believe is the real cause of the high cancer rate in County Louth, which is constantly running at 12% above the national average.

Deputy Martin Ferris: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, to discuss the issue of the cutbacks in the hours paid to carers by the HSE and the negative effect this is having on elderly people who are dependent on this form of assistance, and the need to make the funding available to restore the hours and ensure that a proper service is provided.

Deputy Dan Neville: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the failure of the Government to attract British Midlands to replace the Aer Lingus slots at Heathrow and that the Government must as a matter of urgency use its Aer Lingus shareholding to call an EGM of the board to reverse the decision to move the slots from Shannon.

Deputy Caoimhghín Ó Caoláin: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of urgent national importance, namely, the very serious concern in the community child care sector at the implications of the changeover of funding from the Equal Opportunities Childcare Programme to the community

child care subvention scheme; the fear that this may result in the closure of many child care facilities throughout the country, that it will place an excessive burden of administration and bureaucracy on community child care providers; and the need for the Minister of State with responsibility for children to address these concerns as a matter of priority and to ensure that funding for the child care sector maximises accessibility and ensures the sustainability of community child care.

Deputy Fergus O'Dowd: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the refusal of the Government to call an EGM of Aer Lingus to retain connectivity between Shannon Airport and Heathrow and the refusal of the Government to date to fill the two Government vacancies on the Board of Aer Lingus.

An Ceann Comhairle: Having considered the matters raised, they are not in order under Standing Order 32.

For the information of Members, I have introduced a new feature where the schedule of business for the day with provisional times is circulated to all Members every morning. Members should have received the most up-to-date version of this schedule of business for today, issued by the Office of the Government Chief Whip. In future it is intended to issue similar information in advance of each sitting. This new service complements a number of similar services which are already in place and I hope it will improve the level of information to Members.

Order of Business.

The Taoiseach: It is proposed to take No. 7, motion re proposed approval by Dáil Éireann of the despatch of Major General Pat Nash as Operations Commander in the Republic of Chad and the Central African Republic — it is on the Second Supplementary Order Paper; No. 2, Charities Bill 2007 — Order for Second Stage and Second Stage. It is proposed, notwithstanding anything in Standing Orders, that: (1) the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted on the adjournment of Private Members' business, which shall be No. 18, motion re fire services, which shall be taken for 90 minutes at 7 p.m. tonight, or on the conclusion of No. 7, whichever is the later; (2) the proceedings on No. 7 shall, if not previously concluded, be brought to a conclusion at 7 p.m. tonight and the following arrangements shall apply: the speeches of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party and the Labour Party, who shall be called upon in that order, shall not exceed 15 minutes in each case; the speech of each other Member called upon shall not exceed ten minutes in each case; Members may share time; and a Minister or Minister of State shall be called upon

to make a speech in reply which shall not exceed five minutes.

An Ceann Comhairle: There are two proposals to be put to the House today. Is the proposal that the Dáil shall sit later than 8.30 p.m. tonight agreed? Agreed. Is the proposal for dealing with No. 7 agreed?

Deputy Enda Kenny: I wish to propose an amendment to the Order of Business that we discuss this important matter for a further 90 minutes. I congratulate Major General Pat Nash on his appointment. This issue calls into question the broader remit of the Irish Defence Forces and the role our Army has played in protection and civil defence abroad for a number of years in Lebanon, Liberia, Kosovo and now in Chad. This is a new dimension to international defence as far as Ireland is concerned. We have found thousands of words about the issue of neutrality, battle groups and so on. For that reason, in view

5 o'clock

of its importance and because it is a new dimension to defence abroad, which I support, I propose that we continue to discuss this matter between 8.30 p.m. and 10 p.m. I move amendment No. 1: To delete "7 p.m." and substitute "10 p.m."

The Taoiseach: We will have to return to the issue in the context of troops and we could give more time to that debate. However, the purpose of this motion is the appointment of Major General Pat Nash as Operations Commander in the Republic of Chad and the Central African Republic and I suggest we proceed with it.

An Ceann Comhairle: In those circumstances, is the proposal agreed?

Deputy Enda Kenny: No. I will press the amendment.

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

The Dáil divided: Tá, 76; Níl, 70.

Tá

Ahern, Bertie.
Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Chris.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.
Brennan, Séamus.
Browne, John.
Byrne, Thomas.
Calleary, Dara.
Carey, Pat.
Connick, Seán.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cuffe, Ciarán.
Cullen, Martin.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.
Dooley, Timmy.
Fahey, Frank.
Finneran, Michael.
Fleming, Seán.
Flynn, Beverley.
Gogarty, Paul.
Gormley, John.
Grealish, Noel.
Harney, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Hector, Máire.

Kelleher, Billy.
Kelly, Peter.
Kenneally, Brendan.
Kennedy, Michael.
Killeen, Tony.
Kirk, Seamus.
Kitt, Michael P.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
Lowry, Michael.
Mansergh, Martin.
Martin, Micheál.
McEllistrim, Thomas.
McGrath, Finian.
McGrath, Mattie.
McGrath, Michael.
McGuinness, John.
Moynihan, Michael.
Mulcahy, Michael.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
O'Brien, Darragh.
O'Connor, Charlie.
O'Dea, Willie.
O'Flynn, Noel.
O'Hanlon, Rory.
O'Keeffe, Batt.
O'Rourke, Mary.
O'Sullivan, Christy.
Power, Peter.
Roche, Dick.
Ryan, Eamon.
Sargent, Trevor.
Treacy, Noel.
Wallace, Mary.
White, Mary Alexandra.
Woods, Michael.

Níl

Bannon, James.
Barrett, Seán.
Breen, Pat.
Broughan, Thomas P.

Bruton, Richard.
Burke, Ulick.
Burton, Joan.
Byrne, Catherine.

Níl—*continued*

Carey, Joe.
Clune, Deirdre.
Coonan, Noel J.
Coveney, Simon.
Crawford, Seymour.
Creed, Michael.
Creighton, Lucinda.
D'Arcy, Michael.
Deasy, John.
Deenihan, Jimmy.
Doyle, Andrew.
Durkan, Bernard J.
English, Damien.
Enright, Olwyn.
Feighan, Frank.
Ferris, Martin.
Flanagan, Charles.
Flanagan, Terence.
Gilmore, Eamon.
Gregory, Tony.
Hayes, Brian.
Hayes, Tom.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Kenny, Enda.
Lynch, Ciarán.
Lynch, Kathleen.
McCormack, Pádraic.
McEntee, Shane.
McGinley, Dinny.

McHugh, Joe.
McManus, Liz.
Mitchell, Olivia.
Morgan, Arthur.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Donnell, Kieran.
O'Keeffe, Jim.
O'Mahony, John.
O'Shea, Brian.
O'Sullivan, Jan.
Penrose, Willie.
Perry, John.
Quinn, Ruairí.
Rabbitte, Pat.
Reilly, James.
Ring, Michael.
Shatter, Alan.
Sheahan, Tom.
Sheehan, P.J.
Sherlock, Seán.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Tuffy, Joanna.
Upton, Mary.
Varadkar, Leo.
Wall, Jack.

Tellers: Tá, Deputies Tom Kitt and John Curran; Níl, Deputies Dan Neville and Emmet Stagg.

Question declared carried.

Amendment declared lost.

Deputy Enda Kenny: Has the Government decided on the dates for the referenda on the renewed European treaty and on children's rights? Is it intended they both be held on the same date?

Can the Taoiseach instruct the Minister for Justice, Equality and Law Reform to meet with the Garda Representative Association and Garda management to discuss shift operations for gardaí? More officers should be on the streets at times when crime is more likely to be committed and that is an issue in the context of the criminal justice miscellaneous provisions Bill.

While the day-to-day running of the Garda Síochána is a matter for the Garda Commissioner, it is appropriate for Deputies, from all parties and none, to put questions to the Minister for Justice, Equality and Law Reform on individual Garda stations or other such matters, and for answers to be given in this House on behalf of the Minister. Has the Ceann Comhairle yet sorted out the problems Deputies are having with the HSE? It is not just Deputies who are having problems — Ministers cannot make head nor tail of the HSE either and cannot get answers to their questions.

I am glad to see that Battling Siki on the Government side has apologised to the good lady from Limerick.

Deputy Willie O'Dea: The Deputy is a funny man. Failure has gone to his head.

(Interruptions).

An Ceann Comhairle: The Taoiseach without interruption.

The Taoiseach: On the constitutional referenda, if agreement is reached in Lisbon next week and ratified at the Brussels summit in December, ratification for us should be prior to the next European election, which means it should be next year. My view is that it would be better to hold both referenda on the same day but I am open to other views.

On the criminal justice miscellaneous provisions Bill, rostering of manpower is an important issue which the Minister for Justice, Equality and Law Reform has raised many times. It is an operational matter for the Garda Commissioner but the views to emerge from the debate in this House last week are certainly known to the Garda Síochána.

Deputy Seán Barrett: We need the support of the Garda Representative Association to achieve this.

Deputy Eamon Gilmore: I wish to ask the Taoiseach about the ordering of business for the remainder of this session. We have started this session at a pedestrian pace and much of the legislation the Government is bringing before the

House is on Second Stage. In previous years, the same pattern was followed and we found ourselves, in the last couple of weeks, with a large amount of legislation being put before the House, sometimes at short notice, sometimes with a very short time for debate and usually with the aid of the guillotine. Will the Taoiseach indicate to the House which legislation on the Government's schedule he intends to have enacted by the end of this session? Will he at this stage give an assurance to the House that the guillotine will not be used in the way it has in previous years?

The Taoiseach: I can provide a list but, to be brief, there are a number of Bills listed on the Order Paper. They include the Civil Law (Miscellaneous Provisions) Bill, the Charities Bill — which we are ordering today — the Control of Exports Bill, the Criminal Justice (Mutual Assistance) Bill, the Ethics in Public Office (Amendment) Bill, which is in the Seanad, the Fines Bill 2007, the Land and Conveyancing Law Reform Bill, the Markets in Financial Instruments and Miscellaneous Provisions Bill, the Nuclear Test Ban Bill, the Passports Bill, the Tribunals of Inquiry Bill and the Twenty-eighth Amendment of the Constitution Bill. The latter relates to the rights of the child and may not be taken in this session.

Some 17 Bills are listed to be published, including a nursing home support scheme Bill, a criminal justice (forensic sampling and evidence) Bill, a criminal justice (miscellaneous provisions) Bill and a criminal law (human trafficking) Bill, which the Cabinet approved today. That Bill will be published shortly.

Another Bill due to be published this session is the immigration, residence and protection Bill. The heads of the prevention of corruption (amendment) Bill have been approved and it is ready for drafting. It will be out before Christmas. Obviously, the social welfare Bill must be taken and there is a Dublin transport authority Bill for this session. In total, there are 17 Bills, although I cannot guarantee they will all be out in time for debate in this session. On the basis of the definition of this session, which is up to the beginning of the next, we hope the vast majority will be published within the session.

Deputy Eamon Gilmore: Which of those pieces of legislation does the Taoiseach intend to have enacted in this session? Will the business of the House be ordered in such a way that the legislation the Taoiseach wants enacted will at least get a decent debate?

The Taoiseach: I take the point that we should avoid rushing legislation in the last fortnight. Already, there are a dozen or 14 measures before the House. I would like to see all those passed. We have cleared a Bill today and there are a few more coming through. We could give a fairly accurate assessment of when and how we will

deal with this legislation over the next two months. There is no difficulty in that regard.

Deputy Billy Timmins: For a number of years I have noted a nice sign outside Arklow welcoming the National Standards Authority of Ireland to the town. I have in my possession a letter discussing a new Dublin headquarters for the NSAI and stating the body is looking for a building within a five-mile radius of Glasnevin with a 20-year lease. Will the Taoiseach allow time for the Minister for Finance to come to the House and tell us about the situation with regard to the sham of decentralisation? The Government played a confidence trick on the people.

Deputy Bernard J. Durkan: Hear, hear.

An Ceann Comhairle: It is not on the Order of Business. It is not in accordance with Standing Orders.

Deputy Billy Timmins: Since 2004 there has been a sign up welcoming this body to Arklow and here it is going elsewhere, despite me raising the issue.

An Ceann Comhairle: The Deputy must find another way of raising the issue.

Deputy Caoimhghín Ó Caoláin: Is it intended to continue to have questions pertaining to children taken in the time allocated for questions to the Minister for Health and Children? Given that the Department of Justice, Equality and Law Reform no longer has a direct function in this area, that we now have a Minister of State with responsibility for children in Deputy Brendan Smith and that one of the committees to be established will deal with children, would it not be appropriate to have a direct Question Time for this portfolio, given the importance of the area and the many issues of direct concern to people involved in providing for the needs of children?

Does the Taoiseach intend to facilitate the scheduling of direct questions on the issues relating to children and child care to the Minister of State with responsibility here as a stand alone, that is, separate from the Minister for Health and Children whose concentration in the main is on health matters?

The Taoiseach: The matter should be discussed but it has not been the convention of the House, which dictates we have Question Time mirrored to each Cabinet Minister. We have always followed the convention.

Deputy Seymour Crawford: In light of the Minister for the Environment, Heritage and Local Government, Deputy Gormley, having removed the rights of many people to build their own homes in parts of rural Ireland with one stroke of a pen——

Deputy Paul Gogarty: The Deputy means “shafted them”.

Deputy Seymour Crawford: —will the Taoiseach indicate when the designated land (housing development) Bill will come to this House so we will have the opportunity to discuss the legal rights of people to go ahead with proposals?

The Taoiseach: That will be early next year.

Deputy Joe McHugh: When is it proposed to take Committee Stage of the Criminal Justice (Mutual Assistance) Bill in light of recent murders and a Garda annual report which states that between 2000 and 2006 some 338 murders and manslaughters were reported in the State?

An Ceann Comhairle: The Deputy should speak on legislation.

Deputy Joe McHugh: If the Ceann Comhairle will indulge me for two seconds, I wish to put the significance of this on record.

An Ceann Comhairle: We can neither have a preamble nor an epilogue.

Deputy Joe McHugh: It is not a preamble. I wish to draw a comparison to Northern Ireland and acknowledge the work of the Taoiseach on the Northern peace process. However, to put this in perspective, in a five-year period from 1990 to 1995 when people were murdering each other in a war zone in Northern Ireland, there were 346—

An Ceann Comhairle: We have had this already.

The Taoiseach: It is awaiting Committee Stage.

An Ceann Comhairle: It is awaiting Committee Stage. I call Deputy McEntee.

Deputy Joe McHugh: There were 346 people killed. Eight more people were killed in the Northern Ireland Troubles in a five-period from 1990 to 1995 than here from 2000 to 2006.

An Ceann Comhairle: The Deputy is completely out of order. I call Deputy McEntee.

Deputy Joe McHugh: What are we going to do to eradicate this problem?

An Ceann Comhairle: The Deputy cannot raise the matter.

Deputy Joe McHugh: The whole world knew about Northern Ireland, when people were killing each other. Let us be under no illusion in this House. The whole world knows about the mad men and murderers in this country and somebody ought to do something about it.

An Ceann Comhairle: The problem is the Deputy cannot make a speech on this issue now. I ask the Deputy to resume his seat.

Deputy Joe McHugh: There should be legislation to combat it.

Deputy Bernard J. Durkan: Hear, hear.

An Ceann Comhairle: I call Deputy McEntee. As I stated, Deputy McHugh can have neither preambles nor epilogues.

Deputy Joe McHugh: I just wanted to put on record this significant issue.

An Ceann Comhairle: I call Deputy McEntee.

Deputy Shane McEntee: At the beginning of the year, there was great support for the Government and the Road Safety Authority in their efforts to bring down the number of road deaths. In the past two months, there has been a 36% increase in the number of road deaths. Will the Taoiseach ask the Minister for Transport to bring forward a new road safety strategy as none has been in place since January?

The Taoiseach: It will come through shortly.

Personal Explanation by Minister of State.

An Ceann Comhairle: I have received notice from the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Sargent, that he proposes to make a personal explanation to the House. I have decided to permit a statement by the Minister of State and the personal explanation will be heard without comment or intervention.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Trevor Sargent): On 5 April last, I raised with the Minister of State at the Department of the Environment, Heritage and Local Government with responsibility for housing the problems which residents in Balbriggan in Dublin North were encountering with property management companies. I mentioned that Mr. Mark Colgan and Mr. Desmond Ryan were listed as directors of Breacan property management company. Mr. Colgan has made contact with me to inform me that he is not, and has never been, a director of Breacan property management company, nor has he any property interests in the Balbriggan area. He is not connected to Breacan management company, its directors or shareholders. He has also informed me that Mr. Ryan is not listed as a director of Breacan.

My statement was made in good faith based on information provided by a concerned constituent and with a view to raising the genuine concerns my constituents have. However, I apologise fully

to the parties concerned and withdraw the relevant statement.

Proposed EU Military Operation: Motion.

Minister for Defence (Deputy Willie O'Dea):
I move:

That Dáil Éireann approves the dispatch of Major General Pat Nash to the position of Operations Commander for the proposed EU military operation in the Republic of Chad and the Central African Republic with up to four support staff pursuant to section 2 of the Defence (Amendment) (No. 2) Act, 1960, for service with the EU mission in support of MINURCAT, established on 25 September, 2007 under UN Security Council Resolution 1778 (2007).

I thank Members for agreeing to take this motion at very short notice. In commending it to the House, I wish to briefly outline the background to the proposed EU operation in the Republic of Chad and the Central African Republic, which has been authorised by the United Nations Security Council, and Ireland's response to the EU's request to nominate an Irish officer to the prestigious post of operation commander.

On 25 September 2007, the UN Security Council unanimously adopted Resolution 1778 (2007) establishing a multi-dimensional UN mission in Chad and Central African Republic that will help strengthen security in the region. Resolution 1778 (2007) establishes the mission, to be known as MINURCAT, for a period of one year, with a mandate focusing on the security and protection of civilians, particularly refugees, internally displaced persons and civilians in danger, and on human rights and the rule of law in eastern Chad and the north east of the Central African Republic.

More than 170,000 displaced Chadians and 236,000 Sudanese refugees live in camps in eastern Chad. These people have fled from Janjaweed attacks, widespread banditry and criminality and clashes between rebel and Government forces on both sides of the porous Chad-Sudan border. As Deputies will be aware, there is a very serious situation in the Darfur region of Sudan, where a further UN-authorised mission operating under the authority of the African Union is currently deployed. The widespread conflict and attacks by factions within Sudan has resulted in significant disruption and dislocation of the local population leading to a significant refugee problem in neighbouring countries, particularly Chad and the Central African Republic. Allied to this, factions opposed to the current Chad Government have used Sudan as a base to launch attacks across the border into Chad causing further disruption to the local population and impeding the distribution of humanitarian aid. Moreover, in August 2007, serious flooding in eastern Chad washed

out several camps and seriously hampered aid agencies' assistance to tens of thousands of people.

Since May 2007, there has been some improvement in Chad-Sudan relations and, in what seems to be a related development, the intensity of clashes between Government and rebel forces has reduced. Progress is also being made in the EU-facilitated inter-Chadian dialogue between the Government and the political opposition. In August 2007, the two sides signed an accord that establishes a new electoral framework designed to facilitate the holding of a legislative election by the end of 2009. The text also commits Chad's political parties to negotiation and dialogue with the armed opposition.

France has a close relationship with the Government of Chad and has long maintained a strategic military presence in that country. France's influence was crucial to securing the agreement of Chad to an EU military deployment under UN authorisation. Chad had previously refused to accept the military element of a UN mission, which was planned in February 2007, to address the deteriorating security and humanitarian situation in the country.

Since early September, the crisis in Chad has been given greater prominence by the visit of the UN Secretary General, who was there to build support for the proposed multi-dimensional UN mission. Mary Robinson also led a well publicised visit to Chad's camps during the same period.

The situation in the Central African Republic is at least as challenging. Since 2005, an already fragile situation has been exacerbated by the spill-over of instability from Darfur and Chad, the activities of criminal gangs and an armed rebellion in the north west and north east. There are more than 180,000 internally displaced in the north east of the Central African Republic and further significant displacement in the northwest. The Central African Republic's armed forces and police are in need of urgent reform and strengthening to allow them to provide security and achieve improved human rights protection standards.

The authorities of Chad and the Central African Republic have welcomed a possible EU military presence in their respective countries. In early October 2007, a peace deal was initialled in Libya between the Chadian Government and four of the country's rebel groups. It is hoped that the parties will build on this agreement. The signing of the accord presents an opportunity for greater stability in the region and, with the deployment of the UN mission, an improved environment for assisting and protecting refugees and supporting the distribution of humanitarian aid. The EU mission to Chad will complement the planned UN-African Union hybrid mission being launched by the UN in Sudan-Darfur by limiting the spillover potential from the conflict in Sudan.

[Deputy Willie O'Dea.]

The multi-dimensional presence will consist of three components: UN mission, MINURCAT, composed of UN police, rule of law, human rights and other civilian officers; a special Chadian police-gendarmes unit — 850 strong — dedicated exclusively to maintaining law and order in refugee camps, sites with concentrations of internally displaced persons and key towns, and assisting in securing humanitarian activities in eastern Chad; and an EU military deployment under Chapter VII of the UN Charter.

UN Security Council Resolution 1778 authorises the European Union, under Chapter VII of the UN Charter, to deploy for a period of one year from the date that its initial operating capability is declared by the European Union in consultation with the Secretary General. The EU forces will be deployed to eastern Chad and the north east of the Central African Republic. The EU forces are authorised to support the United Nations and to take all necessary measures within its capabilities and its area of operation to fulfil the following functions: to contribute to protecting civilians in danger, particularly refugees and displaced persons; to facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the area of operations; and to contribute to protecting United Nations personnel, facilities, installations and equipment and to ensuring the security and freedom of movement of its staff and United Nations and associated personnel. The UN element of the mission is targeted primarily at supporting the civil administrations in Chad and the Central African Republic to protect refugees and camps with the support of a UN police element and liaison officers.

The EU is planning to launch this operation as a matter of urgency. The intention is to have an initial operational capability on the ground in December, with the operation fully functional by the end of January next at the latest. The decision of the Council of the European Union to launch the mission is expected this week. The decision, which is referred to as a joint action, will identify the operation headquarters, the operation commander and the estimate of the common costs of the operation.

Ireland has been asked to provide the operation commander for the EU element of MINURCAT. The role of the commander is to manage the overall military operation and to provide the military interface among the military operation and MINURCAT, the EU and the UN. The EU procedure requires that the name of the operation commander be included in the Council decision to launch the operation. That decision is anticipated in the coming week. On 2 October 2007, the Government approved the nomination of Major General Pat Nash to the post. He, together with up to four support staff, will be based at the operation headquarters in Paris and, subject to Dáil approval and a decision by the

Council of the European Union, will assume immediate leadership in the planning and launch of the operation.

The motion before the House is extremely limited in scope and relates solely to the dispatch of a member of the Permanent Defence Force as operation commander, together with a number of headquarters support staff. The nature of any further contingent of the Defence Forces to participate in this mission is being worked out and contingency planning for a possible contribution to the mission is ongoing. The proposed nature of such a contribution, and the basis of our current planning, is a contribution of approximately 300 to 350 personnel forming an APC mounted infantry battalion. However, this is purely a planning framework and is subject to further consideration and analysis, including risk assessment, by the Defence Forces. I assure the House that there is no commitment involved at this stage. However, to advance the planning framework, I have authorised the Chief of Staff to undertake a reconnaissance mission, including visits to the region and to the designated headquarters for the operation in Paris. The Defence Forces will also participate in the EU reconnaissance mission scheduled to depart for Chad later this week.

In the event that the Defence Forces can make a meaningful contribution to the mission and if it meets all the other criteria, including the risk assessment, force protection test and environmental assessment, I would then intend to quickly bring forward detailed proposals to Government. Assuming that the Government approves the deployment of a contingent, I will revert in due course to seek the further approval of Dáil Éireann for the dispatch of such a contingent in accordance with the requirements of the Defence Acts.

The costs associated with the nomination of the operation commander relate to the salary of the nominee and his replacement in the Defence Forces. These costs will be met from within existing resources. However, the costs of the overall EU operation and the proposed Irish deployment as part of this operation will be very significant. Chad is land-locked, extremely isolated and has little in the way of infrastructure, roads, rail or airports. As such, there will be a requirement to develop infrastructure to allow for deployment and resupply of missions. It is expected that the deployment and sustainment of the operation will have to be mainly by air. In addition, the provision of suitably equipped sites, airstrips, medical evacuation, etc., will all be costly due to the location and nature of the terrain.

All EU member states, irrespective of participation, will contribute to the common costs of the operation unless they specifically opt out of doing so at Council. Common costs are payable, in accordance with EU Council Decision of 17 June 2002, through the ATHENA mechanism, which is responsible at EU level for the collection of member states' contributions and disbursement

of moneys received in respect of operational common costs. Each troop-contributing nation also meets its own "nation borne costs", while direct operational costs for members contributing personnel are met on a "costs lie where they fall" basis.

The estimate of the common costs of the operation remains under negotiation among the member states at the Council and an outcome is expected in the coming week. Under the gross national income key, which is used to determine member states' contributions, Ireland will contribute at the rate of 1.23% of assessed common costs. The full costs of our participation will become known over the coming weeks. Regardless of whether Ireland participates directly in the proposed EU mission, we will be faced with a significant financial cost. In the event that it is ultimately decided to participate with 300 to 350 troops in the mission, the combination of common costs and nation-borne costs may make this the most expensive mission ever undertaken by the Defence Forces. Unlike UN operations, there is no reimbursement from the EU for costs incurred in participation in the operation. However, the massive scale of suffering calls for a response. Affluent western countries, such as Ireland, have a duty to step up to the plate. We must not be found wanting when it comes to paying our share of the cost of supporting the United Nations in providing for the safety of and security for the innocent victims of conflict.

This is a very important mission for the EU and for Ireland. The post of EU operations commander is a very prestigious position. It is a recognition of the standing of the Defence Forces in the field of peace support operations generally. It also recognises the scale of our potential contribution to this particular operation. Holding this position would also contribute to ensuring that the quality and security of the proposed Irish contingent is maximised. It reaffirms Ireland's support for the UN and multilateralism in a meaningful and substantive way. I commend the motion to the House.

Deputy Jimmy Deenihan: As the Minister said, the motion before the House is extremely limited in scope and relates solely to the dispatch of a member of the Permanent Defence Force as operation commander, together with a number of headquarters support staff. However, it gives us an opportunity to discuss the future mission that obviously will follow this appointment.

I congratulate Major General Pat Nash on his appointment. It is a measure of the regard other European nations have for the abilities and training of the Irish Defence Forces that they requested an Irish operations commander. His extensive service with the UN and his involvement in the EU monitoring mission in the western Balkans have undoubtedly prepared him well for this role and he should serve the EU as he has already done.

Since this is an upcoming issue, Irish involvement in the Chad peacekeeping mission is the right thing to do and certainly has the support of this side of the House. Since the prospect of an easy resolution of the ongoing military conflict in Sudan is unlikely, the refugee crisis will continue to be a major problem. In the face of long-running inaction by the international community, Ireland will be leading by participating in this important humanitarian mission, supplying possibly up to 350 troops of the EU force, which could amount to 4,000 in Chad and the Central African Republic.

Through the appointment of an Irish operations commander and the upcoming authorisation of Defence Force participation in the Chad mission, this House affirms that Ireland takes its responsibility to the international community seriously and is prepared to play its part. The brutality of the conditions in Darfur and the internally displaced people's camps is well documented. More than 250,000 people have been killed and more than two million people have been displaced. There are 238,000 refugees in camps in Chad alone. Once the displaced have escaped the brutality of the civil war and militia attacks in their villages, they are subject to the threat of disease, starvation, unhygienic refugee camps, as well as continuing militia attacks, abuse, murder and rape within the camps for internally displaced peoples. Aid workers find access to these camps difficult and dangerous due to the geographic and environmental conditions and attacks on aid workers. This could be the next Rwanda and we must take every action possible to halt this tragedy of inhuman proportions before it escalates further.

The current African Union, AU, force deployed in the Sudan is entirely insufficient and UN action on the situation was finally accomplished, with excessive and regrettable delay, through Resolutions 1778 and 1779. The acceptance of the need for this action by the Sudanese and Chinese governments was long overdue. The delay caused by both governments' resistance has resulted in years of additional murder, famine and displacement. Participation in the Chad operation is the best support we can give to the UN-AU hybrid mission in the Sudan.

While our involvement is appropriate and necessary, there are a number of issues of serious concern that must be addressed before we send our troops to Chad. I raised one of these issues in the Dáil last week. In fact, I probably raised both issues. The first issue is the lack of sufficient air support for Irish troops. As I said last Thursday, Chad is approximately 15 km inland. The Minister accepted here today that it is a very inaccessible country. The only way one can get in and out is through airlifts. The fact that we must depend on others to provide this service for us makes us vulnerable. I know the Minister will say that in the case of Liberia, we were able to depend on others, such as the Dutch for a medical

[Deputy Jimmy Deenihan.]

backup service. However, that was on a coastline; this is different. We are certainly vulnerable when it comes to resupply and taking injured people and those with other difficulties out. For example, the French have a continuous resupply line open to them. Apparently, they are bringing in fresh water on a continuous basis and will be in and out all the time. Maybe, we can depend on them but this may not be the case at all times.

Whereas we may not have the time to do it, I would certainly recommend that the Minister seriously consider what I proposed here last week. I proposed that the Government look at the purchase of, for example, a Hercules transport aircraft which can take approximately 50 troops at one time, for future missions. It would be an idea for this type of mission. The Minister said that it would be expensive and that it would be lying idle when there was no mission. That is not the case. It could be used in rapid reaction operations and for humanitarian and other purposes. Will the Minister clarify that the Department of Defence will charter an aircraft, for which one trip will cost approximately €300,000? This cost would not be incurred if we had our own aircraft-carrying capacity. Will the Minister consider leasing aircraft, such as a Boeing 737 combi aircraft, which would only cost €150,000 a month?

Unlike previous missions, which lasted six months, this mission's term will be four months. Troops will be based in camp for this period, which will lead to many issues, particularly psychological stress. It is important the troops have both a physical and mental health back-up service.

As recently as 8 October, the UN Under-Secretary General for Peacekeeping Operations expressed concern as regards air cover in the Sudan. If there was insufficient air cover in Sudan, I would be concerned that air cover in Chad would be transferred to Sudan to make up the shortfall, leaving troops in Chad more vulnerable. The Under-Secretary General asked European countries to contribute 18 transport helicopters and six light tactical helicopters, stating civilian and commercial helicopters are no substitute for the required military equipment. Ongoing attacks on peacekeeping forces and humanitarian aid workers in Darfur, combined with insufficient helicopter capabilities make it more likely the helicopters committed to Chad and the Central African Republic may be needed in Sudan. These are the same concerns I raised on Question Time last week.

Deputy Simon Coveney: I understand the element of urgency in the motion and the Fine Gael Party is happy to facilitate the Government in this regard. In the past three years, I was coordinator for human rights for the EPP-ED group on the European Parliament's Committee on Foreign Affairs. We passed seven different

motions relating to the conflict in Darfur and western Sudan and its impact on the region. The Darfur conflict has seen misery, murder, rape and some of the most appalling humanitarian conditions prevail. The result has been the flow of people from Darfur to eastern Chad.

I am proud the UN peacekeeping mission to Chad will be led by an Irish military officer. Major General Pat Nash, who I have met on many occasions in Collins Barracks in Cork and other venues, will relish taking on this challenge. He has much experience in the Balkans but this will be by far his largest challenge. He will be responsible for providing the operations commander for up to 4,000 peacekeeping troops in Chad, a significant peacekeeping effort. It is a positive appointment enhancing Ireland's reputation for peacekeeping.

Getting a mission ready for January leaves a short timescale for what will be a complicated challenge. Major General Nash will liaise between the UN and the EU and produce reports on the build-up of the mission. It would be helpful if these reports on support systems for troops were laid before the Dáil. We do not want to send troops into a war zone without sufficient support in equipment or numbers.

This mission is a positive development for the EU, largely due to the efforts of France's new President, Mr. Sarkozy. The EU must take a more proactive position in supporting UN efforts at peacekeeping. Even though we must make sacrifices in budgets, costs which the Minister outlined, we can well afford it. Any Member who has been to that part of Africa knows the conditions people live under are almost like those from another planet. The relatively small sacrifice in moneys is negligible when related to our responsibilities as a wealthy country in a wealthy continent to provide leadership in protecting people and their human rights.

What is happening in Darfur is an international scandal. Ireland is as responsible as other EU member states in allowing the massacre continue over three years of over 250,000 people, many of them women and children. The establishment of this peacekeeping mission is a signal that something concrete will be done. However, this mission is about protecting a refugee population. We must ensure sufficient troop numbers and supports are put in place in Darfur, the real open sore of this conflict. That can only happen through increased pressure and brave decision-making at EU level, which has not happened in the past five years.

Deputy Brian O'Shea: Tá áthas orm thar cheann Pháirtí an Lucht Oibre ár lán-thacaíocht a thabhairt don rún an-tábhachtach seo.

Is onóir mhór í do na Fórsaí Cosanta agus don tír go mbeidh Ceannasaí Oibríochtaí Éireannach le haghaidh oibríocht mhíleata beartaithe ag an AE i bPoblacht Shead agus i bPoblacht na hAfraice Lár agus líon nach mó ná ceithre bhail

fóirne ina theannta. Léiríonn sé seo stadús na hÉireann san Aontas Eorpach i leith oibreachtaí den tsórt seo. Tá gach dealramh ar an scéal go mbeidh saighdiúirí de chuid na hÉireann páirteach san oibríocht mhíleata seo agus cé go mbeidh deacrachtaí móra ag baint leis an oibríocht mhíleata, tá gach dóchas againn go n-éireoidh go maith leis an gCeannasaí Oibríochta, an Maor Ghinearál Pat Nash le saighdiúirí na tíre seo agus le gach dream eile a bheidh páirteach.

Os rud é go bhfuil Ceannasaí Oibríochta Éireannach ar an oibríocht mhíleata seo, tá súil ag na húdaráis go mbeidh níos mó tíortha den Aontas Eorpach toilteanach páirt a n-glacadh san oibríochta i Sead agus i bPoblacht na hAfraice Láir.

It is a matter of pride for me on behalf of the Labour Party to fully support the motion to approve the despatch of Major General Pat Nash to take up the position of operations commander for the proposed EU military operation in the Republic of Chad and the Central African Republic, with up to four support staff, for service with MINURCAT. The MINURCAT mission was established by the UN Security Council with the unanimous adoption of Resolution 1778 (2007) for a period of one year. The mission will be multi-dimensional to help strengthen security in the Chad-Central African Republic region. The fact that the authorities of Chad and the Central African Republic have welcomed a possible EU military presence is positive and encouraging.

There are 240,000 Sudanese refugees in 12 camps in eastern Chad. These have fled from the fighting in Darfur. There are more than 170,000 internally displaced persons, IDPs, in Chad. There is also the issue of civilians in danger in Chad. There are water and firewood shortages, for instance, and a serious problem as regards lack of respect for and the rape of women. The intention is to have the operation fully functional by the end of next January, with the initial operation capability on the ground in December. That is an ambitious target, but I believe it can be met, bearing in mind the calibre of the person who has been nominated as operations commander.

Major General Pat Nash will be based in Paris. He is to immediately take up leadership of the operation. As the Minister pointed out, his appointment is contingent on today's motion being passed as well as a further motion being sanctioned at European level. He will be the link between the operation and MINURCAT and the EU and the UN. While as yet no decision has been taken as regards the Irish Defence Forces' contingent participating in MINURCAT, I believe this is something that is likely to happen. The decision will arise in the context of the reconnaissance mission report becoming available.

I compliment the Minister on his foresight in sending the Chief of Staff on a reconnaissance mission, departing this week, to get the earliest

possible knowledge about what the operation will entail. A Government decision will obviously be necessary in terms of the 350 likely to take part in this mission and a further motion of approval by the Dáil, by which stage we will have a great deal more detail of logistical and other considerations that will be part of the deployment.

In Resolution 1778, the UN Security Council reiterates its concern that ongoing violence in Darfur, eastern Chad and north-eastern Central African Republic might further negatively affect the region. The Chad initiative will complement the planned UN-African Union hybrid mission. The hybrid mission is being launched by the UN in Sudan Darfur. It will limit the spillover potential from the conflict in Sudan. On the security and protection of civilians, the multi-dimensional MINURCAT presence in liaison with the UN country team is to train, advise and facilitate support for the PTPH, the policing concept of the Secretary General of the United Nations. The PTPH will be dedicated exclusively to maintaining law and order in refugee camps, sites with concentrations of IDPs and key towns in neighbouring regions as well as securing humanitarian activities. The Government of Chad is to be encouraged to set up the PTPH, with emphasis on the urgent need to provide logistical and financial support for it.

The MINURCAT mandate will include liaising with the national army, *gendarmarie* and police forces, the nomads, national guard, judicial authorities and prison officials in Chad and in the Central African Republic in regard to contributing to the creation of a more secure environment. The mandate includes liaising with the UNHCR and the Government of Chad to support efforts to relocate refugee camps in close proximity to the border and to provide logistical assistance for the UNHCR. The exchange of information on emerging threats to humanitarian activities with relevant governments, unions of states and other agencies will be part of the close liaison envisaged by the UN Security Council resolution.

The UN resolution focuses on human rights and the rule of law, paying particular attention to sexual and gender-based violence, the strengthening of civil society and ending the use of children by armed groups. Last week in the Dáil, the Minister assured us, in response to a question I had tabled relating to the report of the Ombudsman for Children, that there was still some doubt as to whether persons under 18 could become involved in hostilities. In the Irish context, that would probably be restricted to the details in regard to the movement of cash and prisoners. I was very pleased, however, that the Minister gave a categorical assurance that no person under 18 in the Irish Defence Forces would be so exposed. In that context we have absolutely clean hands in terms of moving towards this terrible practice of having children involved with armed groups.

[Deputy Brian O'Shea.]

The Security Council resolution authorises the European Union operation in liaison with the Governments of Chad and the Central African Republic: in addition to contributing to protecting civilians in danger, to facilitate the delivery of humanitarian aid, the free movement of humanitarian personnel and to protect UN facilities, installations and equipment. MINURCAT is to achieve an orderly disengagement at the end of the period of operation. The initial period of operation is for one year. Does the Minister envisage that it might be deemed appropriate to extend the mission as the end of the year approaches if the prospects for achieving the objective are positive? Would he be favourable to such an extension, in the event?

MINURCAT is to achieve that orderly disengagement. The multi-dimensional mission addresses a most daunting task. The UN military operation will provide major support services. The fact that the deputy chief of staff of the Defence Forces has been nominated to the role of operations commander is indicative of the excellent contribution of Ireland and the Defence Forces to other UN missions over many years. It is fair to say that it is widely recognised not least by the missions where people were well served by the Irish and the recipients of what was provided by the Irish forces. These operations are complex, requiring sensitivity, professionalism, patience and a basic desire to make the world a better place for everybody. This mission will enhance the standing and perception of Ireland and its Defence Forces internationally but, more importantly, it will significantly contribute in a lasting way to the security and protection of civilians, human rights and the rule of law.

At least 200,000 people have died in Darfur while more than 2 million have been forced to leave their homes. Indeed, there have been reports in recent weeks of such happenings. Next year, the UN and the African Union will jointly deploy the world's largest peacekeeping force — a force of 26,000 — to Darfur. Hopefully, this force will substantially reduce the overspill into the Republic of Chad by its contribution to bringing about peace in Darfur.

On behalf of the Labour Party, I wish Major General Nash, all other military personnel and other personnel who will be involved in this mission every success. It is a most challenging undertaking not least because people's lives will be at risk and people risk very serious injury, but that is part of the military way. However, I am sure every possible precaution will be taken to ensure the safety and well-being of our troops are observed at all times.

When the Minister referred to Ireland as an affluent western country, I had to dwell on that point, but it is true. This is the most expensive mission ever undertaken by Ireland. The Minister is right that we are now in a position to make a

real and substantial contribution in respect of this terrible human tragedy. Effectively, we will deal with the overspill in the context of Chad and the Central African Republic. However, as I said, there are now indications of measures being undertaken which should bring about substantial change for the better in Darfur.

My colleague and the Minister's constituency colleague, Deputy Jan O'Sullivan, told me earlier that she was part of a parliamentary delegation which went to Lebanon in recent times and that the commander there was Major General Pat Nash. She spoke about how well this all-female delegation was received by Major General Nash. She also told me that he happens to be a Limerick person.

Deputy Willie O'Dea: We will not hold that against him.

Deputy Brian O'Shea: I am sure that had nothing to do with his selection in spite of where the Minister comes from. I wish the Minister well with this mission. On behalf of the Labour Party, I reiterate my full support for the motion.

Deputy Chris Andrews: I wish to share time with Deputy Michael Mulcahy.

This motion seeks approval for the dispatch of Major General Pat Nash to the position of operations commander for the proposed EU military operation in the Republic of Chad and the Central African Republic, an issue in which I have an interest. Like many people in Ireland, I have an interest in issues of conflict across the globe. This probably stems from the time I worked in Nicaragua in solidarity with the Sandinistas in the 1980s. They had overthrown the corrupt Somoza in 1979. In that conflict, the US funded the opposition which, ultimately, overthrew the democratic government.

Since that conflict I always feel a huge sense of disappointment when I see foreign troops on another country's soil. It rarely has long-term positive effects. My gut instinct is that however bad things become in a divided country, it is best to let the different sides determine their own future. However, to refuse to send peacekeepers to countries like Chad and the Central African Republic would be like passing by while an elderly person is mugged on the streets. As the Minister said, we must step up to the plate. This is a very wealthy country. However, I say with a certain amount of reluctance that this is the right thing to do.

This is a serious intervention which I do not believe anybody can dispute. The appointment of Major General Pat Nash is a sign of how seriously we take this issue. The situation in Chad is very serious. It has a population of 10 million and, as previous speakers mentioned, there are 280,000 refugees and approximately 180,000 internally displaced people. Life expectancy is approxi-

mately 43 years of age. Dealing with this is a fairly bleak prospect for any country or force.

We must also show that the international community and this force takes the opposition, particularly in Chad, seriously. President Deby recently changed the constitution to suit himself and his supporters. This led to inevitable violence. Such violence is only to be expected when people make such changes to suit themselves. It is no coincidence that the constitutional change coincided with the dramatic increase in revenue from the new found oil reserves. With the arrival of oil and US investment, there would be a concern that our new found interest is oil-related. We must really work hard to ensure this impression is not accurate.

This force is composed of many nations, with France as the core nation. However, given the colonial past, the French may not be perceived as honest brokers. I am concerned that may cast a shadow over the entire force. Rebels and the opposition may perceive the force as an aggressive unit as I believe French soldiers prevented the capture of the capital by the opposition. French participation may contaminate the force and this must be borne in mind in any future negotiations.

Libya, a country seen as an international pariah for a long time, has been quite involved in progressing peace in this region and it is important to acknowledge that point. Another concern we must have is the close proximity of Chad and the Central African Republic to Darfur. Previous speakers mentioned it has 280,000 refugees and over 180,000 internally displaced people. This makes the situation even more complicated. I understand fighting has gone through a lull over the past number of months because of the ongoing negotiations and the rainy season which meant military operations were not easy to carry out. The rainy season is over and it is likely there will be increasing pressure for further military action from both sides.

This is not only a great honour for Major General Pat Nash but also for our armed forces which have served around the world with distinction. Despite concerns over French domination of the force and worries over what could be perceived as western intervention, I have no doubt the contribution of an Irish operations commander will facilitate the smooth running of the one-year mission in a region with dire humanitarian security needs.

Deputy Michael Mulcahy: I very much welcome this motion. I echo the Minister's statement that the European Union's appointment of an Irishman as operations commander for possible deployment in Chad and the Central African Republic is a great compliment to the Irish Defence Forces and nation. As the Minister stated, any decision to allow Irish participation in EU forces must be laid before the Dáil for a separate debate. It is very important to have such a debate and tease out all the logistical, geographi-

cal and financial problems that arise. I am very glad the Minister has committed to doing so today.

Chad is in central Africa and has a population of nine to ten million. It is largely desert, certainly in the north, and does not have a lot of water. It has been riven by internal strife and life expectancy is either 42 or 45 years, depending on whether one is male or female. The country is commonly referred to as the "dead heart of Africa". I can think of no place that presents more difficulties for an international force in terms of helping at refugee camps and other tasks. There will be a great many difficulties.

The public should be given as much information as possible on the deployment of troops. First, it should be informed that the choice of an Irish operations commander is an honour for our Defence Forces. If, at a later stage, the Dáil decides to approve a force to support MINURCAT, there should be a fairly extensive publicity campaign to inform the public. After all, the public's money and consent are required and it is the public's Defence Forces that would be sent on the mission.

When I was Lord Mayor of Dublin, I had the honour of bestowing an award on the last regiment of troops to leave Lebanon. There is great public pride in the Defence Forces and the Minister will share my view that the deployment of any Irish troops should be considered very carefully in terms of logistics, access, egress and the necessary safeguards.

The House should be aware that the region in question is a dangerous part of the world. Only a week ago there was an attack on the provisional African Union camp at Haskanita and it is quite possible that other relief operations will come under attack. The proposed hybrid mission, including the United Nations and African Union, should be in place at the same time as a full EU deployment of troops. The fundamental problem, which manifests itself in addition to those in Chad and the Central African Republic, is the conflict in Sudan. The longer the international community waits before taking action in Sudan, the longer there will be refugees crossing the borders into Chad and the Central African Republic. It would not be a good idea in the longer term if the international community dealt only with the effects of the problem rather than the core issue, that is, instability in Sudan.

I took the trouble to read the curriculum vitae of Major General Patrick Nash. He seems to be eminently qualified and I wish him every success. I have absolutely no doubt that he will do the Irish Defence Forces proud in his operations. I commend the Minister for putting this motion before the House.

Deputy Seán Barrett: I, too, congratulate Major General Patrick Nash on his appointment to the position of operations commander for the proposed EU operation in the Republic of Chad

[Deputy Seán Barrett.]

and the Central African Republic. Much has been said about the great honour his appointment represents to Ireland and the Defence Forces.

I have had the pleasure of dealing with the Defence Forces and noted that they are at no time unwilling to participate in peacekeeping missions, regardless of the part of the world they are asked to go. No country in the European Union has the vast peacekeeping experience of the Irish troops and therefore we should be very proud of them.

There is a very thin line between peacekeeping and peace enforcement. If we are to ask troops to participate in what is effectively a peace enforcement mission, it is vital that they be equipped properly and have a clear mandate at the outset. Ultimately, we owe it to the troops despatched on overseas missions, and their families, to ensure their safety abroad and their safe return. I have no doubt that, in keeping with what has happened heretofore, this will happen but it is nevertheless important to state the need to ensure that it be done.

I am particularly pleased to see that the European Union, as a body, is meeting its responsibility in this mission. I note with concern, however, that it may be the case that some EU states will have the option to opt out of meeting its cost. I object totally to this. If we do not operate as a united European Union when engaging in peacekeeping and peace enforcement and leave it to some nations to pick and choose, the Union will lose credibility.

I have always held the view that the Union, as a unit, should play its part in the United Nations. I still believe the Union should have a permanent seat on the UN Security Council and that it should fund the United Nations in a proper fashion. Like some other major powers throughout the world, the United Nations has been strapped for money over the years. While it would be far better if the African Continent were supported in its efforts to deal with problems within its own boundaries, we learned a lesson in this regard in respect of Somalia. When everybody else stood back, the United States moved in and a total disaster ensued. It is a very difficult exercise to participate in a peacekeeping mission.

During my term as Minister for Defence, I had the pleasure of meeting the then military attaché for the United States, who openly suggested to me it would be of great benefit if we allowed senior officers of the US defence forces to attend our peacekeeping school in the Curragh. He admitted openly that they knew nothing about real peacekeeping. What they knew about, and possessed, was the most modern weaponry in the world, and they were trained to use it. I, the Minister and Deputy Billy Timmins, a former member of the Defence Forces whom I had the pleasure of meeting on a couple of occasions when he was on duty with the United Nations in Lebanon and Cyprus—

Deputy Billy Timmins: I must say it was very enjoyable.

Deputy Seán Barrett: —know at first hand that the role of peacekeeper is a very difficult one. It is not about going in with all guns blazing, it is a question of making contact and gaining the confidence of the people who need to be supported. The Irish are the best in the world in this regard because we have this unique skill. I hope that skill will be used when our troops go to Chad and the Central African Republic. It is important that an Irish person has been chosen to work as operations commander.

I believe ultimately in the proper funding of the United Nations. The European Union should act as a unit in supporting these missions, not only by providing troops but also by putting its hand in its pocket. I do not see why any EU member state should be able to opt out of helping to meet the cost of this mission. As the Minister, Deputy O'Dea, mentioned in his speech, no member state is unable to contribute in accordance with its wealth. The right way for the EU to organise these missions is for every member state to pay its share in line with its individual wealth.

It has been pointed out that this mission is being organised as a consequence of what is happening in Sudan. As previous speakers said, the sooner we tackle that problem, the better. Those of us who are not from Africa are not fully *au fait* with the manner in which the boundaries of various countries on that continent, such as Somalia, were formed in the first place. There are many questions to be asked in that regard. Do we know about the culture involved, for example? To what extent are we familiar with the methods of governance used in these countries? I refer to the tribal system, for example. It is dangerous to send outsiders to Africa if they do not know what is happening on the ground.

I am glad that we seem to have learned our lesson. The EU was cowardly — we stood back and allowed a slaughter to take place — when the difficulties in the former Yugoslavia escalated. If we can play a real peacekeeping role as part of the efforts being made to solve the problems in Chad and the Central African Republic, we will be playing our proper role in world politics. We have learned from the terrible happenings in Rwanda. I do not think we can hold our heads with great authority in that respect.

This motion seeks the permission of the Dáil for the dispatch of Major General Pat Nash as operations commander of a proposed EU mission. I understand and appreciate that the Minister will bring a further motion before the House when a decision needs to be made on the strength of the force that Ireland will send in support of the mission. The mission should be a real EU operation. It should not be confined to half, or a quarter, of the EU. While some member states may not be in a position to supply troops to the mission, each member state should contribute to

its cost. I am not considering this aspect of the matter purely from a financial perspective. I hope the point will be strongly made at a meeting of the Council of Ministers that each member state should recognise this mission by making a commitment to it. This may be a matter for the foreign Ministers of the EU member states, but I do not doubt that the Minister, Deputy O'Dea, will have an opportunity to speak to his colleague, the Minister for Foreign Affairs, at some point. If he agrees with me, he will make this point to the Minister, Deputy Dermot Ahern. The most important thing is the message that is sent out. If we can afford to fund the entire operation, that is not the point. The EU, as a whole, should show that it is committed to playing its part in this important mission.

Deputy Charlie O'Connor: I welcome the opportunity to speak briefly during this debate. With the permission of the Chair, I would like to preface my remarks by mentioning that, with my local colleagues, I represent a constituency where a double murder took place last Friday. I extend my sympathies to the families that have been affected. I thank the Leas-Cheann Comhairle for allowing me to comment on the matter.

As somebody who has been interested in Army and defence matters for some time — I served for the past five years as a member of the Joint Committee on Justice, Equality, Defence and Women's Rights — I am happy to contribute to this important debate. I have had many opportunities to contact the Minister, Deputy O'Dea, since he was appointed to this area. I do not wish to be flippant during a serious discussion of this nature when I mention that the Minister, of whom I am a big supporter, is of course from Limerick, and people often speak about the bonds between Limerick and Tallaght.

Deputy Seán Barrett: Is there a connection between Limerick and Tallaght?

Deputy Charlie O'Connor: There is. It is sometimes claimed that Limerick is bigger than Tallaght, but that is not the case.

Deputy Billy Timmins: What about the link between Tallaght and Chad?

Deputy Charlie O'Connor: I want to be serious. Like Deputy Timmins, I spent a great deal of time at meetings of the Joint Committee on Justice, Equality, Defence and Women's Rights. I will make the point on Thursday that the joint committee should spend more time discussing defence issues. The justice portfolio has dominated the committee over the past five years, which is fair enough when one considers that many serious matters, including issues which were raised in the Dáil today, have arisen. Defence is as important as some of those issues, however.

Like my colleagues, I welcome the appointment of Major General Pat Nash, who is clearly the right man for the job. I note that he lists hurling, rugby and golf as some of his interests — I am not sure he will have many opportunities to pursue them in Africa. I wish him well. It is important that the Dáil has this opportunity to record its appreciation of the work of the Army. I refer in particular to the work of Major General Pat Nash, who follows a great tradition of Army staff who have served overseas over the years. I am old enough to remember being given time off school to attend the sad funeral services in Dublin of Army personnel who had been killed on the African continent in 1960 and 1962. Many people have spoken over the years about the great work that has been done by the predecessors of Major General Pat Nash, such as General Seán MacEoin, who served in the Congo in the 1960s, and General Jim Quinn, whom I visited in Cyprus. I was never in the Army, funnily enough.

Deputy Bernard J. Durkan: The Deputy is heading that way.

Deputy Charlie O'Connor: My brother-in-law was in the Army, however.

Deputy Bernard J. Durkan: I knew there had to be some connection.

Deputy Charlie O'Connor: When I went to Cyprus, I saw at first hand the great work that is done by the Army on such missions.

Deputy Bernard J. Durkan: There was bound to be a connection.

Deputy Charlie O'Connor: I was made an honorary member of staff of the UN on that occasion, to allow me to cross the then border within Cyprus. Members should not ask me how it was done.

Deputy Bernard J. Durkan: I knew there was something there.

Deputy Charlie O'Connor: I am not as inexperienced in these matters as Deputies might think.

Deputy Bernard J. Durkan: We could see that Deputy O'Connor had an Army connection.

Deputy Charlie O'Connor: I also remember the mission to Lebanon, which was led by General Bill O'Callaghan.

Deputy Bernard J. Durkan: We cannot beat that.

Deputy Charlie O'Connor: It is clear that Major General Pat Nash is following a tremendous tradition of Army officers who have led serious missions. I wish him well in that regard.

[Deputy Charlie O'Connor.]

It is good that the Army, which has such a tremendous reputation, is being given an opportunity to undertake such important roles. This is not a political point.

Having listened to the previous speakers, I was interested in Deputy Barrett's comments and particularly impressed by Deputy Chris Andrews's knowledge of this issue. I am sure I am not supposed to mention the Leas-Cheann Comhairle in a speech but, like me, he is a member of the Association of European Parliamentarians for Africa. He does great work as the vice-president of that organisation. Deputy Barrett's contribution reminded us that there are difficulties on the continent of Africa. I have not had many opportunities to go to Africa, although the previous Minister of State with responsibility for overseas aid was always happy to offer to send me abroad if I wanted to go anywhere, but I was too busy.

In the past 12 years I have visited a number of African countries. I travelled to Zambia in a private capacity in 1995 and I served on an election mission along with former Senator Fergal Browne, who I am sorry to say is no longer a Member of the Oireachtas. He and I went to Ethiopia and I have also been to a couple of other African countries.

Even though this is a motion to do with defence matters, we should remember the difficulties being experienced in African countries. Ireland is now a significant player in both European and world politics and it has an opportunity to contribute to solving these difficulties. I hope Ireland will continue to play such a role. I am confident that under the stewardship of the Minister, Deputy O'Dea, this will be the case.

I welcome the Acting Chairman, Deputy Cregan to the Chair.

Deputy Bernard J. Durkan: He is a Limerick man.

Deputy Charlie O'Connor: Indeed, and he is a good man. I am a big supporter of Deputy Cregan. I know a lot about his constituency in Limerick and I wish him well.

To stay on the motion, on 25 September the United Nations Security Council unanimously adopted Resolution 1778 establishing the UN mission in Chad and the Central African Republic. This will help strengthen security in that region.

I refer to the detailed and informed contribution by Deputy Chris Andrews. Since 2004, eastern Chad has hosted some 240,000 Sudanese refugees in 12 different camps who have fled the fighting in Darfur. Chad is also facing a surge in the number of refugees. The authorities in Chad and in the Central African Republic have welcomed the possible EU military presence in their respective countries and this should be welcomed by Members of the Irish Parliament.

The Chad mission will complement the planned UN-African Union hybrid mission being launched by the UN in Sudan-Darfur by limiting the potential for spill-over from the conflict in Sudan. I am pleased to note the EU is intent on launching this operation as a matter of urgency. The intention is to have an initial operational capability on the ground in December with the operation fully functional by the end of January 2008.

Major General Pat Nash follows a tradition of Irish military personnel who have served abroad. I have had occasion as a private citizen to observe how such personnel operate abroad. The UN resolution highlights the contribution made by the military personnel to community life in these countries. I noted this even in my limited experience of the few places in Africa which I have visited. Some Members have visited more countries than I have and are aware of missionaries and Army people who become involved in different community groups. I was forcibly struck by this involvement. It is important to note the Security Council has made the point in its resolution of, so to speak, looking after the local population. I know the Irish Army personnel will, both initially and when the bulk of the force arrives, become involved and I support this involvement.

On one occasion when I was fortunate enough to submit a Dáil question — backbenchers do not have that many chances — I made the following point to the Minister. Many former Army people — Deputy Timmins may be one of those — have a lot of knowledge to impart. I am aware that Army people may not like such suggestions but the Army should find a means of allowing such people to make a contribution. They have experience of the different missions in which the Army has been involved over the past 30 or 40 years.

I appreciate the opportunity to make a brief contribution and I wish Major General Pat Nash every success. I also wish the Minister, Deputy O'Dea, continued success in his brief and in the great work he is doing.

Deputy Billy Timmins: I take the point made by Deputy O'Connor about former Army personnel using their experience. It is a little ironic that the Government press secretary, Mr. Eoghan Ó Neachtain, is a former Army man. He will have to put all his skills to use to protect the Government. He may have been under fire and in difficulties in the past but they are nothing compared to what is ahead of him in the next few years.

I have followed Deputy O'Connor in speaking order on a number of occasions recently. He is a man for all seasons. He reminds me of a guy called Lucky Louis who ran a souvenir shop outside the church of the nativity in Bethlehem. He had something for every occasion. Deputy O'Connor is very adaptable and I wish to compliment him——

Deputy Charlie O'Connor: They are all true stories.

Deputy Bernard J. Durkan: He is ambidextrous.

Deputy Billy Timmins: —on his speech although I am at pains to find a connection between Tallaght and Chad.

I find the quietness in the Chamber this evening ironic. I remember the debate on the Defence (Amendment) Bill which copperfastens Irish involvement in a mission such as this. I remember wailing from the benches behind me from the Green Party Members. The Minister will recall it well. I do not know if we are talking about the silence of the lambs but I look forward to the contributions of the Green Party and of Sinn Féin in this debate because several months later I am still at pains to understand how they voted against the Defence (Amendment) Bill. They may offer the House an explanation tonight.

I welcome Ireland's participation in the UN mission but the security of our forces must be ensured. The resources necessary for the troops must be provided. Both Chad and the Central African Republic have very limited infrastructure. Regardless of the cost, it is imperative that some infrastructure should be put in place before the deployment of our troops.

I am concerned that the African Union troops operating in Darfur are like lambs to the slaughter. I join in the condemnation of the atrocities involving the African Union troops in Haskanita the weekend before last when 12 members of the force lost their lives when they were overrun by rebels who were not the Janjaweed but who were in conflict with the government forces. Just because we are not involved in Sudan is no excuse to turn a blind eye to what is happening there. The commanding officer of the African Union force has stated that the force is under-resourced and is unable to deal with the difficulties. The last thing that must happen is for an EU mission to find itself in the same boat in Chad, which is a very isolated place.

Deputy Barrett referred to our success in Somalia and other speakers referred to the Congo. We have encountered difficulties on the Continent of Africa in the past and the situation is very volatile.

It is easy for politicians or well-intentioned people to call for EU, Irish or international involvement in Darfur in the Sudan but it is difficult to take such steps when a country does not wish UN involvement. It is very difficult to ascertain who is on what side in the conflict. The scenario is complex. It is easy to call for involvement but it is men and women, sons and daughters, mothers and fathers, who must go out and put their lives on the line in a strange territory and a strange country. It is often difficult for them to see the beneficial aspects accruing from their involvement. There is an onus on this House to

ensure that such troops, be they from Ireland or from Nepal or wherever, are not isolated.

I congratulate Major General Nash on his appointment to this position. Anybody who has played hurling for Ahane will not be too soft centred so he will undoubtedly be well able to manage. I have known him for some years and he is highly respected. He follows in the footsteps of many other Irish military personnel who have taken over various UN missions.

When I was in Cyprus, Deputy Barrett held the current Minister's portfolio. He was highly respected by the Defence Forces, of which I was a member. He visited us in Cyprus but there was trouble in Israel at the time so he was unable to visit Lebanon. He stayed a few extra days in Cyprus, which was very welcome as it meant a change in duties for us.

There was much political pressure on Ireland and the EU to participate in this force. I assume the French President, Mr. Sarkozy, put a certain amount of pressure on the Taoiseach and the Minister for Foreign Affairs. The Minister for Defence makes the decision to send troops overseas. It is a dangerous and difficult decision; it is not as simple as flicking a switch. I commend the Minister for making this decision. If things go wrong, and they often do, people tend to start a blame game. However, all we can do is put in place the required resources for the personnel.

If a difficulty arises over there or we become concerned about something, we should say it. It is important to do that and not remain somewhere or do something purely for political appeasement purposes. Several speakers have mentioned the situation in Chad. That area of central Africa is extremely poor; there is poverty beyond our realisation. The situation in Sudan will have a major influence on how our force operates. The role of the EU force is mainly patrolling and security, although I note the Minister's comment that it has not been conclusively defined. However, I assume it will basically involve monitoring and keeping peace in the refugee camps on the Sudanese border which hold displaced people and refugees from Sudan, who number approximately 400,000.

In the recent past Chad refused to accept a military element in a UN mission but the French have great influence in Chad where the languages spoken are French and Arabic and, following French intervention, Chad agreed to accept it. We should try to build up a relationship with the Government in Chad. I do not know what, if any, relationship we currently have with it but that is a role for the Minister for Foreign Affairs. Operationally, General Nash will know how to carry out the mission. The link between the local Chadian police force, which numbers approximately 850 personnel, and the UN police force is most important. The success of the mission will depend on how the two forces get on with each other.

In the letters to the editor columns of the various newspapers, one regularly sees letters from

[Deputy Billy Timmins.]

people calling for assistance. They should keep in mind how difficult it is for the individuals who go to these areas. Many Irish people have lost their lives on UN missions. I pay tribute to them and their families. I wish Major General Nash well.

Deputy Bernard J. Durkan: I congratulate Major General Nash on his appointment. It is a great personal honour for him and for the Defence Forces that a member of the Irish military is chosen to lead such a mission. It is also a tribute to the training and the involvement of the Defence Forces in UN missions over a number of years. Undoubtedly, Major General Nash and the personnel who accompany him will discharge their duties with the usual distinction and will do the country proud.

An occasion such as this should not pass without comment on the reasons for the deployment, which have been evident for a long time. There have been appalling atrocities in that part of Africa over the past ten years or so, each one bad enough to drive the previous one into oblivion. The problem continues. International commentators say such events should not happen. The great thing about modern communications is that we have the opportunity to watch these events almost at first hand on the television. The presentation of the deprivation, starvation, hardship and the ferocity of the wars that are waged on many fronts is graphic. It is also possible to recognise the intricacies of such situations. It is not simple to resolve the multifaceted problems. We have seen the evidence of that over many years.

Nevertheless, there is still a responsibility on us to be prepared at European and UN level to tackle such situations and to offer assistance and peacekeeping of a persuasive nature. That is what is required in that region. It is not as simple an operation as was given to other task forces in the past. This will be a particularly sensitive and difficult operation but our Defence Forces recognise that. They have been in such situations previously.

The recent experience of the various army personnel from Africa who were deployed to that area and who have suffered casualties underlines the necessity of ensuring that troops are deployed in sufficient numbers to be able to fend for themselves and to be self-sufficient on the ground. They must be able to bring whatever equipment is necessary. That means personal body armour, military hardware, gas masks and other equipment of the highest quality. It must be modern and available to everybody and it must work. The conditions under which the troops operate can be difficult and trying, and there are no second chances. If something goes wrong, it reflects on all of us. However, that will not happen. It should not happen because we have experience in these matters now.

The UN has awoken to the fact that these problems exist and are ongoing and that action

must be taken. However, the slow speed with which the UN responds is most worrying. Every hour of every day some atrocity takes place. People are starved, shot, bombed or massacred. Every moment of delaying the deployments that are required in these sensitive areas, which have gained such public attention over recent years, is time wasted. The UN needs to think more seriously of using missions such as this. The mission is helpful and welcome but it would have been better if it had happened some time ago.

The same applies to our colleagues in the European Union. It is no good protesting about the atrocities if nothing is done about them. The EU is a powerful entity but it does not always exert itself in a positive way. It has proposals for rapid response forces, battle groups and so forth, but these things need to happen. Talking about them forever does nothing. They must be put in place soon.

I have said many times previously that we should consider increasing the strength of our Defence Forces at all levels, having particular regard to current and future deployments. It is possible that more calls will be made on our Defence Forces to take up postings abroad. It comes naturally from our previous experiences and given that the number of locations requiring peacekeeping forces is likely to increase. The Government is aware of this and we would be negligent if we did not respond adequately. However, if we respond adequately our Defence Forces will be stretched and this should not be the case.

In any democracy where defence forces support the police the common denominator should always apply that the numbers must be kept at a certain strength commensurate with the population. Our population has been increasing for some time. Will the Minister respond to this point? From the replies to the many parliamentary questions I tabled on this matter I believe these thoughts run through the minds of Department officials and the Minister.

Wherever our troops are deployed, whether on UN missions or otherwise, they should be familiar with their colleagues and it is of critical importance that they undergo adequate training whether at UN or EU level. Sufficient integration of training should occur and over such time as to ensure our troops are fully *au fait* with their colleagues and that their colleagues are fully *au fait* with their ability to work in the situation. I do not doubt this can, will and does happen. I did not get to Tallaght, Limerick or other places to which I wanted to travel during my speech, but I have no doubt I will in the future.

Deputy Aengus Ó Snodaigh: I thank Deputy Timmins for reminding people of our stance against EU battle groups. I made it consistently clear that we opposed Government moves to undermine and diminish the neutrality of the State. While we are happy this mission has the

agreement of the United Nations, which in our view is a prerequisite for any Irish involvement in peacekeeping missions, it is not a UN peacekeeping force. It is the first of many EU battle group adventures abroad. With everybody else in the House we are worried about the deteriorating circumstances in Chad, particularly the lack of progress towards a political solution in the conflict.

We are concerned that there is little information on this mission. We have no information on its mandate or financing and we have real concerns about its aim. Major General Pat Nash is to take over command of the EU military operation preparing to deploy in Chad and the Central African Republic. I should congratulate him because it is an honour when an Irish citizen gets the recognition deserved for the position we have taken in the past. However, General Nash will be based at operation headquarters in Paris with a French officer taking over in the operations theatre. The bulk of the EU forces will be French. Despite the great contribution the French made to the EU in recent times, we are concerned about France playing such an important role in this force considering its previous role in the area as an imperial power.

Will the Taoiseach tell the House whether the agreement to send Irish troops to Chad was cobbled together with Nicholas Sarkozy during the recent rugby match between France and Ireland? What are the benefits which accrue to the Taoiseach? Many questions about the Chad regime are raised and much of its record is politically suspect. I urge caution. I only have two minutes to speak on this matter and I welcome the opportunity to do so. We must examine other aspects of this mission and according to the Order Paper we will return to it if more than five members are sent.

Minister for Defence (Deputy Willie O'Dea): I thank all Members of the House for taking this motion so expeditiously, for their contributions and for recognising the importance of Ireland's and the Defence Forces' contributions to international peace and security. As I outlined in my initial presentation, this is an extremely important mission for the EU and Ireland.

The proposed EU operation will be undertaken under UN authorisation and will be the largest EU mission yet to be deployed. The Defence Forces will welcome the kind sentiments of the Deputies and their praise for the difficult work they undertake in furtherance of international peace. Ireland's contribution to this mission is a clear manifestation of the importance the Government attaches to the development of EU capabilities in the areas of crisis management and peacekeeping in support of the United Nations.

I will not have time to deal with all the points made by Deputies. Deputy Deenihan raised the issue of airlift capabilities. As I explained last

week during Question Time, this will come about in two ways. We have an arrangement with commercial aircraft and our partners in missions sometimes get involved. At present, air support to the mission is being addressed at EU level. Appropriate re-supply arrangements for all troops will form part of the planning process for the mission which will be co-ordinated by General Nash. Planning for the mission is in the early stages. Requirements for strategic lift, tactical lift by helicopter and close air support will be examined as part of the risk assessment.

Deputy Coveney requested that reports made by General Nash during the build-up to the operation should be laid before the Dáil. I understand the recommendations of the operational commander are made to the political and security committee of the EU Council, not to me. I will inquire as to whether it is possible to obtain those reports and if so have them laid before the Dáil.

Deputy Coveney also raised the matter of a proper deployment for Darfur and I agree with what he stated. The projected size of this mission is approximately 30,000 troops, mainly from the African continent.

Deputy O'Shea requested an assurance that people under 18 years of age will not be involved in hostilities. Army regulations prevent people under 18 years of age from being sent abroad. I reiterate the assurance I gave last week that there is no circumstance under which people under the age of 18 can be actively involved in hostilities.

Deputy O'Shea also wondered whether we would continue after one year if it was strongly recommended that we do so. The situation will be reviewed in approximately six months and we will consider the outcome of the review. It is likely that a continuation after the initial 12-month period would involve a UN-led mission rather than an EU mission. Deputy O'Shea and other Deputies were concerned that every possible precaution be taken to ensure the safety of our troops and they can rest assured this will be done.

Deputy Chris Andrews was concerned about troops being deployed on foreign soil and the difficulties to which this gives rise. The EU operation is authorised by the United Nations. Just as importantly, it is at the request of the Governments of Chad and the Central African Republic. There is no question of the force being deployed unilaterally by western countries or previous colonial powers. The operation has no role in supporting the Chadean Government. Its sole role is to protect refugees.

Deputy Barrett is unhappy with the idea that certain people can opt out from common costs, but if they do so they must opt out at Council. To date we have no record of anyone opting out in this way. I take on board the Deputy's point. Deputy Timmins reminded us of the risk and the fact that this mission and responsibility should not be undertaken lightly. We should not presume the outcome of the risk assessment or

[Deputy Willie O'Dea.]

further Government decisions regarding troops. We do not want to pre-empt those. If there is a decision to deploy, that will be discussed fully by the Dáil.

Deputy Timmins also raised the main responsibilities of the mission. I dealt with that matter on the last day at Question Time, but I will deal with it again when discussing the actual deployment.

I thank Members for their contributions and the very constructive tone of the debate. People have given me some suggestions that we can usefully look at. I commend the motion to the House. I remind Members that the motion is to approve the appointment of Major General Nash as the force commander. We will come back to the House if we are deploying troops.

7 o'clock

Question put and declared carried.

Private Members' Business.

Fire Services: Motion.

Deputy Ciarán Lynch: I move:

That Dáil Éireann:

- expresses its deep concern at the death of two fire-fighters during the course of a fire in Bray, County Wicklow on 26 September;
 - acknowledges the bravery of Brian Murray and Mark O'Shaughnessy and extends its profound sympathy to the families and colleagues of the two men;
 - commends the members of the full-time and retained fire service across the country for their sterling work for the community;
 - supports the call made by their colleagues for an independent investigation into the death of the two fire-fighters; and
 - regrets the failure of the Government to implement in full the recommendations of the Farrell Grant Sparks Review of Fire Safety and Fire Services in Ireland, submitted to the Department of the Environment, Heritage and Local Government in January 2002;
- calls for
- the establishment of a National Authority for Fire and Civil Protection/Emergency Services, one of the key recommendations of the review; and
 - the establishment of full-time fire services in areas of high population, such as Bray.

I wish to share time with Deputies McManus and Ferris.

Acting Chairman (Deputy John Cregan): Is that agreed? Agreed.

Deputy Ciarán Lynch: I acknowledge the presence in the Visitors Gallery of family members of the two deceased members of the retained fire service along with their colleagues.

The entire country has been shocked by the deaths of sub officer Brian Murray and fire fighter Mark O'Shaughnessy who died in the line of duty fighting a fire in Bray. The tragic events of 26 September once again remind us of the risks that members of the fire service throughout the land face on a daily basis. Their job is one of duty that is underpinned by the courage of going to work each day having to deal with and manage dangerous and life threatening situations. In the period following this recent tragedy people all over the country have rightly once again acknowledged the courage of members of the full-time and retained fire services in every part of Ireland, and upon whom we all depend for our safety.

However during this period of sadness and public sympathy, a number of serious issues have also been raised by the Bray fire deaths. Colleagues of the two men have called for an independent investigation into their deaths and the Government should respond to this call. In addition, we believe the Dáil and the public are entitled to an explanation as to why so many of the recommendations of the Farrell Grant Sparks review of fire safety and fire services, submitted to the Government in January 2002, have not yet been implemented.

One of the key recommendations in that report was the establishment of a national authority for fire and civil protection/emergency services. Unfortunately the Government has refused to act on it and it is time to accept that such an overarching structure for the fire service is now essential. It also time to recognise that despite the bravery and commitment of retained fire-fighters, some retained fire services are no longer adequate to provide the level of protection required in areas of high population and of high risk. The motion seeks a commitment to the introduction of full-time fire services for Bray and other such areas of high population and of high risk.

In the period following the tragic deaths of sub officer Brian Murray and fire-fighter Mark O'Shaughnessy information has entered the public domain that clearly demonstrates the need for an independent investigation. This is information with regard to the staffing levels, difficulties in rostering arrangements and the time in which the Bray Fire Service was able to dispatch itself to attend to the fire and how dispatch systems between different local authorities operate.

In the aftermath of this tragedy what must be examined are the resources that were available to the men, such as breathing apparatus and procedures, along with hydraulic platforms, the ability to put in place a command and control system, all of which indicate that there were difficulties with a shortage of personnel at the scene in deploying these resources. All of these concerns raise crucial questions that must be answered. It is not enough to say, as has been said, that things may not have been any different whether the firemen who went out on duty on 26 September were part-time or not. Such a speculative statement is by no measure of means an acceptable response to what happened on that day.

These questions can only be answered through the process of an independent investigation in which a full account of the day's events are examined in the full context in which the tragedy occurred. An investigation is owed to the families of these men, their colleagues, the broader fire service, the local community and society as a whole.

There is a narrative leading up to this tragic event that goes back to the Stardust fire in 1981. Unfortunately a recurring theme of that narrative is one in which the State has not strategically responded. Instead it has at times been crisis driven and at other times consistently failed to act upon many of its own recommendations. For instance, following the Fire Services Act 1981, the Stardust tribunal report was published in 1982. Although the terms of reference for the tribunal did not provide for a general review of the fire service it did, however, make a number of key recommendations which had implications for the fire service as a whole. These included that the Minister for the Environment, Heritage and Local Government should have overall central responsibility for the fire-fighting and fire prevention services provided by the local authorities, the Minister should establish an inspectorate for the fire service with three distinct areas of responsibility, supervision of all fire-fighting services in the country, supervision of fire prevention and fire protection measures in the State and to establish and maintain a national training centre for fire personnel. The inspectorate should prescribe standards of fire cover to be provided by all local authorities. While some other aspects of the tribunal recommendations have been implemented these three key primary points of the report are still outstanding.

In recent years, another major piece of research has been carried out on restructuring of the fire service. A report entitled a Review of Fire Safety and Fire Services in Ireland by Farrell Grant Sparks for the Department of the Environment, Heritage and Local Government was published in 2002. This was the first report of its kind for over two decades and the review noted that "given this lengthy gap it should not come as

a surprise to anyone that major change now needs to be implemented".

In particular the review made a number of recommendations for structural change, chief among these, and not so coincidentally, was a recommendation earlier indicated in the Stardust tribunal report, namely the creation of a national fire authority. The central recommendation of the Farrell Grant Sparks review was the establishment of a national fire authority.

In making recommendations the review identified a number of minimum core requirements to the structural model for the planning, development and delivery of fire and civil protection/emergency services functions. These were the provision of a strong and integrated focus at national level including the provision of the required competencies and capability, the extension of the concept of regionalisation beyond the communications and mobilisation functions currently co-ordinated at that level in order to achieve greater efficiency, effectiveness and value for money and strengthened, better resourced and more effective arrangements at local fire authority level operating in a more consistent manner and delivering a higher quality of service.

At a national level it recommended that the functions currently discharged by the fire services and emergency planning section of the Department, the fire advisory staff of the Department, and the Fire Services Council "should be brought together into a single unified structure".

The review further set out to recommend the need to establish a new fire and civil protection/emergency services authority to implement the recommendations. In effect this recommended re-titling the Fire Services Council as the Fire and Civil Protection/Emergency Services Authority and, most importantly, expanding its role and remit and integrating into the structure the other staff and resources in the Department currently devoted to fire and emergency planning functions. The review went on to state:

The task of bringing about real change in structures, organisational arrangements, operations, culture and people development with a view to impacting on reductions in fires, fire deaths, injuries and social and economic loss from fire and other emergencies should not be underestimated.

It is, we believe, essential that the core outcome from this Strategic Review will be a headline message, signalling the seriousness of intent to tackle current short-comings, through the establishment of a new Authority to develop, lead and direct a new departure for Fire and Civil Protection/Emergency Services functions in Ireland.

At a regional level it was proposed that three regionally based control centres in the east, the south and the west should be developed, capable

[Deputy Ciarán Lynch.]

of serving the mobilisation and communication needs of the fire authorities in these regions. Taking on board concerns it did not recommend any change to the existing statutory role of the fire authorities. Even at a local level the review demonstrated that the enhanced remit of the local fire and civil protection and emergency services authorities would allow for chief fire officers to have, where appropriate, direct delegation of powers, authority, responsibility and accountability to cover the functions assigned to them.

In examining the retained fire service's role in the new national structure, it saw it as continuing to play a vital role. However, it also saw its capacity to do so as under threat from difficulties such as recruitment, retention and securing release from employers of personnel in the retained fire service. In response it recommended a concerted programme of support and development for the retained service as being necessary were it to continue to play a much needed role in the regime.

The motion before us this evening places a high value on the service provided by the retained fire service and recognises the vital role it plays in fighting fires and protecting lives and property in local communities across the country. However, the events in Bray clearly demonstrate that the intended historical role of this service in many parts of Ireland has now become so extended that it now requires upgrading to a full-time fire service in areas of high population and high risk. We now require a full risk assessment approach to be carried out in areas of high population, which also present high risk factors as has been witnessed by the tragic events in Bray. There are many other examples where a risk assessment would clearly show that full-time fire services are also urgently required in other parts of the country.

For example in county Cork, the largest in Ireland, there is only one full-time fire service which serves the city and immediate regions by agreement. The rest of the county is dependent upon a retained service. Mayo, the second largest county in Ireland, while being a control centre for the western region, has no full-time fire service at all. To expand upon the point, probably the greatest example in the country of the absence of a proper risk assessment approach is the lack of a full-time fire service in the town of Carrigaline. Were a proper risk assessment carried out in this locality it would show that the region has 11 Seveso sites and the highest number of pharmaceutical plants in Ireland. Furthermore the town of Carrigaline, which is in the flight path of Cork Airport, has grown so extensively, from a population of 700 people in 1971 to 15,000 today, as to be now completely unrecognisable today from the town it was.

In the time since the review was published in 2002 we have had four Ministers in the Department of the Environment, Heritage and Local Government, three in previous administrations

and now the Minister, Deputy Gormley, in the present one. When considering his predecessor's records, the Minister, Deputy Dempsey, in announcing the publication of the report commented:

The weaknesses identified in the report will have to be addressed. The new approach recommended in the report will have many positive benefits both for full-time and retained fire services personnel throughout the country.

In concluding his comments he gave a clear commitment stating his first priority was to move towards implementation of the recommendations of the report that fell under his direct remit. However, when the Minister, Deputy Dempsey, moved on from this Department the key recommendation to create a national fire authority had not been implemented.

His successor as Minister for the Environment, Heritage and Local Government, Deputy Cullen, when eventually announcing the creation of a national fire authority in 2004 said that it was his determination to do it within his tenure in the Department. He went on to say that he had no intention of going anywhere except remaining in the Custom House. Six months later his successor as Minister, Deputy Roche, reversed that decision choosing instead to set up steering groups to drive what he described as change. We now have a new Minister in Deputy Gormley, and this evening's motion affords him the opportunity, if he is willing, to set about fully implementing this report.

If we also examine and breakdown the present structure we see that the Department of the Environment, Heritage and Local Government, county and city managers, locally elected politicians, chief fire officers, various individual fire authorities and the National Safety Council are involved. All these bodies represent components of how fire firing and prevention is managed and delivered today. All these individual components work to the best of their ability but not as one single co-ordinated unit. The motion calling for the establishment of a national authority would address this obvious problem and ensure uniformity of structure, training and service delivery across the country.

In my opening remarks I commented upon a narrative leading up to the tragic events of 26 September 2007 that goes right back to the Stardust fire in 1981. An unfortunate and recurring theme of that narrative is one in which the State has not strategically responded to these tragedies. Rather it has at times been crisis driven and sadly consistently failed to act upon many of its own recommendations.

The motion before us this evening gives us an opportunity to show that eventually the lessons have been learnt. The motion gives an opportunity in which this House can rise above the usual and expected responses of Government and Opposition debate. It is an opportunity to dem-

onstrate clearly that the tragic events of 26 September in Bray have at last begun to set into motion the examination and creation of a fire service that meets the needs of today's Ireland. Most of all it is an opportunity to put in place the type of fire authority that the brave personnel of our fire services deserve and which we as a modern society should expect. I call on all Members of the House to support the motion.

Deputy Liz McManus: I also acknowledge the presence of members of the Murray and O'Shaughnessy families and their friends along with members of the fire service who are in the Gallery. I thank the leader of the Labour Party, Deputy Gilmore, for ensuring that this motion is debated tonight. When a terrible tragedy occurs it is important that it be acknowledged here in our national parliament. In this instance a terrible tragedy occurred when two fire fighters lost their lives in the line of duty. It occurred on 26 September in the town of Bray which I represent and in which I live.

Like every other resident I enjoy the protection and security provided by the men and women of the fire service in Bray. Over generations we have been proud of them and grateful to them. Now we grieve with them and offer whatever consolation we can. The death of two fine young men Brian Murray and Mark O'Shaughnessy has shocked and stunned our community to the core. Fire fighting always carries risks but a tragedy like this demands a response from the Government so that some good can come from this calamity. That is the purpose of our motion. I am disappointed that, instead of accepting this motion, the Government wants to amend it so that it will become essentially an empty gesture if passed. I am calling on all Deputies regardless of party affiliation to support the motion which sets out in concrete terms what must be done to provide a high quality fire service nationally as well as ensuring that areas of larger population, including Bray, will have a full-time fire service at last.

I say at last because this issue of a full-time service for Bray is not a new one. There have been other heavy losses of life in the past in our town — the deaths in the Cassidy family and in 2002 the deaths of Teresa and Christopher Cahill in particular. What was inexplicable to most people was that these fires occurred in a housing estate just across the road from the fire station. They led to a campaign spearheaded by Margaret Cahill, Teresa's sister. I pay tribute to Margaret Cahill and those around her on the action committee for a full-time fire service for their steadfast and at times lonely stand.

When this issue was debated by Wicklow County Council and Bray Town Council in 2001 much emphasis was placed on the expected publication of the Farrell Grant Sparks, FGS, report to ensure the right decisions would be made to meet the need. The report was published in 2002

and it recommended a new authority and new standards for the fire service nationally. It had the support of firefighters and fire chiefs and we waited for Government action but it never came. Five years on we are still waiting. A feasibility study was prepared by Wicklow County Council outlining various options. It was carried out with good intentions and I acknowledge the initiative of the then chairman, Joe Behan, who is now a Member of this House. However, in its amendment, the Government is using that feasibility study, which was presented in good faith, to avoid making decisions and that is simply not good enough.

Family members have stated that both Brian Murray and Mark O'Shaughnessy had spoken of the great need for a full-time fire service in Bray. Mrs. Murray revealed that only a week before the fire Brian had warned that a firefighter or a member of the public would die by the end of the year unless the fire service was overhauled. As their families mourn them, there is a strong desire among them and across the community that some good should come out of their awful loss. It is a mark of respect to both men that we raise this issue now. I was very struck by the oration at the graveside of Brian Murray when it was said that when a crisis occurred he always responded by saying, "We must do something". When 11 September occurred, he did something practical to raise support for the New York firefighters. The irony is that, comparatively on a population basis, Bray has suffered as great a loss of firefighters as New York did on 11 September. Brian's spirit lives on in his family in its clear and determined support for a full-time service so that something tangible and real can come out of such pain and loss.

As a young man dedicated to his profession who loved his job, Mark O'Shaughnessy also understood its importance. He epitomised the professionalism of the fire fighter and he wanted a full-time service in Bray. We need equal determination on the part of the Government to bring in the reforms set out in the FGS report, which the then Government promised to introduce five years ago. The then Minister for the Environment, Heritage and Local Government, Deputy Noel Dempsey, acknowledged that 25 years had passed since there had been reforms and he said at the launch of the report:

With the passage of time and having regard to the vastly changed circumstances since the current regime was put in place, it was to be expected that service would be in need of a major overhaul at this point. The weaknesses identified in the report will have to be addressed.

The report recommended the establishment of a new national authority for fire and emergency planning services. New structures were also recommended at local authority level which would mirror the arrangements at national level.

[Deputy Liz McManus.]

The report recommended bringing existing local authority fire services and building control functions together and ensuring more accountability. It also recommended national standards. The then Minister accepted the report stating:

My first priority will be to move towards implementation of the recommendations in the report which fall under the sole ambit of my Department and to consider how best to finance them. I will also discuss with my colleagues in Government, some of whose Departments are affected by the Report's recommendations, how best to carry those recommendations forward. I look forward to full co-operation from staff in the fire services where the Report recommends a significant shift in the way in which business is done — in particular a new interface with local communities. If the fire service is to prosper and to realise the potential seen for it in the Report, all stakeholders will have to press ahead in a genuine spirit of partnership.

I hope a genuine spirit of partnership is entered into in facing up to our responsibilities. The Minister, Deputy Noel Dempsey, reappointed the then fire services council for a further six months to enable discussions and consultations to proceed and to progress arrangements for the new national fire authority. He clearly envisaged it would take six months to implement but, almost six years later, progress has not been made to live up to that promise and it has taken the deaths of two brave men to bring this issue to centre stage.

The FGS report set out the changing role of the fire service. Bray is a typical town, with a population of more than 30,000, which has changed and developed over recent decades. Its catchment area extends to Kilmacanogue and Enniskerry and its rural hinterland must also be serviced by the fire service. The submission made by the action committee for a full-time service in the town on the feasibility study is worth reading. I urge the Minister to read it because it defines in detail the needs of our area in terms of a full-time fire service. I have served as a councillor and I understand concerns about the cost local authorities must bear but the Government must deal with that. It is untenable that in a country as well off as ours such concerns are expressed and cost can prevent the establishment of the very best fire service nationwide.

The opening of the Ritz Carlton hotel in Enniskerry was postponed because of the deaths of Brian and Mark. When it eventually took place, the Taoiseach pointed out in his speech that the hotel cost €200 million to build. How is it we live in a society that can spend €200 million, albeit in privately raised money, on a luxury hotel while the same amount would provide almost 100 years of full-time service in Bray? Where are our priorities? This tragedy has set us a challenge, which

must be met to ensure progress is made and good comes out of it.

The debate is not about blame. I have been asked by members of the media to apportion blame and to turn this into a political football but I have no intention of doing so. That would not do any good but it must be ensured that, while the issue is debated in our national Parliament and goes on public record for future generations to read, the Government responds to the motion in a way that matches the need. We should all share support for action to meet the requirements of a highly quality fire service, including a full-time service in areas of heavy population, including Bray. We should be able to come together on this motion. If we do, there would be no better or more fitting memorial to the memory of Brian Murray and Mark O'Shaughnessy and clearly it is the one they would have wished for themselves. I regret that we are having the debate in these circumstances but it is important that we acknowledge their sacrifice and the contribution of every fire-fighter and that we live up to the task they have set us.

Deputy Martin Ferris: I thank the Labour Party for facilitating me in contributing to this debate. In supporting this motion, I begin by adding to the tributes paid to the Bray firemen, Brian Murray and Mark O'Shaughnessy. On behalf of my party colleagues in the Oireachtas and of the organisation throughout the island, we offer our deepest sympathy to their families.

Their deaths remind us that fire fighting is a dangerous job. The attendance at their funerals and the outpouring of public sympathy were proof of the great esteem in which fire-fighters are held by the entire community. This makes it all the more important that the fire service is properly resourced, equipped and trained. It is unfortunately the case that fire-fighters are sometimes attacked during the course of their duty. All Members are aware of incidents in their community where fire-fighters responding to calls in certain areas come under attack. This is disgraceful and wrong and it must stop. Hopefully, the Bray tragedy will cause those responsible to reflect on their actions, particularly as Hallowe'en, which can be a particularly difficult time of the year for fire crews, approaches.

In supporting the motion's call for the establishment of a national fire authority, I emphasise that this is something my party has called for since 2004, a position we share with SIPTU, which represents Dublin firemen. Fire-fighters themselves recognise the need for an integrated training programme and common standards across the State. They are aware that the best way to ensure this is to establish a national fire authority with the responsibility to put those standards into place.

The failure to date to establish such an authority is puzzling as it would seem to require little ingenuity or initiative on the part of the Govern-

ment. Failure to do so, however, not only affects the local service but also means that this State is in the embarrassing position of being unable to participate in international co-operation efforts. Other states do not believe Irish fire-fighters are trained to take part in operations, such as those in response to earthquakes and other natural disasters, because of the lack of a national training programme. That is not the fault of our fire-fighters but of the Government.

This lack of national co-ordination led to the embarrassing situation in April where fire-fighters from Dublin were brought in to deal with a fire on a ship off the Kerry coast. It is the case, however, that the Tralee fire service is fully equipped and has a trained crew to deal with chemical fires. I can only imagine that the decision was less of a calculated insult to the Kerry service than a simple lack of knowledge that the necessary expertise was available.

Another aspect of the unevenness of training is that the Dublin fire service is the only one in which all members are trained paramedics. This training must be extended to all parts of the country. It is mind boggling that fire-fighters throughout the island, with the exception of Dublin, have not had the opportunity to train as paramedics. In most cases where fire-fighters are called to the scene of serious accidents and so forth, such training is of invaluable importance.

There is also the issue of risk assessment, the absence of which at local level could prove to be disastrous in certain circumstances. For example, the Dublin fire service responded to an average of 200 calls per day in 2004. It is a credit to the service that its members were able to respond in such a professional manner to this challenge. However, the demands placed on the service could easily overstretch the available resources. It is vital that an up-to-date risk assessment is carried out so that resources can be tailored to likely demand. At a time when the fire service is in the news, it would be opportune for the Government to commit itself to ensuring that such risk assessments are carried out in every county.

Fire-fighters with whom Sinn Féin has spoken have also expressed dissatisfaction at the amount and condition of service vehicles and other equipment. They particularly stressed the inadequacy of the fire brigade ambulance fleet in Dublin, which they say would be unable to cater for even a small number of major incidents occurring at the same time. We must listen to what they have to say and act upon it. My party has called for an expansion of the fleet and the creation of a single ambulance service in Dublin.

The motion refers to the failure to implement the recommendations of the 2002 review conducted by Farrell Grant Sparks. Why such a review should have been commissioned if it was merely to be allowed gather dust is a mystery. Some of those involved in the service believe it merely confirms the ongoing indifference displayed by

the Government towards the service. In the light of recent sad events, it is timely to set about implementing the recommendations of that review as a matter of urgency.

In the course of research for today's debate, I reviewed several press releases I have issued on this matter in recent years. One of these, dated 19 June 2006, reads:

It is clear that without substantial changes, a disaster — where our overstretched fire service is unable to respond adequately, resulting in substantial, and unnecessary loss of life — is not merely likely, it is inevitable. Despite repeated promises, the Government has failed to implement necessary reform.

I further asserted in this statement that the Government must stop prevaricating and ensure that the fire brigade service and its staff are fully supported so that we can have a service to meet our demands.

Sinn Féin believes there is an urgent need for a State-wide co-ordinating body for the 37 local fire authorities in the Twenty-six Counties. There are differences in training, equipment, policy and methodology across the local fire authorities, with approximately 220 fire stations in the Twenty-six Counties. The lack of such a body may explain the lack of emphasis placed by the Government on the fire services in contrast to other emergency services.

While reiterating the necessity of co-ordination between the various fire brigades in this State, my party would also like to see greater co-operation between the fire services on both sides of the Border. As with ambulance and accident and emergency services, such co-operation is a matter of common sense, makes for greater efficiency and, above all, improves the response rate of the emergency services.

The importance of the service provided by fire-fighters cannot be emphasised enough. No words of mine can adequately express the support they give us all. In the aftermath of the supreme sacrifice made by Brian and Mark to provide a vital service to their community, it is of great importance that we listen to the views of fire service staff. A national fire authority must be established and a co-ordinated approach devised to deal with the deficiencies in our service. Fire service staff must receive the resources to which they are entitled, and we all must work collectively to provide them with the support they need to do their job. We must not act without consulting fire-fighters themselves as it is they who know what is required and who face the dangers every day. Reform can no longer be delayed. If we do not make the necessary changes, we will dishonour the sacrifice made by Brian and Mark.

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to share time with the Minister of State, Deputy Killeen.

An Leas-Cheann Comhairle: Agreed.

Deputy John Gormley: I move amendment No. 1:

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

- “— extends again its deepest sympathies to the families of Brian Murray and Mark O’Shaughnessy whose deaths occurred in such tragic circumstances;
- extends its deepest sympathies to Brian and Mark’s colleagues in the Wicklow fire service and to all members of the retained fire service countrywide;
- acknowledges the courageous service which Brian and Mark gave to the public through their commitment to the Wicklow fire service;
- acknowledges the service and dedication of all members of the fire service, both full-time and retained, given to the public across the country;
- acknowledges the fact that three investigations are under way by An Garda Síochána, the Health and Safety Authority and Wicklow County Council;
- notes the Government’s commitment to implementing any necessary change arising from the outcome of the above investigations in the work of supporting and developing fire services;
- notes the significant progress made in implementing the key recommendations in the Farrell Grant Sparks report of the Review of Fire Safety and Fire Services in Ireland in relation to fire safety and fire services and, in particular, the programmes advanced to enhance the safety of members of the fire service and the public;
- notes that as part of the Government’s continuing commitment to investment in, and modernisation of the fire service, the Minister for the Environment, Heritage and Local Government is reviewing the options for continuing the fire service change programme to ensure that Ireland has a world class fire service to meet the needs of the 21st century; and
- notes that the options for fire service provision in Bray and its environs are under consideration, including public consultation, by Wicklow County Council and that arrangements for the provision of fire services in all areas of the country are a matter for

the relevant fire authorities, which expend an estimated €240 million per annum in the provision of the service.”

I again express my deepest sympathies to the families and friends of Brian Murray and Mark O’Shaughnessy who tragically lost their lives in the fire in Bray last Wednesday week. My sympathies are also with their fire service colleagues in Bray and throughout the country. I pay tribute to their service to the community and to their professionalism. All who knew Mark and Brian have testified to their commitment to family and community. In debating this issue, we should be sensitive to the grief and pain their families, friends and colleagues are going through during these sad days.

I spoke to some of the crew in the aftermath of the tragedy and have arranged to meet with them again soon. I am also happy to meet the families of Mark and Brian if they wish to do so. I also take this opportunity to remember and pay tribute to fire-fighter Michael Listen and Garda Brian Kelleher, who tragically lost their lives in Foynes earlier this year, and to remember their families and colleagues tonight.

The retained fire service are dedicated people who make themselves available to respond to emergencies in their communities. They are well trained, well equipped and very professional. Members of the fire services, both full-time and retained, do a very difficult job and we owe them a great debt of gratitude. The fire services exist to serve the public and they serve it well.

For our part, we as ordinary citizens are extremely fortunate we have in this country a fire service we can rely on and which never lets us down. The fire service has never shirked its responsibilities and has readily accepted the challenges which constant change presents. These personnel serve their communities faithfully and effectively. They show courage and bravery in facing and dealing with emergency situations. I wish to record my thanks and that of the Government for this selfless public service and acknowledge their pain during this period of loss.

The role of the fire-fighter is much different from what it was 30 years ago. The job now includes dealing with road collisions and numerous types of rescue situations, including water and hazardous material incidents. Fire-fighters are often first on the scene but whatever the incident, their priority remains the same — dealing with human casualties and the protection of human life.

Six years ago, it was recognised by my Department that a major review of our fire services was needed. This review was seen as being necessary to take into account the changing role of our fire-fighters, the increased knowledge and expertise internationally regarding rescue services and the economic and social development that had taken place in Ireland.

The review was carried out by Farrell Grant Sparks, which reported in January 2002. The report, entitled *Review of Fire Safety and Fire Services in Ireland*, was the starting point for what has become known as the fire services change programme. Among the principal recommendations for change were more focus on fire safety, including the introduction of community fire safety initiatives; the enhancement of fire safety legislation; and better enforcement of both building control regulations and fire safety, including “during performance” inspections.

There was to be the adoption of a new risk-based approach to determining emergency cover; new approaches and structures for major emergency management; the introduction of a competency-based approach to recruitment, retention and career progression; and a competency-based training regime.

In addition, there was to be enhancement of the service through a continued high level of capital investment to improve infrastructure; further development of safety, health and welfare arrangements; better co-ordination of resources between neighbouring local authorities; more flexible deployment of staff at all levels; and the establishment of a national fire and civil protection authority.

The previous Government launched a fire services change and modernisation programme in 2005 to advance the key recommendations of the report regarding fire safety and fire services. The aim of the programme has been to introduce measures aimed at bringing about significant improvement in the safety of people, including fire-fighters and property. It involved developing a programme of key projects in four priority areas identified in the review. These were community fire safety; competency-based approach to recruitment, retention and career progression; enhanced safety, health and welfare; and the development of a risk-based approach to emergency cover.

A status report on the fire services change programme outlining the progress achieved in these four areas was published in June 2007 and is available on my Department’s website. The first phase of the programme, which focused initially on the enhancement of fire-fighter health, safety and welfare, has been completed.

Further important programmes to provide the best support and guidance possible to assist fire-fighters in their work have also been developed and are currently being rolled out. These include an updated ancillary safety statement template for the fire service to comply with the most recent 2005 health and safety legislation; a new national incident command system; revised breathing apparatus guidelines and associated training and materials; and a critical incident stress management system to assist fire-fighters in dealing with the aftermath of traumatic and stressful incidents, such as the recent tragedy. Considerable progress has also been made in a number of other key

areas and these will be outlined by the Minister of State, Deputy Killeen.

In launching the first phase of the change programme, the previous Government agreed that the priority should be on achieving the widely accepted changes recommended by Farrell Grant Sparks. The programme would provide an opportunity for all stakeholders to show commitment to the necessary change and, depending on the outcomes of the process, the question of how to build the structures necessary to support and embed change on a more permanent basis could be reconsidered.

The establishment of a national fire authority was considered prior to the launch of the change programme and has again been the subject of debate since the Bray tragedy. There are a number of differing views on the merits of a fire authority. As the first part of the change programme has been completed, I am reviewing the progress achieved and I am considering all of the options. The Government must have regard to the needs of the fire service and the greater public interest, and I am determined to consider all aspects in reaching my conclusions.

The provision of a fire service is the statutory responsibility of the local fire authority, in this case Wicklow County Council. The fire authority is required under section 10 of the Fire Services Act 1981 to make provision for the delivery of fire services in its functional area, including the establishment and maintenance of a fire brigade and adequate provision for reception of and response to calls for the assistance of the fire brigade.

The provision of a full-time fire service for Bray has been a matter of public debate for some years now. I am aware that Wicklow County Council’s chief fire officer has prepared a report for the local authority on options for fire service provision in Bray. This report was put out for public consultation in Wicklow and is being considered by the local authority.

I take this opportunity to clarify a number of points on fire service provision. Currently, full-time fire brigades operate in larger urban areas, specifically the cities of Cork, Dublin, Galway, Limerick and Waterford. The number of turnouts where a full-time service exists is in excess of 1,000 a year. The Farrell Grant Sparks report, *Review of Fire Safety and Fire Services in Ireland*, recommended the development of a risk-based approach to fire cover standards. The report envisaged that this new approach will help identify risk patterns and vulnerable sectors of the community and help local authority management in the determination of cover and allocation of resources.

Under the change programme, the development of a risk-based approach to emergency cover was one of the areas included for advancement. During the process it was changed to a risk-based approach to fire safety management to reflect the need for integration of safety initiat-

[Deputy John Gormley.]

ives with emergency response. The procurement process is under way and when the process is completed and a contractor is in place, fire authorities will have assistance to carry out a risk analysis in their functional areas in accordance with the system and to determine the allocation of resources.

There have been calls over the past few days for an independent investigation into the Bray tragedy. Three investigations are under way, carried out by An Garda Síochána, the Health and Safety Authority and Wicklow County Council. I have asked each of the authorities to make the findings of its investigation available to my Department and will consider any necessary change arising from the outcome of these in the work of supporting and developing fire services in my role as Minister. It would be important to await the outcome of the investigations.

In conclusion, it is very difficult to debate these issues in the direct aftermath of such a tragedy. In this regard, I appreciate the measured comments of Deputy McManus. I emphasise that I will listen carefully to any arguments which emerge from the review and investigation process and I will act on the recommendations that emerge. Uppermost in my mind and in the minds of everyone in this Chamber is the health and safety of the men and women in our fire service.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): I wish to offer my sincere condolences to the families of Brian Murray and Mark O'Shaughnessy and to their colleagues and friends in the Bray area. It was clear to those of us who attended their funerals that they were held in the highest esteem. The tragedy of their deaths brought home to all of us the tremendous work fire-fighters do, the risks they take and the level to which communities are dependent on them. I also wish to pay tribute to Michael Liston and Garda Brian Kelleher who were victims of the Foynes tragedy earlier this year.

Local authorities provide fire services and the job of Government is to ensure the legislative framework is sound and to develop and support fire services throughout the country. The Department's fire services capital programme is designed to put in place the infrastructure, including stations and fire appliances, to enable fire-fighters to do a good job and thereby support the local fire authorities in the development and maintenance of a quality firefighting and rescue service. This commitment to and increased investment in the fire service has brought dramatic improvements in the fire service infrastructure nationally. In the past 25 years, almost €240 million has been provided under the fire services capital programme throughout the State for the provision of new and refurbished fire stations and the purchase of fire appliances and other equipment. At this stage, over two thirds of our fire

stations, including almost all of the busier stations, have been replaced. In addition, we have a modern fleet of frontline fire appliances and a modern communications system. The local authorities spend some €240 million per year in operating the fire service. There have been massive improvements affecting all areas of the service, including the employment of more staff, the provision of better training and the strengthening of legislation.

There are some 3,400 people working in the fire service. There are over 1,000 full-time fire-fighters in our major cities and over 2,000 retained staff who respond to protect their own communities when needed. We have 170 senior personnel who lead the service. Included in the latter are professional staff who examine all building plans for fire safety and carry out inspections of premises. The work that has been done in this field is phenomenal and great credit is due to those involved.

In commenting in recent days, many people acknowledged the level of professional training our fire-fighters receive and noted the quality of their equipment. Training provided locally is supplemented by the Fire Services Council, which runs an annual programme of training courses and seminars for senior and junior fire officers and for instructors who train the fire service personnel at local level. Under the fire services change programme, a decision was made at the early stages of the competency module to link the fire services to the National Qualifications Authority and the Department has engaged with the Further Education and Training Awards Council, FETAC, in this regard.

The principal job of the fire services is about protecting people, infrastructure, property and the environment from the threat of fire. A number of measures have been taken in recent years to increase public safety and, consequently, reduce the risk to fire-fighters. Building regulations have been in place since 1992. This means that, during the construction boom, the design of all buildings other than private houses being built or modified must have undergone the fire safety certification process. Since 1998, all new houses must have mains operated smoke alarms.

The Minister has already stated that a series of initiatives have been developed under the community fire safety programme, including a smoke alarm campaign and the primary schools programme. From research, we know that there are in excess 300,000 homes in this country which do not have smoke alarms. This figure does not include households which have alarms that are not working. There are families that would not go to bed at night without locking their doors. They would, however, do so without having working smoke alarms in place. This is all the more surprising and worrying when one considers that it takes fewer than three minutes for someone to die of smoke inhalation. The Department, with the assistance of the local authorities, is trying to tar-

get some of these vulnerable sectors. The other sectors must be targeted through increasing awareness. In that regard, I pay tribute to the voluntary and community sector for assisting the Department and local authorities in targeting people who might otherwise not be targeted as regards the use of smoke alarms.

The functions of the National Safety Council relating to the promotion of fire safety at a national level were returned to the Department in September of last year. Since then, the Department has developed its own suite of fire safety promotion literature which is available from its website, local authorities and health centres throughout the country. The Department also runs its own media campaign, which commences with national fire safety week. The Bray tragedy occurred on the eve of national fire safety week, which was due to commence on 1 October 2007. As a mark of respect to Brian Murray and Mark O' Shaughnessy, the Department's campaigns were postponed until after the funerals. The Department's TV and radio advertising campaign was postponed until last night. This campaign will run on all TV and radio stations until the end of the year. It is hugely important in the context of bringing home to people the message that each of us has an individual responsibility to ensure that every provision relating to fire safety is in place in our own homes and at our business premises.

A separate review of the major emergency management field resulted in the development of a new major emergency management framework in 2005 and the initiation of the major emergency development programme 2006-08. This process has gone well beyond the Farrell Grant Sparks recommendation in this regard. The fire service will play a key role in developing this programme and will ultimately be central to its roll-out and implementation.

Major emergency management is a key challenge and a priority issue for the Government. The roll-out of the new framework will bring Ireland into line with international trends in this area. The purpose of the new framework is to put in place new arrangements that will enable the three principal response agencies — local authorities, An Garda Síochána and the Health Service Executive — to prepare for and make a co-ordinated response to major emergencies. The framework is the foundation for the development of a new generation of major emergency plans by the principal response agencies. It sets out the mechanisms for co-ordination at all levels of major emergency management — on site, local level and regional level, with links to national level major emergency management architecture when required. I acknowledge the place of local authority fire services in major emergency management over the years and the work of city and county managers and senior fire officers in the development process.

The major emergency development programme 2006-08 is currently being rolled out to implement the provisions of the framework. It is the objective to have the process, including exercises and testing of the new updated plans, completed by autumn 2008.

On the one hand, this indicates that substantial work is under way but that this is somewhat short of completion. An important element of our knowledge in this area undoubtedly relates to the 2007 review of the fire services change programme, to which the Minister earlier referred. In the context of Bray and other tragedies, it is important to bear in mind the provisions of the Health, Safety and Welfare at Work Act 2005, which I steered through the Oireachtas some time ago and with which Members on all sides engaged at a level not frequently seen as regards legislation of that kind. I have no doubt that HSA investigation will be independent and well-resourced and will prove hugely important regarding the kind of outcomes people expect and the concerns that have been expressed by earlier speakers and others who have made their views known in this regard.

It is also important to bear in mind that all the key stakeholders in the fire service are participating positively in the fire services change programme and have bought into it to a great degree. Great credit is due to people for facing up to the changes required. In some instances, these changes impact negatively on people's lifestyles and require a level of investment of time that not everyone would be prepared to make.

As already stated, the major emergency framework is hugely important and the fire service will have the key role in respect of its roll-out and implementation. I was interested in the point made by Deputy Ferris regarding the fact the Dublin fire service responded to over 200 calls per day in 2004. While, as the Deputy correctly states, this highlights the enormous job undertaken by fire-fighters on behalf of everyone in the community, it also indicates that the vast majority of the 200 calls per day relating to fire incidents could be prevented if we could put across the message relating to prevention as effectively as possible.

When I was appointed to the Department and looked at this area, I was shocked to find that approximately 300,000 homes are without a smoke alarm. At the first fire services event I attended, I was even more shocked when I was shown a video of two fires which had occurred in Ennis in my own area. In the case of one of the fires, a working smoke alarm prevented not just loss of life but minimised damage to such an extent that one would barely know that a fire had been responded to and dealt with. In the other case, a non-working fire alarm was clearly visible on a worktop in the kitchen with a battery left alongside it that one presumes was out of action and in the process of being replaced sometime. That brings to mind all the other houses, in

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[Deputy Tony Killeen.]

addition to the 300,000 to which I referred, whose owners realised it was important to have a fire alarm but whose alarms were not operational because the batteries were not replaced or some difficulty was not addressed. That is a great concern to anybody who looks at the kind of dangers fire-fighters are exposed to going about their work. The more of us who, as citizens, fail to deliver on our duty to take preventive measures, the more people working in the fire service we put in danger.

The 2005 fire services change programme is being driven by a high-level implementation group to implement the main fire service and fire safety recommendations of the Farrell Grant Sparks report. The view was taken initially that it was more important and a priority under the change programme to use available resources to bring about direct improvements. It is true that the proposals for institutional change were not made a priority at that time. As the Minister has said, he intends looking very carefully at all aspects of the fire service programme arising from this tragic incident and also on foot of the report that will undoubtedly be made available to the Department when the three investigations have been completed. It is important that this is done.

However, it was sound judgment initially to bring about direct improvements to areas that were immediately to the fore. When the programme was launched, it advanced the key fire safety and fire services recommendations in four priority areas. These areas were as follows: the enhanced safety and welfare of fire-fighters; community fire safety; a competency-based approach to recruitment, retention and career progression; and the development of a risk-based approach to emergency cover. These are all very important areas.

A number of project structures involving all the stakeholders were put in place to advance the programme. The first phase of the programme has just been completed. It focused on the enhancement of safety, health and welfare. This mostly resulted from the provisions of the 2005 Act, to which I previously referred and which the Leas-Cheann Comhairle played a very active and important role in seeing through the Houses of the Oireachtas. An updated ancillary safety statement template for the fire service to comply with that legislation was put in place. Other measures put in place included: a new national incident command system; revised breathing apparatus guidelines, associated training and training materials; and a critical incident stress management system to assist fire-fighters in dealing with the aftermath of traumatic and stressful incidents.

The incident in Bray last week was undoubtedly the most traumatic and stressful incident that anybody in any line of work could be subjected to and an appalling situation for the colleagues of the two victims, Brian Murray and Mark

O'Shaughnessy. However, we must also remember that, on a daily basis, our fire-fighters are called out to road traffic accidents and fires involving fatalities and deal with extremely difficult, trying and stressful situations. All of us on all sides of the House would agree that every provision that can be put in place to help them do that job effectively and safely without any negative impact on their own health and well-being should be put in place. Whatever technical disagreement there might be among us in the House in respect of how this motion is dealt with, I have no doubt that, across all political parties and among all of us involved in this area, there is a willingness to move forward and address whatever shortcomings there may be. We would also acknowledge that considerable progress has been made and that in delivering that progress, we should not forget that chief fire officers and county managers, but particularly fire-fighting personnel, have played a key role.

As I have said, considerable progress has been made under key areas, including a series of initiatives in the community fire safety area. Key among them is the installation of smoke alarms in the homes of vulnerable and elderly persons. We sometimes forget the tremendous role that the community and voluntary sector plays, very directly in the current campaign, in helping to target elderly and vulnerable people who do not have fire alarms and might not be aware that a scheme is in place. Besides making the applications, the community and voluntary sector frequently helps in the provision and installation of the alarms. It is very important that we pay tribute to it.

In respect of the programme targeted at third class, I pay tribute to all those firemen who have gone out to schools throughout the country. I know that last year, every primary school in County Clare was visited and every third class pupil was visited by people from the fire brigade. They make a significant impact. Last week, I visited the school in which I taught for a number of years. Two fire-fighters were there speaking to third class pupils. Of course, in a small country school, it was not just third class pupils who were affected. Everybody in the school was eager to see the firemen and what they were doing. The message went home very strongly to parents in that community, as it did in every other community where the third class was visited, that we all have a responsibility in respect of our property to make provisions that are extraordinary inexpensive and readily available. There are so many outlets where one can pick up a smoke alarm. It is so easy to install and the battery lasts so long that none of us has any excuse for putting our families' lives or our property in danger, and just as little excuse for putting the lives of very brave fire-fighters in danger.

The Government is committed to continuing to implement the necessary changes to ensure that we have a world-class fire service. Progress under

the programme can be viewed in conjunction with the following: strengthened fire safety legislation of 2003, the major emergency development programme approved by Government arising from the review of the framework for major emergency management commissioned in 2004, the success of the capital investment programme which is very visible in all of the local refurbished and new fire stations throughout the country and the quality of the equipment which is on a par with best international standards, very importantly, the provision of relevant training to fire authorities supplemented by the central training programmes provided by the Fire Services Council and the strengthening of the management structure in local authorities, all of which have been done over a period of time to try to ensure we have the very best provision in terms of our capability to address fires and trying to ensure the safety of the very brave people who deliver that service to us.

Ultimately, this is a very big picture and programme and an area where it would be very wrong to point to one particular group and lay all the responsibility for delivering a better service on it. There is no doubt that the Government has a key role to play in terms of the provision of legislation, providing the necessary framework and ensuring the finances are provided. Equally, local authorities have their own responsibility for the delivery of services in a very direct way. It is incumbent on all of us, particularly in the wake of these appalling tragedies, in memory of the two brave men and as a mark of respect to their families, to ensure that every effort is made to deliver the highest quality of service for the people of the country.

Deputy Phil Hogan: I wish to share time with Deputies Doyle, Enright and Breen.

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

Deputy Phil Hogan: Fine Gael will be supporting the Labour Party motion in respect of this very important issue. I am disappointed the Government has not seen fit to agree with the Opposition on a Private Members' motion for the second week running. Tonight's important motion comes in the wake of a difficult tragedy in Bray. It highlights, nonetheless, neglected issues in the emergency services over the years which have been articulated both by Members and the public.

I extend my sympathies to the families of Brian Murray and Mark O'Shaughnessy. They have brought to national attention the deficiencies in one of our essential emergency services. One difficulty faced by the Government is that the emergency services are in rag order. Whether it is health or the fire services, we cannot always depend on everything working as it should. The Opposition, in a constructive manner, is trying to

establish principles and good practice to ensure the recent tragedy in Bray does not happen again.

This issue goes back to 2001 when the then Minister for the Environment and Local Government, Deputy Noel Dempsey, recognised rightly there were problems in the co-ordination of emergency services. He asked an expert group to examine how best services could be deployed in the fire and emergency services. Farrell Grant Sparks was commissioned to report on the matter. However, like so many reports commissioned by the Government, it had to be dusted down in recent days to see what was in it. That is not good enough.

A high level group and four committees were established to evaluate the competencies regarding the delivery of the fire and emergency services and the risks in each fire authority. The recommendations of the risk-based committee achieved nothing, which crystallised itself in the recent events in Bray. Arising from the appalling tragedy in Bray, there will be separate Garda, departmental and Health and Safety Authority investigations. We can have all the investigations we like but do we learn lessons from them? Sadly, based on the failure to implement the key recommendations of the Farrell Grant Sparks report, I will not hold my breath for the implementation of the new reports' recommendations.

What is needed is an independent authority that will transcend local authority boundaries and will ensure people can rely on a fire service that will minimise risk. The Fire Acts allow for cross-boundary treatment of fires. In the case of the recent Bray fire, the full-time fire service of Dún Laoghaire-Rathdown could have been called upon. In spite of what the Taoiseach said, there is a difference between part-time and full-time services. People in a part-time service must leave their place of work to attend a fire scene. The Dún Laoghaire-Rathdown service, a full-time one, was eight minutes from the recent Bray fire. Why was it not called upon? This is one of many questions to which people want answers.

It is not good enough for the Minister to throw everything back on the local authorities. It is a requirement of the House to act on deficiencies in services. I call on the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, to ensure recommendations from the Farrell Grant Sparks report are implemented. We do not need any more reports. The existing reports must be implemented.

The Government amendment to the motion shows it is not committed to realise these objectives. The core recommendation of the Farrell Grant Sparks report stated:

A new authority at national level which will provide stronger national leadership, put in place a more integrated and coherent structure at the centre and which will lead, develop,

[Deputy Phil Hogan.]

implement and manage the performance of a new regime aimed at delivering better results.

The report also stated such an authority would establish these “new arrangements at local authority level which will integrate existing fire authorities and building control authorities into a unified structure”. This is the only way in which “a more focused and enhanced emphasis on prevention and mitigation as well as on operational emergency response capability”.

The Government must rethink these issues between now and the end of this debate. The House can be united on this motion, in the memory of the recently deceased firefighters in Bray. Doing so would allow us to be in a position to tell their families and those who work part time and full time in the service that there is a new policy position that will ensure confidence in our fire services.

Deputy Andrew Doyle: I wish to acknowledge the presence in the Visitors Gallery of family members and colleagues of Brian Murray and Mark O'Shaughnessy. The timing of the motion is appropriate, given that the deceased firemen's families are determined some good will come from this tragedy. We must do our job as legislators without it becoming a political slagging match.

The Farrell Grant Sparks report is five and a half years old. The tone of the language used in the report struck me. It stated, “Our primary recommendation is that a new national authority for fire and civil protection/emergency services be established”. It continued: “We believe strongly that a single unified structure under the new authority is the optimum means of achieving coherent national leadership and development for the fire safety and fire services regime”.

To his credit, the then Minister for the Environment and Local Government, Deputy Noel Dempsey, put in place a structure which would have seen such a model rolled out over six months. Five and a half years on, we still have 37 fire authorities and 222 fire stations. Northern Ireland has a single fire and rescue service, divided into regional, area and district command centres. For its own reasons Northern Ireland has developed an expertise in this area but the least we can do is examine it as a possible model which would have merit here.

I acknowledge that many recommendations of the Farrell Grant Sparks report have been implemented. However, I do not believe adequate resources are provided to the fire services. Any rescue service that must analyse costs in dispatching a team is simply not working right. People in the services will claim this attitude pertains. Last week, the House debated how the recruitment embargo in the health services has affected recruitment of ambulance service

personnel, despite the claim frontline services would not be affected.

I welcome the Minister's willingness to examine aspects of the services and the establishment of an authority. The report, however, claimed its primary recommendation was the establishment of this authority. In itself it will not achieve anything other than a national protocol or command system. In the context of the sentiments in his speech I ask the Minister to look at it. The amendment tabled by the Government, in particular the last part of it, puts the responsibility in its entirety back on the local authorities and is completely at odds with the Minister's statement. It ignores the Farrell Grant Sparks key recommendation and at the minimum it should be discounted. We need a completely independent investigation into this whole tragedy and the circumstances surrounding it, with the right to make recommendations that will be acted upon. As Deputy Hogan said, we have had key reports before, they were cherry-picked when it suited and key recommendations have not been implemented because it did not suit.

Unfortunately, I heard the phrase used last week in an interview with a former Minister to the effect that these were quangos. When we want to put a question down to a quango such as the National Road Safety Authority, the Energy Regulator etc., we are told it is inappropriate for this House, since these are statutory organisations in their own right. A national fire authority would have a similar mandate, to put in place the proper procedures and protocols for a world-class fire service, as outlined by the Government.

I ask the Minister, once again, to support the motion tabled by the Labour Party. I ask him again to reconsider the amendments tabled which render all the rhetoric as a joke.

Deputy Olwyn Enright: Like all speakers tonight, I extend my sympathy to the families of Brian Murray and Mark O'Shaughnessy on their recent tragic deaths. These deaths have brought back to the forefront issues that should have been long since resolved.

I thank the Minister, Deputy Gormley, for his speech but he has not outlined adequately the reasons the Farrell Grant Sparks report has not been fully implemented to date. He said the last Government, in 2005, launched a programme to advance the key recommendations of the report. However, as far back as Deputy Martin Cullen's time as Minister, he promised he would implement the report. The Taoiseach, in a letter to the fire chiefs in 2002 said that Fianna Fáil believed that the report's recommendations must be implemented without cherry-picking. Sadly, it is clear that since that letter five years ago, there has been a substantial cherry-picking of recommendations. I have been told that while some of the relatively easy recommendations have been implemented, the tougher, more costly ones, were

not. That is a serious point that needs to be teased out.

I am sure the Minister is aware that one of the report's authors, Mr. Tom Murray, said that the key on which the report turned was the setting up of a national fire authority. I very much support him in this and indeed the motion tabled here tonight by the Labour Party in that regard. He said that to progress with other recommendations without this was to deal only with the symptoms rather than the main deficiencies which were institutional and structural.

Treating symptoms is just dealing with the tip of the iceberg. The root of the problem must be tackled and we need to look at reality in this regard. All experts in the area, including fire chiefs, seem to agree on some of these points. Effectively, at national level we have no standards, monitoring or compliance checking. The system being operated is outdated compared to that in many countries in Europe and around the world. Regardless of such comparisons, it is outdated in any event. We do not even have a clear mechanism for assessing risk right across the fire service. Despite the clear recommendations in the Farrell Grant Sparks report, fire cover standards still operate on an area-based regime linked to speed of response rather than to risk associated to area.

The Bray tragedy has again thrown up the issue of full-time versus part-time or retained fire services. The sad reality is that I cannot properly comment on this and, with the greatest respect, neither can the Minister. Because we do not have a national fire authority we cannot assess what should be in place in Bray or indeed other towns around the country. In some respects that provides a comfort blanket for the Government, which it can hide behind. However, the ultimate responsibility for the fact that we do not know lies with Government. Had a national fire authority been in place, at least we would have been aware of the standards which we needed to live up to and what each local authority must provide. There is no comfort blanket for fire-fighters as the people who risk their lives in providing a service without proper standards being in place.

Unfortunately many other towns such as Bray are in the same position. I have done some checking on facts and figures and Tullamore has almost the same number of calls as Bray per annum and also operates on a retained service. If a national fire authority was in place there would be clear criteria.

I wonder to what degree the Minister has examined the options. Has he thought of day-manning some of the stations? It is obviously difficult to get fire-fighters during the day, especially given the criteria that they need to live and work within a relatively short distance from the stations. Then there is the issue of traffic problems and access to stations. However, there are options such as having full-time crews in some areas during the day and a retained service at night. I am not suggesting that this is what is

needed in Bray or Tullamore. Again, I do not have the expertise and there is no national authority to assess this. There are difficulties as regards rural regions as well as built-up urban areas. Some fire authorities find it difficult to recruit part-time fire fighters in rural areas, again because so many people travel to urban areas to work. While the number of call-outs might be relatively small in rural areas, fire-fighters must be available all the time and that presents problems.

The pace of Government roll-out facilities is still poor. I welcome the fact that towns such as Birr and Edenderry in my constituency have new fire stations. Birr waited nearly 20 years for it to happen, but other places, too, have problems. Ferbane fire station is very antiquated and in desperate need of replacement. It is a place of crucial geographical importance, serving the N62 west Offaly power region, Bord na Móna and the whole peat area. Clara also awaits the provision of a new fire station.

I will return to the point Deputy Doyle referred to regarding the Minister's speech and throwing responsibility back on the local authorities. I wrote to the Minister in July about Clara, following receipt of a report I had sought from Offaly County Council. The council report informed me that the plans had been lodged in the Department for a number of years. I knew that and wrote to the Minister to find out how matters were progressing. The response was similar to that which I get from the Minister for Health and Children when I table questions about the HSE. I specifically asked whether the Minister could look into the matter of the proposed plans and what stage they were at in the Department. He wrote back to tell me it was a matter for Offaly County Council. We could write to each other for another ten years on this and go around in the same circle. Offaly County Council does not and will not have the funding to build a fire station either in Ferbane or Clara. The Minister knows the money comes from his Department. It is important when we raise these genuine queries on very important issues on behalf of people living in these areas that we get answers telling us, in effect, that the Minister is looking at the plan and at what stage it is at, rather than referring us back to the local authority which will not write the cheque to provide the service. The provision of funding for stations for equipment comes from the Department of the Environment, Heritage and Local Government and that is the reality.

The Act outlines the role of local authorities in terms of providing services, but the nuts and bolts of such provision must come from the Department. I thank and congratulate all members of the fire service for the fantastic work they do in extremely difficult circumstances. I ask the Minister, in the light of the work they do for what is a small return, to reconsider the Government's

[Deputy Olwyn Enright.]

amendment and support the Labour Party's motion.

Debate adjourned.

Adjournment Debate.

Shannon Airport.

Deputy Pat Breen: I am sorry the Minister for Transport, Deputy Dempsey, is not here to take this very important matter. It shows the way he treats it. However, I am delighted the Minister for Education and Science, Deputy Hanafin, is here on his behalf. Being a Tipperary woman, she will be very supportive of what I have to say.

Weekend media reports reveal the Minister for Transport is about to appoint two new directors to the board of Aer Lingus with a mandate to block the transfer of Heathrow slots from Cork and Dublin Airports and is set to abandon Shannon Airport to the west. We all welcome the move to safeguard the slots at Cork and Dublin Airports but to abandon Shannon Airport and leave the entire region without connectivity to Heathrow is unbelievable and will not be accepted in the region.

The Minister for Transport told us we were exaggerating. When he finally accepted there was a crisis, he said there was nothing he could do about it. The Minister has told us it is too late for Shannon, but it is not. Two weeks ago in the House, the Minister said the Government believed it would be inappropriate to intervene in the decision-making of a private company and that to do so ultimately would be damaging both to the company and its customers. I remind the Minister for Transport that he also said shareholders do not have the power to overrule management decisions on business matters. He said this was based on legal advice. Will he publish this legal advice so we can examine it? It is extraordinary that the legal advice last week was that one cannot intervene but that, this week, the Minister will appoint two board members and, as quoted in the newspapers, he will not give management *carte blanche* in regard to what it could do with the slots. The Minister, however, will not intervene in the Shannon issue.

Last week during the debate on Aer Lingus there were rumours that a new airline was coming into Shannon and that a deal would be done in the near future, but the reality is very different. Anybody who knows the airline business will know that BMI had already committed two fleets flying long-haul to the Middle East and would not be in a position to change its aircraft rotations in respect of any incentive it was offered. The rumour was just a face-saving spin coming from the Government.

The Minister is to appoint two directors to Aer Lingus which he should have done on his first day in office. However, he failed to realise how important this was until my colleague, Deputy O'Dowd, pointed it out to him. Will the Minister appoint somebody from the mid-west to the board? The mid-west has been marginalised at Government and board levels. While various Government Deputies in the mid-west were happy to jump up and down in constituencies and talk about the issue, none stood by us in terms of their commitments when there was a crucial vote last week. It is important the mid-west is given a voice at board level in Aer Lingus. It would provide a direct input for the region at the forthcoming extraordinary general meeting to discuss fleet expansion.

Already a number of investments in the region have been cancelled. Ballykilty Manor in Quin has put its expansion project on hold and this comes on top of the decisions by Dromoland and Doonbeg.

The reality is that Aer Lingus is the only airline in respect of the Heathrow slots. There is no alternative. If the decision by Aer Lingus is not reversed, it will have huge consequences for Shannon and the entire western region. Day by day confidence is being diluted in our region and yet no action is being taken in defence of Shannon. There are commitments to future investment in Transport 21 and there was a commitment in the tourism and economic development plan, but nothing has happened. Not one cent has been spent on this promised tourism and economic development plan.

Having conceded that it can intervene in Aer Lingus, I call on the Government to use its 25% shareholding in the company to have the Aer Lingus Shannon-Heathrow service restored. Time is running out in terms of airline scheduling for 13 January 2008, but it is also running out for the Minister for Transport and the Government on this issue. It is a critical issue in the region and it will not go away.

Minister for Education and Science (Deputy Mary Hanafin): I am responding on behalf of my colleague, the Minister for Transport, Deputy Dempsey. Under the memorandum and articles of association, the State is entitled to appoint three directors to the board of Aer Lingus. Currently, there is only one State appointed director serving on the board and it is now proposed that two further appointments be made. The State's representatives will not, as has been reported, have a mandate to block any future slot transfers. Under company law, all directors have legal responsibilities to protect the interests of the company which, in practice, means advancing the interests of all shareholders.

Immediately after the IPO, Ryanair's attempted takeover bid was launched. Under the applicable law, the State representative on the board was excluded from board meetings at

which the takeover was discussed. It would not have made any sense in such circumstances to have appointed all three State directors at that time.

The circumstances are now different and it is appropriate to make those appointments in the near future. The State appointees will seek to ensure that all future decisions of the company that have implications for wider Government, aviation or regional development policies are considered and decided at board level. This will give the State appointees the opportunity to raise the public policy implications of each decision and to ensure that the full commercial implications for the company are taken into account. The State appointees to the board do not have a veto on board decisions. It is not possible for the State, even as a shareholder, to seek to impose non-commercial obligations on the company.

Aer Lingus has stated that it made its decision to transfer the Shannon-Heathrow slots for commercial reasons and the company has confirmed that this decision is commercially robust. Under company law it is not possible for the State or any other shareholder to overturn a decision taken by the company on day to day business matters. The legal advice to the Government has been clear and unequivocal on this point. The Minister has made it clear to the company that this decision goes against national aviation and regional policy, but it has made it clear that it will not change that decision. By appointing our full board complement it will be possible to ensure that the full ramifications of all significant strategic decisions are fully discussed and decided by the board.

In regard to connectivity, the report of the senior officials group, which has now been published, examined all the implications of the Aer Lingus decision. It concluded that while the withdrawal of the Heathrow service is a loss to the Shannon region, the negative impact from a connectivity point of view almost completely relates to one stop connectivity and flight duration to key destinations in Asia, the Middle East, Africa and Australia, as such destinations must generally be accessed through a major hub. This has obvious adverse effects in terms of business travellers and other users from the Shannon region.

However, the senior officials group confirms there should be little impact on connectivity with destinations in the Americas as the best route is as likely to be through one of the US hubs served directly from Shannon. Services between Ireland and US are enhanced when one takes into account the link up by Aer Lingus with the US carrier, Jet Blue, which makes possible access to and from Shannon to 50 airports in the US, Mexico and the Caribbean.

This is in addition to the new direct services being provided under the open skies arrangements. In the case of European origins or destinations, the analysis found that there is no loss of one-stop connectivity but travel via Heathrow was found in general to be faster.

The Minister commends the Shannon Airport Authority for its positive response to the current difficulties. The authority has specifically identified airline services to the key European hub airports of London-Heathrow, Paris, Amsterdam and Frankfurt as being of key strategic importance to its ongoing development. The airport recently published a European hub airport incentive scheme for services to come into operation in 2008 which provides for significant discounts in airport charges and for the possibility of marketing support to be provided by Shannon Airport for new services.

The Minister is very committed to ensuring that the mid-west region will continue to have the widest possible range of connectivity options available for the benefit of business and tourism throughout the region.

Arising from the Government's acceptance of the report, it is proposed that, taking account of the findings and the other issues addressed therein, the relevant Ministers, following consultation with the four mid-west planning authorities, together with the Mid-West Regional Authority, will report back to Government as soon as possible on strategies for unlocking the further development potential of the Limerick-Shannon gateway and its wider region. This will be done in light of the substantial investment planned under the national development plan and Transport 21 to create an integrated infrastructure underpinning the region's competitive position.

Deputy Pat Breen: There is only one strategy and that is to use the 25%.

Schools Building Projects.

Deputy Willie Penrose: I thank the Minister for attending. I thank the Chair for allowing me to raise this important issue concerning the provision of funding to enable the provision of vital additional accommodation at my old *alma mater*, Saint Brigid's national school, Ballynacargy, County Westmeath, the roll number of which is 01731U.

An application was made to the Minister's Department for funding under the devolved capital works scheme in respect of the small schools scheme 2007. The scheme allows a maximum grant of €484,000 to carry out works that would cost approximately €600,000. Unbelievably and somewhat bizarrely, and to the amazement of everyone, including the board of management, parents, principal and staff, the funding application was rejected due to financial constraints. As I understood it, schools with absolute and demonstrated needs were approved.

In the era of the Celtic tiger, in which the fruits of our economic success should be allocated to provide decent, adequate, warm and modern accommodation to give our children a good start in academic life, the Department found it was not essential to meet the needs of in excess of 90 chil-

[Deputy Willie Penrose.]

dren in Ballynacargy national school. The board of management and teachers spent many hours planning, deliberating and consulting with regard to their initial application and subsequent appeal. For the past few years, the teachers have diligently attended in-service days devoted to the implementation of the revised curriculum and returned to the school to try to implement the new approach, yet they find their attempts to implement it are handicapped severely due to inadequate space and resources.

The 92 children in the school are currently accommodated in four classrooms of 30 sq. m while the recommended size of such rooms is from 48 sq. m to 60 sq. m. The school, which is classified as disadvantaged, but with no concessionary post, has a full-time resource teacher accommodated in a converted cloakroom leading to the boys' toilets. The learning support teacher, whose post — rated as 0.9 — is almost full-time, is accommodated in a room that the school built from its own resources approximately ten years ago. The room is also used as a computer room, office, storage room, secretary's room and staff room. A rural co-ordinator was recently sanctioned for the school under the DEIS programme and a special needs assistant must be accommodated. Where are all these members of staff to be accommodated?

The school has one sink and there is no room to install more. There are no sinks in the classrooms and no running water, hot or cold. One computer is squeezed into a corner, allowing limited access for teachers and pupils, and the limited space severely restricts reading, art, computer work, dancing, circle time and the display of the children's work. Physical education is completely dependent on weather conditions. The staff room has no kitchen facilities, no hot or cold water and no food preparation or disposal area, yet it caters for a minimum of eight people.

This year the school participated in the school meals programme, organised by the Department of Social and Family Affairs. Participation is curtailed somewhat due to the lack of the most basic resources. The school wishes to operate a breakfast club in addition to participating in this scheme.

The school serves an area with a high incidence of educational disadvantage, which is furthered by the lack of adequate and basic facilities, which are clearly required. The provision of a general purpose room is essential to the school and it would serve as a dining room for use under the school meals programme. Children could eat their lunches, produce shows, sing, talk, hold exhibitions and do art there while staff could use it for supervision. Since the classrooms are small and overcrowded, ventilation problems arise, especially if the children are contained there all day. Such containment leads to stress among the pupils and teachers and gives rise to health and safety concerns for everybody. Small communal

toilets for large numbers of children leave a lot to be desired. It is clear there is an urgent need to upgrade and disperse them so the requirements of everyone do not need to be catered for in just one location.

The school authorities were given to understand that the necessary capital funding would be provided some months ago. The Minister can therefore imagine their disappointment and dismay not only over the refusal of their initial application, but also over the binning of their appeal. I believed they might have been mistaken in their understanding of the matter until I read the reply to a parliamentary question I tabled on 2 October 2007. It stated:

On 5 March 2007, I announced details of the schools to receive funding under the Small Schools Scheme 2007. The application from the school to which the Deputy refers was successful and officials from School Building Section have been in contact the school authority advising them of the next steps in the process.

The Minister made reference to Saint Bríde's national school but there is no such school in Ballynacargy, nor is there in Emper or the next village.

Will the Minister reinstate Ballynacargy national school if its application has been rejected and ensure it receives the money necessary to put in place two new classrooms, the general purpose room, a staff room, two resource rooms and an office? This would allow the conversion of the existing four classrooms into two rooms. I rarely raise any such matter in the House but this is very important. I refer to my own area, which is expanding and designated by the Department as disadvantaged. Will the Minister please find the €484,000 that the board of management, principal and staff and parents were originally led to believe they would receive? Later they were led to believe the contrary and then, on the basis of the reply to my parliamentary question, they were led to believe they had the funding again. I am afraid the Minister will disappoint me again. A legitimate expectation has been raised on foot of her reply and it is up to her to correct the misinterpretation, if there is one. On behalf of the people associated with the school, I ask that a wrong be put right.

Deputy Mary Hanafin: I thank the Deputy for raising this issue. His main interest concerns the school to which he referred. I understand there are two schools listed for Ballynacargy, each with its own roll number. One is Scoil Bhríde and the other is Ballynacargy mixed national school. My reply to the parliamentary question last week related to Scoil Bhríde and my reply tonight concerns the mixed national school. If there is any confusion over this, I will be happy to clarify it for the Deputy.

The Deputy will be aware of the extent of the modernisation of schools nationwide, particularly

given the under-investment in this area over many years. Obviously, many old schools are being modernised and we have been keeping pace with the rapid population growth. This year alone the Government has spent €550 million on the schools building programme. Under the lifetime of the national development plan, some €4.5 billion will be invested. This is an unprecedented level of investment and shows our commitment to continued investment in primary and post-primary schools.

Some €300 million will be invested in large-scale building projects, mainly in rapidly developing areas. This will facilitate 150 large-scale projects and deliver 15,000 additional permanent places in new schools and extensions and modernised facilities in existing schools, benefiting over 45,000 pupils. It will also enable the purchase of sites to facilitate the smooth delivery of the schools building programme, again focusing on site requirements in rapidly developing areas. The balance will be used to fund the other schemes referred to by the Deputy, namely, the summer works scheme, the small schools scheme, the permanent accommodation scheme, etc. This year alone, some 1,500 schools building projects will be delivered.

As Deputy Penrose rightly stated, Ballynacargy mixed national school has a principal, three mainstream teachers, one learning support-resource teacher and one resource teacher. There are small classes and a pupil teacher ratio of approximately 1:19. Enrolment has been very stable over the past five years. I accept that in some cases additional teachers were employed before accommodation was made available. It was more important to put staff in place than wait for the classrooms, particularly in respect of resource teaching and supports for children.

The mixed national school's application was not successful on this occasion. I will clarify the position in respect of the other roll number referred to by the Deputy. It is open to the school to apply again for funding and the circumstances outlined by the Deputy will be taken into consideration in light of the multi-annual schools building and modernisation programme.

Site Acquisitions.

Deputy Tom Hayes: I thank the Chair for giving me the opportunity to raise this important issue with the Minister for Education and Science. I thank the Minister for coming to the House tonight. I have raised many matters on the Adjournment since I was first elected to the House, but this is the first time the Minister responsible has come here to respond to me. I appreciate the Minister's presence to listen to what I have to say about the gaelscoil in Clonmel. I know she has a great deal of knowledge of this saga, which I would prefer not to have to raise in this Chamber. I have asked many questions about it in the past, but on this occasion I will not be

satisfied with answers which will not be carried through to fruition.

I would like to outline briefly the history of this affair. When South Tipperary County Council announced in 1997 that it was planning to stop using some office accommodation in the Irish-town district of Clonmel, it was suggested that the local gaelscoil, which had nowhere to go, be allowed to use the building. At the time, a divided council decided, against the wishes of the council management and engineers, to give the school permission to use it. As the building was not fit to be used as office accommodation, the county manager had recommended that it be levelled and the site used as a machinery yard. The members of the council did not take that recommendation on board, however — they agreed to the request of the parents and board of management in the school that the building be used to accommodate the gaelscoil.

The school authorities have been looking for permanent accommodation since 1997. When by-elections were held in the Tipperary South constituency in 2000 and 2001, public meetings were held in the local hotel and promises were made that a site would be acquired. The then Minister for Education and Science announced before the 2002 general election that a site would be made available to the gaelscoil — proof of this promise exists in the form of photographs which were taken with local representatives on the occasion of the announcement. When a further public meeting was held in 2007, Fianna Fáil councillors decided that they would table motions at local authority level favouring a site at the Ballingarrane estate, which is the property of the local council. They knew that the site would not be made available by the council, however. The management of this hugely successful school, which is supported by everybody in the local community, has been dealt with in a disgraceful and unfair manner. The parents, board of management and students are frustrated because they have been waiting for a long time for a new site, which is needed because the conditions in the current accommodation are extremely bad. They were hoodwinked in the past when various possible sites were mentioned.

I appeal to the Minister, Deputy Hanafin, to take this issue in hand by deciding where the school should be built. There are two possible sites, the Ballingarrane site I mentioned and a site on health board land, both of which are owned by the State. The latter site is owned by the Minister for Health and Children, under the auspices of the Health Service Executive. I ask the Minister to bang together the heads of the officials in the various Departments so that one of these two sites can be selected and a new school can be built. I understand that the necessary funds have been allocated and progress could be made if a site was made available in the morning. The manner in which this saga has been allowed to continue is unfair to those involved in the gaelscoil

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and the community as a whole. It is particularly unfair that the staff and students of the school should have to work in unsuitable conditions. I appreciate that the Minister has met various delegations about this matter, but she needs to bang some heads together so that a site can be identified and the new school can be built.

Deputy Mary Hanafin: I thank Deputy Tom Hayes for giving me an opportunity to outline the current position maidir le Gaelscoil Chluain Meala. Tuigim go maith an gá atá ann le haghaidh scoil nua. I genuinely appreciate that the school has had to wait a long time for new accommodation. The Government will do all it can to acquire a site for the gaelscoil as soon as possible. The aggressive protest that took place during the election campaign earlier this year, which was mentioned by Deputy Hayes, will not affect my determination to do something about the need for a new school. Children were used in an inappropriate manner during the protest, which took place in Clonmel. While I recognise that there is a need for a new school, I do not believe any school should operate in the manner observed that day.

As the Deputy is aware, the property management section of the Office of Public Works, which generally purchases sites for new schools on behalf of the Department of Education and Science, was asked to identify potential sites for the gaelscoil. A number of responses were

received after the OPW placed an advertisement seeking proposals for possible sites. Six sites were visited and their technical suitability as locations for the gaelscoil was considered. The preferred location for the new school development emerged as a three-acre site on the existing Tipperary Rural and Business Development Institute campus, which is owned by Tipperary Rural and Business Development Institute Limited. The institute proposed to the Department that its campus in Clonmel be relocated to a large-scale technology park. The relocation proposal was approved on certain conditions, one of which was that the institute should assist the Department in finding a site for the gaelscoil. As I said earlier this year, while this process is reasonably well advanced, it is taking longer than expected.

Given the urgency of the school's needs, the Department has started to seek alternative site options. The Department is committed to acquiring a site for the school as quickly as possible, regardless of whether the site is part of the Tipperary Rural and Business Development Institute campus or at a location elsewhere in Clonmel. All sites are being considered as part of the efforts which are being made to bring this process to a conclusion. I thank Deputy Hayes and reassure him go bhfuilimid ag déanamh ár gcuid ar son Gaelscoil Chluain Meala chun suíomh ceart a fháil.

The Dáil adjourned at 8.55 p.m. until 10.30 a.m. on Wednesday, 10 October 2007.

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 4, inclusive, answered orally.

Questions Nos. 5 to 92, inclusive, resubmitted.

Questions Nos. 93 to 100, inclusive, answered orally.

Garda Deployment.

101. **Deputy Seán Sherlock** asked the Minister for Justice, Equality and Law Reform the number of members of An Garda Síochána; the number of juvenile liaison officers and the percentage of the force this represents in respect of each year since 2002 and to date in 2007; the reason there has been no increase in the number of JLOs despite the increase in the overall strength of the force; his plans to increase the number of JLOs in view of the proven success of their work; and if he will make a statement on the matter. [22502/07]

482. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform his plans to augment or upgrade the juvenile liaison officer service; and if he will make a statement on the matter. [22856/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 101 and 482 together.

I am informed by the Garda Commissioner that the number of Juvenile Liaison Officers in An Garda Síochána as of 30th June 2007 was 86 Gardaí and 8 Sergeants which represents .7% of the strength of the force. Of course, while these officers are dedicated to this service, a great many other Gardaí are engaged in liaising with juveniles on a day to day basis.

The number of dedicated Juvenile Liaison Officers as of 31st December in each of the years 2002-2006 was as follows:

Year	Gardaí	Sergeants
2006	87 Gardaí	8 Sergeants = .73%
2005	87 Gardaí	8 Sergeants = .77%
2004	86 Gardaí	8 Sergeants = .77%
2003	85 Gardaí	8 Sergeants = .77%
2002	85 Gardaí	8 Sergeants = .78%

The Commissioner has approved an additional 28 posts for Juvenile Liaison Officers (JLO) to be phased in over the next 4 years, commencing with the allocation of 7 JLOs planned for this year.

Garda personnel assignments throughout the Country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed by Garda management. The purpose of this is to ensure that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public.

National Drugs Strategy.

102. **Deputy James Reilly** asked the Minister for Justice, Equality and Law Reform if he will make representations to the relevant Garda authorities and put in place new Garda manpower and a dedicated drugs squad to tackle the increasing drugs problem in towns in north Fingal (details supplied); and if he will make a statement on the matter. [22160/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that in the Louth/Meath Garda Division there are 7 drug units one of which is based in the Balbriggan Garda District whose area of remit includes the areas referred to by the Deputy.

The detection and prevention of drug related crime is, of course, a matter for all members of An Garda Síochána.

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Uniform and plain-clothes personnel, including the District Detective and Drug Units, as well as Community Policing and Mountain Bike Units supplemented as required by Divisional Traffic Corps personnel, conduct regular patrols in the areas referred to by the Deputy to prevent and detect criminal activity including that related to drugs.

Ongoing liaison is also maintained with the Garda National Drugs Unit in respect of persons suspected of being involved in the illegal importation and/or distribution of drugs. The Deputy will be aware that resources such as the National Bureau of Criminal Investigation and the Criminal Assets Bureau are also deployed extensively in dealing with drug crime.

I am further informed by the Garda authorities that the allocation of additional resources in the areas referred to by the Deputy remains under constant review by local senior Garda management who also continuously monitor District and Divisional crime trends.

As the Deputy will appreciate, policing operations and the deployment of Garda resources are matters for the Garda Commissioner. It is the responsibility of Garda management to allocate personnel within the Garda organisation on a priority basis in accordance with overall policing requirements.

The assignment of Garda personnel throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public. This takes place against the background of the unprecedented expansion of An Garda Síochána which has taken and will continue to take place increasing the overall strength of the Gardaí to 16,000.

Finally I can assure the Deputy that the enforcement of the law relating to drugs very much continues to be a key element in the Government's policing priorities.

Garda Strength.

103. **Deputy Billy Timmins** asked the Minister for Justice, Equality and Law Reform the breakdown of the number of Gardaí in each Garda division; the number of Gardaí per head of population in each division; and if he will make a statement on the matter. [22580/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I have been informed by the Garda Commissioner that the personnel strength of each operational Garda Division as at the 31 August, 2007 was as set out in the table below. I understand that the Central Statistics Office is currently preparing the Small Area Population Statistics (SAPS) based on the 2006 census. It is not expected that these SAPS figures

will be available until mid-November 2007. It is, therefore, not yet possible to provide the number of Gardaí per head of population in each division based on the 2006 Census figures.

Garda personnel assignments throughout the Country, together with overall policing arrangements and operational strategy, are constantly monitored and reviewed by Garda Management. The purpose of this is to ensure that optimum use is made of Garda resources and the best possible Garda service is provided to the general public.

Division	Strength
Carlow/Kildare	393
Cavan/Monaghan	396
Clare	299
Cork City	639
Cork North	276
Cork West	284
D.M.R. East	599
D.M.R. N.C.	677
D.M.R. North	656
D.M.R. S.C.	740
D.M.R. South	597
D.M.R. West	727
Donegal	472
Galway West	412
Kerry	304
Laois/Offaly	306
Longford/Westmeath	303
Louth/Meath	570
Mayo	301
Roscommon/Galway East	265
Sligo/Leitrim	289
Tipperary	351
Waterford/Kilkenny	407
Wexford/Wicklow	360

Prison Accommodation.

104. **Deputy Frank Feighan** asked the Minister for Justice, Equality and Law Reform the operational capacity of Mountjoy Prison; the number of prisoners incarcerated in Mountjoy at present; and if he will make a statement on the matter. [22536/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Director General of the Irish Prison Service that Mountjoy Prison currently has a bed capacity for 540 prisoners. As at 4 October, 2007, there were 514 prisoners in custody in Mountjoy out of a total prisoner population of 3,444. Every effort continues to be made to keep Mountjoy numbers at or below 540 by means of transfers to other prisons and the judicious use of temporary release.

By way of comparison, in 2004 Mountjoy had a bed capacity for 454 prisoners. On 4 October 2004, there were 472 prisoners in Mountjoy out of a total prisoner population of 3,406.

Garda Training.

105. **Deputy Shane McEntee** asked the Minister for Justice, Equality and Law Reform his views on the adequacy or otherwise of firearm training for members of An Garda Síochána; and if he will make a statement on the matter. [22556/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that he is satisfied with the level of training provided for members of An Garda Síochána who are authorised to carry firearms. It compares favourably with similar training provided internationally by other Police Services.

Firearms Authorisation Card Holders, who are designated personnel permitted to carry firearms in An Garda Síochána, are required to attend for firearms refresher training at least three times per calendar year. Two of the refresher training courses are for 'live fire' and one course takes place on the recently acquired Firearms Automated Training System (FATS).

An Garda Síochána has two full-time Firearms Training Units, based at Garda Headquarters and the Garda College.

Significant developments in An Garda Síochána Firearms Training over the last 18 months have included:

- The purchase of three FATS units took place in January 2006. FATS refresher training commenced immediately thereafter and has since proved to be a very successful development. FATS facilitates judgmental training by posing armed scenarios on screen which the Firearms Authorisation Card Holders must contend with in a real time situation.
- The FATS facility allows playback where the Firearms Authorisation Card Holders can then evaluate their actions and decisions with Firearms Training Instructors.
- FATS training has allowed development of judgmental firearm training as well as traditional marksmanship training.

Two Prefabricated Modular Firearms ranges have been ordered by An Garda Síochána and delivery and installation is expected before the year end. One range will be located at the former disused range at the Garda College and the second at a new site in Airton Road, Tallaght.

These Prefabricated Modular Firearms ranges are newly designed products recently brought to the market that will facilitate live fire shooting for up to four persons in a carefully contained

environment which adheres to all range safety requirements. The delivery of the two prefabricated Modular Firearms ranges will reduce An Garda Síochána dependency on using army ranges and furthermore will provide access to firearms ranges at all times without causing noise pollution to neighbouring areas.

Garda Firearms training is constantly reviewed to ensure that sufficient training is provided and that training compares favourably with international best practice.

Garda Inspectorate Reports.

106. **Deputy Pádraic McCormack** asked the Minister for Justice, Equality and Law Reform the actions he proposes to take in respect of implementing the recommendations of the recently published Report of the Garda Síochána Inspectorate Policing in Ireland: Looking Forward; and if he will make a statement on the matter. [22551/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I welcome the third report of the Garda Inspectorate entitled, "Policing in Ireland — Looking Forward". It is a comprehensive examination of administration and operation of the Garda Síochána and I would like to record my gratitude to the Chief Inspector Kathleen O'Toole and her colleagues Bob Olson and Gwen Boniface for their work. As the members of the House know, the Garda Síochána has been undergoing a programme of quite fundamental change in recent years. Many of the changes were brought about by the Garda Síochána Acts 2005 to 2007 and these involved fundamental structural changes such as the establishment of the Garda Ombudsman Commission and the Inspectorate; the transfer of responsibility to the Commissioner for matters such as expenditure and the employment of civilians; and the specification in statute of the role of the Minister for Justice, Equality and Law Reform in setting the broad strategic direction of the Force. Now that the legislative environment has been reshaped, the focus for the programme of change and modernisation is moving to the internal administration and operation of the Garda Síochána. This is where the Garda Inspectorate has a key role in ensuring that the resources of the Garda Síochána are used as efficiently and effectively as possible. It is my role as Minister and that of my Department to support the Garda Síochána in achieving that goal of continued efficient and effective policing. The Inspectorate in its report has made a number of recommendations covering a broad range of issues ranging from the devolution of greater autonomy to regional Assistant Commissioners to the need to review recruit training. The Inspectorate has not suggested deadlines for the implementation of all its recommendations and understandably so. Some of the recommendations are already

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being implemented while others such as a review of recruit training will require further work on the part of the Inspectorate in the first instance. I expect to see early implementation of the Inspectorate's recommendations and my Department with the assistance of the Inspectorate will monitor their implementation.

Garda Communications.

107. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform the number of members of An Garda Síochána who have corporate e-mail addresses; the factors impeding greater use of corporate e-mail by Gardaí; if measures are in place to increase the usage of corporate e-mail by An Garda Síochána; and if he will make a statement on the matter. [22532/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Authorities that all members who have access to the Garda Information System (GIS) which incorporates PULSE and the Garda National Immigration Bureau Systems, have access to Email for internal use.

Access to external email is available to all Gardaí from the rank of Inspector upwards. I am also advised that external email is also available to Sergeants, Gardaí and civilian staff as operational needs require. A total of 1,066 external email addresses are currently being utilised by Gardaí and civilian staff.

I am further informed by the Garda Authorities that a pilot project to facilitate email communications between An Garda Síochána and members of the public using mailboxes assigned to individual sections and stations is currently underway. The pilot will assess the various factors that need to be addressed with regard to greater use of external email by An Garda Síochána, including the type and volume of Garda business that can be transacted using email, the potential uses for Section and Station emails and the security and resource implications for the Garda network.

Following the pilot project external email facilities will be rolled out on a phased basis to all stations in the DMR and to District HQ stations and other stations outside the DMR where the necessary network infrastructure is in place. The roll-out will also include making external email facilities available for all members of Sergeant rank of whom there are over 2,100 in active service.

Inquiries into Garda Activities.

108. **Deputy Tom Sheahan** asked the Minister for Justice, Equality and Law Reform his views on the operation of the Garda Ombudsman's

office in view of recent events; and if he will make a statement on the matter. [22565/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I presume that the question relates to a recent application by the Garda Síochána Ombudsman Commission to the Coroner for the adjournment of an inquest.

The Coroner is an independent office holder who acts in the public interest in the investigation of certain deaths. The Garda Síochána Ombudsman Commission is a newly established independent office which also operates in the public interest in the investigation of complaints made against members of an Garda Síochána. The functions of both the Coroner and the Garda Síochána Ombudsman Commission are guided by statute and neither is answerable to me in respect of actions taken in individual cases.

It is incumbent on me as Minister for Justice, Equality and Law Reform to respect the independence and the distinct roles of both the Ombudsman Commission and the Coroner in our system of democratic accountability. Consequently, it would be inappropriate for me to comment further on the circumstances of this or any other individual case.

Prison Accommodation.

109. **Deputy David Stanton** asked the Minister for Justice, Equality and Law Reform his future plans for Spike Island; and if he will make a statement on the matter. [22570/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I wish to inform the deputy that plans for the future of Spike Island are being considered by an Interdepartmental Group comprising of representatives from my Department and the Departments of Arts, Sport and Tourism; Finance and Defence. This group has begun its deliberations and I await its findings.

Forensic Science Laboratory.

110. **Deputy Dinny McGinley** asked the Minister for Justice, Equality and Law Reform his plans for the upgrading of the Garda Forensic Science Laboratory; and if he will make a statement on the matter. [22575/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I assume the Deputy is referring to the Forensic Science Laboratory which, although located within the Garda Headquarters complex at Phoenix Park, is a separate civilian led service coming under the aegis of my Department.

My Department works closely with the Laboratory in assessing and responding to its needs. To this end an additional 10 staff were sanctioned for the Laboratory in December of last year and, on foot of an analysis carried out by an independent

international expert, it is expected that staffing will be increased further in the near future. It is also proposed to provide a new building for the Laboratory and this project will proceed as a matter of urgency.

Garda Equipment.

111. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if he will act on the call from the Garda Inspectorate that all members of the force be given appropriate protection vests in view of the increased dangers faced by members; and if he will make a statement on the matter. [22483/07]

143. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform the percentage of An Garda Síochána that has access to bullet proof vests on a daily basis; and if he will make a statement on the matter. [22531/07]

173. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the average time Gardaí have to wait for stab-proof vests once a decision has been taken to procure same; and if he will make a statement on the matter. [22539/07]

493. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform his plans to ensure improved protection for Gardaí such as personal armour protection; and if he will make a statement on the matter. [22867/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 111, 143, 173 and 493 together.

The Deputy will be aware that the detailed allocation of Garda resources, including equipment, is a matter for the Garda Commissioner to be decided on the basis of his identified operational requirements. I am advised by the Garda authorities that two types of protective body armour are in use. Detectives are issued with protective vests that have bullet and stab proof properties. All Detectives have access to these vests. Uniform Personnel are issued with protection vests which incorporate bullet and stab proof properties. The uniform vest is lighter and more flexible.

I am advised by the Garda authorities that a contract for the supply and delivery of over 12,500 protective body vests (with an option to purchase additional vests, if required) has been put in place. A fitting and delivery programme commenced early this year. I am further advised that to date 79% of operational members, students undergoing training and reserves have received their personal issue vest. It is expected to complete the current roll out phase before the end of the year. Further rollouts will take place as ongoing recruitment progresses.

The standard and quality of the protective vests are kept under constant review by the Garda authorities.

Rural Policing.

112. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the steps which he will take to improve rural policing; and if he will make a statement on the matter. [22156/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that engagement with the rural community and rural policing is one of the priorities of An Garda Síochána. Senior Garda management continually monitor resources and policing initiatives to ensure that the service being provided is continuously improving and the recent comments by the Inspectorate in this regard will be taken on board. Rural Policing is continually being reviewed and developed and the enhanced liaison structures between Garda Management and Local Authorities through Joint Policing Committees and Community Policing Fora will be of enormous benefit to the policing of rural areas when these are fully up and running.

There are now Detective Inspectors appointed in each Division with specific responsibility for the investigation of serious crime in rural areas. The quality of criminal intelligence becoming available to An Garda Síochána is continually being improved and it was as a result of such intelligence that a Cork-based gang targeting the elderly in rural areas of Cork and Limerick was identified early this year and a number of suspected members of the group are currently before the Courts.

In order to enhance rural policing a number of initiatives have been implemented in Garda Divisions nationally. Checkpoints are held at strategic locations in rural villages in order to detect criminals travelling to commit crime outside the areas where they live and to prevent the commission of crimes and offences.

Crime Prevention Officers are available to offer crime prevention and security advice to residential and business groups and regularly provide such advice through local media outlets, newspaper and radio broadcasts. In addition, residents in rural areas are encouraged to establish and rejuvenate Community Alert Schemes assisted by members of local Community Policing Units.

Staffing levels at Garda stations are monitored by local Garda management to ensure that adequate coverage is provided and where vacancies arise within the rural community they are filled as expeditiously as possible to ensure continuity in the service being provided by An Garda Síochána to the local community.

Initiatives under Operation 'Anvil' have been implemented in every Garda District in the coun-

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try incorporating special crime prevention/ detection patrols in rural areas which have been identified as being particularly vulnerable to crime. Such patrols include all available Garda resources including uniform and plain-clothes personnel, District Detective and Drug Units as well as Divisional Crime Task Forces and Traffic Corps personnel. Patrol times are also varied in order to maximise coverage in such areas.

In conjunction with Muintir na Tire, I will launch the Community Alert Strategy document for 2007-2011 on the 26 October 2007. This new strategy will inform how best Community Alert can be implemented over the next five years.

An internal Garda working group has been established to develop a comprehensive model of Community Policing. This model is being informed by an extensive public consultation process.

Garda personnel assignments throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed by Garda management. The purpose of such monitoring is to ensure that optimum use is made of Garda resources and that the best possible Garda service is provided to the general public.

Garda Investigations.

113. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the progress made to date with regard to the Garda investigation into the shooting of a Garda in the North Strand area of Dublin on 25 September 2007; and if he will make a statement on the matter. [22477/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The reprehensible gun attack on Garda Paul Sherlock is a stark reminder of the dangers facing members of the Garda Síochána as they go about their daily task of protecting us all.

I am informed by the Garda authorities that the investigation into the shooting of Garda Sherlock in the North Strand area of Dublin on 25 September, 2007 is ongoing. To date the investigating team has undertaken a number of lines of enquiry, including the examination of CCTV footage and making door-to-door enquiries. An extensive investigation team has been assembled comprising Gardaí attached to the DMR North Central Garda Division and the National Bureau of Criminal Investigation, supported by members from Crime and Security Section, Garda Headquarters. This investigation is progressing and a number of persons have been arrested and questioned in connection with this incident.

I am further informed that Garda management is satisfied with the progress being made in this investigation.

I would like to reiterate my call for all members of the community to support An Garda Síochána in their efforts and provide any assistance they can to bring those responsible for this appalling crime to justice.

Garda Reserve.

114. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the number of civilians working as part of the Garda reserve force at present; and if he will make a statement on the matter. [22537/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): There are two civilian staff members attached to the Reserve Section of the Garda Síochána. The total personnel strength of the Garda Reserve is 248 including trainees. A total of 113 members are fully attested.

Criminal Assets Bureau.

115. **Deputy Michael Creed** asked the Minister for Justice, Equality and Law Reform the steps that have been taken to organise the Criminal Assets Bureau to tackle drug crime at local level; and if he will make a statement on the matter. [22548/07]

126. **Deputy Shane McEntee** asked the Minister for Justice, Equality and Law Reform if plans are in place to enhance the resources and powers allocated to the Criminal Assets Bureau in view of the rise of gangland crime; and if he will make a statement on the matter. [22555/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 115 and 126 together.

The Criminal Assets Bureau has been at the forefront of the fight against organised crime, including drug trafficking, in this jurisdiction since its inception in 1996. The significant successes that the Bureau continues to achieve by its operations demonstrates the effectiveness of its approach in pursuing illegally gotten gains.

The manner in which the Bureau operates has, in the eleven-year period of its existence, come to be viewed, both domestically and internationally, as a very successful model for targeting persons seeking to derive profits from criminal activities.

The Bureau keeps the allocation of personnel under constant review in light of its workload and where there is a requirement, additional resources are allocated to the Bureau.

The staff of the Bureau will be augmented as required. For example, two additional financial crime analysts posts have been recently sanctioned and recruitment is under way.

Furthermore two additional members of staff from the Revenue Commissioners will also be shortly assigned to the Bureau.

In relation to the issue of the Bureau's work at local levels, I can inform the Deputy that in order to maximise the benefit that can be derived from local knowledge, officers from the Criminal Assets Bureau work closely with Gardai from specific regions and localities in order to ensure that the efforts of the Bureau are targeted in the most effective manner possible.

In particular, profilers trained by CAB are now in place in each Garda Division and the number of profilers in particular Divisions is being increased. This will enable drug dealers at whatever level in communities to be pursued.

In this context, I have previously advised this House that I intend to include in the Government's policing priorities for An Garda Síochána a specific reference to enhanced liaison arrangements between Garda Divisions and the Criminal Assets Bureau in the pursuit of those engaged in drug dealing at all levels.

The use of local Garda officers in this way ensures that preparatory groundwork can be carried out in advance of a full investigation by the Bureau. Asset profilers have at all times recourse to the expertise and advice of the Bureau. Essentially a key function of these profilers is to ascertain and build up information at local levels and point out individuals at whom the Bureau's work can be targeted. Such information is then investigated and followed up further by CAB.

I can assure the House that any individuals in local communities who believe they can openly flaunt wealth or assets secured through illegal activities, including drug dealing, will be vigorously pursued by the Gardaí either through the provisions of the Criminal Justice Act 1994 or through the work of the Criminal Assets Bureau under its statutory remit.

Finally, I can assure the House that whatever resources are required by CAB will continue to be provided by the Government.

Garda Communications.

116. **Deputy Martin Ferris** asked the Minister for Justice, Equality and Law Reform when the secure digital radio communications system which has been piloted and promised will be rolled out for all Gardaí. [22512/07]

145. **Deputy Deirdre Clune** asked the Minister for Justice, Equality and Law Reform when the digital communication network for Gardaí currently being piloted in the Dublin Metropolitan Area will be rolled out nationwide; and if he will make a statement on the matter. [22550/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 116 and 145 together.

A preferred bidder, TETRA Ireland Ltd, has been selected for the provision of a digital radio

service for An Garda Síochána and other emergency services.

As part of the procurement process, the preferred bidder was required to carry out a service performance evaluation in an area covering parts of Dublin and Meath including the Port and Airport. The aim is to ensure that the preferred supplier demonstrates its capability, both from a technical and organisational perspective, to deliver this key service for the emergency services. I understand that the service performance evaluation is nearing completion.

Nationwide rollout will commence on completion of the service performance evaluation and the signing of contracts by the Department of Finance. It is planned that nationwide rollout for the Gardaí will commence in the first quarter of next year and is expected to be completed over a 2 year period.

Civilianisation Programme.

117. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform his proposals for further civilianisation of the Gardaí in order to free trained members for front line duty; his views on the view expressed in the final report of the Advisory Group on Garda Management and Leadership Development that progress in regard to civilianisation has been risible; and if he will make a statement on the matter. [22482/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the number of full time and part time civilian staff assigned to An Garda Síochána as at the 1st October 2007 was 2,247. 250 Clerical Officers have been recruited and assigned positions within the Garda Síochána since 1st January 2007. The Government has authorised the Garda Commissioner to recruit a further 350 civilians to release trained members of the force for front-line duty.

The civilianisation of middle and senior positions in An Garda Síochána has commenced. Currently, there is a Chief Administrative Officer, Director of Finance, Head of Internal Audit, HR Manager, Housing Officer, Transport Manager and a civilian of Principal Officer grade in the Information Technology section. A Civilian Director of Communications will take up her post this month. Recruitment for the following positions will start in the coming weeks — Director of Information and Communications Technology, Director of Change Management, Head of Legal Affairs and Executive Director of Human Resources. This will be in addition to the recruitment of a number of civilian crime analysts.

The current campaign to recruit the balance of the authorised additional civilian support staff for An Garda Síochána is well underway and interviews are being held by the Public Appointments Service to recruit these Clerical Officers.

[Deputy Brian Lenihan.]

A dedicated Human Resource Directorate has been established within An Garda Síochána to serve the needs of the civilian administrative, professional, technical and industrial staff in An Garda Síochána and to promote an extensive programme of civilianisation.

I am assured by the Commissioner that An Garda Síochána is committed to achieving the greatest level of civilianisation consistent with the effective and efficient functioning of the Force and will continue to work to drive the civilianisation programme forward.

Recidivism Rate.

118. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform the rate of re-offending in criminal matters; and if he will make a statement on the matter. [22560/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The results of the first major study of prisoner re-offending was published in December, 2006 by the UCD Institute of Criminology. The study, which received the full co-operation of the Irish Prison Service, was based on 19,955 prisoner releases that took place between 1 January, 2001, and 30 November, 2004.

The study found that 27.4% of released prisoners were serving a new prison sentence within one year. This rose to 39.2% after two years, 45.1% after three years, and 49.2% after four years. Recidivism was highest amongst property offenders and lowest for sex offenders.

The findings are in line with international experience, and I understand that they may in fact be considered to fall in the mid to lower range internationally. I can assure the Deputy that every effort is being made by my Department to continue to address and reduce the rate of recidivism.

Garda Operations.

119. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the cost of the policing operation at the proposed Shell refinery site at Bellanaboy, County Mayo; and if there is currently a policing plan in place in that divisional area. [22515/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the total cost to date, including salaries, of the Garda policing operation at the proposed Shell refinery site at Bellanaboy, Co. Mayo, is approximately €8.1 million.

I am further informed that there is in place a Garda policing plan within the Garda Division in respect of the Garda Síochána's statutory duty to prevent breaches of the criminal law at Bellanaboy. The allocation of resources to this policing

plan is closely monitored and kept under constant review by local senior Garda management.

Prison Building Programme.

120. **Deputy Ulick Burke** asked the Minister for Justice, Equality and Law Reform the status of the project to construct a new prison at Thornton Hall, County Dublin; the amount of money that has been spent on the Thornton Hall project to date; and if he will make a statement on the matter. [22533/07]

136. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform the position in regard to the proposed Thornton Hall Prison plan; the latest estimate available to his Department of the expected cost, including the cost of the site, the provision of infrastructure and ancillary services; the cost of construction and fitting out of the prison; the implications for the overall timing of the prison project; and if he will make a statement on the matter. [22487/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 120 and 136 together.

The current status of the Thornton Hall Prison project is as follows. Negotiations are currently underway with a preferred bidder, who was selected following an EU public tender procedure in relation to the construction and maintenance of the prison complex at the Thornton Hall site. It is intended that these facilities will provide a modern and cost effective replacement for the prison complex currently located at the Mountjoy Complex which, as is widely acknowledged, is in urgent need of replacement.

The contract under negotiation is a Public Private Partnership model which will include the construction of the required prison facilities along with the ancillary infrastructure including services etc. The relevant planning procedure for this development is set out in Part 4 of the Prisons Act, 2007 and in this regard it is planned to publish the necessary notices etc. including details of the proposed development along with a comprehensive Environmental Impact Assessment within the next month or so. The procedures for public consultation regarding the proposed development are set out in the Act and as can be seen, these afford all interested parties ample opportunity to make their views known and have them fully considered prior to a decision to proceed with the development. It is intended, subject to the statutory planning phase and the successful conclusion of the contract negotiations, to commence construction next spring and to begin operation of the new facilities in early 2010.

A section of the Thornton Hall site has been set aside as a location for a replacement for the Central Mental Hospital. That project, including the relevant planning requirements, is being dealt with by the Department for Health and Children

and it will have no bearing on the timing of the prison project.

It is not, for commercial and procurement reasons, possible to provide details as to the likely costs of the project. The disclosure of such information is, in any event, not allowed under Department of Finance PPP procedures.

I can however confirm the following expenditure which has taken place to date on the project. The cost of the site acquisition was €29,900,000. An additional 8.7 acres has also been acquired to provide a dedicated access road to the main site. This was done following representations from the local community which reflected concern in relation to the effect of increased traffic generated by the prison project. In addition to allaying these concerns, the new roadway will provide significant additional benefits both during the construction and operational phases of the project. The cost of this additional land was €1,305,000.

A total of €4,808,475 has been expended to date on preliminary site works including surveys, landscaping, security and maintenance of the property, studies such as archaeological, topographical, etc., and professional fees including legal and specialist technical advice.

Firearm Offences.

121. **Deputy Tom Sheahan** asked the Minister for Justice, Equality and Law Reform if he will provide data in respect of the number of recorded robberies of legally held firearms in the State during the period 2002 to 2007; the number of recorded robberies of legally held firearms to date in 2007; if sufficient measures are in place to minimise such robberies; and if he will make a statement on the matter. [22566/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from the Garda Síochána. The Garda Síochána Act, 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling and publishing criminal statistics and has published provisional headline crime statistics since the third quarter of 2006. In addition, it has compiled and published a series of quarterly and annual statistics for the period starting with the first quarter of 2003. I understand that the CSO are examining how the crime statistics published might be expanded and made more comprehensive.

I have requested the CSO to provide the statistics sought by the Deputy directly to him.

Every effort is made in the licensing process and otherwise to ensure that all licensed firearm holders are conscious of their obligations in relation to the safe storage of their firearm. To this end all firearm certificates are accompanied by recommendations and advice in relation to the safe storage and security of firearms.

The Criminal Justice Act, 2006 provides for increased fines and penalties for firearm offences. A person found in possession of a firearm in suspicious circumstances or with criminal intent is liable to imprisonment for up to 14 years with a mandatory minimum sentence of 5 years.

I recently established a Firearms Consultative Panel to assist with the introduction of a new firearms licensing system which is provided for in the Criminal Justice Act, 2006. The Panel will comprise representatives of the various shooting interest groups, relevant Government Departments and An Garda Síochána. I will make details of the panel and its terms of reference known in the near future.

Illegal Immigrants.

122. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform the steps being taken at European level to tackle illegal immigration and the trafficking of human beings; and if he will make a statement on the matter. [18720/07]

142. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform the action being taken at European level to prevent human trafficking; and if he will make a statement on the matter. [18718/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 122 and 142 together.

The stated objective of the European Union is to develop a comprehensive migration policy which covers both legal and illegal migration. The Deputy will find a statement of the Commission's current priorities in combating illegal immigration of third-country nationals in Commission document COM (2006) 402. The Communication addresses nine priority areas and proposes a number of practical and action focused measures. These priorities are:

- Cooperation with third countries;
- Secure Borders — Integrated management of external borders;
- Fight against human trafficking;
- Secure travel and ID documents;
- Addressing regularisations (the discretionary decision to grant a legal stay on the territory);
- Tackling a key pull factor: illegal employment;

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- Return policy;
- Improving exchange of information through existing channels.
- Carriers liability.

These measures are intended to build upon the Hague programme which contains a special emphasis on immigration and asylum and which sets out a five-year programme for closer co-operation in Justice and Home Affairs at EU level from 2005 to 2010.

In December 2005, the European Council adopted the EU Action Plan on best practices, standards and procedures for combatting and preventing trafficking in human beings. The Action Plan is divided under a number of headings:

- Co-ordination of EU Action.
- Scoping the problem.
- Preventing trafficking.
- Reducing demand.
- Investigating and prosecuting.
- Protecting and supporting victims.
- Returns and reintegration.
- External relations.

Under the heading of preventing trafficking, the EU Action Plan has three specific objectives:

- Addressing the root causes of trafficking;
- Raising awareness of the dangers involved in trafficking and publicising successful prosecutions to deter traffickers;
- Enabling early identification of victims to prevent exploitation.

There are a number of actions currently being taken by the EU under the Action Plan. A network of contact points in Member States is being established. The first EU Anti-Trafficking Day will take place on 18 October 2007 and both An Garda Síochána and officials of my Department will participate in a Seminar organised by the European Commission on that day examining what steps should be taken next at European level.

The Portuguese Presidency are currently holding a conference in Porto on human trafficking and gender specific issues. The European Commission has prioritised trafficking in human beings prevention projects for funding under the “Prevention of and fight against crime” programme for 2007. These are just some of the actions taking place this year, at EU level, as it would not be possible, by way of parliamentary question, to mention all of them.

The Council of Europe convention on action against trafficking in human beings was adopted by the committee of Ministers on 3 May 2005 and

opened for signature in Warsaw on 16 May 2005. The Convention is regarded widely as a comprehensive Treaty that effectively focuses on the protection of victims and the safeguarding of their rights. In 2006, the Council of Europe launched a campaign “Human Beings — Not for Sale” to raise awareness about the issue of human trafficking and to promote the widest possible accession to the convention. My officials and An Garda Síochána have actively participated in the campaign and Ireland signed the Convention in April 2007. Developing a timetable for ratification of the Convention will be an early priority for this Government.

My Department will continue to participate in all relevant EU, UN and Council of Europe fora on human trafficking and both my officials and An Garda Síochána will continue to work on a bilateral basis with other governments on both operational and policy development issues. My Department is also participating in the UN Global Initiative to fight human trafficking which is a two year programme launched by the UN earlier this year with the support of the United Arab Emirates.

I am informed by the Garda Authorities that Liaison at an international level between the Garda Síochána and the European / international law enforcement community is part of the approach to the issue of human trafficking taken by An Garda Síochána. Representatives of An Garda Síochána, at senior management level, regularly participate at both European and international meetings to facilitate the exchange of information and best practice between EU Member States in particular, and on a more global basis, with countries of origin of suspected victims of human trafficking, including meetings hosted by Europol, Interpol and Frontex.

Members of An Garda Síochána have attended courses held at CEPOL — European Police College, relating to the subject of “Trafficking in Human Beings”, which are targeted at senior police officers who are responsible for prosecution services, countering trafficking cases or organized crime cases, members of lecturing staff in police training and development units, heads of police forces or government officials at Ministerial level, who deal with questions of human trafficking.

As part of the EU AGIS programme the GNIB held a conference in Dublin in November 2005 titled: “Forum to Improve Best Practice in the Prevention, Detection, & Investigation of Trafficking in Human Beings and Examine Best Practice in Fighting and preventing Corruption of Public Figures in the Administration of Immigration Regulations.” The conference was funded by the European Commission (Directorate General Justice and Home Affairs) and the Department of Justice, Equality & Law Reform and was attended by representatives from a number of other EU Member States.

Earlier this month, Operation Pentameter II was launched in London. This is a coordinated campaign of police activity to tackle the trafficking in human beings for sexual exploitation within Ireland and the UK. An Garda Síochána and Department officials are working with their British counterparts to ensure that the whole common travel area becomes a hostile environment for those who intend to engage in this nefarious crime. I hope to be in a position to announce further international cooperation on a wider European scale in the coming weeks.

In addition, legislation providing for the criminalisation of trafficking in persons for the purpose of exploitation is expected to be published in the very near future. This legislation will criminalise trafficking in human beings as provided for in EU Council Framework Decision on combating trafficking in persons. The criminal law provisions in other international instruments, including the Council of Europe Convention on action against trafficking in human beings, are also being taken into account in the legislation.

I can also inform the Deputy that it is my intention to make further announcements in relation to the issue of human trafficking later this week.

Garda Deployment.

123. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform the number of Gardaí currently assigned to community policing; if he will confirm that this represents less than 4% of the overall strength of the force; his plans to increase the number of community Gardaí; and if he will make a statement on the matter. [22498/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): On 30th June 2007 (the latest date for which Community Policing figures are readily available), the total personnel strength of An Garda Síochána was 13,361. The total personnel strength attached to Community Policing at that time was 565. This represents a percentage of 4.22% of the total strength of the Force.

Of course community policing involves more than a single unit within An Garda Síochána. All Gardaí have a role to play in addressing community policing issues. I agree with the view of the Garda Inspectorate, expressed in its most recent report, that community policing is a fundamental policing philosophy and that there is a strong foundation of it in Ireland. I welcome the review of community policing currently underway in the Garda Síochána and I look forward to its outcome.

Garda Management.

124. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform his views on the final report of the Advisory Group on Garda Management and Leadership Develop-

ment; his further views on the recommendations of the report including the proposal of a greater civilian role in the running of the force; if a timetable has been set for the implementation of the recommendations; and if he will make a statement on the matter. [22481/07]

174. **Deputy Ruairí Quinn** asked the Minister for Justice, Equality and Law Reform the progress made in implementing the recent report of An Garda Síochána Advisory Groups published on 7 November 2006; if a timetable has been set for their implementation; and if he will make a statement on the matter. [22499/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 124 and 174 together.

The interim and final reports of the Advisory Group on Garda Management and Leadership Development contain many excellent recommendations on how management of the force can be further improved. I am very grateful to Dr. Maurice Hayes and the other members of the group for bringing their expertise from business, academic and public administration circles to bear on the issues of leadership in policing. Significant progress has been made on the issues raised in the reports. A civilian Chief Administrative Officer at Deputy Commissioner level has already been appointed and a civilian Director of Communications will shortly be in place. A number of other senior civilian posts in human resources, information and communications technology, finance, change management and legal affairs will be filled in the near future. Since December 2006 approval has been given for the recruitment of 600 civilian staff of whom over 300 have been assigned already, releasing Gardaí for operational duties. The Garda Information Services Centre at Castlebar, Co. Mayo now eliminates the need for Gardaí to return to their stations to report incidents thereby freeing up more Gardaí for operational duties. It has a staff of over 180 civilians who input data on the PULSE system, freeing up significant amounts of Garda time for continued operational duty. I will fully support the Garda Commissioner in the continued implementation of organisational reform which is supported by the analysis and recommendations of the Hayes Group.

Prison Building Programme.

125. **Deputy Simon Coveney** asked the Minister for Justice, Equality and Law Reform the details of the plan to build a new children's prison to accommodate juvenile prisoners in the future. [22609/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to the reply I gave to priority Question No. 97 of today's date.

Question No. 126 answered with Question No. 115.

Probation and Welfare Service.

127. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform if he will review the probation and welfare service; and if he will make a statement on the matter. [22564/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I can inform the Deputy that in 1998 the then Minister for Justice, Equality and Law Report, Mr. John O'Donoghue, T.D., following a Government decision, set up an expert group to examine the Probation Service under the chairmanship of Mr. Brian McCarthy. This group produced its first report in November 1998. The final report of the Group was published in May 1999 and made several recommendations. Many of the recommendations of the Expert Group report have been implemented by my Department.

A further Review of the Probation Service was undertaken by the Comptroller and Auditor General in 2002, the Review entitled "Comptroller and Auditor General Report on Value for Money Examination of the Probation Service" was published in 2004. Following the publication of the Report a small working group involving Departmental and Probation officials was set up to build on existing work including the Expert Group Report and the Value for Money audit of the Service.

In September, 2005, following an open competition, a new Director was appointed to the Probation Service. To support the Director and strengthen the management of the Service, a new senior management structure for the Service has been put in place comprising three Deputy Directors and 2 Assistant Deputy Directors.

The Probation Service Strategy Statement and Work Plan of Strategic Actions 2006-2007, set out the strategic goals of the Service for the period which include:

- Creating new management structures;
- Carrying out an administrative review of the Service and making appropriate organisational and resourcing changes as required;
- Developing a strategic plan for the Young Person's Probation; and
- Maximising the potential benefit of Community Service to local communities.

In keeping with the objectives of the Strategy Statement:

- An administrative review of the Service commenced in March, 2007 and, I am advised that this is now nearing completion. The main focus of this review is to

look at the administrative structure of the Service nationally. The findings of that report will inform decisions regarding any administrative change deemed necessary.

- A dedicated Young Persons Probation Division (YPP) was recently established within the Probation Service which has responsibility for the full implementation of the sections of the Children Act, 2001 relating to the Probation Service.
- An external consultant was also recently appointed to conduct a review of the Community Service Scheme. I expect the finding of that Review to be presented to me by mid 2008.

In addition to the foregoing, I can also advise the Deputy that a Review of the Systems of Internal Financial Control in the Probation Service was completed in June, 2007. This Report made a recommendation, inter alia, on the establishment of a dedicated financial management unit within the Probation Service. All recommendations of that Report are currently being implemented and a professional accountant will be appointed very shortly to head up the Financial Management Unit.

I am also pleased to inform the Deputy that on foot of a Government Decision dated 18 April, 2007, approving a "Juvenile Justice and Child Protection Package", provided for 71 additional professional and administrative posts for the Probation Service. The recruitment of these additional staff is ongoing.

I am confident that the Probation Service has benefited from the aforementioned comprehensive reviews and it now has the necessary resources to carry out its work in an effective and efficient manner under the guidance of its senior management team.

Anti-Social Behaviour.

128. **Deputy Brian O'Shea** asked the Minister for Justice, Equality and Law Reform the number of persons given anti-social behaviour warnings since the new system came into operation on 1 January 2007; the number of anti-social behaviour orders sought in the same period; and if he will make a statement on the matter. [22494/07]

450. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the number of anti-social behaviour orders that have been issued by An Garda Síochána in 2007; and if he will make a statement on the matter. [22436/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 128 and 450 together.

Part 11 of the Criminal Justice Act 2006, which provides for civil proceedings in relation to anti-social behaviour by adults, was commenced on 1

January, 2007. Part 13 of the Act relating to anti-social behaviour by children was commenced on 1 March, 2007. These provisions set out an incremental procedure for addressing anti-social behaviour by adults and children. With regard to children, these range from a warning from a member of An Garda Síochána, to a good behaviour contract involving the child and his or her parents or guardian, to referral to the Garda Juvenile Diversion Programme and to the making of a behaviour order by the Children Court.

I am informed by the Garda authorities that 202 behaviour warnings have issued to adults up to 31 August, 2007 and 59 behaviour warnings issued to children in the same period. There was one good behaviour contract issued to a child in this period.

No anti-social behaviour orders have been issued by the courts up to 31 August, 2007.

Some inaccurate conclusions have been drawn from the fact no ASBOs have yet been applied for by the Garda authorities. The regime involves a series of procedures including behaviour warnings and, in the case of children, good behaviour contracts. In setting up the regime, the intention was that these warnings or good behaviour contracts would themselves address the problem behaviour. It is only if they fail that an ASBO will be applied. In any case, it inevitably takes time to reach the stage where an ASBO itself might be sought. Where these do not succeed in altering a person's behaviour, they will culminate in ASBOs being sought by the Garda authorities from the courts.

Criminal Proceedings.

129. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform his views on the concept of allowing the Director of Public Prosecutions or the prosecutor make oral submissions during a court sentencing hearing; and if he will make a statement on the matter. [22558/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Deputy will be aware that the Agreed Programme for Government contains a commitment to allow the Director of Public Prosecutions to make submissions at the sentencing stage in criminal cases. In considering how to proceed with this issue, we are fortunate to have the Report of the Review Group on the Balance in the Criminal Law, which was chaired by Dr Gerard Hogan, SC and which was published in March this year. The question of prosecution submissions was one of the topics considered by the Review Group. At the outset of its considerations, the Group noted the perceived anomaly which arises in the context of the existing right of the prosecution to apply for a review of sentence which the Director of Public Prosecutions believes to be unduly lenient, on foot of section 2 of the Criminal Justice Act 1993.

In essence, in reviewing an unduly lenient sentence the prosecuting counsel are called upon at an appeal under section 2 to make a submission in order to influence the sentencing decision. It might appear to some that there is a contradiction in allowing such submissions at the appeal stage but not at the original sentencing stage.

However, this issue is not quite as clear cut as one might think. As the Review Group highlighted in its report, it is incorrect to suggest that under the current regime prosecution counsel have only a limited role in the sentencing decision of the court. At present there is a restriction on delivering an actual sentencing submission to the court. However, prosecuting counsel have ample opportunities to present evidence to the court during the course of the trial that would constitute an aggravating factor in the sentencing decision. Conversely, prosecuting counsel may also challenge evidence presented by the defence side regarding mitigating factors.

Indeed the Director of Public Prosecutions' most recent Guidelines for Prosecutors (June 2006) states that prosecuting counsel have a duty to ensure that the court has before it all available evidence relevant to sentencing, all submissions concerning the impact on the victim in accordance with the provisions of section 5 of the Criminal Justice Act 1993 and all relevant evidence relating to the accused's background, circumstances and previous convictions.

The Review Group examined five options on the role of the prosecutor in the sentencing decision of the court. These options are as follows:

1. A purely declaratory provision which restates the current position, permitting the prosecutor to adduce and challenge evidence at the sentencing stage and to give information to the court regarding sentencing precedents at the request of the court.
2. A slightly more expanded version of option 1 which would allow the prosecutor to also volunteer information regarding sentencing precedents whether this was requested by the court or not.
3. The prosecutor would be permitted to volunteer previous precedents and to make submissions to the court as to the aggravating factors, but without advocating a particular sentence or range of sentences.
4. The prosecutor would advocate a range of sentences.
5. This envisages a completely permissive regime whereby the prosecutor would be allowed to advocate a particular sentence.

Option 1 reflects the position as stated in the DPP's Guidelines for Prosecutors while Option 5 represents the other end of the spectrum whereby

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prosecuting counsel would advocate a defined sentence.

The Review Group favoured option 2, to allow the prosecutor to volunteer information regarding sentencing precedents whether requested or not by the court. The Group also recommended that option 3 be kept under review by my Department in consultation with the DPP.

Reflecting the complexity of the issues involved, the Group stressed the need for the availability of greater information regarding sentencing. To this end, the report expressed support for the developments being carried out by the Irish Sentencing Information System project under the chairmanship of Ms Justice Susan Denham of the Supreme Court. The Group was also clearly of the view that there would be some benefit from the Court of Criminal Appeal or the Supreme Court developing guideline judgements, where a number of appeals concerning the same offence would be heard together and a general guideline judgement given, indicating the approximate median on the scale of severity and the factors that might influence an upward or downward adjustment.

The issue of sentencing submissions by prosecuting counsel is complex and will require further careful consideration and consultation by me in advance of any legislative action.

National Drugs Strategy.

130. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will take steps or raise the matter with the Garda Commissioner in an effort to ensure that the resources available to national and local drugs units are doubled, in particular, in view of the UN reported 34% increase in opium production in Afghanistan in 2007 and the resulting increase in heroin flowing into the market here and the head of the European Monitoring Centre for Drugs and Drug Addiction's further confirmation that more Europeans are using cocaine. [22517/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As the Deputy points, out the United Nations Office for Drugs and Crime Annual Drug Report 2007 identifies that the level of heroin production in Afghanistan significantly increased in 2006 and that the consumption of cocaine grew in Europe last year.

The Government views with concern such global developments and any potential rise in the level of any illegal drugs being trafficked into this country. The drugs situation is dynamic and ever changing and we must ensure that our policies are flexible to meet those changes.

I assure the Deputy that An Garda Síochána will continue to direct its drug law enforcement activities in a focused way through intelligence driven operations at national, regional, divisional and district level.

Underpinning this approach, An Garda Síochána will continue to invoke a number of broad strategic responses in addressing the issue. These include the following:

- identifying, targeting and dismantling national and international drug trafficking networks which supply and distribute illegal drugs within this State;
- conducting intelligence driven operations focusing on all aspects of the illicit drugs trade including commodity, logistics, distribution and financing;
- working with other national and international law enforcement agencies on joint actions designed to reduce the availability of drugs and the proceeds derived from the drugs trade; and
- working in partnership with statutory, community and voluntary groups to reduce both the supply and demand for drugs within society.

The Garda National Drugs Unit co-ordinates large scale operations against drug dealing-trafficking and unit personnel either investigate such cases themselves or assist local investigation teams. Additional assistance is also available from other specialised Garda support units, such as the National Bureau of Criminal Investigation, the Bureau of Fraud Investigation and the Criminal Assets Bureau. A joint Garda National Drugs Unit-Criminal Assets Bureau initiative is in place which targets local dealers. Furthermore, the detection and prevention of drug related crime is, of course, a matter for all members of An Garda Síochána.

Significant drug seizures, including the considerable amounts of heroin and cocaine continuing to be seized in recent times, have been made as a result of these operations. The operations, which are ongoing, continue to dismantle drug trafficking networks and have led to the arrest in recent times of major criminals both based here and abroad who are involved in the drugs trade.- and such measures will continue to be vigorously pursued by An Garda Síochána.

With regard to resources, the extent of resources both in financial and personnel terms, which continues to be made available to An Garda Síochána is proof of the Government's commitment and determination to ensure that the Garda authorities will continue to implement targeted, intelligence and high intensity operations against organised crime with a special focus on drugs crime.

As the Deputy will appreciate, policing operations and the deployment of Garda resources are matters for the Garda Commissioner. It is the responsibility of Garda management to allocate personnel within the Garda organisation on a priority basis in accordance with overall policing requirements.

The assignment of Garda personnel throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public. This takes place against the background of the unprecedented expansion of An Garda Síochána which has taken and will continue to take place increasing the overall strength of the Garda to 16,000.

I assure the Deputy that additional Garda resources are coming on stream all the time. These additional human resources will facilitate the Garda Commissioner in the allocation of additional manpower to areas most in need, including areas with a significant drug problem.

In conjunction with this, the Government are ensuring that our law enforcement agencies continue to have a strong legislative platform from which to operate in their work in tackling those involved in such criminal activity. While we already have a strong legislative package in place for tackling drug trafficking, the Criminal Justice Acts 2006 and 2007 provides for further measures which will enhance the powers of the Garda in the investigation and prosecution of drug offences.

Undoubtedly, drug misuse remains one of the most complex social ills faced globally. Our drug law enforcement response is a vital feature of our overall response in addressing the issue but we cannot just look at the issue from a supply reduction perspective only.

Rather, we must examine the drugs problem in the wider context in which it takes place and take cognisance of the fact that the demand for and the use of illegal drugs is what fuels the drugs trade. The measures that we have in place to address the problem must take account of this.

The Government remains resolutely committed to tackling the problem through our National Drugs Strategy 2001-2008. The national strategy addresses the problem under pillar headings of education and prevention, supply reduction, treatment and rehabilitation and research and is firmly founded on the principle that drug misuse needs to be addressed in an integrated manner across these headings through a co-operative approach involving the statutory, community and voluntary treatment sectors.

The Department of Community, Rural and Gaeltacht Affairs, under the stewardship of my colleague and Minister of State, Deputy Pat Carey, is the lead Government Department in co-ordinating the implementation of the national drugs strategy. My Department's remit in this area, while not exclusively, is primarily in the area of drug supply reduction, and drug law enforcement remains a key feature of the Government's drug policy framework. Finally, I assure the Deputy that the Government is very clear that there is no room for complacency in our response

to the issue of drug misuse. Under my own area of remit, I would stress again that the enforcement of the law relating to drugs continues to be a key element in the Government's policing priorities.

Garda Investigations.

131. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform if he will make a comprehensive statement on the case of a person (details supplied) and the family's request for an enquiry. [22155/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person in question was arrested around midday on 2 June 2005 in relation to the theft of a motor vehicle and taken to Store Street Garda Station, Dublin. He was found hanging in his cell later that afternoon. He was removed to hospital where he died a little more than three months later.

A Detective Superintendent from outside the relevant Garda Division was appointed immediately after the incident to carry out a detailed investigation into all the circumstances surrounding the deceased person's arrest, detention and removal to hospital. A file in the matter was submitted to the Director of Public Prosecutions who issued instructions that no prosecution should ensue. On 13 July of this year an inquest into the death returned a verdict of suicide. The deceased person's family were represented at the Inquest and financial assistance was offered to them by my Department in relation to their associated legal costs. Most recently the Garda Síochána Ombudsman Commission have informed me that they have decided in the public interest to carry out an investigation into the circumstances surrounding the death as provided for in section 102(4) of the Garda Síochána Act 2005.

The capacity for independent investigation in the public interest of such tragic deaths was a key objective in the establishment of the Ombudsman Commission and I believe that the Commission must now be left to carry out its independent investigation as speedily and thoroughly as possible.

Finally, I should also mention that a civil action has been initiated by the deceased person's family and this is currently being dealt with by the Garda Síochána in conjunction with my Department.

Garda Interview Records.

132. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the steps he proposes to take to deal with the problem of the free availability of Garda questioning videos resulting in serious intimidation of young persons in particular; and if he will make a statement on the matter. [22563/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I would direct the Deputy's attention to section 56 of the Criminal Justice Act 2007 which was commenced on 18 May 2007, which restricts the availability of Garda interview recordings.

Estate Management Companies.

133. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform when he proposes to publish legislation to govern the operation of property management firms of apartment complexes and other multi unit developments; and his views on whether existing legislation is inadequate to provide to apartment and home owners essential legislation to which they should be entitled. [22162/07]

191. **Deputy James Reilly** asked the Minister for Justice, Equality and Law Reform his proposals to address the many urgent problems associated with the operation of management companies; and if he will make a statement on the matter. [22161/07]

198. **Deputy Darragh O'Brien** asked the Minister for Justice, Equality and Law Reform when he expects to introduce much needed legislation to regulate estate management companies. [22297/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 133, 191 and 198 together.

Property management companies are legal entities incorporated under company law and are subject to its provisions. In December last, the Law Reform Commission published a Consultation Paper on Multi-Unit Developments which drew attention to a broad range of issues arising in relation to the governance and operation of such developments, including problems arising from the manner in which company law currently applies to property management companies. The Paper makes it clear that action to address these problems will be required across several policy fields, including company law, consumer protection law and the development of regulatory structures.

In recognition of the cross-cutting nature of many of the issues identified by the Law Reform Commission in its Paper, a high-level inter-departmental committee has been established to assist in the development of a coherent and comprehensive response to the problems arising in this area. A key task of this committee will be to identify the legislative and administrative actions to be taken in response to definitive recommendations for legislative reforms which, following a lengthy consultation process, will be set out in the Law Reform Commission's forthcoming Report on Multi-Unit Developments and to determine a timescale for their implementation.

I expect that this Report will be published later this year.

Prison Drug Treatment Services.

134. **Deputy Frank Feighan** asked the Minister for Justice, Equality and Law Reform the drugs rehabilitation programmes in place in prisons (details supplied); the success rates such programmes have; and if he will make a statement on the matter. [22535/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Irish Prison Service continues to work to implement the commitments contained in its Drugs Policy & Strategy, entitled Keeping Drugs Out of Prisons, which was launched last year. Working to fulfil these commitments involves the implementation of stringent measures to prevent drugs from getting into prisons while, at the same time, continuing to invest in services within prisons to reduce the demand for illicit drugs in the prisoner population as well as meeting prisoners' treatment and rehabilitative needs.

Drug rehabilitation programmes for prisoners involve a significant multidimensional input by a diverse range of general and specialist services provided both by the Irish Prison Service and visiting statutory and non-statutory organisations. Measures to reduce the demand for drugs within the prison system include education, treatment and rehabilitation of drug addicted offenders. These programmes and interventions are delivered on an individual and coordinated basis by the Prison Healthcare Teams, Psychology Service, Probation Service, Prison Education Service and prison officers. Particular initiatives put in place include Drug Free Areas, Drug Misuse Awareness Programmes, Support Programmes and appropriate health interventions, Substitution Therapies, Vaccination Programmes and treatment for viral illnesses. In addition, the Irish Prison Service provides prisoners with a range of opportunities to encourage them to aspire to a substance-free lifestyle, before and after release, thereby reducing demand for illicit substances. An important aim of the new Policy & Strategy is the operation of all treatment programmes within a coherent policy framework, understood and supported by all agencies involved in drug treatment within the prison system, with the ultimate aim being to provide access to drug treatment and rehabilitation programmes for all prisoners who wish to avail of them.

The Policy and Strategy outlines the range of treatment services that the Irish Prison Service seeks to make available throughout the prisons estates; these are:

- Assessment and Throughcare Planning.
- Information, education and awareness programmes, etc.

- Opiate replacement therapies (where clinically indicated).
- Detox, maintenance and reduction programmes.
- Symptomatic treatment options.
- Support services, to include mental health.
- Supported Voluntary Drug Testing Units.
- Motivational interventions.

Extended treatment options will be provided in specific sites based on assessed risk or needs of the prison population there. These will include:

- Evidence informed programmes regarding drug misuse and offending behaviour.
- Cognitive Behavioural Treatment programmes.
- 12 Step programmes.
- Appropriate peer support programmes.

In line with community provision many of these services are already available in prisons situated in the Dublin region but are not available in prisons situated outside of the Dublin region. Initial focus in enhancing the range and quality of treatment services available has been on those prisons which are assessed as having the greatest client need; this has involved the recruitment of nurses, a psychologist focusing on addictions and prison officers.

The most significant development has been the awarding of a contract for the provision of addiction counselling services for all prisons in the country to Merchants Quay Ireland, a leading drug treatment provider. This contract is currently being rolled out, and all prisoners wherever they may be imprisoned will have access to addiction counselling services by the end of this year.

Finally, in relation to the success of treatment services, in line with evidence from community treatment services there is clear evidence that where treatment structures are adequately and appropriately resourced, drug use, particularly unsafe use involving injection, decreases. Reports from within the prisons would confirm that the advent and development of substitution based programmes within the prison system has significantly decreased illicit drug use. Any resources devoted to drug treatment are far outweighed by the various personal (lower health risk, improved family and social function, etc.) and community (reduced street crime associated with drug use, lower incidence of potentially costly communicable diseases) benefits arising. In view of the particular difficulties associated with the prisoner population (e.g. social exclusion and isolation, multiple social and health problems, long histories of polysubstance abuse, etc.) the resources applied in prisons should garner a disproportionate health and social benefit.

The Probation Service, in partnership with the IPS and other agencies, provides a range of individual and group programmes in prisons to address rehabilitation and resettlement issues including those related to drug misuse. The Department through the Probation Service also provide funding to a number of Community based Organisations which enter prisons to support and motivate prisoners in addressing their substance misuse.

The main drug rehabilitation programme, which has been in operation since 1996, is operated in Mountjoy Prison complex. That programme includes drug awareness and methadone support modules.

Eleven programmes have been facilitated in the Mountjoy complex since the beginning of 2006. Of the 99 prisoners who participated in these programmes, 43 graduated (completed successfully) and 4 remain on the current programme.

Sexual Offences.

135. **Deputy Seymour Crawford** asked the Minister for Justice, Equality and Law Reform the steps he has taken in response to calls for an EU-wide sex offenders database; and if he will make a statement on the matter. [22554/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): At its meeting on 12-13 June, 2007 the Council of the European Union reached an agreement on a general approach on a proposal for a Council Framework Decision on the organisation and content of the exchange of information extracted from criminal records between Member States. Discussions are ongoing with a view to formal adoption of the Framework Decision as soon as possible. This agreement follows the adoption in 2005 by the Council of a Decision on the exchange of information extracted from the criminal record, which supplements the relevant provisions of the Council of Europe 1959 European Convention on Mutual Assistance in Criminal Matters.

On 27 November, 2006 a Memorandum of Understanding on information sharing arrangements between Ireland and the UK relating to sex offenders was signed.

The MOU was negotiated between my Department and the Home Office, with input from the Northern Ireland Office. It relates to information about persons travelling between Ireland and the UK and who are subject to sex offender notification requirements in their own jurisdiction. This covers sex offenders travelling between any of the legal jurisdictions in these islands. The rationale for the Memorandum is that such information will be shared between police forces for the purposes of protecting the public from the risks presented by sex offenders — whether paedophile or otherwise — and investigating serious sexual offences. The transmission of any infor-

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mation necessary to achieve these purposes is covered.

As a result of the MOU, the exchange of such information between the Garda Síochána and British police forces, which of course has already been taking place for some time, is now being put on a formal footing. The information will now be shared as a matter of course.

This Memorandum of Understanding is another example of the close relationship between Ireland and the UK and in particular between the two parts of this island. It is also the most recent example of the benefits which accrue to both sides through cooperation and coordination in the areas of criminal justice and law enforcement.

As the MOU provides, its use and effectiveness will be kept under review, and I am confident that full use will be made of its potential by the police forces of all our jurisdictions.

A Registered Sex Offender Advisory Group has been established consisting of representatives of An Garda Síochána, the Police Service of Northern Ireland, the Department of Justice, Equality and Law Reform and the Northern Ireland Office. As part of its work, this Group evaluates the potential for sharing information, examining the registration criteria in both jurisdictions for sex offenders and identifying areas for further co-operation.

Persons who have been convicted of sex offences abroad who, at the time of the conviction or thereafter, become resident for the qualifying period in this jurisdiction are subject to the provisions of the Sex Offenders Act 2001, where there is comparability between the offence to which the foreign conviction applies and offences covered by the Act. It is not necessary for the

offence or the conviction to occur after the coming into force of the Act.

The Domestic Violence and Sexual Assault Investigation Unit of An Garda Síochána monitor and manage the notification provisions as they apply to those subject to them.

The provisions of the Sex Offenders Act 2001 are kept under constant review by my Department with a view to ensuring the Act is operating in an efficient and effective manner.

Question No. 136 answered with Question No. 120.

Crime Levels.

137. Deputy Willie Penrose asked the Minister for Justice, Equality and Law Reform the number of cases of murder in which firearms were used in respect of each year from 1998 to date in 2007; the number of such cases in which prosecutions for murder were initiated; the number of such cases where convictions were secured; if he is satisfied with the level of detection and conviction in such cases; and if he will make a statement on the matter. [22497/07]

186. Deputy Jan O’Sullivan asked the Minister for Justice, Equality and Law Reform the number of gun murders recorded in 2006; the way this compares with the figures for 2005; the number of gun murders recorded to date in 2007; the steps being taken to deal with these crimes; and if he will make a statement on the matter. [22496/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 137 and 186 together.

The following table shows the number of murders recorded, detected, proceedings commenced and convictions which involved the use of a firearm for the years 1998 to 2006 and in 2007.

The number of murders recorded, detected, proceedings commenced and convictions in which a firearm was used for the years 1998 to 2006 and in 2007 up to 3 October

Year	Recorded	Detected	Proceeding Commenced	Convictions
2007 (to 3 October)	13	3	1	0
2006	27	10	5	0
2005	21	4	2	2
2004	9	8	5	4
2003	20	11	4	2
2002	10	5	4	3
2001	9	6	2	1
2000	12	7	6	2
1999	12	7	7	5
1998	4	3	2	1

Figures for 2007 are provisional, operational and liable to change.

All incidents of murder involving firearms are subject to a rigorous investigation. The identifi-

cation of all evidence available is a key element of the investigation and prosecution process. I am assured that all resources necessary, including national specialist units, are deployed by the Gardaí in the investigation process.

Operation Anvil is central to the strategy of the Garda Síochána in combating serious crime and in particular murder. Operation Anvil continues to provide successes in this area. Figures which I received from the Garda Commissioner recently show that from its beginning in May 2005 to 9 September last, 768 firearms have been recovered, 37,437 searches for drugs have taken place and over 70,000 checkpoints established. These figures make clear the unrelenting nature of the activity being undertaken by the Garda Síochána to deal with these crimes.

In addition the Organised Crime Unit at the National Bureau of Criminal Investigation has been strengthened to 70 persons and is tasked with targeting organised criminals and disrupting criminal networks by providing armed assistance during planned operations and searches against those persons suspected of being involved in organised criminal activities.

A package of crime investigation initiatives was recently launched by senior Garda management. These include the establishment of a crime training faculty at the Garda College, Templemore to provide a professional, comprehensive training programme for those charged with the management of serious crime investigations. Senior Investigating Officers will also be appointed. These will be key personnel who will take charge of serious crime investigations. Incident Room Co-ordinators will manage serious crime investigation incident rooms, and specialist victim interviewers will interview persons under 14 years of age or with special needs who are victims of sexual crime.

Additional Divisional Detective Inspectors will be appointed and will be allocated on the basis of one per District in the Dublin Metropolitan Region and one per Division outside the DMR. The appointments of Regional Detective Superintendents, who will be responsible for the investigation of serious crime, were also announced. Pre-screening and competency based interviewing have been commenced as part of the selection process for Detective Gardaí and Sergeants. This will enhance best practice and procedures in the investigation of serious crime.

A Major Investigation Management System will also be developed to provide a PULSE based management system for all serious investigations.

As a result of the enactment of the Criminal Justice Act 2007 the Garda Síochána are in a much better position to ensure that those involved in gun crime will be made accountable for their actions. The Act intensifies further the fight against gangland activity by:

- making it more difficult to get bail in drug trafficking, firearms and other serious cases;
- having tighter controls to monitor post-release activity by introducing monitoring orders and protection of persons orders;

- having enhanced penalties for those who reoffend within 7 years of a previous offence;
- giving further guidance on the application of mandatory minimum sentences in cases of drug trafficking and firearm offences, while fully respecting the discretion and independence of the judiciary;
- providing for indefinite retention of fingerprint samples;
- extending detention periods in the case of certain very serious offences; and updating the law on the right to silence.

Yesterday I met senior Garda management who briefed me on ongoing intensive operations to counteract the menace of gun crime, including Operation Anvil and CAB's efforts against drug dealers. I assured the Commissioner that unprecedented resources would continue to be provided to support them in their efforts. I wish to reiterate my call for all members of the community to support An Garda Síochána in their efforts to bring those responsible for these crimes to justice.

Garda Recruitment.

138. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform if he will assign crime analysts to the six Garda regions as recommended by the Garda Inspectorate; and if he will make a statement on the matter. [22538/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Three senior analysts were recently recruited forming the management team for the Garda Síochána Analysis Service (G.S.A.S.). A substantial body of work is underway in order to select suitable staff; develop training needs; and service all of the information technology and infrastructural requirements of the analysis function. The structure of the analysis function and deployment of analysts throughout the organisation has yet to be finalised. However, the optimum use of the analysis function will be made in order to deliver the maximum possible benefit to An Garda Síochána in fulfilling all its responsibilities.

Crime Levels.

139. **Deputy Deirdre Clune** asked the Minister for Justice, Equality and Law Reform the steps that have been taken by his Department to tackle gun crime following the recent shooting of a member of An Garda Síochána; and if he will make a statement on the matter. [22549/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The reprehensible gun attack on Garda Paul Sherlock last week was a stark reminder of the dangers facing members of

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the Garda Síochána as they go about their daily task of protecting us all. An extensive investigation team has been assembled comprising Gardaí attached to the DMR North Central Garda Division and the National Bureau of Criminal Investigation, supported by members from Crime and Security Section, Garda Headquarters. This investigation is progressing and a number of arrests have been made in the case.

Operation Anvil is central to the strategy of the Garda Síochána in combating serious crime and in particular murder. Operation Anvil continues to provide successes in this area. Figures which I received from the Garda Commissioner recently show that from its beginning in May 2005 to 9 September last, 768 firearms have been recovered, 37,437 searches for drugs have taken place and over 70,000 checkpoints established. These figures make clear the unrelenting nature of the activity being undertaken by the Garda Síochána to deal with these crimes.

In addition the Organised Crime Unit at the National Bureau of Criminal Investigation has been strengthened to 70 persons and is tasked with targeting organised criminals and disrupting criminal networks by providing armed assistance during planned operations and searches against those persons suspected of being involved in organised criminal activities.

A package of crime investigation initiatives was recently launched by senior Garda management. These include the establishment of a crime training faculty at the Garda College, Templemore to provide a professional, comprehensive training programme for those charged with the management of serious crime investigations. Senior Investigating Officers will also be appointed. These will be key personnel who will take charge of serious crime investigations. Incident Room Co-ordinators will manage serious crime investigation incident rooms, and specialist victim interviewers will interview persons under 14 years of age or with special needs who are victims of sexual crime.

Additional Divisional Detective Inspectors will be appointed and will be allocated on the basis one per District in the Dublin Metropolitan Region and one per Division outside the DMR. Regional Detective Superintendents will be responsible for the investigation of serious crime were also announced. Pre-screening and competency based interviewing have been commenced as part of the selection process for Detective Gardaí and Sergeants. This will enhance best practice and procedures in the investigation of serious crime.

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As a result of the enactment of the Criminal Justice Act 2007 the Garda Síochána are in a much better position to ensure that those

involved in gun crime will be made accountable for their actions. The Act intensifies further the fight against gangland activity by:

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- having tighter controls to monitor post-release activity by introducing monitoring orders and protection of persons orders;
- having enhanced penalties for those who reoffend within 7 years of a previous offence;
- giving further guidance on the application of mandatory minimum sentences in cases of drug trafficking and firearm offences, while fully respecting the discretion and independence of the judiciary;
- providing for indefinite retention of fingerprint samples;
- extending detention periods in the case of certain very serious offences; and
- updating the law on the right to silence.

Garda Complaints Board.

140. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform if he is concerned regarding the views expressed by the chairman of the Garda Complaints Board, in his final report, regarding what he described at the total inability of the Gardaí to apologise for mistakes and the lack of action by the Garda Commissioner in regard to minor breaches of discipline referred to him; the action being taken to deal with this problem; and if he will make a statement on the matter. [22479/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the Garda Síochána Complaints Board Annual Report for the year 2006 has been considered by the Garda Commissioner and his senior management team and its recommendations will inform policy in the relevant areas.

The Deputy raises two separate issues one of which relates to an alleged lack of action on the part of the Commissioner in relation to possible minor breaches of the Garda discipline regulations brought to his attention under the procedures set out in section 7(4) of the Garda Síochána (Complaints) Act 1986.

I am informed by the Garda Authorities that on receipt of a referral under s7(4) the Commissioner considers himself legally obliged to cause a review of the investigation to be undertaken including affording the member concerned an opportunity to make further submissions — whether or not submissions had been made to the Complaints Board as part of its investigation. At the end of the process the Commissioner makes

a final determination on whether there has been a breach of discipline. Where such a breach has occurred it is dealt with by way of advice, admonition or warning.

Of 63 such cases referred to the Commissioner in 2006 disciplinary action was taken in 35 cases, in 20 cases the Commissioner decided that no breach of discipline had occurred and 8 cases were outstanding at the end of the year.

The second issue raised by the Complaints Board relates to an alleged inability on the part of members of the Garda Síochána to apologise for mistakes. Where the incident is of a minor nature there is provision under the Garda Síochána (Complaints) Act 1986 (and indeed analogous provisions of the Garda Síochána Act 2005) for informal resolution. This avenue can be availed of to resolve disputes in some instances.

However it is worth noting that the Morris Tribunal expressed the view that Garda disciplinary procedures which operated prior to 1 June of this year were characterised by an “overlay of legal formalism”. The new Garda disciplinary regulations will address that issue.

More generally, I accept of course that apologies should be made where appropriate, but equally the Garda Síochána as an organisation must be guided in such matters by its legal advisors. Apologies can be made provided such an apology does not affect future legal proceedings. Where such proceedings are taken an apology or statement of regret can affect the extent to which the State is liable in any possible settlement of the case, and this must be taken into account.

Garda Recruitment.

141. **Deputy Paul Kehoe** asked the Minister for Justice, Equality and Law Reform the action that has been taken by his Department to ensure that An Garda Síochána attracts more recruits from ethnic minorities; and if he will make a statement on the matter. [22545/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In 2005 the Garda Síochána Admissions and Appointments Regulations 1988 were amended to remove the requirement to hold a qualification in both Irish and English in the Leaving Certificate or equivalent and was replaced with a requirement to hold a qualification in two languages, at least one of which must be Irish or English.

In addition the amendment provided that entry to An Garda Síochána would be open to:

- (i) nationals of an EU Member State, an EEA State or the Swiss Confederation and
- (ii) nationals of any other State who are lawfully present in Ireland and have a period of five years legal residence in Ireland.

Ethnic communities have been proactively targeted in recent recruitment campaigns and equally so in the latest recruitment campaign which began last month. Details of this campaign can be found at www.garda.ie or www.publicjobs.ie

Question No. 142 answered with Question No. 122.

Question No. 143 answered with Question No. 111.

Garda Inspectorate Reports.

144. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform if he will make a statement on the third report of the Garda Inspectorate detailing a time-frame for the implementation of its key recommendations. [22513/07]

154. **Deputy Joe Costello** asked ask the Minister for Justice, Equality and Law Reform his views in the report of the Garda Inspectorate, Policing in Ireland, Looking Forward, published on 26 September 2007; his further views on the recommendations of the report, particularly the call for an increase in the size of the transport fleet and the number of marked vehicles; and if he will make a statement on the matter.

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 144 and 154 together.

I welcome the third report of the Garda Inspectorate entitled, “Policing in Ireland — Looking Forward”. It is a comprehensive examination of administration and operation of the Garda Síochána and I would like to record my gratitude to the Chief Inspector Kathleen O’Toole and her colleagues Bob Olson and Gwen Boniface for their work. As the members of the House know the Garda Síochána has been undergoing a programme of quite fundamental change in recent years. Many of the changes were brought about by the Garda Síochána Acts 2005 to 2007 and these involved fundamental structural changes such as the establishment of the Garda Ombudsman Commission and the Inspectorate; the transfer of responsibility to the Commissioner for matters such as expenditure and the employment of civilians; and the specification in statute of the role of the Minister for Justice, Equality and Law Reform in setting the broad strategic direction of the Force. Now that the legislative environment has been reshaped, the focus for the programme of change and modernisation is moving to the internal administration and operation of the Garda Síochána. This is where the Garda Inspectorate has a key role in ensuring that the resources of the Garda Síochána are used as efficiently and effectively as possible. It is my role as Minister and that of my Department to support

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the Garda Síochána in achieving that goal of continued efficient and effective policing. The Inspectorate in its report has made a number of recommendations covering a broad range of issues ranging from the devolution of greater autonomy to regional Assistant Commissioners to the need to review recruit training. The Inspectorate has not suggested deadlines for the implementation of all its recommendations and understandably so. Some of the recommendations are already being implemented while others such as a review of recruit training will require further work on the part of the Inspectorate in the first instance. I expect to see early implementation of the Inspectorate's recommendations and my Department with the assistance of the Inspectorate will monitor their implementation.

The remit of the Inspectorate under the Garda Síochána Acts 2005 to 2007 is to ensure that the resources available to An Garda Síochána are used so as to achieve and maintain the highest levels of efficiency and effectiveness both in its operation and administration when compared against the best practices and standards of comparable police forces. As regards the Garda transport fleet the Inspectorate has called for a more strategic approach to transport policy to ensure that it meets the business needs of the Force. The Inspectorate has said it will bring forward proposals to benchmark Garda transport to determine a fleet size and composition that will best support policing needs and optimise visibility in the community. I look forward to receiving those proposals. As the Inspectorate has acknowledged the Garda fleet is undergoing a major investment programme and an expansion in specific areas which will target organised crime, public order and traffic in particular. The total spend for 2006 on the purchase of 1,378 new vehicles to upgrade the fleet was €27.45 million (resulting in the renewal of over half of the entire fleet). Further investment is taking place this year (including the purchase of additional motorbikes which will make a significant contribution to traffic law enforcement).

Question No. 145 answered with Question No. 116.

Garda Investigations.

146. **Deputy Emmet Stagg** asked the Minister for Justice, Equality and Law Reform the investigation that has been held into the release in error of a prisoner serving a six year sentence in mistake for another prisoner of the same name; the outcome of such investigation; if changes have been introduced to procedures to ensure that a similar error is not made in the future; and if he will make a statement on the matter. [22505/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The incident referred to

by the Deputy occurred in Mountjoy Prison in June, 2007. This prisoner was returned to custody by Gardaí at the end of August 2007. His release date has been adjusted accordingly.

Following an investigation by the Governor of Mountjoy Prison, disciplinary procedures have been initiated against a number of staff under the Code of Discipline. The Deputy will therefore appreciate that I am precluded from commenting further at this time in relation to this matter.

I can confirm that a Governor's Order which sets out the correct procedures to be followed in the case of prisoner releases was re-issued to all staff in Mountjoy Prison.

147. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform if the Garda Superintendent appointed to carry out an investigation into the circumstances in which the Gardaí failed to act on information supplied through Interpol from the Austrian authorities regarding the alleged involvement of people based here in a global child pornography ring has been concluded; if it is intended to publish the report; and if he will make a statement on the matter. [22488/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the investigation into this matter is ongoing and nearing completion. The Deputy will appreciate that it would be inappropriate for me to comment further at this time.

Custodial Sentences.

148. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform if he will propose changes to the remission of the custodial sentences regime; and if he will make a statement on the matter. [22559/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I hope to be in a position to bring the matter before the Government in the near future and I will not be making any statements on the issue before then.

Criminal Legal Aid.

149. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the nature of the means test applicable when members or principals of organised criminal gangs apply for free legal aid; if such funding is provided directly by his Department or through the Courts Service; the number of cases in which such criminals have been refused legal aid in each of the past five years; if free legal aid has been made available in serious criminal cases where the accused is on bail on foot of previous charges and where it might be concluded that the individual had access to adequate resources from what-

ever source; and if he will make a statement on the matter. [22522/07]

479. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the extent to which free legal aid has been made available through funding provided by his Department and the Courts Service to those involved in organised criminal gangs known to have considerable assets; his plans to address this issue; and if he will make a statement on the matter. [22851/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 149 and 479 together.

I take it the Deputy is enquiring about criminal legal aid. I am sure the Deputy will appreciate that persons before the courts on criminal charges are dealt with on the basis of the presumption of innocence.

The Criminal Justice (Legal Aid) Act 1962 provides that free legal aid may be granted in certain circumstances for the defence of persons of insufficient means in criminal proceedings. Funds are provided through my Department's vote for the administration of the Scheme with a sum of €43.5m allocated for this purpose in 2007. Expenditure for each of the past 4 years is set out below:

Year	Expenditure
	€m
2003	37.353
2004	34.140
2005	40.208
2006	42.093

Under the 1962 Act, the courts, through the judiciary, are responsible for the granting of legal aid. An applicant for legal aid must establish to the satisfaction of the court that his/her means are insufficient to enable him/her to pay for legal representation for him/herself. The court must also be satisfied that, by reason of the "gravity of the charge" or "exceptional circumstances", it is essential in the interests of justice that the applicant should have legal aid. I have no function in these matters which are determined by the judiciary. The provision of information on the courts system such as the number of persons refused legal aid certificates is a function of the Courts Service under the Courts Service Act 1998.

The Deputy may wish to note that, under the 1962 Act, an applicant for free legal aid may be required by the court to complete a statement of means. It is an offence for an applicant to knowingly make a false statement or conceal a material fact for the purpose of obtaining legal aid. This is currently under review in my Department.

Prison Education Service.

150. **Deputy Billy Timmins** asked the Minister for Justice, Equality and Law Reform when the education centre for young offenders at Mountjoy was opened; the persons who work at same; and if he will make a statement on the matter. [22579/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I take it the Deputy is referring to the Special School in St Patrick's Institution, which is located in the Mountjoy Complex, and was opened on 14 April 2007.

All staff are trained in Adolescent Behaviour Management before they commence working in this new unit. The staffing levels are 13 prison staff Monday to Friday and 9 prison staff at weekends. Prison staff comprise prison officers performing general security duties, prison officers trained as NCEF Fitness Instructors and Assistant Industrial Supervisors providing instruction in both Home Economics and Industrial Skills.

There are also between 2 and 4 teachers operating in the new school during any teaching period. General education subjects include English, Irish, Maths, History and Geography, Arts & Crafts, and Computer Skills. Fitness and exercise programmes, and Domestic Science including hygiene and cooking skills programmes are also provided. Programmes such as alcohol awareness and drug awareness courses are also run regularly.

Support services are provided by 2 Probation Officers and Psychology, Medical and Chaplaincy Services. These personnel are available to inmates on a daily basis.

All inmates are given a timetable for their activities and participation in the activities is actively encouraged. Enhanced regimes such as communal dining, recreational games, sports hall and additional visits are provided.

A typical day consists of school during the morning and afternoon, or alternatively vocational workshop training. Recreation is provided in the evening. At weekends sports competitions, football tournaments, etc., are provided during daytime and recreation is provided in the evening.

National Drugs Strategy.

151. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the plans he has to set up a permanent drugs unit at Ireland West Airport, Knock; and if he will make a statement on the matter. [22159/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As the Deputy will appreciate, it is the Customs Service of the Office of the Revenue Commissioners which has primary responsibility for the prevention, detection, interception and seizure of controlled drugs at importation.

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The Customs Service has particular responsibility for implementing import controls at points of entry to the State, including airports.

I have been informed by the Customs authorities that in 2007, the Revenue Commissioners completed an extensive review of customs controls at all licensed aerodromes including Knock.

Following on the review and with increased flights from EU and non-EU countries into Knock, the level of customs control has been increased and has been applied on a risk-analysis basis. This is based on analysis and evaluation of general seizure trends, traffic frequency, route and similar risk indicators.

These controls have included over sixty visits to Ireland West Airport, Knock since the start of 2007 by a drugs detector dog team based in Sligo. Extra staff have also been assigned to the area which will further assist in increasing drugs detection at the airport.

Attendance by staff is selective and targeted and covers the full range of flight times and these are kept under constant review to take particular account of emerging smuggling trends and any traffic increase at the airport.

In relation to Garda strategies for dealing with drug offences, such strategies are designed to undermine the activities of organised criminal networks involved in the trafficking and distribution of illicit drugs. These strategies include gathering intelligence on individuals and organisations involved in the distribution of drugs, conducting targeted operations on criminal networks based on intelligence gathered and working in collaboration with other law enforcement agencies within and outside the jurisdiction to address the national as well as international aspects of drug trafficking and distribution. These strategies continue to result in operational successes as evidenced by the ongoing levels of drugs seized by the Garda.

The trafficking and distribution of all illicit drugs at local, national and international level is constantly monitored by the Garda.

There continues to be excellent co-operation between the Garda and the Customs and Excise service under the terms of the memorandum of understanding in place between both agencies in the proactive investigation of persons suspected to be involved in international drug trafficking and ongoing liaison with various law enforcement agencies throughout Europe through Europol and Interpol.

Human Trafficking.

152. **Deputy Simon Coveney** asked the Minister for Justice, Equality and Law Reform the action the Gardaí will be taking as a result of the announcement that Great Britain and Ireland are to work together to combat human trafficking through a new operation called Pentameter two. [22610/07]

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(Deputy Brian Lenihan): Operation Pentameter II was launched in London by the UK Home Secretary on 3 October 2007. Officials from my Department and senior Garda officers have been participating in planning meetings since earlier this year and it is intended that An Garda Síochána will run complementary enforcement operations in this jurisdiction at the same time as the United Kingdom.

The operation which is led by Gloucestershire Constabulary is a proactive and coordinated campaign of activity to tackle the trafficking in human beings for sexual exploitation throughout the common travel area of Ireland and the United Kingdom.

The sharing of intelligence between police in both jurisdictions is occurring on a regular basis, and co-operation in investigating suspected cases of human trafficking which impact on both the UK and Ireland is ongoing.

Through Operation Pentameter, a significant level of cooperation has developed, particularly in the area of training, with input from the UK authorities into training courses run by staff from the Garda Training College.

A senior officer at Detective Superintendent rank from An Garda Síochána has been appointed as a liaison officer with Operation Pentameter and he continues to meet with his counterparts in the UK on a regular basis with a view to ensuring that co-ordination of activity between the two jurisdictions in tackling human trafficking is in place.

Furthermore, a member of the Police Service Northern Ireland (PSNI) is also currently seconded to the Garda National Immigration Bureau in relation to this issue and this will maximise the co-operation between An Garda Síochána and the PSNI with regard to the problem of human trafficking.

Operation Pentameter II is linked to a larger initiative on human trafficking being undertaken in a number of European countries including Ireland and this larger initiative will be launched in Brussels soon.

The operation is currently in an intelligence-gathering phase. It is my intention that the Criminal Law Bill, which I will publish shortly, will be enacted in time for the enforcement phase of the operation. It would be inappropriate to give any further information that might jeopardise what is now a live policing operation.

While there is no evidence of a substantial human trafficking problem in Ireland, the Government is determined that all necessary actions are taken to ensure that it does not become a significant problem in the future.

Finally, as part of Operation Pentameter 1, a poster campaign was launched in both Ireland and the UK to encourage victims of human trafficking to report their plight to State authorities. The undertaking of additional awareness raising

initiatives in both the UK and Ireland during Operation Pentameter II has been discussed and plans are being formulated in this regard.

Crime Prevention.

153. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if the number of organised criminal gangs currently operating here have been located or identified; the extent to which each or all have been associated with drugs, gun crime or murder; if the necessary resources have been made available or are expected to be made available to ensure that such perpetrators are brought to justice; and if he will make a statement on the matter. [22521/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An Garda Síochána, as part of its contribution to the Europol Organised Crime Report which was refined to become the Organised Crime Threat Assessment (OCTA), undertakes an annual assessment of organised crime in Ireland. The most recent assessment was completed in November 2006.

The analysis carried out for this report concludes that the nature of organised crime gangs continues to be the same as in previous years. There are two categories of organised crime groups operating in this jurisdiction.

The first category consists of individuals/groups that are well established and tightly structured involved in drug trafficking, armed robbery and firearms offences. The second category involves groups whose activities are characterised by less cohesive group structures and criminal activities which are mainly confined to Ireland.

Because of the relative fluid nature of those involved in serious/organised crime in Ireland it is not possible to easily place them in a particular group. While it is difficult therefore to provide an accurate and definitive number for the various groups operating here, gangs operating in this jurisdiction are targeted on an ongoing basis and profiles regarding the personnel of such groups are continually updated. Their membership, operating methods, criminal interests and financial assets are likewise proactively targeted.

Intelligence-led operations, primarily undertaken by specialist units of An Garda Síochána, under the remit of the Assistant Commissioner, National Support Services, including the National Bureau of Criminal Investigation, the Garda National Drugs Unit, and the Organised Crime Unit are regularly undertaken, targeting those suspected of being involved in organised crime.

The Criminal Assets Bureau, under the Assistant Commissioner, National Support Services, works closely with other national units and senior investigating officers in all Garda Divisions to ensure, wherever possible, that assets derived from criminal activity, including drug-related crime, are subject to post-conviction confiscation, pursuant to the Criminal Justice Act 1993, civil

restraint pursuant to the Proceeds of Crime Acts 1996-2005 and the relevant Revenue and Social Welfare legislation.

An Garda Síochána will continue to use intelligence-led operations against selected targets to combat the criminal activities of these groups.

In relation to the resources available to the Gardai, the Deputy will be aware that An Garda Síochána has never been better resourced than it is now. The personnel strength (all ranks) of An Garda Síochána as on 31 August 2007, was 13,288.

As the Deputy will also know, there is an unprecedented expansion of An Garda Síochána currently taking place which is increasing the overall strength of the Gardaí to 16,000.

The Garda budget now stands at €1.44 billion; this compares to just over €0.9 billion five years ago. Garda overtime this year will total about €140 million; this compares to €66 million five years ago. The Garda fleet is undergoing major modernisation. Last year €24.7 million was used to purchase 1,378 vehicles for the Force, renewing over half the entire fleet.

The National Development Plan provides €260 million over the next five years for Garda stations and other accommodation. This level of resources translates into tangible improvements with increased and improved levels of policing on the ground.

Finally, I repeat the assurance that I gave to the House last week during the lengthy debate on crime that it is my intention to continue to prioritise areas such as gun crime, organised crime and drugs, and public order.

Question No. 154 answered with Question No. 144.

Illegal Immigrants.

155. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the reason the Government has decided to opt out, along with the UK, from a new EU directive which proposes to make it a criminal offence for employers to employ illegal migrants; and if he will make a statement on the matter. [22510/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Treaty of Amsterdam which came into force on 1 May, 1999, added to the EC Treaty a new Title IV which deals with measures in the area of visas, immigration and other policies related to free movement of persons. The proposal in question is subject to Title IV of the Treaty, the application of which to Ireland is subject to the provisions of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaties.

It is not correct to say that Ireland has decided to “opt-out” of this proposed Directive. Under the Protocol Ireland has three months from the date a proposal is presented to Council to notify

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our intention to take part in the adoption and the application of such a measure. Ireland may also accept a measure any time after it has been adopted. While Ireland did not within the initial 3 months exercise its option the matter remains open.

Ireland continues to participate actively in the current discussions on the proposal at European level and my Department, in conjunction with other relevant Departments, is currently examining the issues raised by the proposal. The question of Ireland's participation in this measure will be determined following adoption of the Directive and Ireland's participation would require Oireachtas approval at that stage.

Ireland exercises its option to participate in Title IV measures to the maximum extent compatible with the maintenance of the Common Travel Area with the United Kingdom. Any proposals arising under Title IV are considered on their own merits.

Prison Staff.

156. **Deputy Emmet Stagg** asked the Minister for Justice, Equality and Law Reform if a group of senior prisoner officers are under threat from criminal gangs as reported; the steps being taken to ensure the safety and security of prisoner officers under such threat; and if he will make a statement on the matter. [22506/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): For obvious security reasons, I am not in a position to comment on the particular report referred to by the Deputy. However, I can confirm that certain staff were recently rendered appropriate assistance in relation to security matters. The Deputy will understand that I am not willing to elaborate at this time on the specifics of any threats that may have been made.

Garda Investigations.

157. **Deputy Kathleen Lynch** asked the Minister for Justice, Equality and Law Reform if the Gardaí have concluded their investigations initiated as a result of a complaint made by the Secretary General of his Department into the alleged leaking of a draft copy of a report (details supplied); if a file has been sent to the Director of Public Prosecutions; and if he will make a statement on the matter. [22489/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the Director of Public Prosecutions has directed a prosecution in this matter and a person is currently before the Courts charged with offences contrary to sections 37 and 50 of the Commissions of Investigation Act 2004.

Proposed Legislation.

158. **Deputy Eamon Gilmore** asked the Minister for Justice, Equality and Law Reform when the long promised Judicial Council Bill is expected to be published; the consultation he has had with members of the judiciary regarding the contents of the Bill; his views, in view of a recent case, that there is still no procedure for dealing with breaches of conduct by judges apart from the impeachment process provided for under the constitution; and if he will make a statement on the matter. [22485/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Work on the Scheme of a Judicial Council Bill to build on the report of the Committee on Judicial Conduct and Ethics is currently under way in my Department.

That Report recognised the need for a procedure for dealing with complaints of judicial misconduct which, while serious in itself, might not warrant the ultimate sanction of impeachment by the Oireachtas.

Consultations on the proposed Bill have, as is usual in the development of any legislative proposals, taken place with the Office of the Attorney General. It was also considered prudent, given the nature of the subject, to consult with the Chief Justice. While some preliminary views were received, the Chief Justice requested an opportunity to offer further views at a later stage. I await the final observations of the Chief Justice.

Garda Reserve.

159. **Deputy Brian O'Shea** asked the Minister for Justice, Equality and Law Reform the number of members of the Garda Reserve recruited to date; the stations to which they have been allocated; the number of applicants for the reserve currently in training; when he expects that the full complement of 1,500 will be in place; and if he will make a statement on the matter. [22493/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The total personnel strength of the Garda Reserve including trainees is 248. A total of 113 members are fully attested.

The 113 attested members are attached to the following Stations: Dublin Metropolitan Region Stations:

DMR SOUTH CENTRAL DIVISION —
Pearse St, Kevin Street and Donnybrook.

DMR NORTH CENTRAL DIVISION —
Store St, Bridewell and Fitzgibbon Street.

DMR WEST DIVISION — Clondalkin,
Finglas, Lucan and Blanchardstown.

DMR NORTH DIVISION — Santry, Raheny, Swords, Clontarf and Coolock.

DMR SOUTH DIVISION — Crumlin, Sundrive Road, Rathmines and Terenure.

DMR EAST DIVISION — Bray, Dun Laoghaire and Blackrock.

STATIONS OUTSIDE DMR — Anglesea Street, Cork, Sligo, Galway, Henry Street, Limerick, Ennis, Clare, Tralee, Kerry, Waterford.

The recruitment of members to the Garda Reserve is ongoing with intakes going into the Garda College every 4-6 weeks. The latest intake occurred on the 6th and 7th October 2007.

Reserve members undertake their training and other duties on a voluntary basis during their free time. As a result it is not possible to predict how many people will commence training in any particular month. I cannot predict exactly when the 10% target will be reached but I can assure the Deputy that An Garda Síochána are making every effort to reach it as soon as possible.

Gambling Regulations.

160. **Deputy Pat Breen** asked the Minister for Justice, Equality and Law Reform the progress that has been made by his Department in its review of the Gaming and Lotteries Acts, 1956 to 1986; the action he proposes to take to regulate newer gambling practices including on-line gambling; and if he will make a statement on the matter. [22542/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I wish to advise the Deputy that my predecessor received the final Report of the Casino Committee in April 2007. The Report is a detailed and comprehensive document dealing with all the issues placed before the Committee including the internet. After due consideration of these issues, I will be bringing the Report before the Government.

Citizenship Applications.

161. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform his views on a proposal to grant to all new members of An Garda Síochána on commission the automatic entitlement to be made an Irish citizen; and if he will make a statement on the matter. [22246/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am aware that the Deputy sponsored a Bill on this issue in July, 2006.

The granting of Irish citizenship is, I believe, a decision not to be taken lightly and should only apply to a person who has demonstrated over an extended period of time close links with Ireland, for example by way of legal residence in the State and a degree of real participation in Irish society. While, clearly, joining An Garda Síochána is a very positive act in this respect I would be con-

cerned that a proposal of this nature could result in demands from other persons working in a variety of State services for a similar exemption from the legal criteria for citizenship.

It is my intention to review, over the coming months, the existing criteria for obtaining citizenship through naturalisation and the issue raised by the Deputy can be considered as part of that process.

Sexual Offences.

162. **Deputy Jim O’Keeffe** asked the Minister for Justice, Equality and Law Reform the steps that have been taken to implement the recommendation of the 2006 report of the committee on child protection that a system be developed as soon as possible for computerised storage and dissemination of information received in accordance with the Sex Offenders Act, 2001; and his proposals in relation to the recommendation for the further study of the circumstances in which the persons to whom information contained in the Sex Offenders Register might be released. [22419/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Garda Síochána has in place a system for the monitoring of persons subject to the requirements of the Sex Offenders Act, 2001. The Domestic Violence and Sexual Assault Unit monitor and manage the notification provisions. The information on persons who are subject to the requirements of the Sex Offenders Act, 2001 is maintained at a central location. Only specified nominated Garda personnel have access to this information. I am advised by the Garda authorities that they are currently assessing requirement regarding access to this information by other units within the Force. I have no plans to amend the legislation to allow for access by others to this information.

There are nominated Garda Inspectors in each Garda Division who are notified by the Domestic Violence and Sexual Assault Unit when a sex offender, who is subject to the requirements of the Act, is resident in their Division. These inspectors are responsible for the monitoring of such offenders.

The Garda authorities are currently preparing to integrate the system for recording persons subject to the requirements of the Act into the PULSE system.

The provisions of the Sex Offenders Act 2001 are kept under constant review in my Department with a view to ensuring the Act is operating in an efficient and effective manner. I am currently reviewing provisions to strengthen the monitoring of registered sex offenders.

Sale of Alcohol.

163. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform when he

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will use the powers available to him under Section 22 of the Intoxicating Liquor Act, 2003 to provide for the traceability of alcohol sold for consumption off premises; and if he will make a statement on the matter. [22491/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The position is that section 22 of the Intoxicating Liquor Act 2003 provides for the making of regulations specifying particulars to be affixed to containers in which intoxicating liquor is sold for consumption off licensed premises which are adequate to enable the licensee and the licensed premises concerned to be identified.

However, while the labelling of containers in which alcohol is sold with a view to combating under-age consumption is an attractive idea, significant challenges would need to be overcome in order to render it effective in practice. These challenges arise under two headings.

Firstly, practical difficulties will be encountered at retail level where several individual containers are packaged together for sale, e.g. an enclosed six-pack of bottles; a plastic-wrapped tray of cans; or a nailed wooden box containing bottles of wine. This raises the important issue of whether the label should be attached earlier in the supply or distribution chains rather than at the point of sale. Attaching labels to the containers at an early stage might be simpler but it would create logistical difficulties for importers and distributors and lead in turn to increased distribution costs. Moreover, in the case of imports from EU countries, such additional labelling requirements could be regarded as infringing internal market rules relating to free movement of goods. Also, it would be naive to overlook the possibility of labels being removed, or rendered non-legible, after sale. The possible transfer of the alcohol from a labelled container to another unmarked container cannot be ruled out either.

Secondly, from an enforcement perspective it is clear that possession by an underage person of a labelled container will not in itself constitute proof that the alcohol in the container has been illegally supplied to that person by the licensee whose particulars appear on the container. It may have been taken from the family home or have been sold to a person over the age of 18 in good faith before being passed on to the underage person. Indeed, a labelled container may have passed through several hands before finding its way into the hands of an underage person.

Issues relating to the evidential value of being found in possession of a labelled container were raised during consultations on implementation of section 22 of the 2003 Act and the matter was subsequently raised with the Office of the Attorney General. That Office has expressed serious doubts about the evidential value of possession of a labelled container and doubt is,

therefore, cast on the utility of any regulations that might be made under section 22 of the 2003 Act.

One option that could possibly be considered in the context of future legislation would be a presumption that any alcohol container found in the possession of an under-age person had been purchased by that person from the licensee identified on the container until the contrary was proved. However, the Attorney General's Office has also advised that such a proposal would raise serious constitutional issues and would run the significant risk of being found to be inconsistent with Article 38 of the Constitution.

For these reasons, I do not intend to make regulations under section 22 of the 2003 Act at this time. I will, however, give serious consideration in the context of future legislation to any reasonable and workable proposal that would deal with this matter without giving rise to the difficulties that I have outlined.

Closed Circuit Television Systems.

164. **Deputy Paul Kehoe** asked the Minister for Justice, Equality and Law Reform the towns and urban centres in which Garda closed circuit television systems are in place at present; the proposals in place to extend the Garda CCTV system; the number of locations that will have Garda CCTV systems in place by the end of 2007; and if he will make a statement on the matter. [22546/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): CCTV Systems play an important part in support of policing and the maintenance of public safety. They also act as a useful deterrent to street crime and public disorder. The Garda town centre CCTV systems are planned and implemented on the basis of operational needs identified by An Garda Síochána.

I have been informed by the Garda authorities that the following locations have CCTV systems that are fully operational: Dublin City centre (north and south); Tralee; Cork City; Bray; Dun Laoghaire; Dundalk; Limerick; Galway and Tullamore. The contractors for the system to be installed in Finglas have been requested to commence installation and that will be subject to the usual requirements of the planning process, permission for wayleaves and the completion of any necessary civil works.

I have been further informed by the Garda authorities that work is ongoing on the installation of CCTV systems in Clondalkin and Ballyfermot and these systems will be operational in the near future.

Contracts for the supply and installation of Garda CCTV systems will be issued shortly for the following nine locations: Drogheda, Tallaght, Mullingar, Waterford, Portlaoise, Kilkenny, Sligo, Castlebar and Ennis. It is expected that

installation of these systems will commence early in 2008.

A tender process has also taken place for a further five locations: Athlone, Carlow, Clonmel, Dungarvan and Kinsale. Responses to the tender are currently being evaluated by the Garda authorities. It is expected that works on these systems will commence during the first quarter of 2008.

Data Protection.

165. **Deputy Eamon Gilmore** asked the Minister for Justice, Equality and Law Reform his views on the fact that more than 10,000 requests were made by the Gardaí during 2006 under the Criminal Justice (Terrorist Offences) Act 2005 for access to personal telephone records; if he accepts the view of the Office of the Data Protection Commissioner that such a number of applications suggests that innocent people are having their private records pored over; the breakdown of the requests submitted in regard to those arising from investigation into terrorist offences, drugs offences and other serious offences; and if he will make a statement on the matter. [22486/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In the first instance, the figure of 10,000 requests for access to telecommunications traffic and location data made by the Garda Síochána in 2006, as claimed by the Office of the Data Protection Commissioner, is a self-described 'estimate' and not a factual description. In this regard, it is not the practice and it would be contrary to the public interest to disclose the details of data access requests, including their number or the types of offences to which they relate.

The retention of and access to such data are governed by the provisions of Part 7 of the Criminal Justice (Terrorist Offences) Act 2005. Part 7 provides that access requests to telecommunications service providers may only be made for the purposes of:

- the prevention, detection, investigation or prosecution of crime; or
- the safeguarding of the security of the State.

The Garda Síochána makes such requests only where these conditions apply and only after they have been filtered by senior Garda officers; not all requests by investigating Gardaí result in requests to the telecommunications service providers.

I categorically reject any suggestion that these provisions are being or have been used to improperly intrude upon the privacy of any person, innocent or otherwise.

Part 7 of the 2005 Act also introduced — for the first time — robust accountability arrangements and counter-balancing safeguards to protect personal data. These arrangements include a

statutory complaints procedure overseen by a Judge of the Circuit Court, as well as a statutory oversight procedure overseen by a 'designated judge', who must be a serving Judge of the High Court.

The designated judge's first annual report into the operation of Part 7, dated 20 March, 2007, as laid before the Houses of the Oireachtas, found 'that the provisions of the legislation are being maintained and in particular that the provisions of the Act of 2005 are not being used for routine Garda inquiries and investigations'.

Prisoner Transfers.

166. **Deputy Martin Ferris** asked the Minister for Justice, Equality and Law Reform if he has received correspondence in relation to a person (details supplied); and the reason they were denied repatriation. [22511/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person referred to by the Deputy has made four separate applications for transfer to a prison in this jurisdiction under the Council of Europe Convention on the Transfer of Sentenced Persons, all of which have been refused after careful consideration. In refusing the person's latest application for transfer, I believed that, on balance, he had closer ties to the United Kingdom than to this jurisdiction. In particular, I was not satisfied that he would not normally be resident in this jurisdiction, were it not for his imprisonment. In addition, I was of the opinion that he does not have sufficient family support residing in this jurisdiction.

The Council of Europe Convention on the Transfer of Sentenced Persons does not confer an automatic right on any prisoner to be transferred nor does it confer an obligation on any state to comply with a transfer request. This is clearly set out in the Explanatory Report to the Convention.

Garda Discipline Regulations.

167. **Deputy Seán Sherlock** asked the Minister for Justice, Equality and Law Reform the position in relation to the new draft Garda Discipline Regulations which he originally said would be introduced prior to the Dáil Éireann summer recess in 2006 regarding their consideration by the Garda Conciliation Council; when it is expected that the new regulations will be in operation; and if he will make a statement on the matter. [22501/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Garda Síochána (Discipline) Regulations 2007 (S.I. 214 of 2007) were signed on 2nd May 2007 following discussions at the Garda Conciliation Council and at numerous meetings under the auspices of that council involving the representative associations of the members of the Garda Síochána. The regu-

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lations became effective on 1st June 2007 and have been in full operation since that date.

Restorative Justice.

168. **Deputy Jim O’Keeffe** asked the Minister for Justice, Equality and Law Reform if he supports the recommendations of the committee on restorative justice in its report of January 2007; and his proposals to implement those recommendations. [22420/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Following on from the publication of the report on restorative justice by the Joint Oireachtas Committee on Justice, Equality, Defence and Women’s Rights in January 2007, the National Commission on Restorative Justice was established in March 2007.

Recommendation 5 of the Joint Oireachtas Committee suggested that a cross-sectoral working group should be created to develop a national strategy for restorative justice that is based on international best practice. The National Commission on Restorative Justice has been established on this basis, with a member of the judiciary appointed to chair the Commission on a full-time basis. The membership of the Commission includes representatives of An Garda Síochána, the Probation Service, the Courts Service, the Director of Public Prosecution’s office and two independent members.

The terms of reference of the Commission are wide-ranging. They require the Commission to examine both national and international practice in the area, to consider the recommendations of the Joint Oireachtas Committee, to consider what model or models of restorative justice might be appropriate to Irish circumstances and to issue a final report on these and on other matters by the end of 2008. The Commission recently commenced its deliberations and I look forward to receiving an interim report in the coming months.

The restorative justice process seeks to address the fall-out from criminal behaviour by making the offenders more directly accountable for their actions and by giving a greater voice to victims of crime. This is an issue I have prioritised since taking up office and I await the Commission’s deliberations with interest.

Garda Technical Bureau.

169. **Deputy Dinny McGinley** asked the Minister for Justice, Equality and Law Reform his plans for the upgrading of the Garda Technical Bureau; and if he will make a statement on the matter. [22574/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I have been informed by the Garda authorities that, in 2007, approximately €200,000 was expended on upgrading the

premises at Garda HQ currently occupied by the Garda Technical Bureau. Future accommodation plans for the Garda Technical Bureau are linked to the Forensic Science Laboratory which is also based at Garda HQ and with which the Bureau works in close partnership.

Treatment of Prisoners.

170. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform if, in order to ensure full human rights compliance and to prevent further abuse and in view of the high cost to the taxpayer of Garda abuse recently highlighted in media reports, he will arrange for the regulations governing the treatment of persons in Garda custody to be reviewed and human rights proofed and updated. [22514/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The need to human rights proof Garda policies is fully accepted by Garda management and the organisation has been particularly proactive in that regard.

A Human Rights audit has been conducted and the findings of this audit and the associated action plan are currently being implemented under the supervision of the Strategic Human Rights Advisory Committee which is chaired by an Assistant Commissioner and includes a representative from the Irish Human Rights Commission.

In addition, the Garda Síochána are currently engaged in a pilot process with the Honorable Society of the Kings Inns to progress the Human Rights proofing of Garda policies and to develop relevant protocols.

In addition of course the new more streamlined Garda Síochána (Discipline) Regulations 2007 (S.I. 214 of 2007) became effective on 1st June 2007 and have been in full operation since that date.

Finally, the Criminal Justice Act, 1984 (Treatment of Persons in Custody Regulations) strongly affirm the human rights of detained persons and were most recently amended in 2006. As the Deputy may be aware, under the Criminal Justice Act 1984 regulations on the treatment of persons in custody in Garda stations must be approved in advance by both Houses of the Oireachtas.

Garda Deployment.

171. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the number of Garda stations in rural areas without a full-time Garda presence; and if he will make a statement on the matter. [22540/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The information requested in relation to the number of Garda Stations in rural areas without a full time Garda presence is not immediately available. I have

requested it from the Garda Commissioner and I will provide it to the Deputy on receipt.

Illegal Immigrants.

172. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the plans he has to provide a permanent immigration unit at Ireland West Airport, Knock; and if he will make a statement on the matter. [22158/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Members of An Garda Síochána from Swinford Garda District are deployed on immigration duty at Ireland West Airport every day and local Garda Management has arrangements in place to ensure that Immigration Officers monitor all flights into the airport and the situation remains under constant review.

In deciding the number of personnel to be assigned to immigration control duties at Ports of Entry to the State, and the manner in which they are to be deployed, cognisance is taken of such issues as: throughput of passengers, the frequency of their arrival on particular routes, the jurisdictions from which they travel, and the result of any risk assessment completed with a view to establishing the extent to which illegal immigrants are likely to target a particular Port of Entry, route, flight or sailing.

While local Garda management is satisfied that the immigration service being provided at present at Ireland West Airport is adequate to meet current demands, the establishment of a full-time immigration Unit at Ireland West Airport is also being considered by the Garda authorities.

Question No. 173 answered with Question No. 111.

Question No. 174 answered with Question No. 124.

Garda Investigations.

175. **Deputy Kathleen Lynch** asked the Minister for Justice, Equality and Law Reform if he has received the report he sought from the Garda authorities into the handling of a case (details supplied); the terms of reference of the inquiry he has asked to be carried out; when he expects to receive this report; and if he will make a statement on the matter. [22490/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): A report on the matter referred to by the Deputy was received by my Department from the Garda Síochána.

Following consideration of the report and submissions made by legal representatives of a person concerned, my predecessor as Minister for Justice, Equality and Law Reform appointed a Senior Counsel to conduct an independent review and thorough examination of the Garda Síochána

papers and any other available relevant material relating to the case and related complaints made, with a view to ascertaining the adequacy and completeness of the handling of the complaints and of the case.

Following his review, the Senior Counsel recently submitted his report. The report is currently under consideration and I expect to be in a position to make a statement about its findings in the near future.

Prison Staff.

176. **Deputy Joanna Tuffy** asked the Minister for Justice, Equality and Law Reform his views on concerns raised by the Comptroller and Auditor General regarding the continued high level of sick leave in the Prison Service; the steps being taken to deal with this problem; and if he will make a statement on the matter. [22507/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Deputy will be aware that the Comptroller and Auditor General, whilst outlining his concerns about the level of sick leave in the Prison Service over the period 2002 -2006, has acknowledged that the figures provided by the Prison Service for January to April 2007 show an overall reduction of 10% in per capita sick leave days and that this would represent the first major reversal of the trend of recent years, if maintained. The most recent figures available to end of July 2007 show a reduction of 15.8% in per capita sick leave days compared with the same period last year confirming the downward trend. This is a very welcome development.

The Comptroller and Auditor General's report also acknowledged that any examination of sick leave, or indeed any other aspect of the management of the Prison Service over the period in question, must be seen in the context of the particular circumstances within which the Service was operating during the period under review. The period 2002-2006 was a time of major change with the negotiation and implementation of new working arrangements to replace overtime, and decentralisation of the Prison Service's headquarters initially to Clondalkin and later to Longford. These major organisational changes, which have been successfully rolled out, impacted on the capacity of the Prison Service to address the sick leave problem.

It must be borne in mind also that central to the new working arrangements negotiated with staff representatives is a unique system, based on the concept of annualised hours, which is designed to encourage smart working and to reduce absenteeism. The indications are that the new working arrangements, combined with other measures, are contributing to the downward trend in sick leave.

Alongside the introduction of the new working arrangements, a determined effort continues to

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be made to reduce sick leave through a range of initiatives and all of those efforts are reflected in the significant improvement in the level of sick leave in the first seven months of this year.

Work is ongoing in relation to improving the management of sick leave in a consistent manner across all prisons and reflecting best practice in this area. Governors are encouraged to pursue a policy of early intervention and to hold return to work interviews that ensure that the appropriate steps are taken whether through support or sanction.

As regards support, prison staff have access to psychological services. There is also support available for Officers through the Employee Assistance Programme (EAP). In support of the EAP, a Chief Welfare Officer was appointed in April, 2007 and two Employee Welfare Officers will also be available to support and advise staff with difficulties arising inside or outside the workplace which may have an impact on their ability to provide regular effective service. The principal providers of the EAP services are a network of Staff Support Officers. Most prisons have Staff Support Officers and where there are vacancies these will be filled shortly.

The Prison Service is also committed to promoting a positive working environment which will assist in reducing absenteeism. One such initiative is the introduction in March, 2007 of a formal anti Harassment, Sexual Harassment and Bullying Policy for the Prison Service.

The Prison Service is also exploring with the Department of Finance and the Office of the Chief Medical Officer the possibility of establishing an Occupational Health facility dedicated to the particular occupational needs of prison staff.

Where sanction is appropriate, Officers are issued with warnings about their level of absences and if there is no significant improvement in their attendance level a number of measures are available, including the withdrawal of payment for sick leave or even dismissal where there is persistent absenteeism.

Whilst the report of the Comptroller and Auditor General did highlight concerns about the period 2002-2006, I am encouraged by the fact that there is a marked improvement in the level of sick leave in this current year. It is my view that with the support and cooperation of management and staff, the new working arrangements and initiatives outlined will continue to produce positive results for sick leave levels across the Prison Service.

National Drugs Strategy.

177. **Deputy Jan O'Sullivan** asked the Minister for Justice, Equality and Law Reform the steps being taken to reduce the supply of cocaine to Ireland in view of its increased usage and the recent report from the United Nations Office on

Drugs and Crime which suggested that cocaine use is increasing at a higher rate in Ireland than in any other developed countries; and if he will make a statement on the matter. [22495/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Government is well aware of the increased prevalence of cocaine usage in Ireland in recent times and as the Deputy points out the United Nations Office for Drugs and Crime Annual Drug Report 2007 identifies that the consumption of cocaine grew in Europe including in Ireland last year.

Of course the Government views with concern such global developments and any potential rise in the level of any illegal drugs being trafficked into this country. The drugs situation is dynamic and ever changing and we must ensure that our policies are flexible to meet those changes.

Since 2000 there has been a noticeable increase in both the number of seizures and the quantity of cocaine seized by the Garda authorities as demonstrated by the table below.

The precise availability and usage of cocaine in this country is difficult to determine with any degree of certainty, due to the hidden nature of all illegal drug usage including cocaine.

A joint research report on cocaine use by the National Advisory Committee on Drugs (NACD) and the National Drugs Strategy Team (NDST), was also recently published which identified the increased prevalence of cocaine usage in recent times in Ireland.

The Interdepartmental Drugs Group, chaired by my colleague Minister of State Pat Carey T.D., is currently liaising with the relevant Departments and Agencies in relation to the recommendations contained in the report.

Efforts to tackle the problem are broadly based to include measures aimed at both supply and demand reduction, including awareness initiatives. The new National Drug Awareness campaign which is currently being finalised under the remit of the HSE will be particularly concerned with, inter alia, dispelling any perceptions of cocaine as a safe recreational drug.

This increasing use of cocaine is, of course, a matter of concern and the Garda authorities have taken a number of measures to address the problem on the supply reduction side.

The Garda National Drugs Unit and local drugs units conduct intelligence-driven operations to target individuals suspected of involvement in the distribution of cocaine. Drug units and community policing personnel are engaged in intelligence gathering on individuals and groups suspected of involvement in the sale and distribution of the drug. There is also targeted patrolling by uniform and plain-clothes personnel of problem areas in order to detect and disrupt persons involved in such activity. The continuing high level of cocaine seizures by the Gardaí dem-

onstrates the operational success of these strategies.

Finally, Ireland is one of the participants of the recently established Maritime Analysis and Operations Centre (Narcotics) MAOC(N) in Lisbon, which has the specific objective of intercepting narcotic shipments, in particular cocaine, to the European Union from Latin America.

As well as having officers assigned to Interpol and Europol, An Garda Síochána also has Liaison Officers posted in London, The Hague, Paris and Madrid whose primary function is to liaise with the authorities in those and adjoining jurisdictions on drugs and other criminal matters.

I can assure the Deputy that An Garda Síochána will continue to direct its drug law enforcement activities in a focused way through intelligence driven operations at national, regional, divisional and district level.

Cocaine seizures by An Garda Síochána 2000-2006

Year	Quantity	No. of Cases	Value
	kgs		€
2006	190	1,324	13.3m
2005	229	968	16.030m
2004	167.3	753	11.711m
2003	107.4	566	7.518m
2002	31.7	429	2.219m
2001	5.3	300	371,000
2000	18	206	1.26m

Victims Commission.

178. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform his views on the best way the perpetrators of crime might compensate their victims; and if he will make a statement on the matter. [22557/07]

197. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform if he will ensure that victims of crime are compensated for criminal wrongs committed against them; and if he will make a statement on the matter. [22561/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 178 and 197 together.

As the Deputy will appreciate, the question of how offenders might best compensate their victims is not a straightforward one. The Courts may on occasion make orders requiring that compensation be paid to a victim and a civil action for damages can also in principle be taken. The reality, however, is that it will rarely be straightforward to obtain financial redress in this fashion. It is in large part for this reason that the Criminal Injuries Compensation Scheme exists. The Compensation Tribunal is in a position to provide

compensation to victims of violent crime and has a budget of €4.388 million in 2007.

The Programme for Government contains a number of commitments in respect of advancing compensation arrangements for victims and it is my intention to pursue these undertakings following further study over the course of my term of office. These steps will be taken against the backdrop of a range of complementary measures to improve supports for the victims of crime. I should also mention that the National Commission for Restorative Justice, established earlier this year to consider the application of the concept of restorative justice in the Irish Criminal Justice System, is due to submit an interim report in the coming months and a final report in 2008. Its findings will also of course be of relevance in considering how best to deal with the aftermath of an offence.

Human Rights Issues.

179. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform his views on the concern recently expressed by the president of the Irish Human Rights Commission, (details supplied) that the Gardaí were slow to introduce changes that would make the force fully compliant with its human rights obligations; and if he will make a statement on the matter. [22480/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Irish Human Rights Commission Annual Report for 2006 greatly welcomed the developments happening with the Garda Síochána, such as the Garda Inspectorate and the Garda Síochána Ombudsman Commission introduced as a result of the Garda Síochána Act 2005. It noted that the degree and quality of Garda Síochána communication on human rights matters has vastly improved. It acknowledged that the Garda Human Rights Action Plan has been widely published and in its view “this new level of transparency makes it much easier for bodies such as the IHRC to keep a watching brief”.

Like the IHRC, the Commissioner and I both consider this to be the beginning of a process rather than an end result. The Commissioner has established a Strategic Human Rights Advisory Committee (SHRAC) chaired by an Assistant Commissioner to implement the findings of the Garda Síochána commissioned Human Rights Audit and the Human Rights Action Plan.

It is worth noting that the Irish Human Rights Commission are represented on the Committee and in its 2006 report the IHRC acknowledged that it was pleased to participate on this Committee.

Commemorative Events.

180. **Deputy Joanna Tuffy** asked the Minister for Justice, Equality and Law Reform his plans to mark European Day against the Death Penalty on 10 October 2007; and if he will make a statement on the matter. [22508/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Council of Europe has recently decided to declare 10 October to be “European Day against the Death Penalty”. This is a development Ireland has supported and we will continue to work to achieve the abolition of capital punishment internationally.

In that regard, I believe it is very encouraging that all of the Member States of the Council of Europe have either abolished the death penalty or imposed a moratorium on executions.

Illegal Immigrants.

181. **Deputy Ulick Burke** asked the Minister for Justice, Equality and Law Reform the steps that have been taken by his Department to reduce the incidence of human trafficking through Irish ports in view of recent revelations which highlighted the absence of appropriate legislation here to tackle human trafficking; and if he will make a statement on the matter. [22534/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An Garda Síochána has put in place a number of initiatives designed to prevent and detect a range of criminal activity, including human trafficking, at the frontiers of the State. Robust immigration controls have been adopted at ports of entry to the State, two of which, Operations ‘Gull’ and ‘Sonnett’, were commenced to target criminality which has a cross-border dimension. Both operations have uncovered suspected cases of trafficking of persons and smuggling of illegal immigrants.

Ireland participates in the activities of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX). Among the objectives of such activity, is the disruption of the flow of trafficked persons.

The Garda National Immigration Bureau Information System (GNIB IS) provides access to databases of information which have the capacity to identify persons who have a criminal intent as they attempt to enter the State. Access to an Interpol database of stolen/forged travel documents has resulted in the detection of persons in possession of stolen passports and who are suspected of involvement in trafficking and/or smuggling of people into the State.

The Garda National Immigration Bureau (GNIB) has appointed a number of Airline Liaison

Officers (ALOs) who are deployed as appropriately to airports in EU Member States that have been identified as convenient departure points for travel to Ireland and which are suspected of being utilised by criminals involved in the smuggling of immigrants and trafficking of human beings.

The provisions of the Illegal Immigrants (Trafficking) Act, 2000 are enforced by Immigration Officers operating at ports of entry. The following cases are recent examples of this enforcement.

On 26 July 2007, at Dublin Circuit Court, a person was convicted of twelve (12) counts of trafficking of illegal immigrants contrary to the provisions of section 2 of the Act involving the arrival of twelve Mauritian nationals in the State, through Dublin Airport. A four year custodial sentence was imposed in that case.

On 30 August 2007, at Dublin District Court, an Egyptian national was also convicted of a breach of the provisions of section 2 of the Act and had a twelve month term of imprisonment imposed on him, in a case involving the arrival of six Egyptian nationals in the State, through Dublin Airport. The sentence was suspended following the Judge being satisfied that his departure from the State to Egypt had been confirmed.

Operation ‘Pentameter 2’ which is being launched with the UK Authorities continues to recognise the vulnerability of the Common Travel Area (CTA) to abuse by persons engaged in illegal immigration and is targeting those suspected of involvement in the trafficking of human beings, as well as liaising with those persons directly affected by this type of criminality.

I can assure the Deputy that the Government is not complacent on the issue of human trafficking into Ireland or into other jurisdictions via Ireland. Legislation creating an offence of recruiting, transporting, transferring to another person, harbouring or knowingly arranging or facilitating the entry into, travel within or departure from the State of a person for the specific purpose of the trafficked person’s sexual or labour exploitation or removal of his or her organs will be published shortly.

In addition, it is intended that the Immigration, Residence and Protection Bill will, subject to enactment, provide the necessary framework for addressing the immigration aspects of trafficking so as to comply with the relevant protection provisions in the Council of Europe Convention.

In particular, in the context of the treatment of victims, it is intended that a framework will be put in place whereby a victim of trafficking can be afforded an immediate period of recovery and reflection in the State and also, in circumstances where he or she wishes to participate in any criminal proceedings in the matter, a further period of residence to enable him or her to do so.

The legislation will be the first in a series of measures to be rolled out over the next year and I intend to make a further public announcement in relation to the issue of human trafficking later on this week.

Commissions of Investigation.

182. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform if he has received the report of a person (details supplied); the main findings of the report; if he has not received the report, when he expects to do so; the reason for the delay in completing the report; and if he will make a statement on the matter. [22500/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I wish to advise the House that the report in question relates to an inquiry by Mr Michael Mellett into the circumstances surrounding the tragic death of Mr Gary Douch while in custody in Mountjoy Prison. The report was submitted to my predecessor in March, 2007 and was carried out in a totally independent manner.

As with the case of all deaths in custody, the Garda Síochána were called to Mountjoy Prison and initiated a criminal investigation into the death of Gary Douch. A file was sent to the Director of Public Prosecutions and as a result an individual has been charged with causing the death of Gary Douch. The progressing of those criminal proceedings is a matter for the Director of Public Prosecutions and the judicial arm of the State. The Minister for Justice, Equality and Law Reform has no role in those proceedings but does have a duty not to do anything or reveal any information that might prejudice those criminal proceedings. Although it was the original intention to publish the report of Mr Mellett, the strong advice from the Attorney General was to the effect that the report should not be published.

In general terms I can say that Mr Mellett in his report identified a number of systems failures within the prisons system which may have contributed to the death of Mr Douch. The findings of the Report have serious implications for the future management of our prisons and the Government took the view that a full statutory Commission of Investigation was required to address the matter.

Following the passing of resolutions in both Houses of the Oireachtas and the making of a Government Order, my predecessor appointed Ms Gráinne McMorrough, Senior Counsel, as the sole member of a Commission of Investigation into the death of Mr Douch. The report of a commission of investigation must, pursuant to section 38 of the Commission of Investigations Act 2004, be published as soon as possible after it has been received unless a court directs otherwise.

Equality Issues.

183. **Deputy Ruairí Quinn** asked the Minister for Justice, Equality and Law Reform his plans to ensure full gender pay equality; the reasons his work on this matter to date has failed; the action he is taking within his Department and its agencies to ensure that full gender pay equality exists; if independent surveys have been undertaken of his Department or its agencies on this subject; and if he will make a statement on the matter. [18606/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Latest data show a very significant decrease in the gender pay gap in Ireland in recent years with a gap of 11 per cent in 2004 and 9 per cent in 2005. These figures compare favourably with a gender pay gap of 22 per cent in Ireland only five years earlier and indicate that steady progress is being made towards the abolition of the gender pay gap.

However, as these are new data series, gathered by Eurostat as part of its annual review of social indicators, they are subject to ongoing quality review and must therefore be treated with some caution at this stage. In addition, the Eurostat calculations exclude part time workers who work fewer than 15 hours per week, a group more likely to comprise lower paid women workers and as a result, the data may be distorted.

Despite these reservations, it is considered that the introduction of the National Minimum Wage would probably have impacted very positively on women's earning capacity and on the narrowing of the gender pay gap. Prior to the introduction of the minimum wage, women were traditionally more likely to receive very low wages, particularly if they were working in the sectors which were predominantly female.

While the narrowing of the gender pay gap cannot be attributed solely to the introduction of the National Minimum Wage, the narrowing is noteworthy. Other positive influences on the narrowing of the gender pay gap include an improvement in maternity leave provision and a much-increased provision of childcare.

However, as the gender pay gap shows, women still earn less than men on average and there are variations in the pay of male and female employees in many economic sectors. It is widely considered that the single biggest factor behind the gender pay gap is the time which women take out of the labour force for child bearing and caring but there are a number of other factors. These include occupational segregation, educational and training differences, promotion policies within firms, availability of childcare, availability of maternity and parental leave and of family-friendly work practices.

Addressing the gender pay gap continues to require a multi-faceted approach across a number

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of areas. The recently published National Women's Strategy 2007-2016 has put in place a suite of key actions designed to reduce the gender pay gap which will be delivered on a cross departmental basis.

In tandem with these specific actions there are a number of other actions across the Strategy which encompass the broad spectrum of women's lives in relation to socio economic opportunity, the wellbeing of women and engaging women as equal and active citizens which will also contribute to the reduction of the gender pay gap in the coming years. No single survey has been carried out by my Department or its agencies on the subject of the gender pay gap.

Crime Levels.

184. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform his views on Central Statistics Office crime statistics for the second quarter of 2007 published on 20 July 2007; his further views on the continuing high level of crime and anti-social behaviour; the steps he will take to deal with this situation; and if he will make a statement on the matter. [22478/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The latest figures available from the Central Statistics Office, which now has responsibility for compiling crime statistics, cover the 12 month period ending 30 June 2007. They show a drop in headline crime of just over 1% on the previous 12 months. The number of murders and cases of manslaughter have remained stable, with an increase of two in the number of murders and an increase of one in the number of manslaughter cases.

I was pleased to note that the detections of persons in possession of drugs for sale or supply increased by 29% in the year and 25% in the quarter. While these detections add to the crime figures, they reflect vigorous enforcement by An Garda Síochána, including through Operation Anvil. I was also pleased to note the decrease in the high volume crimes of theft by 1.2%, burglary by 12.5 % and robbery by 7.3%.

The 12.5% decrease in traffic fatalities can be attributed to the continuing high levels of road traffic law enforcement by the Garda Síochána, particularly the use of mandatory alcohol testing, which commenced in July of last year and has made a significant contribution to this decrease.

Garda figures show a detection rate of 40% for 2006 which compares favourably with rates internationally and with rates here of 36% in 2003 and 35% in 2004 and 2005. The crime rates must, of course, be seen against the background of the rises taking place in population. The crime rate per 1,000 of population dropped from 26 in 2003 to 24.5 in 2006.

While the figures are encouraging, I am not suggesting that these crime rates are acceptable. It is right that we acknowledge the achievements of the Garda Síochána and the other criminal justice agencies, which week in, week out bring individuals to justice for their crimes.

I have discussed these figures with the Garda Commissioner, particularly the increase of 3.2% in the second quarter of 2007 compared to the second quarter last year. He has advised me that the Garda authorities are undertaking a number of specific targeted operations directed against particular types of crime in areas where increases have taken place.

In relation to anti-social behaviour, I have the power under the Garda Síochána Act to set policing priorities for the Garda Síochána. I am in the course of determining these priorities for 2008. One of the areas I intend to prioritise is the combating, particularly in cooperation with other agencies and the community generally, of the problems of public disorder with particular emphasis on alcohol related behaviour (including under age drinking) and socially disadvantaged communities especially through utilization of the legal mechanisms being made available viz. ASBOs and behaviour warnings and closure orders.

Prison Accommodation.

185. **Deputy David Stanton** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 144 of 24 April 2007, the progress in relation to the development of a prison at Kilworth, County Cork; if the preliminary studies have been completed; and if he will make a statement on the matter. [22569/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Government decided earlier this year to assign a site owned by the Minister of Defence to the Prison Service as the location for the development of a prison facility to replace Cork Prison and serve the Munster region.

A preliminary site suitability report has been carried out on the site and this has confirmed that there are no significant constraints to the development of this site.

I can confirm also that the Prison Service Interim Board, in accordance with the Department of Finance Guidelines, has recently approved a preliminary Business Case for this project and has forwarded it to my Department for consideration.

Question No. 186 answered with Question No. 137.

Departmental Agencies.

187. **Deputy Seán Barrett** asked the Minister

for Justice, Equality and Law Reform if he will postpone further development of the COSC Office for the Prevention of Domestic Violence to address the serious concerns of the Irish Violence against Women non-governmental sector in relation to COSC's limited remit; if it is proposed to address all forms of violence against women in an integrated and cohesive way, focusing on the three key elements of protection, provision and prevention, as required by the 1995 UN Beijing Platform for Action; and if he will make a statement on the matter. [22154/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to my reply to Questions Nos. 212 and 213 of Thursday, 28 June 2007.

Cosc — The National Office for the Prevention of Domestic, Sexual and Gender-based Violence was established on 25 June 2007. I am aware that some concern was expressed about the remit of the newly established Cosc office. I would like to reiterate that as announced on 18 April, 2007 and on several occasions since that date, the remit of the office very emphatically includes violence against women. The wider remit of the office covers (i) domestic and sexual violence against women, (ii) domestic and sexual violence against men and (iii) elder abuse. The State/Non-governmental structures already in place to deal with violence against women will continue and will be strongly supported by the new office. Prior to the establishment of the Cosc, responsibility for this area within my Department was assigned to Divisions with a wide number of other responsibilities. The appointment of the Executive Director to Cosc, raises the profile and the focus on this work within my Department. Responsibility for this area was further dispersed across a number of Government Departments and agencies. For the first time there is now in prospect a dedicated, resourced office at Government level, with the key responsibility to ensure the delivery of a well co-ordinated “whole of Government” response to domestic, sexual and gender-based violence.

Cosc is to collaborate closely with the service providers who support victims and treat perpetrators. It has already begun work to achieve its tasks, which are: to work with Government Departments, Agencies and Non Governmental Organisations (NGOs) in the sector to ensure the delivery of a well co-ordinated service to support victims of domestic, sexual and gender-based violence; to develop and deliver awareness raising strategies to ensure that victims are aware of the availability of services in their locality and that society is made aware of the extent and impact of behaviours and crimes of domestic, sexual and gender-based violence; to develop strategies to address the issues of domestic, sexual and gender-based violence in line with best international practice; to further develop standards for service

delivery and for training programmes which address domestic, sexual and gender-based violence; to put in place strategically based positive actions which work with perpetrators of domestic violence; to provide leadership and support to the National Steering Committee on Violence Against Women (NSC) and its sub-committees; to continue to implement the recommendations of the 1997 Task Force on Violence against Women; to consider and where relevant facilitate the implementation of internationally established best practice throughout the sector; to work with the National Crime Council and external bodies as appropriate to establish a body of research to inform future policy directions for domestic, sexual and gender-based violence; to represent Ireland at international fora which have a remit in relation to domestic, sexual and gender-based violence.

I am happy to inform the Deputy that the Secretary General and some officials of my Department met with representatives of the non-governmental organisations working in the Violence Against Women sector in June and discussed their concerns. The recently appointed head of Cosc participated in that meeting. Since then she has met with many of the State and non-governmental organisations on a bilateral basis, in addition to chairing the two quarterly meetings of the National Steering Committee on Violence Against Women (NSC) where she provided further clarity in relation to the remit of Cosc. I am informed that all of these meetings were held in a positive and collaborative atmosphere and that a good foundation has been laid for work into the future.

I would assure the Deputy, unequivocally, that the establishment of Cosc is to ensure the delivery of a well co-ordinated “whole of Government” response to domestic, sexual and gender-based violence which includes the key features — protection, provision and prevention.

Garda Disciplinary Proceedings.

188. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform the amount paid out either in respect of court awards or out of court settlements for claims taken against members of the Gardaí in respect of assault, unlawful arrest, or other breach of a citizens right in respect of each year since 2002 to date in 2007; the number of cases in which awards were made by the Courts; the number of cases which were settled out of court; the number of such cases pending; and if he will make a statement on the matter. [22503/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The information requested by the Deputy concerning the amounts paid out in Court awards and out of court settle-

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ments in relation to actions taken against members of An Garda Síochána in respect of

assault, unlawful arrest or other breaches of citizens' rights is set out in the table below.

Claims by Civilians following actions by Gardaí in the performance of their duties

Year	Total Amount		Assault	Unlawful Arrest	Other
	€		€	€	€
2002	1,240,388.40	Awards	1,270 (1)	3,809.21 (1)	56,500 (2)
		Settlements	166,924.48 (6)	106,835.58 (10)	185,078.82 (11)
		Costs	230,769.67	148,714.19	340,486.45
		Total	398,964.15	259,358.98	582,065.27
2003	1,276,127.55	Awards	11,000 (1)	10,000 (2)	4,870 (2)
		Settlements	75,000 (4)	303,011 (5)	112,814.84 (4)
		Costs	145,561.70	71,794.28	542,075.73
		Total	231,561.70	384,805.28	659,760.57
2004	938,799.09	Awards	15,000 (1)		3,215.06 (1)
		Settlements	198,697.48 (5)	73,007 (5)	50,500 (3)
		Costs	231,646.62	100,019.36	266,713.57
		Total	445,344.10	173,026.36	320,428.63
2005	4,870,233.53	Awards	1,000.00 (1)	2,025,321.00 (3)	85,125.00 (2)
		Settlements	130,250.00 (7)	1,569,114.00 (9)	58,000 (2)
		Costs	137,447.90 (10)	658,508.78 (10)	205,466.85 (15)
		Total	268,697.90	4,252,943.78	348,591.85
2006	1,951,984.9*	Awards	18,076.32 (1)	41,443.80 (3)	
		Settlements	386,200.00 (17)	622,000 (15)	606,500.00 (8)
		Costs	187,797.28 (11)	60,983.61 (10)	28,983.93 (3)
		Total	592,073.60	724,427.41	635,483.93
2007 as at 30/09/07	5,816,184.80*	Awards	72,500.00 (1)		2,771,000.00 (2)
		Settlements	180,500.00 (5)	27,500.00 (3)	1,165,000.00 (6)
		Costs	443,249.90 (9)	584,788.08 (7)	571,646.90 (19)
		Total	696,249.90	612,288.08	4,507,646.90

*Provisional

The number of cases settled / or awards by the Courts are shown in brackets.

As of today there are approximately 1030 cases on hand. It is not possible to give a definitive detailed breakdown of the types of cases as requested by the Deputy within the time available. However, based on a representative sample of cases, the breakdown is assault (33%), unlawful arrest (21%) and other (46%).

Witness Intimidation.

189. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the changes he considers appropriate for the witness protection programme; and if he will make a statement on the matter. [22562/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Witness Security

Programme was established in 1997 under the direct operational control and administration of the Garda Commissioner in response to attempts by criminal and other groups to prevent the normal functioning of the criminal justice system, including threats of violence and systematic intimidation of witnesses.

The Programme has been demonstrably successful and it has withstood legal challenge in both the Court of the Criminal Appeal and the Supreme Court.

Nevertheless, in response to some criticisms, the Garda Commissioner appointed an Assistant Commissioner to review the Programme in its entirety. This review was substantively completed in 2005, and enhancements to the Programme's administration and operation have since been implemented by the Garda Síochána. For obvious

reasons, it is not the practice to comment upon the details of operating the Programme.

I am aware of suggestions which have been made that the Witness Security Programme should be placed on a statutory basis. The Garda Commissioner has informed me that he would not favour this approach, and I have no plans in that regard. It seems clear, in particular, that placing the Programme on a statutory basis would have no effect whatsoever on the willingness or otherwise of people to enter the Programme.

Garda Stations.

190. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will report on the fitness of accommodation at all Garda locations including plans in place to renovate or replace all stations where conditions are unacceptable. [22516/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): There is a significant ongoing programme of replacement and refurbishment of Garda stations and other Garda accommodation around the country. The Garda Building Programme is based on agreed priorities which are established by An Garda Síochána. The programme is progressed by the Garda authorities working in close co-operation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda stations and other accommodation.

Approximately €37 million a year from 2005 to this year has been spent on a wide range of Garda building projects. Building projects for new stations in Bantry, Ballyshannon, Roscrea, New Ross, Ballina and Oranmore, among others, have been completed. In addition, a major building programme was completed in the Garda College in Templemore and a 252 acre site outside Templemore has been purchased for the development of a new tactical training centre for An Garda Síochána.

In addition to the capital funding outlined above, a total of €8.36 million is provided for maintenance of existing stations under the Garda Vote Estimate for 2007 — an increase of €2.1 million on last year's allocation.

Major funding of the Garda Building Programme will continue with €260 million allocated for the refurbishment of Garda stations under the National Development Plan. The Garda authorities under the new civilian accommodation manager are working on the development of a strategic multi-annual development plan as recommended in the recent report from the Garda Inspectorate.

Question No. 191 answered with Question No. 133.

Decentralisation Programme.

192. **Deputy John Perry** asked the Minister for Justice, Equality and Law Reform the number of staff from his Department who have been decentralised to locations outside Dublin to date; the cost to the Exchequer to date of his Department's decentralisation programme; and if he will make a statement on the matter. [22544/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am pleased to inform the Deputy that my Department's Decentralisation Programme is firmly on target. Under the Programme, over 900 posts from my Department and its agencies are scheduled to relocate to seven provincial locations. To date, over 400 assignments have been made and it is anticipated that close to 500 posts will have moved out of Dublin by the end of this year. With over two years of the programme yet to run, we will have a presence in all seven locations by the end of 2007 and this represents more than 50% of the overall number of posts scheduled to move.

As the Deputy will be aware, the costs in respect of property solutions under decentralisation are primarily a matter for the Office of Public Works and these costs account for the bulk of the expenditure. The non-property costs incurred by my Department up until the middle of this year, in areas such as IT, office equipment and training, amounted to just over €1 million.

Criminal Injuries Compensation Tribunal.

193. **Deputy Seymour Crawford** asked the Minister for Justice, Equality and Law Reform when it is intended to reconstitute the Criminal Injuries Compensation Board; and if he will make a statement on the matter. [22553/07]

439. **Deputy Martin Ferris** asked the Minister for Justice, Equality and Law Reform when he will appoint a new board to constitute the Criminal Injuries Compensation Board; and if he will make a statement on the matter. [22302/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 193 and 439 together.

I can inform the Deputies that I have recently appointed a new Criminal Injuries Compensation Tribunal for the period ending 30 April 2010. The membership of the new tribunal is as follows: Ms. Sinéad Behan, BL (Chairperson); Mr. Conor Bowman, BL; Ms. Fiona Gallagher, BL; Mr. Michael Gilvarry, BL; Ms. Rosemary Healy Rae, BL; Mr. Eamon Murray, Solicitor; Mr. Micheál D. O'Connell, BL.

Anti-Social Behaviour.

194. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the steps which he will take to address the issue of

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anti-social behaviour; and if he will make a statement on the matter. [22157/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Strong provisions are already in place to combat anti-social behaviour. The Criminal Justice (Public Order) Act 1994 modernised the law in this regard. The Intoxicating Liquor Act 2003 contains provisions to deal with alcohol abuse and its effect on public order. The Criminal Justice (Public Order) Act 2003 provides the Garda with powers to deal with late night street violence and anti-social conduct attributable to excessive drinking.

In addition to the criminal law, there is a range of initiatives in place to get at the root causes of this type of behaviour. The Garda Juvenile Diversion Programme has proven to be highly successful in diverting young persons away from crime by offering guidance and support to juveniles and their families. It operates on a nationwide basis under the supervision and direction of the Garda National Juvenile Office. The Programme provides that, in certain circumstances, a juvenile under 18 years of age, who freely accepts responsibility for a criminal incident, may be cautioned as an alternative to prosecution. In the more serious cases, juveniles are placed under the supervision of Garda Juvenile Liaison Officers, who are responsible for administering the Programme at the local level. It has proven to be highly successful in diverting young people away from crime by offering guidance and support to juveniles and their families. The Children Act, 2001 gives a statutory basis to the Programme.

Garda Youth Diversion Projects are community-based, multi-agency crime prevention initiatives which seek to divert young people from becoming involved, or further involved, in anti-social or criminal behaviour. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda/community relations. The Government is committed to doubling the number of projects to 168. I recently approved the establishment of an additional 12 projects, bringing the current total to 93 throughout the country. I hope to establish a further seven projects before the end of 2007, bringing the total number of projects to 100 nationwide.

More broadly, a number of reforms have taken place in recent years to bring about a more effective youth justice system and these have been enshrined in legislation in the Children Act 2001, as amended. The Act is based on the principles of diversion from crime and anti-social behaviour, restorative justice, the expanded use of community-based sanctions and measures by the courts, and the use of detention only as a last resort.

Recent measures have reformed our entire approach to youth justice. The Irish youth justice

service, an executive office of my Department which is co-located in the Office of the Minister for Children, now has responsibility for developing youth justice policy and operating the children detention schools.

Ultimately, offenders have to pay a price for engaging in anti-social behaviour. I have therefore asked my Department to look at the question of what the Programme for Government refers to as community payback. This involves those who have transgressed providing real services for the communities they have damaged. It is the case that community service orders already mean some offenders make reparation to society generally, but I now want to examine the possibility of making a more direct connection between the offence and reparation to the community against whom the offence has been committed.

CCTV schemes are a strong deterrent in fighting crime and anti-social behaviour as well as giving communities greater peace of mind. Both Garda operated and community based CCTV schemes have been set up, and such schemes will continue to be set up.

The Garda Síochána Act 2005 provides for the establishment of a joint policing committee in each local authority administrative area. The purpose of these committees is to provide a forum where members of a local authority and the senior Garda officers responsible for the policing of that area, with the participation of Oireachtas members and community interests, can consult, discuss and make recommendations on matters affecting the policing of the area including the levels and patterns of anti-social behaviour such as the misuse of alcohol and drugs.

Twenty nine committees are now operating on a pilot basis. The Minister for the Environment, Heritage and Local Government, Deputy Gormley, and I are examining what lessons can be learned from the operation of the pilot committees, and we intend to have committees up and running in all local authority areas as early as possible in 2008.

Part 11 of the Criminal Justice Act, 2006, which provides for civil proceedings in relation to anti-social behaviour by adults, was commenced on 1 January, 2007. Part 13 of the Act relating to anti-social behaviour by children was commenced on 1 March, 2007. These provisions set out an incremental procedure for addressing anti-social behaviour by adults and children.

Under the Garda Síochána Act it is open to me to set policing priorities for the Garda Síochána. I am in the course of determining these priorities for 2008. One of the priorities I intend to set for the Garda Síochána is to combat, particularly in cooperation with other agencies and the community generally, the problems of public disorder with particular emphasis on alcohol related behaviour (including under age drinking) and socially disadvantaged communities especially

through utilisation of the legal mechanisms being made available, viz. ASBOs and behaviour warnings and closure orders.

Inspector of Prisons.

195. **Deputy Michael Creed** asked the Minister for Justice, Equality and Law Reform the progress that has been made in appointing a new Inspector of Prisons; and if he will make a statement on the matter. [22547/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The appointment of a new Inspector of Prisons is under active consideration and an announcement will be made in due course.

Parental Rights.

196. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the steps he will take to recognise the rights of unmarried fathers; and if he will make a statement on the matter. [21087/07]

449. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform his plans to deal with the position of unmarried fathers following the recent Judge McKechnie judgement. [22430/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to answer Questions Nos. 196 and 449 together.

Existing legislation already makes extensive provision for unmarried fathers with respect to their children. Under the law as it stands — section 6A of the Guardianship of Infants Act 1964, as inserted by section 12 of the Status of Children Act 1987 — an unmarried father may apply to the court to be appointed a guardian of his child. Alternatively, where there is agreement between the parents, they can make a statutory declaration under section 2(4) of the Guardianship of Infants Act, as inserted by section 4 of the Children Act 1997, conferring on the father the status of guardian.

Under section 11 of the 1964 Act, a guardian may apply to the court for its direction on any question affecting the welfare of the child. Examples of such proceedings are applications for custody and access orders. In making such orders and, in determining whether an unmarried father should be appointed guardian, the court has to regard the welfare of the child as the first and paramount consideration. Where appropriate and practicable, the Court in making any order takes into account the child's wishes in the matter having regard to the age and understanding of the child. In considering whether to make an order under section 6A or 11 the court is directed — under provision in the Act of 1997 — to have regard to whether the child's best interests would

be served by maintaining personal relations and direct contact with both his or her father and mother on a regular basis.

The Act of 1964 (by way of amendment in the Act of 1997) encourages parties to a dispute in relation to a child to agree on the custody or guardianship of or access to a child. Prior to institution of proceedings the legal representatives of the parties must discuss with them the possibility of agreement. The Court may adjourn any proceedings to assist agreement between the parties.

These legislative provisions are extensive. They permit the court in cases of disagreement to decide on arrangements for the child's care and upbringing having regard to the child's best interests. The courts have consistently recognised the wide variety of situations of unmarried fathers and have necessarily determined the question of their constitutional rights on a case by case basis. The judgement in the recent G. case reaffirmed this position.

I am aware of the concerns of unmarried fathers regarding guardianship, custody and access rights and the issue of enforcement of these rights. Operation of the law in this whole area is being kept under review in my Department.

Question No. 197 answered with Question No. 178.

Question No. 198 answered with Question No. 133.

Tuberculosis Incidence.

199. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Finance the number of deer on the Office of Public Works lands; the number being culled; the number of deer being tested for tuberculosis and the results of the testing programme; and the measures in place to minimise or prevent road accidents as a result of deer crossing the road. [22413/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Office of Public Works manages two sites with wild deer herds, Doneraile Park in County Cork and the Phoenix Park in Dublin.

The wild deer herd at Doneraile currently consists of 172 animals. The last cull was carried out two years ago. An average cull would consist of about 30 animals. The question of traffic accidents involving deer is not an issue in Doneraile Park. Tuberculosis has not been identified as a problem at Doneraile.

The wild deer herd in the Phoenix Park currently consists of 570 animals. Culling is carried out annually in close consultation with the UCD School of Biological and Environmental Science, with the objective of maintaining the herd at a reasonable level from the viewpoints of both the herd and the Park environment. An average cull

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would consist of about 60 animals. A number of measures have been taken to reduce the risk of traffic accidents involving deer, including warning signs on the roads to indicate the presence of deer and the closure of minor roads. A study carried out on 150 deer carcasses from the Phoenix Park at the Central Veterinary Laboratory in Abbotstown, over the past four years has revealed no trace of tuberculosis in any of the animals. These results tend to suggest that no significant problem exists with tuberculosis in this deer herd.

Tax Collection.

200. **Deputy Richard Bruton** asked the Tánaiste and Minister for Finance if his attention has been drawn to the fact that the tax paid on air trips is not refunded in the event of cancellation; if he will state what happens to this revenue; and if he has approved the non-refund policy operated by airlines. [22520/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): Since the £5 travel tax was abolished in Budget 2000 there have been no Irish Government taxes levied on flights into, out of or within Ireland.

Vehicle Registration.

201. **Deputy Joe McHugh** asked the Tánaiste and Minister for Finance if he will explain the mechanism involved in re-registering cars bought in Northern Ireland, outlining the cost and time frame involved; and if he will make a statement on the matter. [22732/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Revenue Commissioners are the vehicle registration authority in the State.

Vehicle Registration Tax (VRT) may be payable on the importation of a vehicle from Northern Ireland into the State. As a general rule all vehicles imported permanently into the State from Northern Ireland or elsewhere must register for VRT purposes at any vehicle registration office within one week of their arrival in the State.

VRT is charged on the open market selling price (OMSP) of a vehicle in the State on registration and is defined in Section 133 of the Finance Act 1992 as the price inclusive of all taxes and duties which a vehicle may reasonably be expected to fetch on a first arm's length sale in

the open market in the State by retail. The OMSP of new vehicles is declared to the Revenue Commissioners by a wholesale distributor, while the OMSP of imported second hand vehicles is determined by the Revenue Commissioners based on factors such as age, mileage and vehicle condition.

Cars such as saloons, estates, hatchbacks, mini-buses, etc. with less than 12 permanently fitted passenger seats are classified as Category A vehicles for VRT purposes and as such are charged VRT based on the engine size of the car using the following calculation: less than 1400cc @ 22.5% of OMSP; from 1401 to 1900cc @ 25% of OMSP; 1901cc and over @ 30% of OMSP; subject to a minimum payment of €315.00. Car-derived vans and crew cabs of less than 3,500 kg gross vehicle weight are charged at 13.3% of OMSP, while commercial and agricultural vehicles pay a flat rate of €50.00 regardless of OMSP.

The Deputy may wish to note that VAT is chargeable at the rate of 21% of the invoice price and is payable by a private individual at the time of registration for VRT purposes on all new cars brought into the State. For VAT purposes, a new car is one which is less than six months old or which has travelled less than 6,000 kilometres.

Regarding the cost of administration, the Revenue Commissioners take an integrated cross-taxhead approach to the collection of taxes. Consequently the cost of collecting VRT on the registration of vehicles sourced solely in Northern Ireland is not readily available. However, the total cost of administration of all taxes as a percentage of gross tax receipts for 2006 was 0.77%.

The total VRT yield was almost €1.3 billion in 2006. During 2006, the last full year for which figures are available, 11,236 second hand vehicles were imported from Northern Ireland, providing a VRT yield of €25.7 million.

Departmental Properties.

202. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the properties owned by the Office of Public Works in Dublin 15; if he has plans to sell or lease these properties or to change their current use; and if he will make a statement on the matter. [22262/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The properties in the ownership of the Commissioner of Public Works/Minister for Finance in Dublin 15 are scheduled in the table below.

Property Code	Name	Address	Comment
P4241	Blanchardstown former Garda Station and Telephone Exchange	Main Street, Blanchardstown, Dublin 15	This property is being looked at with a view to future use by the Garda Authorities
P4693	Blanchardstown Garda Station	Blanchardstown, Dublin 15	Operational Garda Station

Property Code	Name	Address	Comment
P8017 P8140	Farmleigh Estate	Castleknock, Dublin 15 17A/17B Main Street, Blanchardstown, Dublin 15	Currently utilised by the State This building has been allocated to the Department of Transport for use as a Driving Test Centre. A planning application has recently been lodged with the local Planning Authority.

203. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance if he still intends the Office of Public Works to use the former AIB building in Main Street, Blanchardstown as a driving test centre; and if he will make a statement on the matter. [22263/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The building referred to has been allocated to the Department of Transport for use as a Driving Test Centre. A planning application has recently been lodged with the local Planning Authority.

Tax Code.

204. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Finance his plans to review the rent a room scheme particularly where it relates to directly related individuals such as siblings; and if he will make a statement on the matter. [22274/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I have no plans to review the rent-a-room scheme in the way suggested by the Deputy.

The position is that section 14 of Finance Act 2007 amended section 216A of the Taxes Consolidation Act 1997, which exempts from income tax, income received from the letting of rooms in a person's private residence provided the income does not exceed €7,620 per annum. The amendment provided that the exemption does not apply where a child pays the rent to a parent. However, the amendment made no change to the manner in which the exemption applies to any other directly related individuals, who may avail of the rent-a-room scheme as before.

Higher Education Grants.

205. **Deputy Jack Wall** asked the Tánaiste and Minister for Finance if the Revenue Commissioners will supply a P21 form to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [22303/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I have been advised by the Revenue Commissioners that they have no record of receiving a request from the taxpayer for a form P21. Following the Deputy's request a

review has been processed for 2006 and a form P21 issued to the taxpayer on 4 October 2007.

Decentralisation Programme.

206. **Deputy Michael Ring** asked the Tánaiste and Minister for Finance the position in relation to the decentralisation of the Department of Community, Rural and Gaeltacht Affairs to County Mayo; if a site has been selected; and when a planning application will be submitted for the new headquarters of the Department. [21167/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Commissioners of Public Works have received a number of proposals offering potentially suitable sites for the new Headquarters of the Department of Community, Rural and Gaeltacht Affairs in Charles-town, County Mayo. These proposals are currently being technically assessed. When this process is completed, negotiations will commence with the owners of the preferred site options.

When a suitable site has been acquired, tenders will be invited from interested parties to build the new Department Headquarters. It will be a matter for the successful tenderer to apply for planning permission at that stage.

Budget Submissions.

207. **Deputy Jack Wall** asked the Tánaiste and Minister for Finance his views in regard to a submission (details supplied); and if he will make a statement on the matter. [22388/07]

213. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Finance his proposals to provide increased funding for eating disorders in Budget 2008 (details supplied); and if he will make a statement on the matter. [22627/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I propose to take Questions Nos. 207 and 213 together.

I have received a number of submissions on behalf of this group. I will keep the Deputies' representations in mind in the context of the forthcoming budget.

National Lottery.

208. **Deputy Finian McGrath** asked the Tánaiste and Minister for Finance if there is evi-

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dence to back up allegations regarding the National Lottery (details supplied). [22404/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The National Lottery Company has informed me that it has received no allegations of the kind referred to by the Deputy. The Company has also informed me that should any allegations be made to it, they would be thoroughly investigated and, if sustained, appropriate action would be taken.

Disabled Drivers.

209. **Deputy Paul Connaughton** asked the Tánaiste and Minister for Finance the position regarding an appeal under the disabled drivers and passengers tax concession scheme by a person (details supplied) in County Galway; and if he will make a statement on the matter. [22422/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The initial application for a Primary Medical Certificate under the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994, is made to the Senior Medical Officer of the relevant local Health Service Executive administrative area.

If the Primary Medical Certificate has been refused in this case, the named person may appeal the refusal to the Medical Board of Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dún Laoghaire, County Dublin. I would point out that the medical Board of Appeal is independent in the exercise of its functions.

210. **Deputy Paul Connaughton** asked the Tánaiste and Minister for Finance the position regarding an application for the disabled drivers and passengers tax concession scheme by a person (details supplied) in County Galway; and if he will make a statement on the matter. [22423/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that based on the information supplied they have been unable to trace any claim by the named person under the Disabled Drivers and the Disabled Passengers [Tax Concessions] Regulations 1994.

A claim under the above regulations can only be considered by the Revenue Commissioners from a person who has qualified for a Primary Medical Certificate which is issued by the Senior Area Medical Officer of their local Health Service Executive administrative area.

If the Primary Medical Certificate has been refused in this case, the named person may appeal the refusal to the Medical Board of

Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dún Laoghaire, County Dublin.

Decentralisation Programme.

211. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Finance the expected timeframe for the planning process to be completed and contracts signed for the site on foot of the decentralisation programme for the Department of Defence to Newbridge County Kildare; when building work is expected to commence and the targeted completion date; if the Office of Public Works will source rented accommodation or other suitable temporary accommodation for the staff in question; if ongoing delays continue; and if he will make a statement on the matter. [22524/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Commissioners of Public Works have agreed terms to purchase a site comprising 1.76 hectares/4.5 acres at Station Road, Newbridge from Kildare County Council. The terms agreed were approved by Kildare County Council in January 07. The site is currently being used as a soccer pitch by a local sports club. The Commissioners will shortly complete the planning process which has been conducted under Part 9 of the Planning and Development Regulations, 2001.

The Contract for Sale will be executed by the Commissioners as soon as a number of related issues are resolved. The key issue is obtaining vacant possession of the site. In this regard, the Commissioners have been informed recently by Kildare County Council that it is likely to be early in the new year before the site will be vacated by the soccer club.

Another issue is the provision of a footbridge to provide safe pedestrian access to the railway station and Newbridge town. The Commissioners are awaiting confirmation as to when a planning application for the construction of the bridge will be lodged by a private developer with Kildare County Council.

As soon as the Commissioners are given a firm date for vacant possession of the site, and are satisfied that the construction of the footbridge will proceed, the Contract for Sale will be completed and the construction of the new headquarters building for the Department of Defence will commence. It is expected that the building will be ready for occupation approximately 18 months after the commencement date.

The Commissioners are satisfied that all of the issues related to the site purchase and adjoining developments in the Station Road area are very close to being resolved. In the circumstances, the Commissioners have not been requested to provide temporary accommodation in Newbridge pending completion of the permanent headquarters building.

Cross-Border Projects.

212. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Finance if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22598/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): There is a North/South dimension to the work of a number of areas in my Department. The lead North-South section in my Department is mainly involved in the process of agreeing corporate plans, business plans and annual budgets for the Special EU Programmes Body (SEUPB), one of the North/South Bodies established under the Good Friday Agreement. In co-operation with sponsor Departments, it is also involved in agreeing guidance for the bodies on various matters such as proper financial procedures. This work involves regular attendance at joint North/South meetings and liaison at official level with the administration in Northern Ireland. For example, the recent plenary meeting of the North-South Ministerial Council (NSMC) which took place at Armagh in July.

My Department actively assists cross border co-operation through supporting the SEUPB in its role as managing authority to two EU funded cross-Border programmes. The SEUPB is one of six North-South Implementation Bodies set up under Strand II of the Good Friday Agreement. It operates under the political direction of the North South Ministerial Council. The operating costs are met by my Department (50%) and the Department of Finance and Personnel, Northern Ireland (50%).

The two North-South EU programmes for the period 2000-2006 are PEACE II and INTERREG IIIA. Successor programmes for the period 2007-2013 were successfully negotiated by the two member states and will, pending EU Commission approval, commence before the end of 2007.

The aim of the unique EU Programme for Peace and Reconciliation is to promote reconciliation and help to build a more peaceful and stable society in Northern Ireland and the six southern bordering counties, Donegal, Sligo, Leitrim, Cavan, Monaghan and Louth. It has a strong cross-Border focus; a minimum of €87 million of funds, including the national contribution, will be allocated to southern Border counties in the public, private and community sectors, for the purpose of engaging in mutually beneficial cross-border peace and reconciliation activities. The total value of the overall PEACE effort since its commencement in 1995 is €1,504m.

The value of the Peace III programme (2007-2013), including national contributions, will be €333 million. I am very aware of the importance of the work of the programme to the peace process.

The INTERREG programmes aim to address the economic and social disadvantage that can result from the existence of a border. Previous INTERREG programmes covered most of Northern Ireland and the six southern bordering counties. However, the INTERREG IV programme (2007-2013) includes a new dimension as it also covers western parts of Scotland. All projects must include a North-South element and the priorities in this area will be transport, business, and the environment. A minimum of €70 million of funds will be allocated to southern Border counties with a view to promoting a more prosperous and sustainable cross-Border region. The total value of the INTERREG IV programme (2007-2013), including national contributions, will be €256 million.

With regard to the INTERREG Programmes, I am pleased to say that my Department, in conjunction with the Department of Finance and Personnel in Northern Ireland (DFPNI), is hosting an INTERREG Information Seminar which will shortly be held at the Royal Hospital in Kilmainham, Dublin, on Tuesday 23 October and which will provide a full day's programme of information on all aspects of EU-funded INTERREG programmes in Ireland both North and South. In addition to the Ireland-Northern Ireland-Scotland INTERREG Programme, this seminar will also focus on the increased potential for North-South cooperation in the INTERREG Transnational programmes and the INTERREG Inter-regional Programme of which Ireland and Northern-Ireland, the UK and other EU member states are joint members. The list of speakers will include representatives of the Irish Regional Assemblies and the SEUPB.

There are on-going contacts between my Department and the DFPNI and the critical importance of these ongoing contacts is well understood. So also is the significance of the all-Ireland economy, and the National Development Plan for 2007-2013, the drafting of which has been coordinated by my Department, reflects the Government's stress on the importance of the all-Ireland dimension.

Last week on Wednesday 3 October, officials of my Department together with officials from a number of other Government departments, attended the Northern Ireland Economic Conference 2007 in Belfast and participated in the Conference workshops. Therefore, I can assure the Deputy that the North-South unit of my Department is fully aware of the importance of the North/South dimension and is actively engaged in the planning and the implementation of activities in this regard.

Question No. 213 answered with Question No. 207.

Decentralisation Programme.

214. **Deputy Jack Wall** asked the Tánaiste and

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Minister for Finance the position on the transfer of his Department to Athy; the timescale involved; the number of staff transferring; and if he will make a statement on the matter. [22658/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that the Office of Public Works are currently assessing a number of possibilities for a permanent accommodation solution for the Revenue staff, who will be decentralised to Athy. In all it is intended to decentralise 250 Revenue staff to Athy.

The Office of Public Works have also completed negotiations for the provision of premises to accommodate an advance party of up to 80 staff. Fitting out of these premises is nearing completion and Revenue expect to be in a position to occupy the premises towards the end of November 2007.

Tax Code.

215. **Deputy Damien English** asked the Tánaiste and Minister for Finance his plans, following a notice of motion passed at the September 2007 monthly meeting of Navan Town Council, to include Navan in future tax incentives for derelict properties in the town; and if he will make a statement on the matter. [22706/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): Navan was among the 42 towns and cities that had integrated areas designated for tax relief under the 1999 Urban Renewal Scheme and still benefits from this designation.

Following a major review of various property and area based tax incentive schemes I announced in Budget 2006 that most of the existing reliefs were being terminated subject to certain transitional provisions. These included the Urban Renewal and Town Renewal Schemes. There are no plans to re-introduce schemes along the lines of those terminated in Budget 2006.

216. **Deputy Richard Bruton** asked the Tánaiste and Minister for Finance if his attention has been drawn to the anomalous treatment of live poultry in the VAT code whereby live poultry is taxed at 13.5%, eggs are taxed at 0% rate and other livestock are taxed at 4.8%; if it is possible to amend the definition of livestock in order that live poultry would be included in the same category as other live animals; and if he will make a statement on the matter. [22728/07]

217. **Deputy Michael McGrath** asked the Tánaiste and Minister for Finance if his Department will address the competitive disadvantage imposed on the poultry business arising from the 13.5% VAT rate which applies to live poultry in

this jurisdiction as opposed to the zero rating in Northern Ireland. [22772/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I propose to take Questions Nos. 216 and 217 together.

The position is that the VAT regime and indeed the rating of all goods and services are subject to the requirements of EU VAT law with which Irish VAT law must comply. While we can retain the zero and livestock rating provisions which were in existence on 1 January 1991, we cannot introduce any new ones. Therefore, it is not possible to apply either a zero or livestock rate to the supply of live poultry.

Under Annex III of the VAT Directive, VAT registered hatcheries are liable to VAT at the 13.5 per cent rate on their supplies of live poultry. VAT registered farmers are entitled to claim VAT on their input costs which would include VAT paid on live poultry.

In relation to unregistered farmers, the Deputy will be aware that such farmers receive compensation for VAT paid on their inputs through the farmers flat rate addition. The flat-rate scheme, which is provided for under the VAT Directive, is a simplified and practical method of applying value-added tax to farming. It compensates unregistered farmers on an overall basis for the VAT charged to them on their purchases of goods and services. This is achieved without applying the normal VAT rules on registration and returns. The farmers VAT flat-rate addition for un-registered farmers was increased in my last Budget from 4.8 per cent to 5.2 per cent. In this regard, the Government's position of maintaining the farmers flat rate addition at the appropriate rate has not changed.

218. **Deputy Michael Ring** asked the Tánaiste and Minister for Finance the measures planned to make the VRT system barrier aligned towards reducing Ireland's CO₂ emissions; and if he will make a statement on the matter. [22792/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): In Budget 2007, I announced that it was planned to introduce changes to the current VRT system to take greater account of environmental issues, and in particular Carbon Dioxide (CO₂) emissions, with a target date of 1 January 2008. The Programme for Government re-affirms the commitment to introduce measures to further weight VRT in favour of cars with lower emissions.

A public consultation in this regard has taken place. Work on the matter is ongoing and a range of possible options are being considered.

Cycle Facilities.

219. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Finance if his attention has been drawn to complaints that the cycle lanes

in the Phoenix Park are regularly mistaken for footpaths and are therefore unsafe both for cyclists and pedestrians; his views on redesigning the cycle lanes in the park or providing adequate signage to direct users to the appropriate path; and if he will make a statement on the matter. [22845/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Office of Public Works is aware that a number of pedestrians tend to use the cycle lanes in the Phoenix park despite the fact that the cycle lanes are clearly indicated both by bicycle symbols imprinted on them and a unique green colour which clearly distinguishes them from the separate black pedestrian paths. A number of initiatives have been introduced to promote greater public awareness.

Name of Institution	Date of Approval
Gillett's Children's Hospital, Minnesota, USA	10 May 2007
AZ Sint-Jan AV, Brugge, Belgium	3 January 2007
Avenues Clinic, Harare, Zimbabwe	14 September 2006
North Shore University Hospital, New York, USA	23 August 2006
F.I.V. Center, Madrid, Spain	26 April 2006

In each case, as required by section 469 of the Taxes Consolidation Act 1997, the Department of Health and Children was consulted before the decision to approve of the institution. Each of the institutions now falls within the definition of “hospital” as contained in section 469.

Child Care Services.

221. **Deputy Michael Ring** asked the Minister for Health and Children when full information packs on the proposed NCIP community childcare subvention scheme 2008 to 2010 will be made available to community based childcare operators; if she will extend the deadline for applications to the new scheme in view of the lack of information currently available; and if she will make a statement on the matter. [22359/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): As signalled at the launch of the National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP, a new scheme to support community childcare services with a focus on disadvantage will be introduced on 1 January 2008 and will continue to complement the universal supports in place for all parents in the form of Child Benefit and the Early Childcare Supplement. The Community Childcare Subvention Scheme (CCSS) has been allocated €153 million over the next 3 years representing a 16% increase in funding over the EOCP staffing scheme. Under the new scheme,

Tax Code.

220. **Deputy David Stanton** asked the Tánaiste and Minister for Finance further to Parliamentary Question No. 238 of 26 September 2007 and No. 155 of 3 October 2007 the five most recent hospitals, nursing houses or other institutions approved by him under Section 469 of the Taxes Consolidation Act, 1997 which qualify for tax relief in respect of health expenses and which are not located in the State; the date when each institution was approved; the criteria used in each case; and if he will make a statement on the matter. [22876/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The five hospitals, nursing homes or others institutions which are not located in the State and which were most recently approved of for the purpose of health expenses relief are as follows:

services will be grant aided according to the service they provide and the profile of the parents benefiting from their service. In turn, the subvention received by the services will be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

Following the Government decision in July 2007 to adopt the new Scheme, officials in my Office wrote to all of the community childcare services in receipt of existing grant support to advise them of the changes being introduced and inviting them to attend information seminars which were arranged in a number of venues around the country for late September and early October. These have taken place and have provided very useful feedback. The details of the new scheme, the rates of subvention which will be available to community childcare services in respect of disadvantaged parents, and the time-frame within which the new arrangements are being implemented, were also outlined. The information seminars are being followed up by updated information packs, which take account of some of the issues raised and responded to at the seminars. These are expected to issue shortly along with the forms which the services will need to complete as part of the application process.

Under the new scheme, parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour

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services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these categories will be charged the cost price for their childcare service, however, as community not-for-profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent and/or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the report of the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone. Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The transitional arrangements which accompany the introduction of the new scheme, will ensure that existing grant recipients can continue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to the scheme to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

222. **Deputy Michael Ring** asked the Minister for Health and Children the number of community based childcare providers currently avail-

ing of the staffing grants available under the equal opportunities childcare programme, on a county basis. [22360/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a focus on disadvantage were awarded grant aid towards their staffing costs to allow them provide services to families which otherwise would not have been able to afford the full economic cost of the service. The following table shows the number of childcare providers in receipt of staffing grants, on a county basis.

County	Number of Facilities in Receipt of Staffing Grants
Carlow	12
Cavan	24
Clare	16
Cork	97
Donegal	44
Dublin	188
Galway	70
Kerry	43
Kildare	7
Kilkenny	20
Laois	13
Leitrim	24
Limerick	36
Longford	14
Louth	17
Mayo	49
Meath	10
Monaghan	25
Offaly	13
Roscommon	20
Sligo	20
Tipperary	33
Waterford	19
Westmeath	18
Wexford	29
Wicklow	16
Total	877

223. **Deputy Michael Ring** asked the Minister for Health and Children if she will reverse the abolition of the staffing grants for community based childcare providers with the proposed introduction of the NCIP community childcare subvention scheme 2008 to 2010, due to the serious effect this will have on childcare places in rural Ireland particularly for the smaller com-

munity childcare providers in rural areas. [22361/07]

224. **Deputy Michael Ring** asked the Minister for Health and Children the possible effect on community based childcare providers particularly the smaller providers based in rural areas, with the introduction of the new subvention scheme under the NCIP community childcare subvention Scheme 2008 to 2010. [22362/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): I propose to take Questions Nos. 223 and 224 together.

The main supports the Government makes available to parents to assist them with their childcare costs are Child Benefit and the Early Childcare Supplement. The latter payment, which is in recognition of the higher childcare costs of pre-school children, is the responsibility of my Office, and it alone amounts to expenditure of over €400m in a full year. These payments are universal and benefit all parents, regardless of their income, labour market status or the type of childcare they choose and regardless of whether they live in urban or rural areas. In addition to these universal supports, Government childcare policy has also recognised the need to target additional supports towards disadvantaged families.

Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to operate reduced fees to disadvantaged parents. Funding under this scheme was originally awarded for a limited period during which services were expected to move towards sustainability. This funding was subsequently continued to the end of 2007, where it was considered necessary to enable services to continue to make their services accessible to disadvantaged parents. This continuation funding was subject to the condition that tiered fee structures were implemented by the services in question.

As signalled at the launch of the National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP, a new scheme to support community childcare services with a focus on disadvantage will be introduced on 1 January 2008 and will continue to complement the universal supports in place for all parents. The Community Childcare Subvention Scheme (CCSS) has been allocated €153 million over the next 3 years representing a 16% increase in funding over the EOCP staffing scheme. Under the new scheme, services will be grant aided according to the service they provide and the profile of the parents benefiting from

their service. In turn, the subvention received by the services will be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

In practice, this will mean that parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these categories will be charged the cost price for their childcare service, however, as community not-for-profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent and/or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the report of the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone. Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The Community Childcare Subvention Scheme will not discriminate against rural services and the number of parents in rural areas supported by the new scheme is not expected to be lower than in urban areas. Per capita, the majority of the social welfare benefits which are referenced by the new schemes are availed of by more people outside the Dublin area than in it and parents in receipt of Farm Assist will attract the higher level of subvention. Data available from EOCP grant applications also suggests that the costs of running a rural service, and therefore the costs charged to parents, are lower than those for services in urban areas.

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Transitional arrangements have been made under which existing grant recipients will continue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to the scheme to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

225. **Deputy Ciarán Lynch** asked the Minister for Health and Children if her attention has been drawn to the concerns raised regarding his proposal to restructure community childcare under the National Childcare Investment Programme Community Childcare Subvention Scheme 2008 to 2010; her views on whether the proposed restructuring will result in additional charges being placed on parents, additional operating costs for community childcare providers that will have to be recouped locally and a reduction of service and the possible closure of some community childcare centres; and if she will make a statement on the matter. [22380/07]

251. **Deputy Ciarán Lynch** asked the Minister for Health and Children if her attention has been drawn to the concerns raised regarding the proposal to restructure community childcare under the NCIP community childcare subvention scheme 2008 to 2010; if the proposed restructuring will result in additional charges being placed on parents and additional operating costs for community childcare providers that will have to be recouped locally and a reduction of service and the possible closure of some community childcare centres; and if she will make a statement on the matter. [22426/07]

260. **Deputy Kathleen Lynch** asked the Minister for Health and Children if her attention has been drawn to the concerns that community childcare facilities have expressed regarding the new NCIP community childcare subvention scheme; her views on whether many community childcare facilities will experience considerable financial shortfalls under the new funding guidelines and that this could lead to the closures of some facilities; her further views on whether working parents on low incomes will be penalised through the ending of the equal opportunities

childcare programme as the new NCIP subvention scheme is only available to social welfare recipients or those on family income supplement; and if she will make a statement on the matter. [22468/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): I propose to take Questions Nos. 225, 251 and 260 together.

Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to operate reduced fees to disadvantaged parents. Funding under this scheme was originally awarded for a limited period during which services were expected to move towards sustainability. This funding was subsequently continued to the end of 2007, where it was considered necessary to enable services to continue to make their services accessible to disadvantaged parents. This continuation funding was conditional on a strong focus on disadvantage and that tiered fee structures were implemented by the services in question which ensured that childcare places subsidised were targeted towards those most in need.

As signalled at the launch of the National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP, a new scheme to support community childcare services with a focus on disadvantage will be introduced on 1 January 2008 and will continue to complement the universal supports in place for all parents. The Community Childcare Subvention Scheme (CCSS) has been allocated €153 million over the next 3 years representing a 16% increase in funding over the EOCP staffing scheme. Under the new scheme, services will be grant aided according to the service they provide and the profile of the parents benefiting from their service. In turn, the subvention received by the services will be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

In practice, this will mean that parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these

categories will be charged the cost price for their childcare service, however, as community not-for-profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent and/or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the report of the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone. Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The new scheme has clear advantages over its predecessor. There is an increase in the level of funding available under it, and a majority of services will benefit from the changes it introduces. Transitional arrangements have been made under which existing grant recipients will continue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

226. Deputy Enda Kenny asked the Minister for Health and Children the change in the funding mechanism for community crèches; if she will provide details of the timing, rationale and the impact of these changes; and if she will make a statement on the matter. [22631/07]

227. Deputy Michael Creed asked the Minister for Health and Children the changes envisaged in the funding of community childcare facilities; if

he will elaborate on the NCIP subvention scheme; the consultations that have taken place with community organisations in this regard; and if she will make a statement on the matter. [22668/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): I propose to take Questions Nos. 226 and 227 together.

Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to operate reduced fees to disadvantaged parents. Funding under this scheme was originally awarded for a limited period during which services were expected to move towards sustainability. This funding was subsequently continued to the end of 2007, where it was considered necessary to enable services to continue to make their services accessible to disadvantaged parents. This continuation funding was subject to the condition that tiered fee structures were implemented by the services in question.

As signalled at the launch of the National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP, a new scheme to support community childcare services with a focus on disadvantage will be introduced on 1 January 2008 and will continue to complement the universal supports in place for all parents. The Community Childcare Subvention Scheme (CCSS) has been allocated €153 million over the next 3 years representing a 16% increase in funding over the EOCP staffing scheme. Under the new scheme, services will be grant aided according to the service they provide and the profile of the parents benefiting from their service. In turn, the subvention received by the services will be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

In practice, this will mean that parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these categories will be charged the cost price for their childcare service, however, as community not-for-

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profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the report of the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone. Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The new scheme has clear advantages over its predecessor. There is an increase in the level of funding available under it, and a majority of services will benefit from the changes it introduces. Existing EOCP staffing grant recipients who enter the new scheme will continue to be funded at their current levels until July 2008. My Office has engaged in a series of meetings with existing grant recipients to outline to them the details of the new scheme and to gather feedback from the services themselves. A meeting with representatives of the City and County Childcare Committees has also taken place.

Transitional arrangements have been made under which existing grant recipients will continue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to the scheme to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

Medical Cards.

228. **Deputy John Perry** asked the Minister for Health and Children the status of a medical card appeal for a person (details supplied) in County Sligo; and if she will make a statement on the matter. [22782/07]

Minister for Health and Children (Deputy Mary Harney): Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on moderate and lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, childcare and travel to work costs. In June 2006 I agreed a further adjustment to the income guidelines for GP visit cards. These are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Hospital Services.

229. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the position regarding the cat scanner in the Louth County Hospital; the date it was purchased; the date installed and made operational; the use of this machine since then and the dates thereof; the number of staff needed to operate this unit and their qualifications and cost to date; the maintenance cost to date of this machine; the nature of contracts entered into in relation to the scanner; and if she will make a statement on the matter. [22926/07]

287. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the position regarding the cat scanner in the Louth County Hospital; the date it was purchased; the date installed and made operational; the use of this machine since then and the dates thereof; the number of staff needed to operate this unit and their qualifications and cost to date; the maintenance cost to date of this machine; the nature of contracts

entered into in relation to the scanner; and if she will make a statement on the matter. [22881/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 229 and 287 together.

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

General Medical Services Scheme.

230. **Deputy James Bannon** asked the Minister for Health and Children the way the Health Service Executive can justify the reduction in profit margins in relation to medicines purchased from wholesalers and supplied under the GMS and community drugs schemes which is impacting adversely on community pharmacists and which will force many of them to close and those that remain open would be dispensing the medical card system at a loss; and if she will make a statement on the matter. [23071/07]

231. **Deputy Billy Timmins** asked the Minister for Health and Children the position in relation to the Health Service Executive and the Irish Pharmaceutical Union; and if she will make a statement on the matter. [23134/07]

240. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist the pharmacies in relation to their GMS problems. [22365/07]

243. **Deputy Róisín Shortall** asked the Minister for Health and Children the State's position in relation to the proposals to reduce payments to pharmacists by 8% for items dispensed under the GMS and by 13% for items dispensed on all other schemes; the analysis that has been conducted on the negative implications of this for the availability of drugs to GMS patients in view the fact that pharmacists claim they will now have to operate these schemes at a loss; and if she will make a statement on the matter. [22372/07]

246. **Deputy Olwyn Enright** asked the Minister for Health and Children the reason she is not engaging in discussions with the Irish Pharmaceutical Union on the issue of contracts between pharmacists and the Health Service Executive; her views on the matter; and if she will make a statement on the matter. [22385/07]

254. **Deputy Róisín Shortall** asked the Minister for Health and Children the action she is taking to prevent the threatened withdrawal of pharmacists from methadone dispensing; and if she will make a statement on the matter. [22431/07]

258. **Deputy Tony Gregory** asked the Minister for Health and Children her views on the issues raised in correspondence (details supplied) from community pharmacists regarding dispensing methadone and medical card reimbursement; and if she will make a statement on the matter. [22462/07]

273. **Deputy Mary Upton** asked the Minister for Health and Children the effect the Health Service Executive's unilateral decision to reduce the payments it makes to pharmacists for the purchase on medicines will have on the continuation of the medical card scheme; the impact this will have on medical card holders; and if she will make a statement on the matter. [22678/07]

293. **Deputy Liz McManus** asked the Minister for Health and Children if she will respond to the serious concerns of pharmacists at a decision made to reduce the reimbursed value of GMS services; the number of pharmacies now withdrawing certain services from the public; if her attention has been drawn to the fact that many pharmacies are ceasing dispensing methadone; the steps she will take to ensure pharmacies are given the support to continue this vital methadone dispensing service; and if she will make a statement on the matter. [22894/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 230, 231, 240, 243, 246, 254, 258, 273 and 293 together.

My Department and the HSE have been reviewing the pharmaceutical supply chain, with a view to seeking value for money in the State's drugs bill in order to better fund existing and innovative therapies without compromising continuity of supply or patient safety. An HSE-led negotiating team, including officials from my Department, engaged with the Irish Pharmaceutical Healthcare Association (IPHA) and the Association of Pharmaceutical Manufacturers of Ireland (APMI), representing the proprietary and generic supplier representative bodies, and completed new agreements with these bodies in mid-2006. These agreements are in place.

As wholesale margins are not addressed in the new IPHA and APMI Agreements, it was intended to negotiate direct formal arrangements with the wholesale sector. Following completion of the manufacturer agreements, the negotiating team entered talks with the wholesaler representative body, the Pharmaceutical Distributor's Federation (PDF).

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Early in discussions, PDF refused to negotiate a new margin for community supply, based on its own legal advice that this was a contractual matter between individual wholesalers and retailers. Subsequent legal advice to the HSE, confirmed by legal advice to my Department, indicated that, under section 4 of the 2002 Competition Act, PDF as an association of undertakings may not collectively negotiate fees, prices or margins on behalf of its members. Given the fact that the Irish Pharmaceutical Union (IPU) is also an association of undertakings, it is not possible for the State to negotiate with PDF or the IPU on fees or margins as such negotiations would place these bodies at risk of prosecution.

In light of the legal position arising from the wholesaler legal advice, the negotiating team reconsidered how best to address the review of pharmaceutical supply. Based on the legal advice, a consultation process accompanied by independent economic analysis was considered the most appropriate means to allow for the determination of new reimbursement arrangements. The consultation process involved direct discussion with wholesaler companies and a call for public submissions, published on 20th December 2006, in response to which a total of 161 submissions (including 143 from community pharmacy contractors) were received.

Following the completion of public consultation, and informed by independent economic analysis, new reimbursement arrangements were announced by the HSE on 17th September 2007. The new price arrangements involved revised rates for community and hospital supply as follows:

- Community supply — existing 17.66% wholesale margin reduced to 8% from 1st January 2008 and 7% from 1st January 2009;
- Hospital supply — new interim margin of 5% from 1st January 2008 with further discounts for efficient ordering and supply in that sector.

The new arrangements apply equally to the GMS (medical card) and the community drugs schemes (DPS, LTI). The new arrangements do not apply to the Methadone scheme, which is a separate dispensing arrangement with pharmacists for the treatment of a particularly vulnerable group of patients. No formal notifications have been received that individual pharmacists are terminating either their GMS/community pharmacy contracts or their agreements under the Methadone scheme.

In its examination of the issues involved, the negotiating team considered a reimbursement level that reflects the market value of pharmaceutical wholesale services, and security and continuity of supply at current levels to patients. The evidence on which the decision is based, follow-

ing examination of the issues, direct consultation and independent economic analysis, all indicates that the State is currently paying a premium for the services in question. It is possible and necessary for revised arrangements to be put in place without a substantial impact on the delivery of such services.

Information available to the negotiating team indicates that small and rural pharmacies typically receive discounts of 2-3% on the existing wholesale margin, while larger urban pharmacies and chains typically receive discounts of up to 12%. Therefore, smaller and rural pharmacies would be proportionately less affected by the revised arrangements.

In the light of the legal advice received, and following consultation with the IPU, a separate procedure was also agreed to examine available options for advancing contractual negotiations in compliance with Irish and EU competition law. This process is being chaired by Mr Bill Shipsey, SC.

The negotiating team met with the IPU on the 3rd October to discuss implementation issues arising from the recent announcement of new wholesaler arrangements. Both sides agreed to continue to meet under the auspices of Bill Shipsey SC, to discuss the IPU's concerns on contractual matters, within the legal constraints.

The negotiating team also had a constructive meeting with PDF on 8th October to discuss implementation issues arising from the new wholesaler arrangements.

Medical Cards.

232. **Deputy Olwyn Enright** asked the Minister for Health and Children if she will confirm receipt of a medical card application by persons (details supplied) in County Laois; when a decision will be made on the application; and if she will make a statement on the matter. [22265/07]

Minister for Health and Children (Deputy Mary Harney): Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on moderate and lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, childcare and travel to work costs. In June 2006 I agreed a

further adjustment to the income guidelines for GP visit cards. These are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Hospital Services.

233. **Deputy John O'Mahony** asked the Minister for Health and Children the situation regarding the building of a specialised cystic fibrosis unit at Saint Vincent's Hospital, Dublin; the position in relation to the staffing of that unit; and if she will make a statement on the matter. [22266/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Health Service Allowances.

234. **Deputy Shane McEntee** asked the Minister for Health and Children the reason an appeal for domiciliary care allowance by a person (details supplied) in County Meath was turned down; and if she will make a statement on the matter. [22301/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Repayment Scheme.

235. **Deputy Pat Breen** asked the Minister for Health and Children when an application will be processed for a person (details supplied) in County Clare; and if she will make a statement on the matter. [22345/07]

Minister for Health and Children (Deputy Mary 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.

Eating Disorders.

236. **Deputy Róisín Shortall** asked the Minister for Health and Children the progress to date on the implementation of each of the eight specific recommendations in relation to improving service provision for those affected by eating disorders contained within A Vision for Change; and her plans and timescale for their full implementation. [22348/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Report of the Expert Group on Mental Health Policy, entitled "A Vision for Change", was launched in January 2006. It provides a framework for action to develop a modern, high quality mental health service over a 7 to 10 year period. "A Vision for Change" acknowledges gaps in the current provision of services for people with eating disorders and makes several recommendations for the further improvement of these services.

Recommendations include support for health promotion initiatives that encourage greater community and family awareness of eating disorders, the further development of primary and community care services and the provision of a full multidisciplinary team in a National Centre for Eating Disorders for complex cases that cannot be managed by local child and adolescent community mental health teams. Responsibility for the implementation of these recommendations rests with the HSE.

In 2006, €26.2 million was allocated for the development of mental health services in line with "A Vision for Change". An additional €25 million has been provided to the HSE in 2007, €750,000 of which is for developing services for eating disorders.

Operational responsibility for the management and delivery of health and personal social services was assigned to the HSE under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular 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.

Medical Cards.

237. **Deputy John Deasy** asked the Minister for Health and Children if her attention has been

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drawn to the difficulties that have arisen as a result of the dispute between private dentists and the Health Service Executive where medical card holders can no longer access dental treatment on their medical cards and the financial strain this has placed on people in need of treatment; the action she is taking to ensure that this dispute is resolved quickly; when she expects the matter to be resolved; and if she will make a statement on the matter. [22355/07]

Minister for Health and Children (Deputy Mary Harney): The Dental Treatment Service Scheme (DTSS) provides for a range of dental services for adult medical card holders from participating dentists holding contracts with the Health Service Executive (HSE).

The DTSS Review Group was established in May 2006 to undertake a comprehensive review of Primary Care Oral Health Services provided under the DTSS. Represented on the Review Group are the HSE, the Health Service Employers Agency, the Department of Health and Children, the Department of Social and Family Affairs, the Department of Finance and the Irish Dental Association (IDA). The Group is chaired by Mr Finbar Flood.

Since the Group was established, a legal issue has arisen with regard to the Competition Act 2002 as it relates to the negotiation of professional fees. The issues involved are complex and my officials are working with the Attorney General's office to clarify the way forward.

The existing contractual arrangements with private dental practitioners under the DTSS for provision of dental services to eligible patients remain in place although I am aware that some dentists have indicated that they wish to resign from this scheme. It should be noted that dentists withdrawing from the scheme are obliged to work a three months notice period.

If an eligible patient cannot access the services of a dentist because the dentist has resigned from the DTSS, that patient may approach any dentist within the Scheme for treatment.

Health Services.

238. **Deputy John Deasy** asked the Minister for Health and Children if she will grant approval for funding to the Health Service Executive to allow the development of a five station haemodialysis satellite treatment facility at Tramore, County Waterford which will facilitate holidaymakers and can be used year round for the treatment of patients living in the locality; and if she will make a statement on the matter. [22356/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service

Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Departmental Staff.

239. **Deputy Seán Barrett** asked the Minister for Health and Children the number employed in her Department; the amount expended on their salaries and its percentage of overall Departmental spending from a value for money perspective; and if she will make a statement on the matter. [22357/07]

Minister for Health and Children (Deputy Mary Harney): The whole time equivalent number of staff employed in my Department at the end of September 2007 was 592.92. This figure includes staff employed in: my Department, including the Office of the Minister for Children, the General Register Office, the Adoption Board, Office of the Ombudsman for Children, Office of the Disability Appeals Officer.

My Department estimates that €36.163 million will be spent on salaries, wages and other allowances during 2007. This figure represents 3.5% of the total Vote for my Department and the Office of the Minister for Children. My Department is constantly reviewing and monitoring such costs in order to ensure that the best value for money is obtained. Change management initiatives are ongoing in order to continue to meet the modernisation and flexibility agenda required of my Department. This is specifically encompassed by the Partnership Agreement *Towards 2016*.

Question No. 240 answered with Question No. 230.

Medical Cards.

241. **Deputy Liz McManus** asked the Minister for Health and Children if she plans to double the income threshold limits for the full medical card for families with children under six in Budget 2008 as agreed in the Programme for Government; the estimated cost of this measure; and if she will make a statement on the matter. [22366/07]

Minister for Health and Children (Deputy Mary Harney): The Programme for Government commits to:

- Indexing the income thresholds for medical cards to increases in the average industrial wage;
- Doubling of the income limit eligibility of parents of children under 6 years of age, and trebling them for parents of children

under 18 years of age with an intellectual disability;

- Implementation of an annual publicity campaign and making applications easier so as to increase uptake amongst those who are eligible for medical cards and GP visit cards;
- Allowing people with disabilities to work without losing key essential medical card cover after 3 years.

My Department is at present considering the steps required to enable these commitments to be implemented. This work includes consideration of the timescale for implementation and the costs involved.

242. **Deputy Liz McManus** asked the Minister for Health and Children her views on doubling the income threshold limits for the full medical card for families with children between seven and seventeen years of age; the estimated cost of this measure; and if she will make a statement on the matter. [22367/07]

Minister for Health and Children (Deputy Mary Harney): The Programme for Government commits to doubling the income limit eligibility of parents of children under 6 years of age and trebling them for parents of children under 18 years of age with an intellectual disability. It commits also to an indexing of the income thresholds for medical cards to increases in the average industrial wage. My Department is at present considering the steps required to enable these commitments to be implemented. I have no plans at present to double the income threshold limits for families with children between seven and seventeen years of age generally and accordingly such a measure has not been costed by my Department.

My Department is also examining the steps necessary to give effect to the Towards 2016 commitment to review the eligibility criteria for the assessment of medical cards in the context of medical, social and economic/financial need with a view to clarifying entitlement to a medical card.

Question No. 243 answered with Question No. 230.

Medicinal Products.

244. **Deputy Liz McManus** asked the Minister for Health and Children the reason the Health Service Executive have refused to purchase a new drug produced in Clondalkin, Dublin 22 that may prevent meningitis and septicaemia; if her attention has been drawn to fact that this drug is being exported to the North of Ireland, to Britain and to the USA; and if she will make a statement on the matter. [22377/07]

Minister for Health and Children (Deputy Mary Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to have this matter investigated and to have a reply issued directly to the Deputy.

Health and Safety Issues.

245. **Deputy Liz McManus** asked the Minister for Health and Children the regulations that exist to ensure standards in tattoo businesses; if there is an age restriction that applies to a tattooist giving tattoos to young children; the measures she will take to ensure public safety in this area; and if she will make a statement on the matter. [22378/07]

Minister for Health and Children (Deputy Mary Harney): There is no legislation in Ireland specifically regulating tattooing businesses. However, these businesses are required to comply with general public health and safety legislation in the same way as any other business. The responsibilities of business operators include taking all reasonable precautions for the safety of persons using the premises. The Safety, Health and Welfare at Work Act, 2005 imposes a duty on employers to ensure, so far as is reasonably practicable, the safety, health and welfare at work of employees. Employers are also obliged to manage and conduct their undertakings in such a way as to ensure, so far as is reasonably practicable, that in the course of the work being carried on, individuals at the place of work, (not being employees), are not exposed to risks to their safety, health and welfare. In addition, under the Infectious Diseases Regulations 1981, a medical officer of health, or a health officer on the advice of a medical officer of health, is empowered where there is reason to believe that a suspected case of an infectious disease or a probable source of infection exists, to take such steps as are necessary or desirable for investigating the nature and source of such infection, for preventing the spread of such infection and for removing conditions favourable to infection.

The European Commission has initiated a project to assess the need for regulatory control of tattooing and body piercing and related activities. The Council of Europe has also adopted a resolution on tattoos and permanent make-up (PMU) which recommends the principles that member states should take into account in their national laws and regulations. The principles relate to the composition, microbiological purity and labelling of products used for tattooing and PMU, the conditions in which they are applied, and the need to inform the public and consumers of the health risks involved.

[Deputy Mary Harney.]

My Department is reviewing policy regarding tattooing and body piercing in the light of these developments. In the first instance, the focus is on the development of “good practice” guidelines for practitioners rather than regulation. The main objective of these guidelines is to encourage best hygiene practice by tattooists and piercers, thereby minimising the risk of infection and so protecting both the artists and clients. It is also intended to produce information for the general public about the possible risks attached to body-piercing and tattooing.

As tattooing is not regulated, there is no age restriction in place. However, this issue is being addressed in the context of the good practice guidelines for both tattooists and piercers. Draft guidelines have been produced and these drafts have been the subject of consultation within the health sector and the wider public sector. Further consideration of the issues involved is necessary before my Department will be in a position to bring the guidelines to completion. The intention is to have this work completed by the end of this year.

Question No. 246 answered with Question No. 230.

Health Services.

247. **Deputy Michael Ring** asked the Minister for Health and Children the position regarding the provision of dental services in a health centre in Ballinrobe; if the Health Service Executive have advertised this position; if a designated school dentist will be appointed in the Ballinrobe area; and if she will make a statement on the matter. [22394/07]

Minister for Health and Children (Deputy Mary Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

248. **Deputy Eamon Scanlon** asked the Minister for Health and Children the number of community dentists currently serving the population of an area (details supplied) in County Donegal; the efforts being made to expand the service; and if she will make a statement on the matter. [22396/07]

Minister for Health and Children (Deputy Mary 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.

249. **Deputy Andrew Doyle** asked the Minister for Health and Children if, in view of the recent embargo on recruitment into the health services, she will reassure the Houses of the Oireachtas and the public that this embargo will not have an adverse effect on front line emergency services in particular the ambulance service. [22411/07]

Minister for Health and Children (Deputy Mary Harney): The HSE National Management Team has developed a financial break-even plan aimed at remaining within its Vote for 2007. The plan includes a temporary pause in recruitment. Other features of this plan include cancelling all foreign travel for the remainder of the year, cancelling all domestic hotel bookings for the remainder of the year, and reviewing all non front-line expenditure to ensure that it is authorized at an appropriately senior level.

This pause in recruitment was reviewed by the HSE National Management Team on October 1st. Based on this review, the HSE has decided that the financial situation is such that it is necessary and prudent to continue the overall pause in recruitment to the end of October. However, the HSE recognises that there are some limited critical or exceptional circumstances where appointment of staff may be necessary in front-line services. Accordingly, the HSE has established a small group, chaired by a representative of the National Employment Monitoring Unit, and representatives of the National Hospitals Office, PCCC and other Directorates to evaluate, monitor and approve requests for derogation from the general recruitment pause. This group will consider such applications on a weekly basis during October 2007.

Additionally, as an interim measure, it has been decided that a derogation of the suspension in appointments should be made to facilitate the following service enhancements: staff recruited to establish and operate Cherry Orchard Community Nursing Units in Dublin; staff recruited as Case/Liaison Officers in respect of services for people with a disability; staff required to open a new Admissions Unit/Community Hostel for the Central Mental Hospital; and staff required to introduce the ‘Fair Deal’ arrangements relating to Nursing Home Subventions for Older people. There are almost 130,000 people working in the public health system and the temporary pause in recruitment must be viewed in that context. The Board of the HSE is committed to ensuring that staff costs are controlled and managed to best effect, that an appropriate balance is achieved between clinical and non-clinical posts, that there

is a better skill mix within the clinical areas and that staffing levels provide cost-effective and safe/quality care to patients. I share the concern of the HSE to ensure that patient care is not affected during the recruitment suspension. It is the HSE's clear intention that these measures, which involve 200-300 posts, will not impact on 'front line' services, and it has made provision for critical or essential vacancies to be filled by re-deployment of existing staff.

The Deputy may wish to note that employment in the health service has already increased significantly in 2007. In fact, 2,500 new posts have been authorised by the HSE so far this year arising from new service developments contained in the National Service Plan 2007.

Ambulance Service.

250. **Deputy Andrew Doyle** asked the Minister for Health and Children if, in view of the fact the ambulance service has been obliged to cancel the recruitment programme for 300 vacancies that have arisen due to retirement, she will justify the pressure this places on the overworked staff that are providing this essential front line service. [22412/07]

Minister for Health and Children (Deputy Mary Harney): Over 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 number 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 the 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 to the Deputy.

Question No. 251 answered with Question No. 225.

Hospital Waiting Lists.

252. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason that a person (details supplied) in County Mayo has

been waiting over a year for a further operation; the reason they have to wait for Our Lady of Lourdes Hospital in Drogheda to operate on them; the reason they cannot have the operation at Castlebar Hospital; and if she will intervene urgently to secure an operation for them. [22428/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Patients waiting more than three months on a surgical waiting list may qualify for treatment under the National Treatment Purchase Fund. It is open to the person in question or anyone acting on their behalf to contact the Fund directly in relation to their case.

Child Care Services.

253. **Deputy Mary O'Rourke** asked the Minister for Health and Children the remaining difficulties with a childcare facility (details supplied) in County Westmeath which are preventing this facility receiving much needed finance; if her attention has been drawn to the fact that there is a new committee in place and in charge of this facility and that this is a community facility serving a disadvantaged area; and if she will ensure that in the next round of funding much needed finance will be provided. [22429/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010 (NCIP), which are being implemented by the Office of the Minister for Children.

In relation to the Group in question, an interim staffing grant application under the NCIP was recently declined by the Secretary General as the proposal did not demonstrate a strong focus on disadvantage. In addition, there is an outstanding decommittal issue with the previous committee who operated from the same location. The Group have sought a review of this decision, however given the EOCP staffing scheme ends later this year and will be succeeded by the NCIP's Community Childcare Subvention Scheme (CCIS) on 1st January 2008, it may be that the best interests of the Group would be served by applying under the new scheme. I understand that contact has been made with the Group advising them of this

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option, and seeking guidance on how they would wish to proceed.

Question No. 254 answered with Question No. 230.

Health Services.

255. **Deputy Noel Grealish** asked the Minister for Health and Children the amount of money that has been awarded to each county in Health Service Executive west for home care packages via the HSE or through non statutory agencies; the number of cash grants that have been awarded in each county; the measures in place to follow-up on those who have received cash care grants in order to prevent and address the abuse of vulnerable older people, and to ensure that proper PRSI and PAYE statutory obligations have been met for employed carers through the home care package cash grant scheme; and if she will make a statement on the matter. [22453/07]

Minister of State at the Department of Health and Children (Deputy Máire Hackett): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular 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.

Community Care.

256. **Deputy Chris Andrews** asked the Minister for Health and Children if, in view of the decision to transfer cancer services from St Lukes to St James, she will give a commitment to maintain St Lukes as a community health care facility and an assurance that it will not be sold off; the time frame within which the future of St Luke's will be made clear; and if she will make a statement on the matter. [22455/07]

Minister for Health and Children (Deputy Mary Harney): The transfer of services from St. Luke's Hospital to new facilities at St. James's Hospital is not due to take place for a number of years.

In the meantime, two additional linear accelerators will be commissioned at St. Luke's in early 2008 and two replacement linear accelerators will be commissioned later in 2008. These will provide much needed interim capacity pending the roll out of the National Plan for Radiation Oncology.

No decisions have yet been taken in relation to the future use of the site and facilities at St. Luke's. However, I intend to ensure that these

resources are utilised in the best interest of the health services. .

Health Repayment Scheme.

257. **Deputy Chris Andrews** asked the Minister for Health and Children if she will investigate the delayed repayment under the Health Service Executive health repayments scheme for a person (details supplied) in Dublin 8. [22459/07]

Minister for Health and Children (Deputy Mary 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.

Question No. 258 answered with Question No. 230.

Health Services.

259. **Deputy James Bannon** asked the Minister for Health and Children if she will provide funding for the provision of an Alzheimer's residential unit at St Joseph's Hospital, Dublin Road, County Longford to provide facilities for the 385 people who have been diagnosed with the disease in Longford as currently the only facility available to them in the psychiatric hospital in Mullingar; and if she will make a statement on the matter. [22464/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular 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.

Question No. 260 answered with Question No. 225.

Nursing Home Subventions.

261. **Deputy Niall Collins** asked the Minister for Health and Children when an application for nursing home charges refund by a person (details supplied) in County Limerick will be processed and the applicant refunded. [22472/07]

Minister for Health and Children (Deputy Mary 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.

Health Service Staff.

262. **Deputy Pat Breen** asked the Minister for Health and Children the cutbacks that took place at Ennis General Hospital for the month of September 2007; the cutbacks envisaged for the month of October 2007; if the embargo on temporary recruitment will remain in place until the end of December 2007; and if she will make a statement on the matter. [22581/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issues 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.

Health Services.

263. **Deputy Pat Breen** asked the Minister for Health and Children when the wash unit will be installed at the ambulance centre at Ennis General Hospital, County Clare; and if she will make a statement on the matter. [22582/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Child Care Service.

264. **Deputy Kathleen Lynch** asked the Minister for Health and Children if she will provide details of funding allocated under the equal opportunities childcare programme 2000 to 2006 to schemes in Cork City and county; the funding allocated to date in the same area under the national childcare investment programme 2006 to

2010; the projected NCIP spend to 2010; and if she will make a statement on the matter. [22586/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): As the Deputy will be aware I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-10 (NCIP), which are being implemented by the Office of the Minister for Children.

The EOCP has both an equal opportunities and a social inclusion focus and aimed to increase the supply of centre based childcare places by 55 per cent (or 31,300 additional places) over the course of the Programme. This target has already been exceeded, with some 35,500 additional places already created under the Programme. The NCIP has a funding allocation of €575 million and aims to create an additional 50,000 new childcare places. It is expected that approximately 22,000 of these places will be in the private sector and 28,000 in the community/not for profit sector. Twenty per cent of the overall places will be for children in the 3 to 4 age group and will provide an early childhood care and education focus. As with the EOCP, the NCIP is a demand led scheme, with groups open to apply for funding from the Department through their local City/County Childcare Committees.

Experience gained under the EOCP has shown that it can be very difficult to accurately project how funding will be disbursed on a geographical basis over the duration of a programme. A number of factors come to bear in this regard, for example, the mix of private/community services in the locality, delays in acquiring planning permission or engaging building contractors, difficulties in securing other strands of funding and the general capacity of voluntary and community groups to deliver on large and often complicated projects.

However, the NCIP has a particular focus on identifying service gaps and matching supply and demand for services at the local level. In this regard, the City/County Childcare Committees have an important emerging role in planning and prioritising services in their locality. This new approach is intended to maximise the impact of funding at a local level delivering valuable services to families and better value for money.

The following tables provide details of funding allocated in Cork City and County under the EOCP and NCIP to date. It also includes funding for a number of regionally focused projects, commitments to National Voluntary Childcare Organisations and City and County Childcare Committees. As will be seen the total value of the funding allocated in Cork City and County amounts to €42.75 million under the EOCP and €13.4 million under the NCIP.

Funding Approved for Cork City and County under the Equal Opportunities Childcare Programme 2000-2006 (EOCP)

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
<i>Cork City</i>			
An Bord Bainistíochta Scoil Therese / An Bord Bainistíochta Scoil Therese	Páirc Bhaile 'n Easpaig, Baile 'n Easpaig, i gCorcaigh	Staffing	5,714
An Bord Bainistíochta Scoil Therese / An Bord Bainistíochta Scoil Therese	46 Corraheen Drive, Corraheen, Bishopstown, Cork	Capital	19,046
An Bord Bainistíochta Scoil Therese / An Bord Bainistíochta Scoil Therese	Scoil Therese, Bishopstown Park, Bishopstown, Cork	Staffing	21,091
An Bord Bainistíochta Scoil Therese / An Bord Bainistíochta Scoil Therese	Scoil Therese, Bishopstown Park, Bishopstown, Cork	Staffing	29,000
An Bord Bainistíochta Scoil Therese / An Bord Bainistíochta Scoil Therese	Scoil Therese, Bishopstown Park, Bishopstown, Cork	Staffing	85,200
An Bord Bainistíochta Scoil Therese / An Bord Bainistíochta Scoil Therese	46 Corraheen Drive, Corraheen Estate, Bishopstown, Cork	Staffing	89,517
Ballyphehane/Togher Community Development Project Ltd. / Ballyphehane/Togher Community Development Project Ltd.	Community Resource Centre & Crèche, Lower Friar's Walk, Ballyphehane, Cork City	Capital	40,000
Ballyphehane/Togher Community Development Project Ltd. / Ballyphehane/Togher Community Development Project Ltd.	Community Resource Centre & Crèche, Lower Friar's Walk, Ballyphehane, Cork City	Staffing	128,800
Ballyphehane/Togher Community Development Project Ltd. / Ballyphehane/Togher Community Development Project Ltd.	Community Resource Centre & Crèche, Lower Friar's Walk, Ballyphehane, Cork City	Staffing	158,717
Barnardos Ireland Ltd, Southern Region / Barnardos Ireland Ltd, Southern Region	The Bowling Green, White St.	Staffing	32,585
Barnardos Ireland Ltd, Southern Region / Barnardos Ireland Ltd, Southern Region	The Bowling Green, White St., Cork	Capital	1,188,236
Bee Happy Day Nursery / Bee Happy Day Nursery	47 Sarsfield Terrace, Old Youghal Road, Cork City	Capital	14,958
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Before 5 Nursery & Family Centre, Churchfield Hill, Cork City	Capital	6,968
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Churchfield Hill, Cork City	Staffing	40,068
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Before 5 Nursery & Family Centre, Churchfield Hill, Cork City	Capital	57,138
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Churchfield Hill, Cork City	Staffing	80,136
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Churchfield Hill, Cork City, Cork	Staffing	82,321
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Before 5 Nursery, Churchfield Hill, Cork	Staffing	87,824
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Before 5 Nursery & Family Centre, Churchfield Hill, Cork City	Capital	172,287
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Churchfield Hill, Cork City	Staffing	190,461
Before 5 Nursery & Family Centre / Before 5 Nursery & Family Centre	Churchfield Hill, Cork City	Staffing	322,600
Bessborough Centre / Bessborough Centre	Bessborough, Blackrock, Cork	Staffing	42,667
Bessborough Centre / Bessborough Centre	Bessborough, Blackrock, Cork	Staffing	48,000

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Bessborough Centre / Bessborough Centre	Bessborough, Blackrock	Staffing	170,400
Bessborough Centre / Bessborough Centre	Bessborough, Blackrock, Cork	Staffing	190,461
Bessborough Centre / Bessborough Centre	Bessborough Centre, Blackrock, Cork	Capital	1,210,385
Bishopstown Community Playgroup / Bishopstown Community Playgroup	Scoil Therese, Bishopstown, Cork	Capital	11,047
Bishopstown Community Playgroup / Bishopstown Community Playgroup	Scoil Therese, Bishopstown, Cork	Staffing	15,733
Bishopstown Community Playgroup / Bishopstown Community Playgroup	Scoil Therese, Bishopstown, Cork	Staffing	17,700
Bishopstown Community Playgroup / Bishopstown Community Playgroup	Scoil Therese, Bishopstown, Cork	Staffing	63,400
Bishopstown Community Playgroup / Bishopstown Community Playgroup	Scoil Therese, Bishopstown, Cork	Staffing	70,851
Blarney Street & Surrounding Areas Community Association / Blarney Street & Surrounding Areas Community Association	189 Blarney Street, Cork	Capital	19,046
Blarney Street & Surrounding Areas Community Association / Blarney Street & Surrounding Areas Community Association	Rock Community Centre, Blarney Street, Cork	Staffing	42,855
Blarney Street & Surrounding Areas Community Association / Blarney Street & Surrounding Areas Community Association	189 Blarney Street, Cork	Staffing	95,230
Bright Beginnings Montessori School / Bright Beginnings Montessori School	8 Carrigmahon, Monkstown, Cork	Capital	50,790
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Staffing	8,000
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Capital	12,399
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Staffing	16,507
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Staffing	21,333
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Staffing	32,000
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Staffing	85,900
Coiste Naíonra an Teaghlaigh Naofa / Coiste Naíonra an Teaghlaigh Naofa	Bothar na mBuaircíní, Baile Feithean, Corcaigh	Staffing	173,954
Colaiste Stiófán Naofa / Colaiste Stiófán Naofa	Tramore Road, Cork	Staffing	31,746
Colaiste Stiófán Naofa / Colaiste Stiófán Naofa	Tramore Road, Cork	Staffing	42,328
Colaiste Stiófán Naofa / Colaiste Stiófán Naofa	Tramore Road, Cork	Staffing	170,400
Colaiste Stiófán Naofa / Colaiste Stiófán Naofa	Colaiste Stiófán Naofa, Tramore Road, Cork	Staffing	190,461
Colaiste Stiófán Naofa / Colaiste Stiófán Naofa	Tramore Road, Cork	Capital	771,995
Comhair Chathair Chorcaí / Comhair Chathair Chorcaí	Sunbeam Industrial Park, Millfield, Mallow Rd., Cork	Other	27,617
Community Women's Education Initiatives Ltd. / Community Women's Education Initiatives Ltd.	19 Lower John Street, Cork	Staffing	55,900
Community Women's Education Initiatives Ltd. / Community Women's Education Initiatives Ltd.	Ionad na Mban, 24 North Mall, Cork	Capital	104,036
Community Women's Education Initiatives Ltd. / Community Women's Education Initiatives Ltd.	19 Lower John Street, Cork	Staffing	152,369

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Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	3,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	8,675
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	17,500
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	29,900
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	35,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	35,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	35,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	35,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	35,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	46,770
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	48,900
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	59,800
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	63,000
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	114,219
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	177,763
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	196,200
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	222,411
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	228,781
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork City	Other	238,500
Cork City Childcare Committee / Cork City Childcare Committee	29 Penrose Wharf, Cork	Other	249,200
Cork Institute of Technology / Cork Institute of Technology	Rossa Avenue, Bishopstown, Cork	Capital	700,000
Cork Steiner Waldorf Kindergarten / Cork Steiner Waldorf Kindergarten	C/o Quaker Meeting House, Summerhill South	Staffing	79,900
Cork Steiner Waldorf Kindergarten / Cork Steiner Waldorf Kindergarten	20 The Maples, Bridgemount, Carrigaline, Cork	Staffing	95,230
Cro na nOg / Cro na nOg	7 The Maples, Ballinure Road, Mahon, Cork	Staffing	38,000
Cro na nOg / Cro na nOg	7 The Maples, Ballinure Road, Mahon, Cork	Staffing	64,000
Cro na nOg / Cro na nOg	7 The Maples, Ballinure Road, Mahon, Cork	Staffing	88,400
Cuddles Crèche / Cuddles Crèche	College of Commerce & St. John's Central College, Morrisons Island, Cork	Staffing	14,100
Cuddles Crèche / Cuddles Crèche	College of Commerce & St. John's Central College, Morrisons Island, Cork	Staffing	28,200
Cuddles Crèche / Cuddles Crèche	College of Commerce & St. John's Central College, Morrisons Island, Cork	Staffing	39,100

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Cuddles Crèche / Cuddles Crèche	College of Commerce & St. John's Central College, Morrisons Island, Cork	Staffing	113,600
Cuddles Crèche / Cuddles Crèche	Cork College of Commerce, Morrisons Island, Cork	Staffing	126,974
Cuddles Crèche / Cuddles Crèche	College of Commerce & St. John's Central College, Morrisons Island, Cork	Capital	1,000,000
Doodlebugs Crèche and Montessori Limited / Doodlebugs Crech and Montessori Limited	Pembroke Wood, Passage West, Cork	Capital	50,790
East Cork Area Development / East Cork Area Development	Knockgriffin Community Ent Centre, Mildeton, East Cork	Other	74,250
Farranree Childcare Unit / Farranree Childcare Unit	11 Park Dale, Parklands, Commons Rd, Cork	Staffing	10,810
Farranree Childcare Unit / Farranree Childcare Unit	11 Park Dale, Parklands, Commons Rd, Cork	Capital	46,277
Farranree Childcare Unit / Farranree Childcare Unit	11 Park Dale, Parklands, Commons Rd, Cork	Staffing	116,100
Farranree Childcare Unit / Farranree Childcare Unit	29 Bridevalley View, Fairhill, Cork City	Staffing	129,723
Farranree Development Company Ltd / Farranree Community Development Project & Resource Centre	98 Knockpogue Avenue, Farranree, Cork City	Capital	587,900
First Steps / First Steps	Kilcor, Castletyons, Cork	Capital	15,544
First Steps / First Steps	4 Marrick, Falcon Drive, Silversprings, Cork	Capital	15,993
Gaelscoil Mhachan / Gaelscoil Mhachan	Avenue de Rennes, Machan, An Charraig Dhubh, Corcaigh	Capital	224,000
Good Shepherd Services Ltd / Good Shepherd Services Ltd	C/o. Good Shepherd Sisters, Sunday's Well, Cork	Capital	728,000
Greenfields Community Childcare Ltd / Glenfield Community Childcare Limited	Glenfields, Ballyvolane, Cork	Capital	63,874
Greenfields Community Childcare Ltd / Glenfield Community Childcare Limited	Glenfields, Ballyvolane, Cork	Staffing	127,000
Greenmount Community Playgroup Limited / Greenmount Voluntary Playgroup	Scoil Nasiunta Muire na Gras, Green Street, Cork	Capital	12,369
Greenmount Community Playgroup Limited / Greenmount Voluntary Playgroup	Scoil Nasiunta Muire na Gras, Green Street, Cork	Staffing	24,689
Greenmount Community Playgroup Limited / Greenmount Voluntary Playgroup	Scoil Nasiunta Muire na Gras, Green Street, Cork	Staffing	113,600
Greenmount Community Playgroup Limited / Greenmount Voluntary Playgroup	Hill View, Lough Hill, The Lough, Cork	Staffing	126,974
Hollyhill/Knocknaheeny Family Centre / Hollyhill/Knocknaheeny Family Centre	Harbour View Road, Knocknaheeny, Cork City	Staffing	26,900
Hollyhill/Knocknaheeny Family Centre / Hollyhill/Knocknaheeny Family Centre	Harbour View Road, Knocknaheeny, Cork City	Staffing	53,800
Hollyhill/Knocknaheeny Family Centre / Hollyhill/Knocknaheeny Family Centre	Harbour View Road, Knocknaheeny, Cork City	Staffing	216,300
Hollyhill/Knocknaheeny Family Centre / Hollyhill/Knocknaheeny Family Centre	Harbour View Road, Knocknaheeny, Cork	Staffing	241,809
Hollyhill/Knocknaheeny Family Centre / Hollyhill/Knocknaheeny Family Centre	Harbour View Road, Knocknaheeny, Cork City	Capital	487,784
Hollyhill/Knocknaheeny Family Centre / Hollyhill/Knocknaheeny Family Centre	Harbour View Road, Knocknaheeny, Cork City	Capital	1,100,000
Holy Cross Crèche / Drop in centre / Holy Cross Crèche / Drop in centre	Holy Cross B.N.S., Avenue do Rennes, Mahon	Staffing	30,400
Holy Cross Crèche / Drop in centre / Holy Cross Crèche / Drop in centre	Holy Cross B.N.S., Avenue do Rennes, Mahon, Cork	Staffing	60,000
Kinsale Community Playschool / Kinsale Community Playschool	C/o. St. John's National School, Ballincubby, Kinsale	Staffing	43,300

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Applicant Name / Facility Name	Address	Grant Type	Amount Approved
Little Imps Childcare Limited / Nurture Childcare (Douglas Rd)	Unit 4, Ardfallen Mall, Douglas Road, Cork	Capital	€ 50,790
Little Lullaby Nursery / Little Lullaby Nursery	Ard Bhaile & Glenamoy Lawn Community Centre, Ard Bhaile, Mayfield	Staffing	12,700
Little Lullaby Nursery / Little Lullaby Nursery	Ard Bhaile & Glenamoy Lawn Community Centre, Ard Bhaile, Mayfield	Staffing	123,600
Little Lullaby Nursery / Little Lullaby Nursery	Ard Bhaile & Glenamoy Lawn Community Centre, Ard Bhaile, Mayfield, Cork	Staffing	152,369
Little Munchkins Childcare Academy / Little Munchkins Childcare Academy	6 The Mews, Riverway, South Douglas Road, Cork	Capital	50,790
Lotamore Family Resource Centre Group / Lotamore Family Resource Centre Group	20 Lotamore Park, Banduff, Mayfield, Cork	Staffing	32,000
Lotamore Family Resource Centre Group / Lotamore Family Resource Centre Group	20 Lotamore Park, Mayfield	Staffing	53,900
Lotamore Family Resource Centre Group / Lotamore Family Resource Centre Group	20 Lotamore Park, Mayfield	Staffing	64,000
Lotamore Family Resource Centre Group / Lotamore Family Resource Centre Group	20 Lotamore Park, Banduff, Mayfield, Co. Cork	Capital	104,395
Magnet / Magnet	C/o. St. Brendan's School, The Glen, Cork	Staffing	30,900
Magnet / Magnet	C/o. St. Brendan's School, The Glen, Cork	Capital	232,594
Mahon CDP Community Crèche / Mahon Community Crèche and Child Development Centre	Unit 5&6&7 Community Resource Centre, Avenue de Rennes, Mahon	Staffing	26,450
Mahon CDP Community Crèche / Mahon Community Crèche and Child Development Centre	Unit 5&6&7 Community Resource Centre, Avenue de Rennes, Mahon	Capital	166,693
Mahon CDP Community Crèche / Mahon Community Crèche and Child Development Centre	Unit 5&6&7 Community Resource Centre, Avenue de Rennes, Mahon	Staffing	170,400
Mahon CDP Community Crèche / Mahon Community Crèche and Child Development Centre	Unit 5&6&7 Community Resource Centre, Avenue de Rennes, Mahon, Cork	Staffing	190,461
Mahon Community Preschool & Child Development Centre / Mahon Community Preschool & Child Development Centre	The Orchard, Mahon	Staffing	37,000
Mahon Community Preschool & Child Development Centre / Mahon Community Preschool & Child Development Centre	The Orchard, Mahon	Staffing	42,286
Mahon Community Preschool & Child Development Centre / Mahon Community Preschool & Child Development Centre	The Orchard, Mahon	Capital	100,000
Mahon Community Preschool & Child Development Centre / Mahon Community Preschool & Child Development Centre	The Orchard, Mahon	Staffing	170,400
Mahon Community Preschool & Child Development Centre / Mahon Community Preschool & Child Development Centre	Mahon Community Pre school, The Orchard, Mahon, Cork	Staffing	190,461

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Mahon Family Resource Centre Ltd. / Mahon Family Resource Centre Ltd.	Mahon Drive, Mahon, Cork	Staffing	151,700
Mahon Family Resource Centre Ltd. / Mahon Family Resource Centre Ltd.	Mahon Drive, Mahon, Cork	Capital	431,711
Mahon Family Resource Centre Ltd. / Mahon Family Resource Centre Ltd.	Mahon Drive, Mahon, Cork	Capital	463,454
Maria Assumpta Preschool / Maria Assumpta Preschool	Coolalta, Lower Friars Walk, Cork	Capital	23,794
Maria Assumpta Preschool / Maria Assumpta Preschool	Coolalta, Lower Friars Walk, Cork	Capital	26,776
Maria Assumpta Preschool / Maria Assumpta Preschool	Coolalta, Lower Friars Walk, Cork	Staffing	117,000
Maria Assumpta Preschool / Maria Assumpta Preschool	Collalta, Lower Friars Walk, Cork	Capital	130,986
Maria Assumpta Preschool / Maria Assumpta Preschool	6 Haldene Way, Bishopstown, Co. Cork	Staffing	190,461
Mayfield Integrated Community Development Project Ltd / Mayfield Integrated Community Development Project Ltd	Community Resource Centre, 328 Old Youghal Road, Mayfield	Capital	51,543
Mayfield Integrated Community Development Project Ltd / Mayfield Integrated Community Development Project Ltd	Community Resource Centre, 328 Old Youghal Road, Mayfield	Staffing	55,500
Mayfield Integrated Community Development Project Ltd / Mayfield Integrated Community Development Project Ltd	Community Resource Centre, 328 Old Youghal Road, Mayfield	Capital	94,822
Montessori An Spioraid Naoimh / Montessori Spioraid Naoimh	Scoil an Spioraid Naoimh, Curraheen Road, Bishopstown, Cork	Capital	22,415
Naionra Lus na Meala / Naionra Lus na Meala	67 Lus na Meala, Banduff, Mayfield, Cork	Staffing	16,000
Naionra Lus na Meala / Naionra Lus na Meala	67 Lus na Meala, Banduff, Mayfield, Cork	Staffing	87,700
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield, Cork	Capital	12,697
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield, Cork	Capital	15,237
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield	Staffing	16,250
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield	Staffing	43,328
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield	Staffing	65,000
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield	Staffing	174,500
Newbury House Family Centre Ltd. / Newbury House Family Centre Ltd.	Old Youghal Road, Mayfield, Cork	Staffing	304,737
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Estate, Mallow Road, Cork	Capital	30,256
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Park, Millfield, Mallow Road, Cork	Staffing	33,860
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Park, Millfield, Mallow Road, Cork	Staffing	67,720
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Estate, Mallow Road, Cork	Capital	86,596
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Park, Millfield, Mallow Road, Cork	Staffing	272,600

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Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Park, Millfield, Mallow Road, Cork	Capital	300,000
Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd. / Northside Community Enterprise Ltd./ N.C.E. Outreach Ltd.	Sunbeam Industrial Estate, Mallow Road, Cork	Staffing	304,737
Playland / Playland	C/o. 10 Aisling Close, Ballincollig, Co. Cork	Staffing	32,000
Playland / Playland	St. Mary's on the Hill National School, Knocknaheeny	Staffing	36,000
Playland / Playland	St. Mary's on the Hill National School, Knocknaheeny	Staffing	45,000
Roseville House Family Resource Centre / Mayfield Community Pre-School	Roseville House Family Resource Centre, Old Youghal Road, Mayfield, Cork	Staffing	20,000
Roseville House Family Resource Centre / Mayfield Community Pre-School	Roseville House Family Resource Centre, Old Youghal Road, Mayfield, Cork	Capital	24,500
Roseville House Family Resource Centre / Mayfield Community Pre-School	Roseville House Family Resource Limited, Old Youghal Road, Mayfield, Cork	Staffing	29,300
Roseville House Family Resource Centre / Mayfield Community Pre-School	Roseville House Family Resource Centre, Old Youghal Road, Mayfield, Cork	Staffing	108,521
Scoil Maria Assumpta Senior School / Scoil Maria Assumpta Senior School	Pearse Road, Ballyphehane, Cork	Staffing	27,200
Scoil Maria Assumpta Senior School / Scoil Maria Assumpta Senior School	Pearse Road, Ballyphehane, Cork	Capital	40,500
Scoil Maria Assumpta Senior School / Scoil Maria Assumpta Senior School	Pearse Road, Ballyphehane, Cork	Staffing	96,000
Scoil Ursula Crèche / Scoil Ursula Crèche	Scoil Ursula, Blackrock	Staffing	30,400
Scoil Ursula Crèche / Scoil Ursula Crèche	Scoil Ursula, Blackrock, Cork	Staffing	60,000
Shandon/North Cathedral Community Association Ltd. / Shandon/North Cathedral Community Association Ltd.	Jack Lynch Community Resource Centre, 11a Easons Avenue, Shandon, Cork	Capital	34,708
Silversprings Community Playschool / Silversprings Community Playschool	C/o. 21 Millbrook Close, Sallybrook, Glanmire, Cork	Staffing	135,000
St. Anne's Day Nursery Ltd / Cork & Ross Family Centre	34 Paul Street, Cork	Staffing	8,417
St. Anne's Day Nursery Ltd / Cork & Ross Family Centre	St. Anne's Day Nursery Ltd., Sharman Crawford Street., Cork	Capital	11,428
St. Anne's Day Nursery Ltd / Cork & Ross Family Centre	34 Paul Street, Cork	Staffing	67,333
St. Anne's Day Nursery Ltd / Cork & Ross Family Centre	34 Paul Street, Cork	Staffing	101,000
St. Anne's Day Nursery Ltd / Cork & Ross Family Centre	34 Paul Street, Cork	Staffing	272,600
St. Anne's Day Nursery Ltd / Cork & Ross Family Centre	St. Anne's Day Nursery Ltd, Sharman Crawford Street, Cork	Staffing	304,737
St. Joseph's (Mayfield) Community Association / St. Joseph's (Mayfield) Community Association	Community Rooms, Old Youghal Road, Mayfield, Cork	Capital	116,000
St. Patrick's Pre-school & After School Services / St. Patrick's Pre-school & After School Services	St. Patrick's Infant & Girls National School, Gardiner's Hill, Cork	Staffing	51,750

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
St. Patrick's Pre-school & After School Services / St. Patrick's Pre-school & After School Services	St. Patrick's Infant & Girls National School, Gardiner's Hill, Cork	Capital	258,000
Susan Coughlan / Susan Coughlan	36 Moss Lane, Riverway, South Douglas Rd., Cork	Capital	36,593
The Glen Community Crèche Ltd. / Tir na nOg	109 Arderin Way, The Glen, Cork, Co. Cork	Staffing	42,333
The Glen Community Crèche Ltd. / Tir na nOg	109 Arderin Way, The Glen, Cork, Co. Cork	Staffing	63,500
The Glen Community Crèche Ltd. / Tir na nOg	109 Arderin Way, The Glen, Cork, Co. Cork	Staffing	170,400
Togher Family Centre Ltd. / Little Friar's Pre-school	Lower Friar's Walk, Ballyphehane, Cork City	Staffing	73,400
Togher Family Centre Ltd. / New Togher Childcare Initiative	Togher Boys & Girls Primary Schools, Togher Road, Cork City	Staffing	51,750
Togher Family Centre Ltd. / Togher Family Centre Ltd.	6 Maglin Grove, Deanrock Estate, Togher, Cork City	Staffing	67,667
Togher Family Centre Ltd. / Togher Family Centre Ltd.	6 Maglin Grove, Deanrock Estate, Togher, Cork City	Staffing	101,500
Togher Family Centre Ltd. / Togher Family Centre Ltd.	6 Maglin Grove, Deanrock Estate, Togher, Cork City	Staffing	272,600
Togher Family Centre Ltd. / Togher Family Centre Ltd.	6 Maglin Grove, Deanrock Estate, Togher, Cork City	Staffing	304,737
Traveller Visibility Group Limited / Traveller Visibility Group	11 Comeragh Park, The Glen, Cork	Staffing	85,000
Traveller Visibility Group Limited / Traveller Visibility Group	11 Comeragh Park, The Glen, Cork City	Capital	300,000
Traveller Visibility Group Limited / Traveller Visibility Group	25 Lower John Street, Cork City	Capital	428,537
Turners Cross Community Playgroup / Turner's Cross Community Playgroup	25 Capwell Rd., Turner's Cross, Cork	Staffing	10,000
Turners Cross Community Playgroup / Turner's Cross Community Playgroup	25 Capwell Rd., Turner's Cross, Cork	Staffing	26,667
Turners Cross Community Playgroup / Turner's Cross Community Playgroup	25 Capwell Rd., Turner's Cross, Cork	Capital	60,525
Turners Cross Community Playgroup / Turner's Cross Community Playgroup	25 Capwell Rd., Turner's Cross, Cork	Staffing	108,100
Turners Cross Community Playgroup / Turner's Cross Community Playgroup	25 Capwell Rd., Turner's Cross, Cork	Staffing	120,816
University College Cork / University College Cork	C/o Secretary's Office, UCC, Western Rd., Cork	Capital	892,187
Vernon House Resource Centre / Vernon House Resource Centre	Mt. Vernon Crescent, South Douglas Rd., Cork	Capital	40,848
Vernon House Resource Centre / Vernon House Resource Centre	Mt. Vernon Crescent, South Douglas Rd., Cork	Staffing	50,000
Vernon House Resource Centre / Vernon House Resource Centre	Mount Vernon Crescent, South Douglas Rd.	Staffing	92,500
Vernon House Resource Centre / Vernon House Resource Centre	Mt. Vernon Crescent, South Douglas Rd., Cork	Staffing	100,000
Wallaroo Playschool Ltd. / Wallaroo Playschool Ltd.	10 Sunmount, Military Hill, Cork	Staffing	25,250
Wallaroo Playschool Ltd. / Wallaroo Playschool Ltd.	10 Sunmount, Military Hill, Cork	Staffing	33,595
Wallaroo Playschool Ltd. / Wallaroo Playschool Ltd.	10 Sunmount, Military Hill, Cork	Staffing	67,333
Wallaroo Playschool Ltd. / Wallaroo Playschool Ltd.	10 Sunmount, Military Hill, Cork	Staffing	101,000

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Applicant Name / Facility Name	Address	Grant Type	Amount Approved
Walleroo Playschool Ltd. / Wallaroo Playschool Ltd.	10 Sunmount, Military Hill, Cork	Staffing	€ 271,120
Walleroo Playschool Ltd. / Wallaroo Playschool Ltd.	10 Sunmount, Military Hill, Cork	Staffing	272,600
Wonderyears Kindergarten / Wonderyears Kindergarten	251 Eagle Valley, Sarsfield Road, Wilton	Capital	36,662
Young Women's Group (A constituent member of Cork Anti-Poverty Resource Network Ltd) / Young Women's Group (A constituent member of Cork Anti-Poverty Resource Network Ltd)	Ionad Na nDaoine, 36 Ardmore Avenue, Knocknaheeny	Capital	284,000
<i>Cork City Total</i>			27,888,669
A Breath of Fresh Air / A Breath of Fresh Air	Aghamarta, Carrigaline, Co. Cork	Capital	50,790
Aghada Community Playgroup / Aghada Community Playgroup	Scoil Iosagain, Upper Aghada, Midleton, Co. Cork	Staffing	33,700
Aghada Community Playgroup / Aghada Community Playgroup	Scoil Iosagain, Upper Aghada, Midleton, Co. Cork	Staffing	57,250
Aghada Community Playgroup / Aghada Community Playgroup	C/o. "Hawdell", Lower Aghada, Midleton, Co Cork	Capital	84,931
Allihies Community Playgroup / Allihies Community Playgroup	Allihies Health Centre, Allihies, Beara, Co. Cork	Staffing	9,000
Allihies Community Playgroup / Allihies Community Playgroup	Allihies Health Centre, Allihies, Beara, Co. Cork	Staffing	45,000
ALPS (Ann Long's Pre-school) / ALPS (Ann Long's Pre-school)	Corbally Cross, Ballinora, Waterfall, Near Cork	Capital	50,790
Ardmore Family Resource Centre / Ardmore Family Resource Centre	Ardmore Estate, Passage West, Co. Cork	Capital	311,000
Avondhu Development Partnership / Avondhu Development Partnership	5-6 Park West, Mallow, Co Cork	Other	43,360
Ballygarvan 'Tiny Tots' Community Pre-school / Ballygarvan 'Tiny Tots' Community Pre-school	Ballygarvan GAA Hall, Ballygarvan	Capital	250,000
Ballyhass Community Childcare Facility / Ballyhass Community Childcare Facility	C/o Ballyrushion, Castlecor, Mallow	Capital	32,005
Ballyhass Community Childcare Facility / Ballyhass Community Childcare Facility	C/o Ballyrushion, Castlecor, Mallow, Co. Cork	Staffing	161,000
Ballyhass Community Childcare Facility / Ballyhass Community Childcare Facility	C/o Ballyrushion, Castlecor, Mallow, Co. Cork	Capital	1,475,379
Banteer Community Childcare Services Ltd / Banteer Community Childcare Services Ltd	Clonmeen Road, Banteer	Staffing	65,200
Banteer Community Childcare Services Ltd / Banteer Community Childcare Services Ltd	Clonmeen Road, Banteer, Co. Cork	Capital	1,300,000
Bantry Community Playgroup / Bantry Community Playgroup	Community Resource Centre, Glengarriff Road, Bantry, Co Cork	Staffing	39,887
Bantry Community Playgroup / Bantry Community Playgroup	Community Resource Centre, Glengarriff Road, Bantry	Staffing	127,500
Bantry Community Playgroup / Bantry Community Playgroup	Community Resource Centre, Glengarriff Road, Bantry	Staffing	129,000
Bantry Integrated Dev Group / Bantry Integrated Dev Group	Unit 13, IDA Centre, Ropewalk, Bantry, Co Cork	Other	48,953

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Beginners Corner / Beginners Corner	Lower Road (Demense), Newmarket	Capital	50,000
Blackwater Community Childcare Ltd / Blackwater Community Childcare Ltd	Resource Centre, McCurtin Street, Fermoy	Capital	242,592
Boherbue Educare Centre Ltd / Boherbue Educare Centre Ltd	The Village, Boherbue, Co. Cork	Staffing	47,437
Boherbue Educare Centre Ltd / Boherbue Educare Centre Ltd	The Village, Boherbue, Co. Cork	Staffing	48,000
Boherbue Educare Centre Ltd / Boherbue Educare Centre Ltd	C/o Doon, Kiskeam, Co. Cork	Staffing	90,000
Boherbue Educare Centre Ltd / Boherbue Educare Centre Ltd	C/o Doon, Kiskeam, Co. Cork	Capital	1,282,883
Caheragh Community Playgroup Ltd / Caheragh Community Playgroup Ltd	Bawnishal, Caheragh, Drimoleague	Staffing	12,000
Carrigtwohill Family Resource Centre / Carrigtwohill Family Resource Centre	Main Street, Carrigtwohill	Staffing	47,700
Carrigtwohill Family Resource Centre / Carrigtwohill Family Resource Centre	Main Street, Carrigtwohill	Staffing	115,744
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Staffing	10,263
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Staffing	70,000
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Staffing	105,000
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Staffing	114,276
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Capital	123,231
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Capital	190,370
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Staffing	190,461
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Staffing	281,800
Charleville & District Community Enterprise Ltd. / Charleville & District Community Enterprise	Broad Street, Charleville, Co Cork	Capital	304,737
Claire Devaney Childcare Centre Ltd / Bright Sparks Childcare Centre	5 Mulberry Crest, Mitchelstown, Co Cork	Capital	50,790
Clogagh Pre-school / Clogagh Pre-school	Clogagh, Timoleague, Bandon	Capital	44,799
Clonakilty Crèche and Playschool / Clonakilty Crèche and Playschool	6 The Oaks, Bridgemount, Carrigaline, Co Cork	Capital	8,253
Clonakilty Steiner Waldorf Kindergarten / Clonakilty Steiner Waldorf Kindergarten	Ladies Cross, Clonakilty, Co Cork	Staffing	8,000
Clonakilty Steiner Waldorf Kindergarten / Clonakilty Steiner Waldorf Kindergarten	Ladies Cross, Clonakilty, Co. Cork	Staffing	19,200
Clonakilty Steiner Waldorf Kindergarten / Clonakilty Steiner Waldorf Kindergarten	Ladies Cross, Clonakilty, Co. Cork	Staffing	24,000

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Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Cobh Youth Services Ltd / Cobh Youth Services Ltd	16 Midleton Street, Cobh, Co. Cork	Staffing	12,300
Comhaltas Cosanta Gaelachta Chuil Aodha Teo. / Ionad Oige Chuil Aodha	Cuil Aodha, Macroom, Cork	Capital	600,000
Conna Community Childcare Committee / Conna Community Childcare Committee	Conna Community Centre, Conna	Capital	255,000
Conna Community Childcare Committee / Conna Community Childcare Committee	Conna Community Centre, Conna	Capital	750,000
Dromina Community Council Ltd / Dromina Community Playgroup	Dromina, Charleville	Staffing	25,000
Dromina Community Council Ltd / Dromina Community Playgroup	Dromina, Charleville	Capital	158,800
Early Starters Playgroup / Early Starters Playgroup	Castletownroche National School, Castletownroche	Capital	31,500
First Steps Child Education Ltd / First Steps Child Education Ltd	49 Silver Hill, Heron's Wood, Carrigaline	Capital	50,790
Gobnait Burke Playgroup / Gobnait Burke Playgroup	48 Willobank, Church Road, Blackrock, Cork	Capital	50,790
Innishmore Family Centre Limited / Innishmore Development Group	Innishmore Family Centre, Innishmore, Ballincollig, Co. Cork	Staffing	34,367
Innishmore Family Centre Limited / Innishmore Development Group	Innishmore Family Centre, Innishmore, Ballincollig	Staffing	34,367
Innishmore Family Centre Limited / Innishmore Development Group	Innishmore Family Centre, Innishmore, Ballincollig	Staffing	138,400
Innishmore Family Centre Limited / Innishmore Development Group	Innishmore Family Centre, Innishmore, Ballincollig, Co. Cork	Staffing	154,654
IRD Duhallo Limited / IRD Duhallo Ltd	James O'Keeffe Institute, Newmarket, Co Cork	Staffing	34,500
IRD Duhallo Limited / Newmarket Afterschool	James O'Keeffe Institute, Newmarket, Co Cork	Other	47,847
IRD Duhallo Limited / Youth & Education Working Group (IRD Duhallo)	James O'Keeffe Institute, Newmarket, Co Cork	Capital	134,441
Kinsale Community Playschool / Kinsale Community Playschool	4 O'Brien's Terrace, Kinsale, Co. Cork	Capital	33,960
Kinsale Community Playschool / Kinsale Community Playschool	C/o. 4 Haven Hill, Summercove, Kinsale, Co. Cork	Staffing	96,000
La Crèche / La Crèche	Colaiste an Chraoibhin, Duntahreen Road, Fermoy	Staffing	40,000
La Crèche / La Crèche	Colaiste an Chraoibhin, Duntahreen Road, Fermoy, Co. Cork	Capital	41,307
La Crèche / La Crèche	Colaiste an Chraoibhin, Duntahreen Road, Fermoy, Co. Cork	Staffing	109,000
Ladybird Crèche / Ladybird Crèche	Cloughmacsimon, Bandon, Co Cork	Capital	27,713
Le Cheile — Family Resource Centre (Mallow) Ltd / Le Cheile Family Resource Centre (Mallow) Ltd	33 Fair Street, Mallow, Co Cork	Capital	16,000
Le Cheile — Family Resource Centre (Mallow) Ltd / Le Cheile Family Resource Centre (Mallow) Ltd	33 Fair Street, Mallow, Co Cork	Staffing	153,900
Le Cheile — Family Resource Centre (Mallow) Ltd / Le Cheile Family Resource Centre (Mallow) Ltd	33 Fair Street, Mallow, Co Cork	Staffing	189,842

Applicant Name / Facility Name	Address	Grant Type	Amount Approved €
Le Cheile — Family Resource Centre (Mallow) Ltd / Le Cheile Family Resource Centre (Mallow) Ltd	33 Fair Street, Mallow, Co Cork	Capital	1,200,000
Leslie Moore / Leslie Moore	13 Rosehill, Carrigaline, Co Cork	Capital	50,790
Little Cherubs Montessori Playschool / Little Cherubs Montessori Playschool	C/o 77 Brookdale, Mill Road, Midleton, Co Cork	Capital	13,000
Meadowlands Montessori / Meadowlands Montessori	31 Meadowlands, Cloughmacsimon, Bandon, Co. Cork	Capital	32,333
MFG Teo — Meitheal Mhuscraí / MFG Teo — Meitheal Mhuscraí	Reidh na nDoiri, Maigh Chromtha, Co Chorcaí	Other	8,634
Midleton Community Forum / Midleton Community Forum	Community Building, Oakwood Lodge Estate, Youghal Road, Midleton	Capital	28,678
Midleton Community Forum / Midleton Community Forum	Community Building, Oakwood Lodge Estate, Youghal Road, Midleton	Capital	36,989
Midleton Community Forum / Midleton Community Forum	Community Building, Oakwood Lodge Estate, Youghal Road, Midleton	Staffing	61,678
Midleton Community Forum / Midleton Community Forum	Community Building, Oakwood Lodge, Youghal Road, Midleton	Staffing	66,100
Midleton Community Forum / Midleton Community Forum	Community Building, Oakwood Lodge Estate, Youghal Road, Midleton	Capital	76,130
Midleton Community Forum / Midleton Community Forum	Community Building, Oakwood Lodge Estate, Youghal Road, Midleton	Staffing	133,322
Millstreet Community Council / Millstreet Community Council	The Muilleann Og Project, Millstreet Amenity Centre, Millstreet, Co. Cork	Capital	9,088
Millstreet Community Council / Millstreet Community Council	The Muilleann Og Project, Millstreet Amenity Centre, Millstreet, Co. Cork	Capital	16,230
Millstreet Community Council / Millstreet Community Council	The Bridge, Millstreet, Co. Cork	Staffing	54,724
Millstreet Community Council / Millstreet Community Council	The Muilleann Og Project, Millstreet Amenity Centre, Millstreet, Co Cork	Staffing	114,276
Millstreet Community Council / Millstreet Community Council	The Bridge, Millstreet, Co. Cork	Capital	186,651
Mitchelstown Community Playgroup / Mitchelstown Community Playgroup	Presentation Convent Grounds, Mitchelstown	Capital	30,874
Mulberry Montessori Pre-school / Mulberry Montessori Pre-school	Mulberry, Mitchelstown	Capital	50,790
Naionra Mhuscraí / Naionra Mhuscraí	C/o Gaelscoil Mhuscraí, Blarney United Soccer Club, Riverview Estate, Tonor, Blarney	Capital	15,300
Oakfield Close Community Playgroup / Oakfield Close Community Playgroup	Oakfield Close, Summerhill, Mallow	Capital	15,818
Oakfield Close Community Playgroup / Oakfield Close Community Playgroup	Oakfield Close, Summerhill, Mallow, Co Cork	Staffing	32,000
Oakfield Close Community Playgroup / Oakfield Close Community Playgroup	Oakfield Close, Summerhill, Mallow	Capital	38,274
Oakfield Close Community Playgroup / Oakfield Close Community Playgroup	Oakfield Close, Summerhill, Mallow	Staffing	51,200

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Applicant Name / Facility Name	Address	Grant Type	Amount Approved
			€
Oakfield Close Community Playgroup / Oakfield Close Community Playgroup	Oakfield Close, Summerhill, Mallow	Staffing	64,000
Oaklands / Oaklands	Oakview, Derry, Berrings, Co. Cork	Capital	50,790
Patricia Treacy (Tir Na nOg Montessori School) / Tir Na nOg Montessori School	Dromdiah, Killeagh, Co. Cork	Capital	3,868
Patricia Treacy (Tir Na nOg Montessori School) / Tir Na nOg Montessori School	Dromdiah, Killeagh, Co. Cork	Capital	46,922
Rainbow Montessori / Rainbow Montessori	Main Street, Ballinacurra, Middleton	Capital	4,945
Ringlee House Day Nursery / Ringlee House Day Nursery	Ringlee House, Rushbrooke, Cobh	Capital	50,790
Rockchapel Community Playgroup / Rockchapel Community Playgroup	Rockchapel, Mallow, Co. Cork	Staffing	21,078
Rockchapel Community Playgroup / Rockchapel Community Playgroup	Rockchapel, Mallow, Co. Cork	Capital	23,998
Rockchapel Community Playgroup / Rockchapel Community Playgroup	Rockchapel, Mallow, Co. Cork	Staffing	32,505
Sherkin Island Development Society Ltd / Sherkin Island Development Society Ltd.	Sherkin Island, Skibbereen, Co. Cork	Other	3,809
Starting Point Montessori School / Starting Point Montessori School	1 Murphy Terrace, Carrigaline	Capital	30,499
Sunny Days Montessori School / Sunny Days Montessori School	7 Ashbourne Court, Carrigaline, Co Cork	Capital	40,551
The United Church of Ireland Parishes of Cobh and Glanmire / The United Church of Ireland Parishes of Cobh and Glanmire	Merville, Cobh, Co Cork	Capital	8,615
Tir na nOg Day Care & Montessori / Tir na nOg Day Care & Montessori	Riversdale, Rathcormac	Capital	50,790
Youthreach Bizzie Babies Nursery & Day Care Centre / Youthreach Bizzie Babies Nursery & Day Care Centre	Units 4 & 5, Great Island Enterprise Park, Innishmore, Ballincollig	Capital	37,799
Youthreach Mallow Childcare Committee / Youthreach Mallow Childcare Committee	County Cork VEC Youthreach, Ballyellis, Mallow	Capital	1,000,000
Yvonne Feehan / Wishing Well Montessori	Ballinrea, Carrigaline, Co. Cork	Capital	50,790
<i>Cork County Total</i>			<i>14,861,387</i>
<i>Cork City and County Total</i>			<i>42,750,056</i>

North-South Health Services.

265. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will report on the work of the North-South unit in her Department; and if she will make a statement on the matter. [22599/07]

Minister for Health and Children (Deputy Mary Harney): The Research, EU and International Unit in my Department has responsibility, inter alia, for managing and coordinating North/South cooperation in the health sector. This includes direct liaison with other government departments and with the Department of Health, Social Services and Public Safety in Northern Ireland to ensure that the Department's responsibilities in relation to North/South cooperation are met. It also includes liaison with other bodies with a North/South remit such as the North South Ministerial Council, Special EU Programmes Body, Cooperation And Working Together (CAWT) etc. There are regular ongoing contacts between officials from the Unit and counterparts in Northern Ireland to ensure cooperation in the designated areas continues and to explore potential areas for further collaborative work.

Cancer Treatment Services.

266. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the future availability of cancer treatment services at Our Lady Of Lourdes Hospital, Drogheda, in particular the future of the breast care unit, the oncology unit and the palliative care unit; and if she will make a statement on the matter. [22602/07]

Minister for Health and Children (Deputy Mary Harney): The HSE has designated four managed cancer control networks (coterminous with the four HSE administrative regions) and eight cancer centres nationally. The two designated cancer centres in the HSE Dublin North East Region are Beaumont Hospital and the Mater Misericordiae Hospital, Dublin.

I recently approved National Quality Assurance Standards for Symptomatic Breast Disease Services under the Health Act 2007. Arising from the designation of cancer centres and in order to comply with the Standards, the Executive has directed thirteen hospitals, with low case volumes (less than twenty procedures per year) to cease breast cancer services immediately, to be followed by further staged reductions in the number of hospitals providing breast cancer services from twenty-two to the eight cancer centres. A number of the thirteen hospitals have in practice already discontinued symptomatic breast services. The National Hospitals Office has already planned the redirection of this symptomatic caseload. Additional groups of hospitals, including Our Lady of Lourdes Hospital, Drogheda will be simi-

larly directed, in line with the further development of quality assured capacity in the eight designated centres.

The decisions of the HSE in relation to the designation of four managed cancer control networks and eight cancer centres will be implemented on a managed and phased basis. The HSE plans to have completed 80-90% of the transition of services to the cancer centres by the end of 2009. It is possible to ensure that patients receive the highest quality care while at the same time ensuring significant local access to services, where appropriate. Where diagnosis and treatment planning is directed and managed by multidisciplinary teams based at the cancer centres, then it can be appropriate for much of the treatment (other than surgery) to be delivered in other more local locations. In such circumstances, it will be necessary that all cancer cases receiving care should be quality assured as part of the cancer centre's service.

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular questions raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy in relation to the matters raised.

Cancer Screening Programme.

267. **Deputy Kathleen Lynch** asked the Minister for Health and Children if she will confirm that the new BreatCheck unit in Cork will open on schedule and that the full complement of personnel to man the unit have been recruited; and if she will make a statement on the matter. [22604/07]

Minister for Health and Children (Deputy Mary Harney): I am committed to ensuring that the BreastCheck service is rolled out to the remaining regions in the country as quickly as possible. I have allocated additional revenue funding of €8 million to the National Cancer Screening Service for this year to meet the additional costs involved. The full complement of 111 staff for roll-out has been approved. I have also made available an additional €26.7m capital funding for the construction of two new clinical units and the provision of seven additional mobile units and state of the art digital equipment. The static unit at the South Infirmary/Victoria Hospital in Cork is due to be completed in late Autumn and BreastCheck has confirmed that the roll-out will commence in October.

The Deputy's specific question in relation to recruitment of personnel is the responsibility of the National Cancer Screening Service. Accordingly, my Department has requested the Chief

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Executive Officer of the Service to respond directly to the Deputy in relation to this matter.

Medical Cards.

268. **Deputy John Deasy** asked the Minister for Health and Children if her attention has been drawn to the fact that chiropody services are not available to medical card holders in County Waterford; the discussions she has had with the HSE regarding the provision of uniform chiropody services to medical card holders in all parts of the State; her plans to remedy this anomaly by legislating for specific eligibility of medical card holders for chiropody services; and if she will make a statement on the matter. [22615/07]

Minister for Health and Children (Deputy Mary Harney): There is no statutory obligation on the Health Service Executive (HSE) to provide chiropody services to GMS patients; however in practice arrangements have been made in several regions to provide these services. Before the establishment of the HSE the nature of any arrangements for community chiropody services and the level of service provided were a matter for individual health boards and so a degree of variation in practice developed over time. I understand that priority is usually given to certain groups of people, including people who are medical card holders aged 65 years and over. In several regions the service is provided by private chiropodists by arrangement with the HSE.

My Department is currently preparing legislation to clarify and update existing legislation on eligibility for health and personal social services. The Bill will define specific health and personal services more clearly; define who should be eligible for what services; set out clear criteria for eligibility; establish when and in what circumstances charges may be made and provide for an appeals framework.

Health Services.

269. **Deputy Mary O'Rourke** asked the Minister for Health and Children if her attention has been drawn to the chaos in behaviour which exists in a care home for young people (details supplied) in County Westmeath; if her further attention has been drawn to the fact that the Health Service Executive is ignoring all correspondence, telephone calls, complaints and so on regarding this establishment; and her proposals to deal with this situation. [22621/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): My Office have sought an urgent report in relation to this matter from the Health Service Executive (HSE). In addition, the Deputy's question has

been forwarded to the HSE and I have requested that the HSE reply to the Deputy directly.

270. **Deputy Brian O'Shea** asked the Minister for Health and Children her proposals to enhance services to meet the demands of an increasing number of people with diabetes (details supplied); and if she will make a statement on the matter. [22628/07]

Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):

An Expert Advisory Group on Diabetes was recently established by the HSE and is currently drawing up standards of care for diabetes. This process will take account of the Department of Health and Children's document '*Diabetes: Prevention and Model for Patient Care*'. The group has identified as one of its priorities the development of an Integrated Care Model for the treatment of diabetes. This model will focus on the joint participation of hospital consultants and general practitioners in the planned delivery of care for patients. The Expert Advisory Group has also identified the other areas of diabetes care that need priority attention such as retinopathy screening, paediatric diabetes, patient education and empowerment, and podiatry. It should be noted that the diabetic retinopathy screening to prevent eye diseases in diabetes sufferers is currently being rolled out in the Western region and in North Dublin.

In addition, my Department and the HSE are currently finalising a series of measures to manage the health impacts of chronic disease generally in the population. These measures include:—

- The development of a comprehensive, integrated chronic disease policy framework which will view chronic disease as a continuum with “upstream” action on the avoidable cause of disease, disability and premature death (including in particular inter-sectoral action to address the wider determinants of health) as well as “downstream” action to improve the health and quality of life of those already suffering from the condition;
- Comprehensive patient registration systems;
- The development of shared care models for each condition under a disease management programme;
- The development and use of evidence-based clinical guidelines for each condition;
- A Self-Care Management Programme; and
- Quality assurance and evaluation Protocols.

Health Repayment Scheme.

271. **Deputy Jan O'Sullivan** asked the Minister

for Health and Children the reason for delays in making repayments under the scheme for repayments to those illegally charged for their stay in nursing homes; the reason in particular, that of the 70,000 persons estimated to be owed a refund and the 30,000 who have made applications, only 6,000 persons have received repayments; if she has satisfied herself with the operation of the scheme by the private sector consortium appointed for the purpose; if there are performance criteria included in the contract with that consortium by reference to which their fees can be reduced or penalty payments imposed; if not, the reason for same; and if she will make a statement on the matter. [22661/07]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE) has responsibility for administering the health repayment scheme in conjunction with the appointed scheme administrator KPMG/McCann Fitzgerald. This contract between the HSE and the scheme administrator is for a two year period and expires in July 2008. The HSE has informed my Department that performance indicators and penalty provisions apply to the scheme administrator in respect of this contract and penalty provisions will be applied by the HSE as required.

The scheme is progressing as speedily as possible and every effort is being made to complete repayments. The HSE has indicated that the delays in making repayments under the scheme have been due to legal and technical issues. Firstly, over 13,400 estates who lodged claims to date had not extracted a grant of representation in respect of the estate of the deceased patient. In these instances the person entitled to extract the grant of representation has to be identified before an application can be processed and to date over 6,600 certificates of entitlement permitting individuals to apply for a repayment have issued. Secondly, there has been a high incidence of claimants providing insufficient information and these claims have taken longer to process as the scheme administrator must be provided with certain information in order to ensure that the correct person and correct amount is repaid. Thirdly, it has been necessary for the scheme administrator to visit over 330 HSE facilities to scan records which form the basis for the calculation of repayments. The format in which this information is held varies widely between institutions and usually includes a mixture of paper files, handwritten files and computer files.

The HSE is monitoring the operation of the repayment scheme and has agreed a range of initiatives with the scheme administrator to speed up the repayment process. The closing date for receipt of applications is 31st December 2007 and I have been informed by the HSE that final repayments should be made by mid 2008.

Health Services.

272. **Deputy Niall Blaney** asked the Minister for Health and Children if she will intervene on behalf of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [22667/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal 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. 273 answered with Question No. 230.

274. **Deputy Andrew Doyle** asked the Minister for Health and Children the services considered essential and front line in view of the commitment made by her in May 2007 that there will be no cutbacks in essential front line services; if the ambulance service qualifies as essential and front line; and if the embargo on the ambulance service recruitment programme will be lifted. [22685/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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 Services.

275. **Deputy Damien English** asked the Minister for Health and Children the number of operations cancelled in Our Lady's Hospital, Navan for each of the years 2002 to 2007 in tabular form. [22700/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Medical Cards.

276. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card will issue in the case of a person (details supplied) in County Kildare who applied for same over six months ago, who has complied with all requests including income details and so on and despite numerous correspondence and repeated phone calls from this Deputy's office this matter has not reached a satisfactory conclusion; and if she will make a statement on the matter. [22762/07]

Minister for Health and Children (Deputy Mary Harney): Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on moderate and lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, child care and travel to work costs. In June 2006 I agreed a further adjustment to the income guidelines for GP visit cards. These are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Health Repayment Scheme.

277. **Deputy John Perry** asked the Minister for Health and Children the reason a claim by a person (details supplied) under the long stay patient repayment scheme on behalf of their deceased mother was turned down despite the fact that they were a patient in a public bed in a private nursing home; and if she will make a statement on the matter. [22779/07]

Minister for Health and Children (Deputy Mary 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.

278. **Deputy John Perry** asked the Minister for Health and Children when a person (details supplied) in County Sligo will receive their long stay patient repayment; and if she will make a statement on the matter. [22780/07]

Minister for Health and Children (Deputy Mary 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.

279. **Deputy John Perry** asked the Minister for Health and Children when a long stay patient repayment will be made to a person (details supplied) in County Sligo; and if she will make a statement on the matter. [22781/07]

Minister for Health and Children (Deputy Mary 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.

Hospital Staff.

280. **Deputy Róisín Shortall** asked the Minister for Health and Children if her attention has been drawn to the situation in Crumlin Children's Hospital where there is a secretarial vacancy in the cardiology department and where several outpatient clinics will have to be cancelled during the month of October 2007 unless this post is filled in view of the critical work of this department; if she will take steps to ensure that such a vacancy is filled as a matter of the utmost urgency; and if she will make a statement on the matter. [22795/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Services for People with Disabilities.

281. **Deputy Joe Carey** asked the Minister for Health and Children if she will fast track the provision of an occupational guidance counsellor at a school (details supplied) in County Clare; and if she will make a statement on the matter. [22826/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

282. **Deputy Joe Carey** asked the Minister for Health and Children the plans she has to improve the delivery of orthodontic services in the mid west region in view of the fact that waiting lists and the strict criteria of assessing children and grading cases is causing grave hardship for children and their families; and if she will make a statement on the matter. [22827/07]

Minister for Health and Children (Deputy Mary Harney): The Orthodontic Review Group, established by the HSE in 2006, finalised its report this year.

One of the recommendations contained in the report relates to the guidelines issued in 1985. The Review Group made a unanimous recommendation to the HSE to replace these guidelines with new assessment criteria based on Index of Orthodontic Treatment Need (IOTN). The national implementation of the proposed guidelines will ensure equity of access to treatment for all patients deemed eligible.

The Review Group's report has been approved by the HSE's Management Team.

In regard to the Deputy's question in relation to waiting times to improve orthodontic services, the position is that the new Programme for Government contains a commitment that orthodontic cases can be referred to the National Treatment Purchase Fund (NTPF) by creating an orthodontic fund to treat children who have been waiting the longest for treatment. Officials from my Department will examine the steps involved in advancing this issue while also having discussions with the National Treatment Purchase Fund.

Hospital Services.

283. **Deputy Joe Carey** asked the Minister for Health and Children if she will ensure that post-mortem facilities in County Clare will continue regardless of the embargo on the employment of

locums; and if she will make a statement on the matter. [22828/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Cancer Screening Programme.

284. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the length of time women in the mid-west have to wait to have a mammogram at the Regional Hospital in Limerick; and if she will make a statement on the matter. [22846/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular questions raised by the Deputy. 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.

Child Care Services.

285. **Deputy John Perry** asked the Minister for Health and Children if she will ensure that funding is allocated to an organisation (details supplied) under NCIP capital funding as otherwise they will be unable to offer the service in the local region due to financial shortfall; and if she will make a statement on the matter. [22873/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010 (NCIP), 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 that it is currently being assessed by Pobal, the agency engaged to administer the grants. Following the assessment of the application, a recommendation will be made by the Programme Appraisal Committee (PAC), prior to a decision being made by the Secretary

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General of the Department of Health and Children.

As the Deputy will be aware the NCIP came into effect from 1 January 2006, with an allocation of €357 million for capital projects during the 5 year period of 2006-2010. This funding is allocated for each year subject to the rules governing capital expenditure and the multi-annual investment framework, which are also conditions of the sanction given by the Department of Finance each year for capital expenditure including the NCIP. Due to the success of the scheme to date, the existing capital commitments under the programme has reached the approved ceiling of €132 million for this year and it is not possible for this Office to enter into further capital commitments under the NCIP before January 2008 when the ceiling will adjust. However, should the application in question be assessed by Pobal and recommended by the PAC before the end of this year, it will be submitted for consideration and approval by the Secretary General of the Department of Health and Children at the earliest opportunity in January 2008.

Medical Cards.

286. **Deputy Eamon Scanlon** asked the Minister for Health and Children her plans in relation to old age pensioners to ensure that they can avail of dental treatment on the medical card. [22874/07]

Minister for Health and Children (Deputy Mary Harney): The Dental Treatment Service Scheme (DTSS) provides for a range of dental services for adult medical card holders from participating dentists holding contracts with the Health Service Executive (HSE).

The DTSS Review Group was established in May 2006 to undertake a comprehensive review of Primary Care Oral Health Services provided under the DTSS. Represented on the Review Group are the HSE, the Health Service Employers Agency, the Department of Health and Children, the Department of Social and Family Affairs, the Department of Finance and the Irish Dental Association (IDA). The Group is chaired by Mr Finbar Flood.

Since the Group was established, a legal issue has arisen with regard to the Competition Act 2002 as it relates to the negotiation of professional fees. The issues involved are complex and my officials are working with the Attorney General's office to clarify the way forward.

The existing contractual arrangements with private dental practitioners under the DTSS for provision of dental services to eligible patients remain in place although I am aware that some dentists have indicated that they wish to resign from this scheme. It should be noted that dentists withdrawing from the scheme are obliged to work a three months notice period.

If an eligible patient cannot access the services of a dentist because the dentist has resigned from the DTSS, that patient may approach any dentist within the Scheme for treatment.

Question No. 287 answered with Question No. 229.

Services for People with Disabilities.

288. **Deputy David Stanton** asked the Minister for Health and Children the number of assessments which have been carried out to date following the commencement of Part 2 of the Disability Act, 2005 for children under five years; and if she will make a statement on the matter. [22885/07]

289. **Deputy David Stanton** asked the Minister for Health and Children the number of assessment officers appointed to carry out assessments under Part 2 of the Disability Act, 2005; and if she will make a statement on the matter. [22886/07]

290. **Deputy David Stanton** asked the Minister for Health and Children the number of applications for an assessment of need that have been received following the commencement of Part 2 of the Disability Act, 2005 for children under five years; and if she will make a statement on the matter. [22887/07]

291. **Deputy David Stanton** asked the Minister for Health and Children the number of liaison officers appointed to prepare service statements under Part 2 of the Disability Act, 2005; and if she will make a statement on the matter. [22888/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): I propose to take Questions Nos. 288 to 291, inclusive, together.

A key element of the National Disability Strategy is the suite of six Sectoral Plans which were published by Government Departments last year. The Sectoral Plan for the Department of Health and Children sets out the actions to be taken to implement the Disability Act 2005.

The development of the Department's Sectoral Plan is an important opportunity to ensure that the needs of people with disabilities are considered in all health policy planning and service delivery. The provision of health funded services to meet identified needs of people with disabilities continues to be a priority for the Government.

Part 2 of the Disability Act 2005 was commenced on June 1st 2007 for children aged under 5. This gives people with disabilities an entitlement to an independent assessment of health and education needs and a service statement identifying the services to be delivered. A system of complaints and appeals has also been established. An assessment based on the needs of a client, independent of the costs of the provision of

service, will be provided. The HSE will prepare a service statement outlining the services to be provided to the person. This is a very welcome significant step towards enhancing the level of support to people with disabilities.

It is the first time that an independent assessment of need, conducted according to standards laid down and monitored by an independent agency, the Health Information and Quality Authority, will be available. The Act will also give us an accurate picture of service provision and of areas for improvement across the system.

The assessment of need process is a matter for the HSE and I have referred this matter to the HSE who will be in a position to provide information in terms of the numbers involved, the appointment of assessment and liaison officers.

292. **Deputy Kathleen Lynch** asked the Minister for Health and Children if she has proposals to change the eligibility criteria for qualification for the motorised transport grant as many people with severe disabilities are currently being denied this assistance; and if she will make a statement on the matter. [22892/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): My Department issued a circular governing eligibility for the Motorised Transport Grant in March 2007. The grant may be paid by the Health Service Executive towards the purchase or adaptation of a car where a person with a disability requires it in order to retain employment. The current maximum rate of payment for this grant is €4,917.20 and is payable every three years.

If the Deputy has specific cases in mind perhaps she could contact the Parliamentary Affairs Division of the HSE at 6352527 or pad@hse.ie, who will examine the case and respond to the Deputy.

Question No. 293 answered with Question No. 230.

Hospital Services.

294. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the facts in relation to the two new modular theatres in the Louth County Hospital, Dundalk; the position regarding the cost of purchase and installation of same; the date installed and made operational; the use of each of these theatres to date and the dates thereof; the number of dedicated staff needed to operate these theatres and their qualifications and cost to date; the maintenance cost to date and the details of contracts entered into; and if she will make a statement on the matter. [22895/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal

social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue 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.

Health Service Allowances.

295. **Deputy Jack Wall** asked the Minister for Health and Children when an application for a domiciliary care allowance will be processed for a person (details supplied) in County Kildare in view of the fact that the application is with her Department for some considerable time; and if she will make a statement on the matter. [22897/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal 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.

Rural Transport Services.

296. **Deputy Jack Wall** asked the Minister for Transport and the Marine the plans he or his Department have to extend the rural transport initiative to the villages (details supplied) surrounding the town of Newbridge; the frequency of such transport; the time-frame involved; and if he will make a statement on the matter. [22653/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Under the Rural Transport Programme, initiatives to expand and develop rural transport services are matters for local communities, in consultation with Pobal. Community groups in Newbridge seeking to establish a scheme should make contact with Pobal at Holbrook House, Holles Street, Dublin 2.

State Airports.

297. **Deputy Richard Bruton** asked the Minister for Transport and the Marine if final decisions have been reached on the division of assets and liabilities between the various airport authorities; when the separation will be completed; and if he will make a statement on the matter. [22269/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The State Airports Act, 2004 provides the framework for the establishment of

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Shannon and Cork as independent airports. Under the Act, both the Minister for Finance and I will have to be satisfied as to the state of operational and financial readiness of the three airports before any vesting of assets can take place.

The actual timing of airport restructuring will continue to depend on the creation of the appropriate conditions that will ensure the financial sustainability of each State Airport.

Park and Ride Facilities.

298. **Deputy Shane McEntee** asked the Minister for Transport and the Marine his views on the introduction of parking charges by Iarnród Éireann at Gormanston Railway Station; if it is intended to introduce charges elsewhere on the Dublin to Drogheda line; and if he will make a statement on the matter. [22275/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The provision and management of car parking facilities at railway stations, including the imposition of charges, is an operational matter for Iarnród Éireann.

However, I understand from Iarnród Éireann that as part of its upgrade of the railway system it has embarked on a major programme of upgrades to its park & ride facilities throughout the country. As new and upgraded car parks, such as Gormanston, are opened Iarnród Éireann has decided to introduce a pay and display facility, with nominal charges of €2 per day, or €5 per week to cover operational and security costs, to discourage non-rail users from taking spaces and to reserve spaces for those who have to use a car to access the station.

The modest charges are significantly lower than that charged by local authorities for on-street parking, for parking at local authority facilities adjacent to rail stations, or the fee for Luas commuters at €4 per day.

The charges are in line with the guiding principles for the implementation of rail-based park and ride sites developed by the Dublin Transportation Office. These provide, inter alia, that rail users only should use park and ride spaces, and may have to pay to use them and those who benefit from park and ride should contribute to the cost of it.

Services for People with Disabilities.

299. **Deputy Michael Ring** asked the Minister for Transport and the Marine the meetings that have taken place between his Department and any associated Departments in relation to the provision of patient transport in line with responsibilities contained in the sectoral plan for accessible transport under the Disability Act, 2005. [21166/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): In my Department's Sectoral Plan under the Disability Act 2005, there is an emphasis on inclusiveness and, it does not, therefore, make specific provisions for any particular groups of people, such as hospital patients.

However, as part of the expansion of the Rural Transport Programme (RTP) to provide increased services and expand coverage, my Department initiated a meeting on 24th May last with the Health Service Executive (HSE), Pobal and the Department of Community, Rural and Gaeltacht Affairs to examine the scope for closer cooperation between the various interests involved in community transport.

At that meeting, it was agreed that the HSE and Pobal would explore the potential for one or more pilot projects involving individual RTP groups and the HSE at local level. The HSE has now proposed a follow-up meeting on the matter for mid-November and I await the outcome of that meeting.

Air Accident Investigations.

300. **Deputy Pat Rabbitte** asked the Minister for Transport and the Marine his views on the issues raised in correspondence (details supplied). [22407/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): I am advised that the correspondence referred to does not contain material that would warrant any further review of the air accident to EI-ACF, which occurred in 1953, and which was reviewed in 2002 by Mr. Patrick Keane S.C. on behalf of this Department.

Public Transport.

301. **Deputy Michael D. Higgins** asked the Minister for Transport and the Marine further to his reply to Parliamentary Question No. 490 of 26 September 2007 which acknowledges the obligations of CIE in relation to their social role, the procedures by which CIE has calculated such assets as it considers surplus to public transport requirements in general; and the procedures in particular that were used to establish the regional integrated public transport needs that might be served at Ceannt Station in Galway City in view of the public interest in the policy issues that arise. [22416/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): This is a day-to-day operational matter for CIE and not one in which I have any role.

Light Rail Project.

302. **Deputy Brian Hayes** asked the Minister for Transport and the Marine the estimated cost of the Metro North line; and if he will make a statement on the matter. [22441/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): I am not in a position to publish the estimated capital cost of Metro North in advance of the completion of public procurement procedures. The publication of such commercially sensitive information prior to the completion of the competitive procurement process would prejudice the State's capacity to derive maximum value for money in respect of the project.

North-South Co-operation.

303. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport and the Marine if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22601/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): My Department is currently following up on the progress made at the recent meeting of the NSMC Transport Sector in Enniskillen in September, in light of the decisions reached, which are described in the joint communiqué issued after the meeting. This is in preparation for the next meeting of the NSMC in December.

Road Traffic Offences.

304. **Deputy Paul Kehoe** asked the Minister for Transport and the Marine his views on an increase in penalty points for those caught not displaying L plates, particularly those not displaying L plates who drive on our motorways here; and if he will make a statement on the matter. [22640/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Enforcement of road traffic driving offences is a matter for the Garda Síochána. The non-display of L plates on a vehicle being driven by the holder of a provisional driving license is not scheduled as a penalty point offence under the Road Traffic Act 2002.

I have no proposals under consideration for amendment of the 2002 Act to provide that the non-display of L Plates would be brought within the penalty point system.

305. **Deputy Paul Kehoe** asked the Minister for Transport and the Marine when he will introduce penalty points to first time provisional drivers and third provisional licence holders who are breaking the law by driving unaccompanied on roads here; and if he will make a statement on the matter. [22641/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Proposals for reform of the regulatory provisions relating to driver licensing and testing are being developed at present in line with the provisions of the Road Safety Authority Act 2006.

Driving Tests.

306. **Deputy Paul Kehoe** asked the Minister for Transport and the Marine when he will address the practice of allowing drivers who have failed their driving test to get into their cars and drive away from the test centre when it is not practised in many other countries; and if he will make a statement on the matter. [22643/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the oversight of the operation of the driver licensing system including the preparation of proposals for draft regulatory provisions relating to driver licensing and testing.

It is a matter for the Road Safety Authority to examine the driver licensing and testing system and to submit proposals to my Department as to what further reforms might be introduced.

Services for People with Disabilities.

307. **Deputy Seán Ó Fearghaíl** asked the Minister for Transport and the Marine if all buses being used as part of the rural transport initiatives are accessible to people with disabilities; and if he will make a statement on the matter. [22837/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Under the framework for the Rural Transport Programme, the types of vehicles used in rural transport services are a matter for the individual community rural transport groups involved, in consultation with Pobal.

In accordance with Transport Access for All, my Department's Sectoral Plan under the Disability Act 2005, accessibility for people with mobility, sensory and cognitive impairments is a core consideration for services under the Rural Transport Programme and groups are required to take account of this in developing their schemes.

Passport Applications.

308. **Deputy Damien English** asked the Minister for Foreign Affairs the reason a person (details supplied) in County Meath is not permitted to obtain an Irish passport; and if this decision will be re-examined. [22691/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The Passport Office can only issue a passport to an Irish Citizen.

In this case, an application for an Irish passport was submitted on behalf of a child by his parents to the Passport Office in May, 2007. The applicant was born in Ireland in 2006. Under the Irish Nationality and Citizenship Act, 2004, persons born in the State after 1 January 2005, where neither parent is an Irish or British citizen or otherwise entitled to reside without restriction in the State or in Northern Ireland, may claim

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citizenship by birth in the State (and thereby establish eligibility for a passport) only where a parent has been lawfully resident in the State for 3 years of the 4 years preceding their birth. In all such cases, it is the practice of the Passport Office to seek evidence, in the form of official documentation, of lawful residence in the State by one or both parents.

The evidence provided in support of the application in question did not satisfy the residency requirement and as such the passport application could not be approved. My Department wrote to the applicant's parents and advised them of this decision on 5 June, 2007. The application has been re-examined in detail by the Passport Office. There is no change in the position conveyed in the letter of 5 June, 2007.

Emigrant Support Services.

309. **Deputy Ciarán Lynch** asked the Minister for Foreign Affairs his views on the fact that proposed immigration reform legislation in the US has stalled; the action he will take to address the concerns of groups representing the estimated 50,000 undocumented Irish citizens in the US; and if he will make a statement on the matter. [22376/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The failure of efforts by the United States Congress to pass comprehensive immigration reform legislation earlier this year was a major disappointment and setback for the thousands of undocumented Irish people in the United States and for their families in Ireland. Given the present very difficult and divided environment in Congress on immigration, it is now widely considered that such comprehensive legislation is unlikely to be back before Congress in a meaningful way in advance of the next US Presidential and Congressional Elections.

In the aftermath of this disappointment, I made clear my determination to actively review the situation and to explore possible alternative options, including bilateral arrangements. In the months since the collapse of the comprehensive reform bill, my Department and the Embassy in Washington have been engaged in a wide range of consultations with Congressional, Administration and Irish community figures to assess how best to proceed.

My visit to the United States last week provided me with the opportunity to discuss the situation in detail with senior members of the Administration and with some of the key central players in Congress. While they all emphasised the present extremely difficult environment for making progress on immigration reform in Congress, I was pleased that they were very willing to work with us in exploring further possible ways for resolving the position of our undocumented citizens. This work will now be pursued by the

Ambassador and his staff in Washington and will be reviewed by me on an on-going basis.

I also reviewed the situation with the Irish lobby for immigration reform, and subsequently briefed them on my discussions in Washington, including the considerable challenges seen by our friends in Congress in achieving a breakthrough at this time. Finally, I had a detailed discussion on the situation with the Secretary for Homeland Security, Mr Chertoff, and had a meeting with members of our undocumented community in New York.

Diplomatic Representation.

310. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will actively support the National Lawyers Guild USA in their call for the UN to investigate the case of the Miami 5. [22405/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The case to which the Deputy refers relates to five Cuban citizens who were convicted in the US in 2001 on charges ranging from espionage to first degree murder. A panel of three judges from the 11th Circuit Court of Appeals in Atlanta overturned the 2001 convictions on 9th August 2005 and ordered a retrial based on new evidence. The Miami District Attorney duly filed an appeal against this decision and, following an appellate hearing on 14 February 2006, a 10-2 decision to uphold the 2001 convictions was issued on 9 August 2006.

I understand that a number of non-governmental organizations, including the organization named by the Deputy, continue to pursue issues relating to the convictions in question. However, as I have made clear in my replies to the Deputy's previous Parliamentary Questions on this issue, I do not think it appropriate for Ireland to become involved in these cases.

Foreign Conflicts.

311. **Deputy Charlie O'Connor** asked the Minister for Foreign Affairs if he will report on contacts he has had in respect of the situation in Cyprus; and if he will make a statement on the matter. [22469/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The United Nations has the lead role in the search for a comprehensive settlement of the Cyprus problem. The Government fully supports the leadership of the UN Secretary General in this important work, and we welcome the ongoing efforts of the Secretary General's Special Representative to Cyprus, Mr. Michael Moeller, to bring the two sides together to seek progress toward a political settlement.

On 8 July 2006, the UN Under Secretary General for Political Affairs, Dr. Ibrahim Gambari, brokered an agreement between the Pres-

ident of the Republic of Cyprus, Mr. Tassos Papadopoulos, and Mr. Mehmet Ali Talat, representing the Turkish Cypriot community, on a set of principles, recognising that the status quo was unacceptable and that a comprehensive settlement was both desirable and possible. They agreed to begin immediately a two-track process involving discussions by committees of issues affecting the day-to-day life of the people and, concurrently, of substantive issues leading to a comprehensive settlement. However, these committees were not subsequently established, due to disagreements on their respective mandates and terms of reference. Following a hiatus, consultations at official level on these issues resumed at the end of January 2007, though so far without any breakthrough.

On 5 September, the Special Representative facilitated a meeting between President Papadopoulos and Mr. Talat, the first such encounter between the two leaders since last year. While regrettably no substantive progress was made on this occasion, we welcome the reopening of political dialogue which this meeting represents. We are also encouraged that the two sides have agreed to continue their contact through the UN, and remain hopeful that this dialogue may yet help to unblock the stalemate in the process.

Ireland will continue, through our Embassy in Nicosia and in contacts with the Embassies of Cyprus and Turkey in Dublin, to encourage both sides to renew their commitment to the negotiating process and the achievement of the objective of a bi-zonal, bi-communal federal State through an honourable, balanced and durable settlement protecting and guaranteeing the basic interests and aspirations of all. I have made our position clear to successive Cypriot colleagues, and also to Turkish Ministers for Foreign Affairs, most recently Mr. Ali Babacan, whom I met in New York on 1 October.

North-South Co-operation.

312. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22596/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): My Department and its agencies are aware of the critical importance that the Government attaches to progressing mutually beneficial North/South projects. The North/South Policy Unit of my Department is charged with co-ordinating the Department's work on North/South policy issues. The North/South Policy Unit is also a liaison unit for the Department's interactions with InterTradeIreland, the all-island trade and business development body established under the Good Friday Agreement. InterTradeIreland's statutory remit is to exchange information and co-ordinate work

on supporting trade, business development and related matters in an all-island context. My Department and the Department of Enterprise, Trade and Investment in Northern Ireland, which is a co-sponsor of InterTradeIreland, liaise regularly on policy issues, new initiatives and other matters of mutual interest.

InterTradeIreland has initiated a broad range of projects to address areas such as technology transfer, collaborative research and development, sales and marketing, and business capability improvement. In the past three years InterTradeIreland has created and supported more than 20 all-island networks, all built on the principle of generating value through collaboration, and all delivering value. InterTradeIreland has also been at the forefront of developing innovative resources in response to the opportunities of the modern knowledge economy, such as the ExpertiseIreland research portal, which involves a partnership with the nine universities on the island of Ireland and the higher education sector.

The Comprehensive Study on the All-Island Economy, which was published last year, identifies collaborative actions where they are cost effective and deliver joint benefits to address the competitive challenges facing both parts of the island and the economic problems that persist as a result of the border. A range of initiatives are underway to implement its proposals in areas such as Labour Market Skills, Research and Innovation, Trade and Investment Promotion.

The National Development Plan 2007-2013 sets out in detail a range of current and planned initiatives for North/South co-operation. For the first time, the Plan also contains proposals for significant Irish Government investment in North/South projects and initiatives for mutual benefit. These projects and initiatives will benefit the entire island of Ireland.

Following the restoration of the Northern Ireland Assembly and Executive, the fifth plenary meeting of the North/South Ministerial Council was held in Armagh on 17 July, 2007. This was a very significant occasion given that it was the first plenary meeting of the North/South Ministerial Council since 2002. We now have the opportunity to progress a range of significant issues that will lead to a more dynamic and prosperous economy across the island of Ireland.

On 12 September, I joined Northern Ireland Minister for Enterprise, Trade and Investment, Nigel Dodds, in Derry to attend the opening of the North-West Business Complex, which forms part of the North-West Business and Technology Zone. This joint initiative between IDA Ireland and Invest Northern Ireland is receiving substantial funding from INTERREG IIIA to develop a world-class environment for technology-oriented enterprises in Letterkenny and Derry. I look forward to working with Minister Dodds under the auspices of the restored institutions established under the Good Friday Agreement to jointly take

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forward pragmatic initiatives that will advance co-operation for mutual benefit. Arrangements are currently being made to hold our first North/South Ministerial Council meeting on the Trade and Business Development Sector.

Industrial Development.

313. **Deputy Dara Calleary** asked the Minister for Enterprise, Trade and Employment the number of contacts his Department has had with IDA Ireland during 2007 in relation to the development of a technological park in Ballina, County Mayo; and if he will meet IDA officials to discuss the ongoing delay in securing proper title to the site. [22650/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The management of IDA Ireland's industrial property portfolio is a day-to-day operational matter for the Agency and not one in which I have a function. Under the Industrial Development Acts establishing the Agency the Minister of the day may give policy directions to the Agency but is specifically precluded from giving directions to the Agency regarding specific undertakings or from giving preference to one area of the Country over any other.

I understand, however, that progress regarding the acquisition of the 27 acre site on the Sligo Road was delayed due to lengthy legal proceedings over which the Agency had no control. These proceedings are near finalisation and the Agency is in continuing discussion with the Council with a view to an early resolution of the matter.

Sports Funding.

314. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism the position regarding grants to sports clubs. [22578/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country.

The 2007 Sports Capital Programme was advertised in the national press in October 2006. The closing date for receipt of completed applications was 24th November 2006. Over 1,530 applications were received for the Programme and provisional allocations totalling €85 million were made to 935 projects on 5th April last.

The date of the next round of the Programme has not yet been decided. As in previous years, advertisements announcing the next round of the Programme will be placed in the national press and application forms will be available at that stage.

North-South Co-operation.

315. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Arts, Sport and Tourism if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22592/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): The North-South Unit in my Department actively pursues opportunities to facilitate, strengthen and enhance North-South co-operation across the three sectors under my remit as Minister for Arts, Sport and Tourism. The Unit also monitors progress on specific initiatives or priority actions in relation to North-South co-operation in the sectors in question. In considering any such initiatives, the over-riding principle has been that they should offer clear and tangible benefits, North and South. The Unit attends the various North/South co-ordinators meetings as convened by the Department of Foreign Affairs and also liaises closely with the North South Ministerial Council on relevant areas of interest.

As the Deputy will be aware, tourism was identified in the Good Friday Agreement as an area of co-operation and Tourism Ireland was established in 2000 with responsibility for the international marketing of the island of Ireland. It is, in my opinion, an excellent example of the tangible benefits to be achieved from North-South co-operation. The North-South Unit meets regularly with Tourism Ireland to discuss relevant policy issues and also various corporate governance issues.

North South co-operation on tourism also exists on a less formal basis in areas such as education and training; product marketing and publicity; tourism statistics and research and accommodation standards. A variety of initiatives are being developed and pursued by the tourism agencies across these areas to deepen the level of co-operation that already exists. In recent months, my Department has also been working with the tourism agencies, the Department of Enterprise Trade and Investment in Northern Ireland and the Special EU Programmes Body to advance the selection of tourism projects which may benefit from funding under the next round of the EU Interreg Programme in the period up to 2013.

Furthermore, on the 8th November, I will be meeting the Minister for Enterprise, Trade and Investment, Mr. Nigel Dodds, at the first North South Ministerial Council Tourism Sectoral meeting since the restoration of the institutions in Northern Ireland.

In relation to sport, the two Sports Councils on the island enjoy a strong working relationship and currently engage in a number of joint initiatives such as the Code of Ethics and Good Practice for Children's Sport and the biennial All Island Sports Development Conference. I plan to attend

the 5th such conference in Belfast this Thursday, 11th October. Many of the National Governing Bodies of Sport also operate on an all-island basis. The high level All Island Planning Group, which includes the Chairperson and Chief Executive of each Sports Council, meets on a regular basis to ensure consistency in policy and practice in sports development. There is co-operation on such issues as research, development of high performance sport and anti-doping. The Group ensures that there is no duplication of effort in planning and support for governing bodies of sport and individual athletes.

On the arts front, the Arts Council and the Arts Council of Northern Ireland have developed a very close working relationship over many years. There has been an ongoing programme of work and co-operation which is formalised through a number of formal structures, including Joint Plenary meetings, North/South Committee Meetings and North/South Senior Executive Meetings. There is also ongoing contact, co-operation and information exchange between the executives of both Councils. Both Councils have identified areas of common strategic interest, and have instigated programmes in the advancement of these. The councils have successfully collaborated on a number of projects and there are numerous funding initiatives between the two Arts Councils in the literary, music and visual arts spheres.

For my part, I am very committed to pursuing the North-South agenda and will continue to make the case at political level for closer co-operation within my areas of responsibility.

Sports Funding.

316. **Deputy Terence Flanagan** asked the Minister for Arts, Sport and Tourism if he will explain the weighting given to clubs located in disadvantaged areas when allocating sports grants; and if he will make a statement on the matter. [22664/07]

317. **Deputy Terence Flanagan** asked the Minister for Arts, Sport and Tourism the criteria used for the allocation of sports grants to football clubs (details supplied) in County Dublin; and if he will make a statement on the matter. [22665/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): I propose to take Questions Nos. 316 and 317 together.

The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country.

The 2007 Sports Capital Programme was advertised in the national press in October 2006. The closing date for receipt of completed applications was 24th November 2006. Over 1,530 applications were received for the programme

and provisional allocations totalling €85 million were made to 935 projects on 5th April last.

When assessing applications, my Department uses eleven criteria to evaluate applications, some of which are more important than others and are weighted accordingly. The Department scores each application according to how well it meets these criteria. These criteria and weightings are reviewed in advance of each programme and can be subject to change. In answer to the Deputy's specific question, these criteria apply to all sports equally.

When assessing projects, the Department may also consult with other Government Departments, local authorities, the Irish Sports Council and National Governing Bodies of Sport, particularly in relation to regional and national projects, before a final decision is made.

In relation to the geographical location of an applicant, organisations that can prove they are located in any of the recognised disadvantaged areas of CLAR, RAPID or in a Local Drugs Task Force Area are awarded extra points under one of the eleven assessment criteria. In addition, applicants from disadvantaged areas only have to provide evidence of 20% minimum local funding as against the 30% requirement for all other applicants.

Further details in relation to the 2007 programme are contained in the Guidelines, Terms and Conditions which are available on my Department's website — www.dast.gov.ie. The date of the next round of the Programme has not yet been decided. As in previous years, advertisements announcing the next round of the Programme will be placed in the national press and application forms will be available at that stage.

Social Welfare Benefits.

318. **Deputy Damien English** asked the Minister for Social and Family Affairs the amount of rent supplement paid in County Meath for each of the years 1997 to 2007 with a breakdown for each community welfare office within County Meath in tabular readable form. [22701/07]

319. **Deputy Damien English** asked the Minister for Social and Family Affairs the number of people in receipt of rent supplement in County Meath for each of the years 1997 to 2007 with a breakdown of this figure for each community welfare office within County Meath in tabular readable form. [22702/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I propose to answer Questions Nos. 318 and 319 together.

I attach for your information two tables showing:

- expenditure in the HSE North East area, which includes county Meath, from 1998 to

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date and expenditure nationally from 1997 to date, and

- recipients of rent supplement in county Meath from 2001 to date and recipients nationally from 1997 to date.

Expenditure on rent supplement by county or the number of recipients by Community Welfare Office in county Meath is unavailable. Information on rent supplement recipients by county is only available from 2001.

Expenditure on Rent Supplement from 1997 to 2007 in HSE North East and Nationally

Year	HSE North East	Nationally
	€000	€000
1997*		95,610
1998	5,080	111,740
1999	5,692	128,240
2000	6,772	150,590
2001	9,875	179,438
2002	14,322	252,340
2003	15,962	331,470
2004	14,442	353,760
2005	13,868	368,705
2006	15,272	388,339
2007**	11,121	262,255

* HSE North East expenditure unavailable.

** End August 2007.

Recipients of Rent Supplement from 1997 to 2007 in Meath and Nationally

Year	Meath	Nationally
	Recipients	Recipients
1997*	n/a	36,800
1998*	n/a	40,000
1999	n/a	41,873
2000	n/a	42,683
2001	496	45,028
2002	669	54,213
2003	690	59,976
2004	651	57,874
2005	633	60,176
2006	782	59,861
2007**	840	58,524

* Estimated average number of recipients

** 28/9/07

Free Travel Scheme.

320. **Deputy John Deasy** asked the Minister for Social and Family Affairs if he will extend the free travel scheme to include the Airlink bus services to Dublin Airport; his views on whether

there is an anomaly for people entitled to free rail travel to Dublin then having to pay on a public service from Heuston and Connolly Rail Stations to the airport; and if he will make a statement on the matter. [22339/07]

327. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the progress that has been made with the Department of Transport and Marine and the Taxi Commission Office on the establishment of new subsidy or assistance on a pilot basis to assist wheelchair users with the cost of taxis; and if he will make a statement on the matter. [22626/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I propose to take Questions Nos. 320 and 327 together.

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.

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.

Airlink Services are not covered by the free travel scheme. However, there are several other buses serving Dublin Airport from the city centre on which the free travel pass can be used and so there is no question of pass holders having to pay to access the airport by public transport.

I am aware of the difficulties that some free travel pass holders have in accessing public transport and my officials have discussed this issue with the Commission for Taxi Regulation. Various alternatives to the existing system, including the use of vouchers, have been examined. A study, "A Review of the Free Schemes," published in 2000 under the Department's programme of expenditure reviews concluded that a voucher type system, which would be open to a wide range of transport providers including taxis and hackneys, would be extremely difficult to administer, open to abuse and unlikely to be sufficient to afford an acceptable amount of travel. This position remains unchanged.

I will continue to review the operation of the free travel scheme with a view to identifying the scope for further improvements as resources permit.

Social Welfare Benefits.

321. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if he will clarify the circumstances in which people on community employment can retain rent supplement; and if these rules differ for lone parents or families of different size and make-up. [22352/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Rent supplement is calculated to ensure that an eligible person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum contribution of €13 which each recipient is required to pay from his or her own resources. Many recipients pay more than €13 because they are also required to contribute a portion of any additional assessable means over and above the appropriate basic supplementary welfare allowance rate.

Persons participating in community employment (CE) can continue to receive rent supplement subject to their satisfying the standard means assessment rules. Since June of this year, under improvements provided for in Budget 2007, where a person has additional income in excess of the standard supplementary welfare allowance rate, the first €75 of such additional income together with 25% of any additional income above €75 is disregarded for means assessment purposes. This ensures that those returning to work or participating in training schemes are better off as a result of taking up such an opportunity. The assessment of additional income of participants on a training course, such as the community enterprise (CE) scheme, has always been a feature of the rent supplement scheme.

Under the rent supplement scheme, the rules governing the assessment of income derived from participation in CE schemes are the same irrespective of family size and composition. While job-seeker's allowance is replaced by CE payment when recipients participate in CE schemes, a lone parent may participate on a CE scheme and retain a considerable portion of his/her one-parent family payment; therefore, a lone parent has a higher assessable income for rent supplement purposes and consequently contributes more towards his/her rent.

Lone parents participating on CE schemes are not penalised for doing so. For example, a lone parent with one child living in Dublin with rent of €200 per week, whose sole income is a one-parent family payment of €207.80 per week, would ordinarily receive rent supplement of €187 per week resulting in a net income after paying rent of €194.80 per week. If s/he participates in a CE scheme his/her total income before rent supplement and before paying rent would rise to

€402.50 per week. In these circumstances, s/he would be entitled to €97.22 rent supplement and his/her income after paying rent would be €299.72 per week. S/he would be €104.92 per week better off for having taken up a CE place.

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 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.

Personal Public Service Numbers.

322. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the reason his Department is going the opposite way to the decentralisation trend by restricting the issuing of PPS numbers to one PPS centre per county in view of the fact that in the past people were able to apply for and obtain a PPS number from their local Social Welfare Office; the further reason the PPS application service is being centralised; and if he will make a statement on the matter. [22397/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): My Department took over sole responsibility for the allocation of PPS numbers in June 2000. At that time and to facilitate customer service, all Local and Branch Offices were delegated the task of allocating these numbers as required. However, due to the significant increases in the detection of identity fraud and misrepresentation of documents my Department, after careful consideration, decided to rationalise the process to one centre per county. This approach was acknowledged by the Comptroller and Auditor General's Office as a step towards improving control.

As centres are established emphasis is placed on specialised training and equipment and the development of expertise for the task of allocating PPS numbers. As a result Departmental officials are becoming more effective in detecting false documentation and bogus applications. Consequently there has been an increase in the number of customers prosecuted for attempting to obtain a PPS number fraudulently. The establishment of these centres is also facilitating the introduction of an improved and more specialised customer service to customers seeking a PPS number.

Acquiring a PPS Number is a once in a lifetime event. The majority of customers complete the transaction in one visit. When applying for a PPS number, customers are asked to complete an application form and to provide documentation

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to establish their identity and address. They are informed of their PPS number by post within in 10 days. A considerable element of flexibility has been built into the new arrangements which allow customers attend the nearest or most convenient centre to their place of residence. It is also worth noting that for all children born in Ireland, a PPS number is automatically allocated on the registration of the birth with the General Registrars' Office (GRO). This is generally done through the maternity hospitals.

The process of limiting the number of centres for PPS numbers is underway and it is expected that the full rationalisation process will be completed by early 2008.

Private Rented Accommodation.

323. **Deputy Brian Hayes** asked the Minister for Social and Family Affairs the number of notifications that have been received from local authorities of substandard accommodation in the private rental sector; the split of same by local authority area; the number received in 2006; and if he will make a statement on the matter. [22440/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Under provisions introduced by Regulations in October 2006 and subsequently in the Social Welfare and Pensions Act 2007, payment of rent supplement may be withheld in respect of rental accommodation where the Health Service Executive has been notified by a housing authority regarding non-compliance with housing standards prescribed in regulations made under Section 18 of the Housing (Miscellaneous Provisions Act) 1992.

The Health Service Executive (HSE) has advised that it has received 18 notifications of failure to meet housing standards since the new arrangements came into place in October 2006. A breakdown per local authority area is being obtained and I will make this available to the Deputy as soon as the information is received.

Where a notification is received from a housing authority in respect of an existing tenant it is recommended that the Executive would discuss the situation with the tenant and take whatever action it decides is necessary in the best interests of the tenant. The objective is to ensure that substandard accommodation does not come within rent supplementation. Overall, the arrangements are aimed at improving the standards of accommodation which rent supplement tenants occupy and at supporting the local authority in meeting their responsibilities in relation to housing standards.

The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the Community Welfare division

of the HSE. The purpose of rent supplement is to provide short-term income support 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. Eligibility is in general confined to those who are in receipt of a social welfare or HSE payment. There are currently just over 58,600 tenants benefiting from assistance under the rental supplement scheme.

Social Welfare Benefits.

324. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs if he will increase the child dependent allowance from €22 to €35 per child in Budget 2008; the estimated cost of such a measure; and if he will make a statement on the matter. [22446/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The cost of increasing the child dependent allowance by €13 per week, from €22 to €35 per child, is estimated at €208 million in a full year.

Any increase in the child dependent allowance would have to be considered in a Budgetary context, having regard to available resources and the wider Government agenda.

Social Welfare Appeals.

325. **Deputy Tony Gregory** asked the Minister for Social and Family Affairs when an appeal by a person (details supplied) in Dublin 7 in relation to illness benefit will be decided. [22457/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I am advised by the Social Welfare Appeals Office that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing. The person concerned will be informed when arrangements have been made.

Appeals Officers are statutorily appointed to determine appeals independently of my Department and I have no role in relation to such determinations.

Cross-Border Projects.

326. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22600/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): There are four main areas of North-South co-operation being undertaken by my Department as follows:

Firstly, the all-Ireland Free Travel Scheme for senior residents in all parts of the island was

introduced on foot of a commitment in the previous programme for Government (2002-2007). It enables certain people in each jurisdiction to travel free of charge from point to point within the other jurisdiction. Seniors (over 66) resident in the Republic can travel free of charge on all bus and rail services in Northern Ireland. Likewise, seniors (over 65) in Northern Ireland can travel free of charge on bus, rail, air and ferry services participating in the Free Travel scheme in this State.

The scheme was launched on 2 April 2007. Funding is expected to rise to €1.9 million this year. While it is not possible to predict precisely the number of customers likely to participate in the scheme, approximately 220,000 cross-border journeys are undertaken each year by an estimated 40,000 passengers, and it is hoped that take up of the scheme will be high.

Secondly, in June 2002 the North South Ministerial Council (NSMC) Plenary agreed that a dedicated cross-border website be established to counteract the complexity and difficulty people found in accessing relevant information on a range of issues from social security and taxation rights to housing and education. This work is being taken forward by the Cross Border Mobility Information Group, made up of officials from the two Administrations and the Joint Secretariat in Armagh. My Department is represented on the Group.

Funding of €173,000 for the project was approved in July 2006 under the Peace II programme, and the contract to develop this website has been awarded to the Centre for Cross Border Studies (CCBS).

The website will be structured around the four concepts of “Commute”, “Work”, “Live”, and “Study” and will include information on public sector issues such as taxation, social security and job seeking, health and education as well as private sector issues such as banking, housing and telecommunications. It is anticipated that the website, which will be a tangible and practical example of the two Governments working together for the benefit of citizens, North and South, will be available to citizens by early 2008.

Thirdly, the strengthening of links with Northern Ireland and direct contact between the respective social welfare organizations is very important. For the past number of years my Department has hosted a number of Information Seminars in partnership with the Department of Social Development (DSD) and the Social Security Agency (SSA) in Northern Ireland. The objective of the Seminars is to provide frontline staff with the level of information needed to promote and increase benefit uptake within both jurisdictions by sharing information and good practice, and developing links between the two organisations and the voluntary sectors.

Themes covered in past Seminars include Pensions and Disabilities (2003), Families with particular emphasis on Carers and Lone parents

(2004), “Best Practice” within both Departments, and issues relating to posted workers (2005), and the Challenge of providing social services in multi-ethnic society, with a particular focus on the migrant worker mobility in 2006. The theme for the 2007 Seminar was “Supporting people in older life”.

In addition, the ninth annual Social Welfare Summer School was held in the National University of Ireland, Maynooth College, between 12th-8th August 2007. This joint venture between my Department and DSD, which is hosted alternately between both jurisdictions, aims to provide staff in both Departments with the opportunity to study a specific policy theme in an academic setting.

Finally, common text, which appears in Ireland’s National Action Plan for Social Inclusion 2007-2016 and in Northern Ireland’s Lifetime Opportunities: Government’s Anti-Poverty and Social Inclusion Strategy for Northern Ireland, outlines how the UK and Irish Governments are committed to developing and promoting co-operation in relation to combating poverty and social exclusion. It commits Ireland and Northern Ireland to preparing a Joint Report to include: an overview of areas of existing North/South co-operation; areas potentially suitable for further cooperation; and advice on the mechanisms by which this work might be undertaken and delivered.

The common text also appeared in the Irish and UK’s National Strategies for Social Protection and Social Inclusion (NSSPI), covering the period 2006 to 2008, which were submitted to the EU by each Member State in September 2006.

In February of this year, approval was given by the British Irish Inter-Governmental Conference (BIIGC) to continuing North/South joint work to alleviate ‘social exclusion, poverty and deprivation to help create a more inclusive society on the island of Ireland’.

Officials of my Department continue their long-standing practice of liaising with their counterparts in Northern Ireland and other jurisdictions on matters relating to controlling abuses of social welfare schemes.

Question No. 327 answered with Question No. 320.

Social Welfare Appeals.

328. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when an oral hearing will be held for a person (details supplied) in County Mayo. [22688/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I am advised by the Social Welfare Appeals Office that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing. The person concerned will be informed when arrangements have been made.

[Deputy Martin Cullen.]

Appeals Officers are statutorily appointed to determine appeals independently of my Department and I have no role in relation to such determinations.

Family Support Services.

329. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of funding allocated to the Family Support Agency each year since its inception; and if he will make a statement on the matter. [22708/07]

330. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of funding allocated to marriage and relationship counselling services each year for the past four years; and if he will make a statement on the matter. [22709/07]

331. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of funding allocated to child counselling services each year for the past four years; and if he will make a statement on the matter. [22710/07]

332. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of funding allocated to bereavement support services each year for the past four years; and if he will make a statement on the matter. [22711/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I propose to take Questions Nos. 329 to 332, inclusive, together.

The Family Support Agency was established in 2003 to bring together the pro-family related programmes and services which are designed to promote local family support, help prevent marital breakdown, promote continuity and stability in family life and support ongoing parenting relationships for children.

The Agency's main functions are to:

- Support, promote and develop the Family and Community Services Resource Centre Programme;
- Support, promote and develop the provision of marriage and relationship counselling services, child counselling services and bereavement support for families; and
- Provide a Family Mediation Service throughout the country.

The Family Support Agency also has a responsibility to undertake or commission research, to advise, inform and assist me as Minister for Social and Family Affairs and to promote and disseminate information about family-related issues.

Investment in the Family Support Agency has more than doubled since its establishment in 2003. Investment for each year since its inception is as follows:

- 2003 €17.28 million
- 2004 €20.19 million
- 2005 €24.46 million
- 2006 €28.03 million
- 2007 €35.3 million

The scheme of grants for voluntary organisations providing marriage, child and bereavement counselling services is a non-statutory scheme of once-off grants to voluntary organisations providing a range of family counselling services aimed at enhancing stability in family life, and assisting families and their members to deal with difficult periods which they may experience.

In 2007 almost €10 million has been provided by the Family Support Agency and a total of 561 organisations countrywide received funding under the scheme. This record investment — an increase of one third in just 4 years — has been informed by research launched earlier this year which indicated that up to 70,000 people across the country benefit each year from counselling funded by the Family Support Agency.

The following table outlines the total amounts of funding allocated for the scheme for each of the last four years. It also gives a breakdown of the total funding under each grant category:

	Number of groups funded	Marriage/ Relationship Counselling	Child Counselling	Bereavement Counselling/ Support	Marriage Preparation	Total
		€	€	€	€	€
2004	523	4,375,235	1,002,290	1,299,505	783,970	7,461,000
2005	547	4,780,650	1,177,280	1,473,570	826,500	8,258,000
2006	541	5,144,550	1,153,548	1,829,070	881,600	9,008,768
2007	561	5,589,750	1,343,900	2,053,350	842,000	9,929,000

333. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of groups who have received funding from the Family Support Agency each year for the past four years; the names of these groups; the amount allocated to each; and if he will make a statement on the matter. [22712/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Due to the large number of organisations funded over the four years in question, it has not been possible to collate all of the relevant information for the Deputy in the short timescale involved.

A complete list of all relevant groups with details of funding received is currently being prepared and will be forwarded to the Deputy as soon as possible.

334. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the research commissioned by the Family Support Agency since its inception; the research which has been published; the actions his Department has taken on foot of such research; and if he will make a statement on the matter. [22713/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Family Support Agency (FSA) was established in 2003 to bring together the pro-family related programmes and services which are designed to promote local family support, help prevent marital breakdown, promote continuity and stability in family life and support ongoing parenting relationships for children.

As part of its statutory functions, the Family Support Agency has a responsibility to undertake or commission research, to advise, inform and assist me as Minister for Social and Family Affairs and to promote and disseminate information about family-related issues.

Since the activation of the Agency's research function in September 2004, three pieces of research have been directly commissioned.

In 2005 a review of the 1st phase of the Family Research Programme was commissioned and published in April 2006 ("Family Research in Ireland"). This review included an outline of research issues which now guides the current phase of the programme operated by the FSA.

In 2005 the Agency also commissioned a review of the scheme of grants to voluntary organisations, operated by the Agency. Published in 2006, several of the recommendations from the review have been implemented, while others will be considered as part of the ongoing development of the scheme.

The Agency has just signed a contract for a fundamental review of the Family Mediation Service provided by the Agency including recommendations to inform the future development of the service. This project is scheduled to begin towards the end of this year.

In addition to commissioned research the Agency is funding research undertaken by outside organisations under its Research Grant Programme, through the provision of grants for projects which come within the Agency's research remit.

In 2007 funding has been approved for 2 projects. The first is a project, being undertaken by One Family, to examine the need, in light of increased family breakdown, for family and child contact centres and how best to meet that need. The second project is being carried out by the ESRI which will use 2006 Census data and other

relevant data sources to explore trends in family dynamics and family types in Ireland over the period 1986-2006.

335. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of family and community services resource centre programmes in place; the locations of same; the details of those due to come on stream in 2007; and if he will make a statement on the matter. [22714/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Family and Community Services Resource Centre programme comes under the auspices of the statutory Family Support Agency. The programme provides for a network of Family Resource Centres which aim to help combat disadvantage by supporting the functioning of the family unit.

The services provided and activities supported by the resource centres are designed to meet the needs of the local community and include the provision of training, information, advice and support to target groups and families in the area; the provision of education courses, childcare facilities to those attending such courses and the running of after-school clubs.

Family Resource Centres provide services for lone parent families, young mothers and others considered in need of extra support. They can act as a first step to community participation and social inclusion.

Family Resource Centres are run by voluntary management committees, comprised of members of the local community.

A review of the Family Resource Centre Programme launched in February 2007 showed that almost 850,000 visits were made to family resource centres during 2005, with 140,000 people receiving advice and information and almost 16,000 people completing training courses.

At the end of 2006, 100 FRCs were in place. Six new centres have been approved for inclusion in 2007, bringing the total number of centres in the Programme to 106. The six new centres are as follows:

- Taghmon Action Group, Taghmon, Co. Wexford
- Iveragh Community & Residents Association, Killorglin, Co. Kerry
- Cara House, Letterkenny, Co. Donegal
- Drogheda Community Development Group, Drogheda, Co. Louth
- Dunmanway Family Resource Centre, Co. Cork
- Clones Community Forum Ltd, Clones, Co. Monaghan

A complete list of all Family Resource Centres is set out in the following Appendix.

[Deputy Martin Cullen.]

List of Family Resource Centres in the Family and Community Services Resource Centre Programme

	<i>The Eastern Region — the Greater Dublin Area, Kildare and Wicklow or parts thereof</i>
1.	Artane Coolock Resource & Development Centre, 55 Gracefield Road, Artane, Dublin 5.
2.	Balally Family Resource Centre Ltd. The Scout Den, Wedgewood, Dublin 16.
3.	Baldoyle Family Resource Centre, Main Building, Respond Housing Development, Grange Road, Baldoyle, Dublin 13.
4.	Ballyboden Family Resource Centre, 29 Whitechurch Way, Ballyboden, Dublin 16.
5.	Ballyfermot Family Resource Centre, Lynches Lane, Ballyfermot, Dublin 10.
6.	Ballyogan Family Resource Centre, 41 Ballyogan Avenue, Carrickmines, Dublin 18.
7.	Cherry Orchard Family Resource Centre, The Bungalow, 28, Elmdale Drive, Cherry Orchard, Dublin 10.
8.	Curragh Pride Family Resource Centre, 1 Griffith Road, Curragh Camp, Co. Kildare.
9.	Drop in Well Family Resource Centre, 34 Coultry Road, Ballymun, Dublin 9.
10.	Fatima Group United Family Resource Centre, 18j Fatima Mansions, Rialto, Dublin 8.
11.	Hill Street Family Resource Centre, Hill Street, Dublin 1.
12.	Hillview Community Resource Centre, 33/34 Hillview Grove, Ballinteer, Dublin 16.
13.	Killinarden Family Resource Centre, Killinarden, Tallaght, Dublin 24.
14.	Mountview Resource Centre Ltd, 11 Whitechapel Crescent, Mountview, Blanchardstown, Dublin 15.
15.	Quarryvale Family Resource Centre, Shancastle Avenue, Quarryvale, Clondalkin, Dublin 22.
16.	Rosemount Family Resource Centre, 3 Rosemount Court, Dundrum, Dublin 1.
17.	School Street/Thomas Court Bawn Family Resource Centre Ltd. 22/23 School Street, Dublin 8.
18.	St. Andrew's Family Resource Centre, 114-116 Pearse Street, Dublin 2.
19.	St. Kevin's Family Resource Centre, Saint Kevin's Girls School, Treepark Road, Kilnamanagh, Tallaght, Dublin 24.
20.	St. Matthew's Family Resource Centre, 5, Drumfinn Park, Ballyfermot, Dublin 19.
21.	Newbridge Family Resource Centre, Dara Park, Newbridge, Co. Kildare.
22.	Greystone's People's Project Family Resource Centre, La Touche Road, Greystones, Co. Wicklow.
	<i>The South East Region — Wexford, Waterford, Carlow, Kilkenny and Tipperary S.R.</i>
23.	Bagenalstown Family Resource Centre, Chestnut Court, Royal Oak Road, Bagenalstown, Co. Carlow.
24.	Forward Steps Resource Centre, Chapel Lane, Tullow, Co. Carlow.
25.	Clogh Family Resource Centre, Castlecomer, Co. Kilkenny.
26.	Droichead Community Centre, The Friary Complex, Callan, Co. Kilkenny.
27.	Kilmuckridge Family Resource Centre, C/o Health Centre, Kilmuckridge, Gorey, Co. Wexford.
28.	Newpark Close Community Development Ltd, Newpark Close, Kilkenny.
29.	St. Canices Community Action, Fr. McGrath Community Centre, St. Joseph's Road, Kilkenny.
30.	Millennium Family Resource Centre, New Bermingham, Thurles, Co Tipperary.
31.	Spafield Family Resource Centre, Spafield Crescent, Cashel, Co Tipperary.
32.	Sacred Heart Community & Childcare Project, Community Buildings, Richardsons Meadow, Old Tramore Road, Waterford.
33.	South End Community Group, 1, Trespan Court, The Faythe, Wexford.
34.	St. Brigid's Family & Community Centre, 37 Lower Yellow Road, Waterford.
35.	Raheen Family Resource Centre, Raheen, Clonroche, Co. Wexford.
36.	Taghmon Action Group, Main Street, Taghmon, Co Wexford.
37.	Three Drives Family Resource Centre Ltd, 22/23 Greenane Drive, Tipperary Town, Tipperary.
	<i>The Southern Region — Cork, Kerry</i>
38.	Adrigole Family Resource Centre, c/o The Caha Centre, Ardigole Community Hall, Ardigole, Beara, Co. Cork.
39.	Bandon Family Resource Centre, Deerpark Family Centre, Bandon, Co. Cork.
40.	Castletownbere Family & Community Resource Ltd., The Haven, The Square, Castletownbere, Co. Cork.
41.	Cobh Family Resource Centre, Park House, Cloyne Terrace, Cobh, Co. Cork.
42.	Dunmanway Family Resource Centre, Tonafora, Bantry Road, Dunmanway, Co. Cork.
43.	F.A.C.T. Ballincollig Family Resource Centre, 134 Castle Park, Ballincollig, Co. Cork.
44.	Le Cheile Family Resource Centre (Mallow) Ltd., 33, Fair Street, Mallow, Co. Cork.

45. Middleton Community Forum Ltd, Community Building, Oakwood Lodge, Youghal Road, Middleton, Co. Cork.
46. Abbeydorney/Kilflynn Family Resource Centre, Co. Kerry.
47. Ballyspillane Community & Family Centre, Ballyspillane, Killarney. Co. Kerry.
48. Castlemaine Family Resource Centre, Castlemaine, Co. Kerry.
49. BUDS Family Resource Centre, Ballyduff, Tralee, Co. Kerry.
50. Caherciveen Community Resource Centre, Church Street, Caherciveen, Co. Kerry.
51. Duagh Family Resource Centre, Duagh Village, Listowel, Co. Kerry.
52. Iveragh Resource Centre, Killorglin, Co. Kerry.
53. Kerryhead/Ballyheigue Family Resource Centre, “Bayside” Ballyheigue, Co. Kerry.
54. Presentation Family Centre Ltd., Greenville, Listowel, Co. Kerry.
55. Shanakill Family Resource Centre Ltd., Shanakill, Monavalley, Tralee, Co. Kerry.
56. Sneem Family Resource Centre, New Street, Sneem, Co. Kerry.
57. St. Brigid’s Community Centre, Hawley Park, Tralee, Co. Kerry.

The Mid West Region — Clare, Limerick and Tipperary N. R.

58. North West Clare Family Resource Centre, Monastery House, Parliament St, Ennistymon, Co. Clare.
59. Killaloe/Ballina Family Resource Centre 2, Ryagan House, Shantraud, Killaloe, Co. Clare.
60. Kilrush Family Resource Centre Ltd, The Community Centre, Toler Street, Kilrush, Co. Clare.
61. Shannon Family Resource Centre, Respond Centre, Rineanna View, Shannon, Co. Clare.
62. Croom Family Resource Centre, 40 Main Street, Croom, Co. Limerick.
63. Hospital Family Resource Centre, Knockaineey Road, Hospital, Limerick.
64. Southill Family Resource Centre, 267-268, Avondale Court, O’Malley Park, Southill, Limerick.
65. St. Munchin’s Family Resource Centre, 26-28 Clonconnane Road, Ballynanty, Limerick.

The Western Region — Galway, Mayo

66. Aonad Resource Centre, The Square, Ballygar, Co. Galway.
67. Clann Resource Centre Oughterard Ltd, Main Street, Oughterard, Co. Galway.
68. Gort Family Resource Centre, Market Hall, Church Street, Gort, Co. Galway.
69. Solas Resource Centre, The Parish Hall, Headford, Co. Galway.
70. Loughrea Town Family Resource Centre, Millennium House, Westbridge, Co. Galway.
71. Ballina Family Resource Centre, Pound Street, Co. Mayo.
72. Ballinrobe Family Resource Centre, Glebe Street, Ballinrobe, Co. Mayo.
73. Castlebar Family Resource Centre, Castlebar, Co. Mayo.
74. Claremorris Family Resource Centre, Claremorris, Co. Mayo.
75. Cairdeas Community Centre, Kilmovee, Ballaghderreen, Co. Mayo.
76. Neart hAmhnais Teoranta, The Friary House, Ballyhaunis, Co. Mayo.
77. Westport Family Resource Centre, The Fairgreen, Westport, Co. Mayo.

The Midland Region — Laois, Offaly, Westmeath, Longford and Roscommon

78. Knockmay Committee & Family Resource Centre Ltd, 106/107 Cherrygrove, Knockmay, Portlaoise, Co. Laois.
79. Bridgeways Family Resource Centre, Dean Egan Library, Main Street, Ballymahon. Co. Longford.
80. Granard Area Action Group, Main Street, Granard, Co. Longford.
81. Arden View Community & Family Resource Centre, Arden View, Tullamore, Co. Offaly.
82. Clara Family Resource Centre, The Parochial Hall, River Street, Clara, Co. Offaly.
83. Family Life Centre, Knocknashee, Boyle, Co. Roscommon.
84. Cara-Phort Family Resource Centre, Harbour Street, Ballynacargy, Mullingar, Co. Westmeath.
85. Monsignor McCarthy Family Resource Centre, Battery Heights, Athlone, Co. Westmeath.

The North East Region — Cavan, Monaghan, Meath and Louth

86. Teach Oscail Resource Project Ltd, Tullacmongan, Kilmooney Drive, Co. Cavan.
87. The Peoples Resource Centre, 5 Church Street, Kells, Co Meath
88. Trim Family Resource Centre, 22 Mornington Drive, Trim, Co Meath.
89. Clones Community Forum, 1 Celtic House, Fermanagh Street, Clones, Co. Monaghan.
90. Mullaghmatt Cortolvin Community Dev. Ltd, Teach na Daoine, Oriel Road, Mullaghmatt, Co Monaghan.

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91.	Drogheda Community Development Group, Drogheda, Co Louth
	<i>The North West Region — Donegal, Sligo, and Leitrim.</i>
92.	Donegal Town Family Resource Centre, C/O St., John Bosco Centre, Donegal Town, Donegal.
93.	Cara House, Market Square, Letterkenny, Co. Donegal.
94.	Downstrands Family Resource Centre, The Dolmen Centre, Kilclooney, Co. Donegal.
95.	Dunfanaghy Community Resource Association, Resource Office, Main Street, Dunfanaghy. Co. Donegal.
96.	Moville & District Family Resource Centre Ltd, 2, Montgomery Terrace, Moville, Co. Donegal.
97.	The Forge Family Resource Centre, Main Street, Pettigo, Co. Donegal.
98.	Mevagh Family Resource Centre, Aras Rosgoill, Na Dunaibh, Co. Dhun na nGall.
99.	Raphoe Youth and Community Resource Centre, Unit 3 Marathon Building, William Street, Raphoe, Co. Donegal.
100.	St. Johnston & Carrigans Family Resource Centre, Chapel Road, St. Johnston, Lifford, Co. Donegal.
101.	Breifni Community Development Co. Ltd. Community House, Breifni Crescent, Carrick on Shannon, Co. Leitrim.
102.	Mohill Family Support Centre Ltd, Hyde Street, Mohill, Co. Leitrim.
103.	Ballymote Family Resource Centre, Wolfe Tone Street, Ballymote, Co. Sligo.
104.	Easkey Community Family Resource Centre Ltd, Easkey House, Easkey, Co. Sligo.
105.	Sligo Family Centre, 49, The Mall, Sligo.
106.	Tubbercurry Family Resource Centre, Conon House, Humbert Street, Tubbercurry, Co. Sligo.

Social Welfare Benefits.

336. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the average length of time of assessment for a carer's allowance application from the date of application to the date of payment; and if he will make a statement on the matter. [22715/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The average time for deciding an application for carer's allowance is currently 10.64 weeks. During 2006 the average was just over ten weeks. My Department's claim processing target for Carers Allowance is for 70% of claims to be decided within nine weeks of submission.

The number of claims for Carers Allowance submitted in 2006 at nearly 11,000 was more than 20% higher than the total for 2005. In 2007 to date (at 28 September) some 10,500 claims have been received. A number of steps have been taken to deal with the increased volumes, including the deployment of additional staff and enhancements to processing procedures.

Entitlement to carer's allowance is based on an applicant satisfying medical, means and residency conditions. In determining entitlement to the allowance there are, in certain cases, unavoidable time lags involved in making the necessary investigations and enquiries to enable accurate decisions to be made. Delays can also arise if persons applying for the allowance are not in a position to supply all the necessary information in support of their claim.

Many applicants for carer's allowance are already in receipt of another social welfare payment while their claim is being processed. Such

payments will normally continue until entitlement to their carer's allowance is determined.

Over 10,000 new claims have been decided this year (to 28th September). The volume of claims decided so far this year represents a 5.6% increase on the total claims decided in 2006 and a 14.4% increase on the total claims decided in 2005.

There are currently some 3,100 cases at various stages of processing and awaiting finalisation. Of these claims, some 2,800 were received in the last three weeks.

The large increase in applications for Carer's Allowance is related to the introduction of the Half Rate Carers Allowance payment which was announced in the 2006 Budget and came into effect from 27th of September 2007. It is expected that the majority of claims currently on hands will be processed within the next ten weeks.

Departmental Agencies.

337. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if he has provided the Government with a report on the future of the Reach initiative; and if he will make a statement on the matter. [22716/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Reach Board was reconstituted earlier this year so that Departments and Agencies making use of Reach services would be involved more closely in relation to current Reach operations.

This new Board, together with the Departments of the Taoiseach and Finance, are overseeing a review of the new role and operations of the

Reach project including that of the public service broker.

The review is currently underway and the Board expects to report, on target, by the end of the year. I will bring forward proposals for the future of Reach following receipt of that report.

Carer's Strategy.

338. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the work undertaken to date by his Department to contribute towards the development of a carer's strategy as committed to in *Towards 2016*; and if he will make a statement on the matter. [22717/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): One of the key Government commitments in the national partnership agreement “*Towards 2016*” is the development of a national carer's strategy and this commitment is reiterated in the Programme for Government. The strategy will focus on supporting informal and family carers in the community. While social welfare supports for carers will clearly be a key issue in the strategy, 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. For that reason all relevant departments and agencies will be involved in the strategy and there will be appropriate consultation with the social partners. My Department, along with a number of others, is examining how this issue can best be addressed.

The Programme for Government also includes significant commitments in relation to support for carers. I will keep the supports for carers available from my Department under review in order continue to improve the schemes and ensure that commitments in relation to income support are delivered.

Anti-Poverty Strategy.

339. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress made on the roll out of the poverty impact assessment across all Departments; the Departments which have had it rolled out; and if he will make a statement on the matter. [22718/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Poverty proofing was introduced in 1998 on foot of a commitment in the first National Anti-Poverty Strategy. It is defined as “the process whereby Government policies and programmes are assessed at design, implementation and review stages in relation to their impact on poverty and on inequalities which are likely to lead to poverty, with a view to poverty reduction”. Since 1998 it has been a requirement

for significant policy proposals to indicate clearly the impact of a proposal on persons in poverty or at risk of falling into poverty.

Following a review of the poverty proofing process, the Office for Social Inclusion, which is based in my Department, has now produced a revised set of guidelines for what is now termed Poverty Impact Assessment. This change of name is intended to underline that the emphasis in the process should be on outcomes and that poverty impact assessment should form an integral part of the policy making process.

The revised guidelines are designed to better assist policy makers across all levels of Government in evaluating policy proposals in terms of their potential impact on poverty. They include a number of new steps to make the process more useful and transparent and a requirement to monitor the impact of any policy change.

The revised guidelines have been published on the website of the Office for Social Inclusion and have been presented to all Government Departments, who have responsibility for their implementation.

Support for the work of the Office for Social Inclusion in developing effective poverty proofing mechanisms is a key commitment in the Programme for Government. Following presentation, the Office is now commencing more focussed assistance to individual departments on implementation of the new guidelines. The experience gained from this process will also aid the development of training for staff in this regard across all government departments, as appropriate. The Office is also working with the Combat Poverty Agency on applying the new guidelines in a local government context.

I am confident that the new guidelines will serve as an effective tool in ensuring that the priority of combating poverty and social exclusion is kept to the fore in policy making and implementation at all levels of Government.

Memorandum of Understanding.

340. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if his Department has concluded its MOU with the Revenue Commissioners; the details of same; and if he will make a statement on the matter. [22719/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Department and the Revenue Commissioners are, at present, negotiating a new Memorandum of Understanding (MOU). The new MOU is designed to build on the close co-operation that already exists between this Department and the Revenue Commissioners by improving and intensifying the levels and scope of existing administrative and operational arrangements between the two organisations. To that end, it is mindful of the respective roles and missions of each as public service organisations, of the particular importance of the

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services provided by each and in recognition of the growing interdependences between them in achieving delivery of those services to the highest standard.

The scope of the draft MOU covers aspects such as

- the timely collection by Revenue on behalf of the Department, of pay related social insurance (PRSI) contributions;
- transfer to the Department of monies so collected in an agreed manner and within agreed timescales;
- the provision of accurate customer information and data as to be established by Revenue;
- the timely transfer of information and data by the Department to Revenue;
- active joint co-operation in combating fraud;
- maximising the opportunities offered by new technologies;
- shared services (for example in relation to printing);
- joint training; and
- related practices and provisions on governance, monitoring, consultation and ongoing review.

Discussions are ongoing and it is expected that these will be concluded before the end of the year.

Social Welfare Benefits.

341. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of children who were in receipt of the back to school clothing and footwear allowance in 2007; the amount paid; and if he will make a statement on the matter. [22720/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): 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. (HSE)

The BSCFA scheme provides a one-off payment to eligible families to assist with the extra costs when their children start school each autumn. The allowance is intended as a contribution towards meeting the full cost of school clothing and footwear.

Budget 2007 provided for an increase of €60 per child to €180 for children aged 2 to 11 years and €95 per child to €285 for children aged 12 to 22 years.

In 2007, it is estimated that over 170,000 children will benefit from the back to school clothing and footwear allowance scheme at an annual cost in excess of €38 million. This is an increase on the 2006 figures when some 161,000 children benefited at a cost of €23.5m.

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 for this year provide a major boost to meeting the financial costs associated with return to school for those who most need assistance.

Any further improvements to the scheme would have to be considered in the light of resources available in Budget 2008 for improvements in social welfare payments generally.

Child Support.

342. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if there is a backlog in payment of the early child care supplement; the length of this backlog; if it relates to a particular area; the way he will address same; and if he will make a statement on the matter. [22721/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Early Childcare Supplement (ECS), which is payable in respect of children under the age of 6 years is automatically awarded when Child Benefit is awarded.

The majority of Child Benefit and ECS awards are processed either automatically or in a partially automated fashion for children born in Ireland once their birth details are registered with the General Registrar's Office. Parents are contacted in most cases by the Child Benefit office within two days of the registration of their child's birth. The Early Childcare Supplement is paid automatically when Child Benefit is awarded.

Currently Child Benefit section is processing a number of claims for children born outside Ireland but living here with their parents and for children living in other EU countries who have a parent or parents working in Ireland.

There is a total of 6,000 claims for non-national children resident in Ireland at various stages of processing prior to finalisation. These cases tend to be slower to process as the customer must satisfy the Habitual Residency condition test and this may entail contacting employers, Department of Justice and other relevant bodies to confirm their status in the state. In approx 40% of these cases — some 2400 claims — there may be an entitlement to ECS in respect of children under 6 years of age.

A total of some 20,000 claims from EU nationals for non-resident children is also being processed at present. EU nationals who come to work in Ireland but whose families remain in their home country may have an entitlement to Family Benefits in Ireland under EU Regulation

1408/71. The number of these claims where an entitlement to ECS may exist is estimated at 8,000 (48%).

Before payment of Child Benefit is made for non-resident children it is necessary to contact the authorities in the country of residency 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.

The number of claims received from EU nationals for non-resident children is down approximately 50% on the same period in 2006. This reduction in claim numbers plus the recent assignment of additional staff will ensure that the claims are processed more speedily over the coming months.

Social Welfare Code.

343. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs when the National Economic and Social Council is expected to report to him on examining the feasibility of merging the family income supplement with the qualified child increase; if they are examining including other child supports; when this report will be published; and if he will make a statement on the matter. [22722/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Under the terms of an earlier Social Partnership agreement the National Economic and Social Council (NESC) was asked to examine the feasibility of merging the family income supplement with qualified child increases and possibly including other child supports such as the back to school clothing and footwear allowance, resulting in a single 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. This commitment to examining such a change was subsequently embodied in the current social partnership agreement 'Toward 2016'.

NESC research on the subject is expected to be available soon. The council has indicated that, as the proposed second tier income support would represent a new approach to targeting, the issues involved are complex and there are technical and policy challenges to be overcome. The Council's analysis of these issues will, when received, be of assistance in informing the future direction of child income support policy.

€2.6 billion was spent by my Department on child income supports in 2006, with child benefit accounting for approximately 80% of this figure. The substantial improvements in targeted measures announced in Budget 2007 for children in low income and welfare families will also have an important impact on child poverty.

For instance, family income supplement thresholds were raised in Budget 2007, increasing the weekly payments of almost all existing FIS recipients by €9 for a one child family, to €111 for a family with eight or more children. Research has shown that poverty is more likely to be concentrated in larger families and this improvement continues the re-focusing of thresholds towards larger families which started in Budget 2006, thereby further targeting resources at low-income households.

In Budget 2007 all three qualified child increase rates which had remained unchanged since 1994, were increased to a single rate of €22 per week. In addition, the annual back to school clothing and footwear allowance, which provides income support for the poorest families at a particularly difficult time of the year, was increased by €60 for children aged 2 to 11, and by €95 for children aged 12 to 22, bringing the rates of payment to €180 and €285 respectively.

While jobs are the most effective way of lifting families and their children out of poverty, these changes represent a more selective approach to child income support through targeting children in poorer households while at the same time limiting the extent to which employment incentives are worsened.

344. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the work completed to date by the steering committee on the back to education allowance; the work that has yet to be completed; when completion is expected; and if he will make a statement on the matter. [22723/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): As part of the Government Expenditure Review Programme a working group chaired by my Department was established to review the expenditure under the back to education allowance scheme. The Group comprised representatives of the Departments of Social & Family Affairs, Enterprise Trade and Employment, Education and Science, Finance and FÁS. The report of the working group was published in September 2005.

The working group made nine recommendations with regard to the future administration of the back to education allowance scheme. The main recommendations of the group focused on the separating out of the roles of my Department, which provides income support, and Department of Education and Science which provides for the delivery of courses and educational supports.

In January 2006 a group with representatives from the Departments, Education and Science, Finance and FÁS was established to implement the recommendations of the Expenditure Review. This group is working on an ongoing basis to progress the implementation of the

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recommendations. It is intended that the work of the group will be completed for the 2009 academic year.

A number of the recommendations of the Working Group have been achieved. These include earlier access to the allowance for participants of the National Employment Action Plan (NEAP) — access is now available for qualified participants who have been in receipt of Jobseekers Allowance for nine months as opposed to a requirement for twelve months previously. Additionally the scheme has been extended to include all those of working age in receipt of a Social Welfare payment.

Adult Education.

345. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number and names of the projects or initiatives that received grants towards the development and promotion of second chance education opportunities in 2006 and to date in 2007; and if he will make a statement on the matter. [22724/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Second Chance Education Opportunities Scheme is designed to assist programmes, projects and initiatives which provide second chance education opportunities to long term unemployed and other disadvantaged groups. The overall objective is to encourage those target groups to return to education and training as a means of improving their educational qualifications with a view to returning to the labour force. The budget allocation for the Scheme in 2007 is €380,000.

In 2006, four initiatives were funded by my Department under the Scheme as follows:

	€
The Open Learning Centre, Coláiste Íde	44,500
The Larkin Centre for the Unemployed	95,458
The Open Learning Centre, Coláiste Íde	74,500
Warrenmount CED Centre Ltd	46,000
Total	260,458

Applications for funding under this Scheme are generally received towards the end of the year. To date in 2007 two applications for funding have been approved under the scheme as follows:

	€
Dublin YMCA	5,675
Dublin Adult Learning Centre	150,000
Total	155,675

Social Welfare Benefits.

346. **Deputy Mary O'Rourke** asked the Minister for Social and Family Affairs when notification regarding carer's benefit will issue to a person (details supplied) in County Westmeath. [22725/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The person concerned applied for Carer's Allowance on 9 May 2007. The principal conditions for receipt of this allowance are that full time care and attention is required and being provided and that the means test that applies is satisfied.

The person concerned was refused Carer's Allowance on the grounds that full time care and attention as prescribed in regulations is not required in this case.

On 21 August 2007 the person concerned was notified of the decision, the reason for it and his right of review or appeal to the independent Social Welfare Appeals Office.

The person concerned submitted additional medical evidence in respect of the care recipient, however the evidence failed to alter the decision of the Department's Chief Medical Advisor and the decision remains unchanged.

On 4 October 2007 the person concerned was notified of the decision and of his right of appeal to the Social Welfare Appeals Office.

Under Social Welfare legislation, decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These Officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Appeals.

347. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs when his Department hold oral hearings on appeals; the way the locations are determined; and if he will make a statement on the matter. [22765/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Appeals are determined by Appeals Officers attached to the Social Welfare Appeals Office of my Department and who are independent in their determinations.

I am advised by that Office that oral hearings are held every week at venues around the country as convenient as possible to the appellant.

The selection of locations to be visited is based on the number of appeals on hand in a particular area in a given week. In general, those who are waiting longest can expect to be scheduled for hearing when next an Appeals Officer is in the area. A small number of cases are given special priority when exceptional circumstances arise.

The Social Welfare Appeals Office deals with about 14,000 appeals on an annual basis and the provision of a prompt service remains a major customer service objective for the Office. Available resources are prioritized to the greatest pos-

sible extent so as to achieve the best possible standard of service to its customers.

Pension Provisions.

348. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the reason the pre-retirement credits scheme was discontinued in July 2007; if his Department advertised the discontinuation of the scheme; and if he will consider an application under the scheme from a person (details supplied) in County Cork who resigned their employment position during the summer 2007 in anticipation of benefiting from the scheme. [22774/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Pre-Retirement Credits Scheme (PRECS) enables credits to be awarded to persons who are aged 55 years or older, who are retired from the workforce and no longer looking for work and who, in the immediately preceding period, were in receipt of either Job-seeker's Benefit/Allowance or credits in respect of 390 days of continuous unemployment. Pre-retirement credits can only be maintained through a signed annual declaration from the claimant (i.e. that confirms his or her unemployment and retirement from the workforce) and are reckonable for the Widow's/Widower's (Contributory) Pension, the Deserted Wife's Benefit, the Guardian's Payment (Contributory) and occupational injuries benefits only.

From July 4th, 2007 the Scheme was discontinued for new entrants. This was done in conjunction with the phasing out the Pre-Retirement Allowance (PRETA) and is consistent with efforts being made to encourage and facilitate people to continue working up to and beyond pension age. Labour market conditions have improved dramatically since the introduction of PRETA in 1990. The practical effect of conditions in 1990 was that many long-term unemployed persons over 55 years of age were unlikely to work again, and it was not meaningful to continue to ask them to prove that they were actively seeking employment. The drop in long-term unemployment since that time has meant that this rationale has largely disappeared.

People of working age who are no longer liable for PRSI contributions may opt to protect their pension entitlements by applying to become a voluntary contributor. In order to be admitted to the voluntary contributions scheme, a person must have a minimum of 260 weeks of PRSI paid in either employment or self-employment and apply within 12 months of being insurable. The requirement to have 260 paid contributions to gain access to the scheme is essential in that it ensures that the requisite number of paid contributions required is in place to establish a contributory pension entitlement.

Social Welfare Benefits.

349. **Deputy Seán Fleming** asked the Minister for Social and Family Affairs the reason people on community employment schemes are not eligible for the back to school clothing and footwear allowance; his views on changing the policy on this matter; and if he will make a statement on the matter. [22880/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The back to school clothing and footwear allowance (BSCFA) scheme provides a one-off payment to eligible families to assist with the extra costs when their children start school each autumn. The allowance is not intended to meet the full cost of school clothing and footwear but only to provide assistance towards these costs. A person may qualify for payment of an allowance if they are in receipt of a social welfare payment or Health Service Executive (HSE) 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. People participating in Community Employment (CE) schemes are eligible to apply for BSCFA. The Community Employment (CE) scheme is included, among others, as one of the qualifying payments for the purposes of the BSCFA scheme.

Participants in a CE scheme are assessed under the standard rules for BSCFA. The weekly income limit appropriate to a single person with one child is €331.30. For a couple with one child, the income limit is €470.80. This limit increases by €22 for each eligible child.

Any changes to the current income limits for the back to school clothing and footwear allowance scheme would have cost implications and would have to be considered in a budget context and in the light of the resources available to me for improvements in social welfare generally.

Pension Provisions.

350. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the report, advice, or other research which currently informs his Department's policy on income adequacy for pensioners generally and for older pensioners in particular; when income adequacy for pensioners was last subject to a substantial policy review; when the rate for the over 80 allowance was last subject to substantial review as to its adequacy; and if he will make a statement on the matter. [22896/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Policy in relation to pensioner's incomes is informed by the wide range of research carried out in this area, both nationally and internationally. Commitments contained in the Programme for Government in relation to social welfare payment rates and the overall tar-

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gets for retirement income suggested by the Pensions Board in the National Pensions Review are of particular importance. The latter, published in 2006, re-examined and reaffirmed targets suggested in the National Pensions Policy Initiative in 1998. These targets, which have informed policy since then, recommended a replacement income, from all sources, of 50% of pre-retirement income and a social welfare contributory pension latest rate of 34% of Gross Average Industrial Earnings. The increase in the state pension (contributory) implemented in Budget 2007 has moved the contributory pension ahead of the Pensions Board target and the commitment to a pension of €300 per week contained in the Government programme will, more than likely, see further progress in the area.

The Department also monitors regular statistical releases such as the EU Survey of Income and Living Conditions (SILC) to track the effectiveness of income policies. In this regard, using the official consistent poverty indicator, older people are in a relatively better position than the rest of the population with 3.7% in consistent poverty against 7% overall in 2005.

The risk of poverty rate based on relative incomes is more or less the same for both groups with the rate for older people showing significant improvement from 2004 to 2005, with the rate falling from 27% to 20%. Significant increases in pension rates implemented in 2006 and 2007 should see the position of older people improving further.

The over 80 allowance was increased in 2006 to its present level of €10 per week and there is a commitment in the Programme for Government to pay the allowance also in respect of the qualified adult portion of the pension. There has been no systematic review of the adequacy of the allowance. However, that Social Portrait of Older People, published by the Office of Social Inclusion earlier this year, shows that poverty rates for older pensioners i.e. aged 75 and over, were lower than for younger pensioners.

The forthcoming Green Paper on pensions will include a discussion on the incomes of older people, including the sources of that income and with comparisons of different household types, age and gender. Trends in relation to poverty risks will also be dealt with as well as inter-

national comparisons of pensioners' incomes. The Green Paper will be published shortly.

The needs of older people have been, and will remain, a priority for the Government. The Government Programme envisages a 50% increase in social welfare pensions over the next 5 years and further reforms and improvements will be considered in the context of the publication of the Green Paper and the development of a framework for long-term pensions policy that is to follow its publication.

Local Drugs Task Forces.

351. **Deputy Róisín Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs if, in relation to the 2007 allocations under the young people's facilities and services fund, he will set out the value of the applications for funding received from each of the local drugs task forces plus Galway, Limerick and Waterford cities and Carlow Town; and if he will set out the actual amount allocated in each case. [22449/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): As the Deputy will be aware, I recently announced a capital investment of nearly €7m to support 42 projects under the Young Peoples Facilities & Services Fund (YPFSF). Details of the successful projects are set out in my press release of 24th September, which is available on my Department's website, through the following link: <http://www.pobail.ie/en/PressReleases/file,8610,en.doc>

The value of the applications for funding received and the amounts allocated in each of the 18 YPFSF areas is as follows at Appendix A. The 18 areas include the 14 Local Drugs Task Force areas.

In addition, three capital applications, totalling €1.075m, were approved for funding earlier this year — Finglas/Cabra — €290,000 (two projects), Waterford — €335,000 (two projects) and Bray — €450,000 (three projects). Therefore, the total amount approved for capital projects this year to date is approx. €8m.

On the current side, an amount of €436,500 was allocated to four projects in further current funding in 2007 (€10,000 — Finglas/Cabra; €206,500 — Galway; €161,000 — Ballymun and €59,000 — Ballyfermot). Overall, just over €12.9m is being provided by my Department in 2007 to cover the current costs associated with the YPFSF (staffing and associated costs).

Appendix A

Development Group	Eligible Projects Proposed by Development Groups	Projects Approved
	€	€
Ballyfermot	666,510	30,510
Ballymun	757,000	147,000
Blanchardstown	725,000	725,000

Development Group	Eligible Projects Proposed by Development Groups	Projects Approved
	€	€
Bray	163,500	163,500
Canal Communities	320,417	232,240
Carlow	37,000	37,000
Clondalkin	600,000	600,000
Cork	4,077,000	175,000
Dublin 12	1,165,624	1,165,624
Dublin North East	354,924	354,924
Dún Laoghaire Rathdown	2,292,000	500,000
Finglas Cabra	1,395,079	245,079
Galway	364,000	64,000
Limerick	2,053,514	313,624
North Inner City	1,490,000	1,140,000
South Inner City	1,098,140	158,140
Tallaght	1,467,841	301,000
Waterford	1,546,426	546,426
Total	20,573,975	6,899,067

Cross-Border Projects.

352. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Community, Rural and Gaeltacht Affairs if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22594/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): The North/South section in my Department is responsible for supporting, monitoring and liaising with Waterways Ireland and An Foras Teanga — the two North/South Implementation Bodies jointly co-sponsored and co-funded by my Department with the Department of Culture, Arts and Leisure in Northern Ireland. The section is also responsible for the management of funding for certain cross-border initiatives under the Peace and INTERREG Programmes.

Other significant priorities for the North/South section are to provide administrative support, together with the Department of Culture, Arts and Leisure, for the work of the North/South Ministerial Council meeting in the Inland Waterways and Language sectoral formats; to advance the programme for the restoration of the south-west section of the Ulster Canal; and to promote the continued development of contacts and close co-operation with relevant public bodies and non-governmental organisations in Northern Ireland.

Irish Horseracing Industry.

353. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) can not access X-rays of their horse; and if she will make a statement on the matter. [22731/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): This is an operational matter for the Irish Horse Board which is a cooperative registered under the Industrial and Provident Societies Acts, 1893-1978. The Minister has no official responsibility in relation to this matter.

Bovine Diseases.

354. **Deputy Seán Ó Fearghaíl** asked the Minister for Agriculture, Fisheries and Food her views on increasing the age limit for BSE testing from 30 to 36 months; and if she will make a statement on the matter. [22282/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Having the age limit for BSE testing increased has been a priority of mine since my appointment as Minister and I and my officials have pushed the case at every opportunity. I have long taken the view that, given the significant decline in the incidence of the disease across the European Union in recent years, not least in Ireland, and the control measures in place, an increase in the age limit is entirely justified.

I am pleased, therefore, that the EU Commission has recently tabled proposals that, if adopted, will result, in respect of healthy slaughtered animals, for the testing of 100 per cent of cattle aged over 42 months and born before 1 January 2002, and 50 per cent of cattle aged over 42 months and born after 1 January 2002. For emergency slaughtered cattle and fallen stock, the proposal is to test 100 per cent of emergency slaughtered cattle and fallen stock aged over 36 months.

Work is continuing in Brussels to finalise the criteria against which the performance of any

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Member State will be measured in order to avail of the newly proposed testing arrangements. I am pressing to have this work concluded as quickly as possible.

Sheep Sector.

355. **Deputy Seán Ó Fearghail** asked the Minister for Agriculture, Fisheries and Food if she has plans to implement in part or in full the recommendations contained in the Report of the Malone Sheep Strategy Group; and if she will make a statement on the matter. [22283/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Sheep Industry Strategy Development Group, under the chairmanship of Mr. John Malone, issued its report in June 2006. The report contained a total of 37 recommendations as to how the future of the sheep sector could be secured going forward. I established an Implementation Group, also under the chairmanship of Mr. Malone, in July 2006, to oversee the implementation of the recommendations contained in the report.

The Implementation Group reported in April. Most of the recommendations in the report fall to be implemented by the industry itself. My Department will be supporting the recommendations through assistance for breeding and management, processing facilities, mechanical grading, quality assurance and health and welfare.

In addition and in line with the Group's report, sheep farmers are major beneficiaries of various schemes being operated by my Department. Under REPS 4, which I recently launched, a new supplementary measure aimed at sheep farmers has been introduced. A budget of €28m a year has been allocated to fund the proposed new supplementary measure at an overall cost of over €170m for the period to 2013. Assistance is also available to sheep farmers for on farm investments under the new Rural Development Programme.

I feel the comprehensive package of measures now being adopted will secure the full commitment of all those involved in the sector and the result will be a more efficient, competitive and profitable sheep industry at all levels.

Grant Payments.

356. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food the grants available from her Department to horse trainers for the building of stables. [22309/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Farm Improvement Scheme was introduced by my Department last July and provides grant-aid to eligible farmers for, inter alia, the building of stables for

horses. The maximum eligible investment ceiling for such work under the Scheme is €120,000 and the standard grant-rate is 40%.

357. **Deputy P. J. Sheehan** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Cork will receive their 2006 cattle headage payment; and if she will make a statement on the matter. [22347/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): An application under the 2006 Single Payment Scheme/Disadvantaged Area Scheme was received from the person named on 8 November 2006. Applications received after 10 June 2006, the latest date for receipt of late applications under the 2006 Schemes, the closing date having been 15 May 2006, were ineligible for payment, unless satisfactory evidence of acceptable Force Majeure/exceptional circumstances was presented by the applicant. The person named was advised accordingly by letter dated 14 December 2006 and replied by letter dated 27 March 2007. Following consideration of the reply, the person named was advised, by letter dated 17 April 2007, that the application was not admissible. The person named was also advised of their right to appeal this decision to the Agriculture Appeals Office; it is understood that the person named has not availed of this option.

Payments under the 2007 Disadvantaged Areas Scheme commenced on 21 September 2007, with payments issuing to all applicants whose applications were clear on that date. Payments continue to issue as individual cases are confirmed eligible for payment. Payment in full issued to the person named on 25 September, in the amount of €4,456.75.

Animal Feedstuffs.

358. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food if she will ensure that the EU is aware of concern amongst Irish pig producers at the alarming increase in the cost of feed imported into this country; the efforts she is making to ensure that the EU reviews its policy on trade restrictions which prevent EU countries from using genetically modified feed but where the EU allows other countries to export their pigs which are fed on this product; and if she will make a statement on the matter. [22364/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am satisfied that the EU is fully aware of the rising costs of animal feedstuffs across Europe and the effect this is having on Irish pig producers. In response to developments on the International cereal and feed market, the EU Council of Agriculture Ministers agreed to suspend the obligation to set 10% of arable land aside. The Commission is also

examining ways of synchronizing the GM authorization processes between the EU and the US

Animal feed materials used in pig diets, such as soya and whole maize, are derived from EU authorised GM crops. All animal feed materials consisting of, or containing, genetically modified ingredients which have been authorised under EU legislation can be placed on the EU market. In 2006 some 455k tonne of soya, 90% of which was declared as being produced from EU authorised crops, was imported into Ireland for use in animal feed, much of which was used in pig rations.

Imports of pigmeat from Third Countries represents less than 1% of pigmeat consumed in the EU.

Live Exports.

359. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 119 of 27 September 2007, the EU Member States to which the export is prohibited; the reason in each case; and if she will make a statement on the matter. [22461/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I wish to advise the Deputy that Ireland is not prohibited from exporting live cattle to any EU Member State.

Animal Diseases.

360. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the measures she has put in place to counteract the joint threat from foot and mouth and bluetongue diseases and in particular in relation to the need for the eradication of the threat from Brazilian beef; and if she will make a statement on the matter. [22467/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department and I have been particularly proactive in taking measures designed to minimise the risk of the introduction to Ireland of either Foot and Mouth Disease (FMD) or Bluetongue.

With regard to the threat of FMD, I introduced an immediate ban on the importation to Ireland from Great Britain of live susceptible animals, fresh meat, raw milk and other products from such animals as soon as the first case of FMD was confirmed in Surrey on 3rd August. I also instructed the immediate installation of disinfection points at Irish ports and airports. My Department also published information leaflets for people travelling from Britain and published information notices in the national newspapers as well as providing advice to the organisers of agricultural shows. Furthermore, my Department set-up a dedicated FMD website which contains a significant amount of useful information and advice.

Within days of the introduction of my ban on imports from Britain, the European Commission introduced a ban on the export from Britain of susceptible live animals and products, including those included in my earlier ban. The Commission Decision was strictly enforced by my Department and a subsequent Commission Decision, introduced in the immediate aftermath of the first case in the second cluster of cases on 12th September, is currently being enforced by my Department.

In the short period during which live exports from Britain were permitted, there were three consignments of live animals imported from Britain and all have been traced and clinically examined and found not to have any signs of disease.

With regard to Bluetongue, my Department and I have responded proactively to the increased threat posed by the spread of the disease across northern Europe last year by engaging the Department of Zoology at NUI Galway to assist in carrying out a comprehensive surveillance survey of the midges that potentially spread the virus. In addition, my Department's laboratory service has been testing thousands of blood samples for any evidence of Bluetongue since August 2006. My Department has also updated its contingency plans and legislative basis and has provided advice leaflets to farmers and the veterinary profession as well as having organised an industry seminar on bluetongue in July. Comprehensive information is available on the Department's bluetongue website — www.bluetongue.ie

The more recent detection of the disease in Britain, along with the rapid spread of the disease across northern Europe and its detection at more northerly points than ever before, inevitably increase the threat to Ireland. On the 29th September, the Department of the Environment, Food and Rural Affairs in Britain confirmed an outbreak of Bluetongue and immediately put in place the control measures required by Council Directive 2000/75/EC. There is, already, as a result of the FMD outbreak in Britain, a ban on the importation from Britain of live animals.

With regard to the threat presented by both Bluetongue and FMD, my approach is to ensure adequate awareness of the diseases and, particularly, the clinical signs with which farmers, veterinary practitioners and other livestock handlers ought to be familiar and to encourage vigilance among them when inspecting animals. In that regard, farmers and veterinary practitioners should note that Bluetongue is a notifiable disease and suspicions of the disease must be reported immediately to my Department. My Department and I are very conscious of the need to ensure such adequate awareness and are keeping the communications strategy under constant review.

I am satisfied that the control measures currently in place are, at all times, proportionate to

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the current level of risk. This is obviously a situation that also requires to be kept under review and I will not hesitate to refine and update those control measures should I be satisfied that the risk has increased and that further control measures are appropriate.

My Department and I have been working closely with the Department of the Environment, Food and Rural Affairs in London, the European Commission in Brussels and, particularly, the Department of Agriculture and Rural Development (DARD) in Belfast. I have been and continue to be in frequent contact with my Ministerial colleagues in London and Dublin while my officials are in constant contact with their counterparts.

On the issue of control of imports of beef into EU, this is primarily a matter for the EU Commission acting through its Food and Veterinary Office.

With regard to the importation of beef from Brazil, I wish to clarify that, firstly all imports of beef into the EU are from regions which are designated FMD free and have been approved by the EU for the export from Brazil into the Community. Secondly the type of beef that is authorised is deboned, matured beef which has been slaughtered in EU approved slaughterhouses and subsequently heat treated and matured following slaughter to ensure elimination of any potential presence of the FMD virus. Thirdly the beef must be traceable for 90 days before slaughter and the animals from which it was derived have been resident for at least 40 days on the holding of origin in that state before slaughter. In all cases, such imports must be accompanied by veterinary health certification from the competent authority in Brazil.

As I have previously stated, I have taken the opportunity to raise this point on a number of occasions with the EU Commissioner for Health and Consumer Protection, Mr Markos Kyprianou. He has assured me that the Commission will not hesitate to take the appropriate protection measures if a product imported from a third country, poses a risk to the health of EC consumers or livestock. I have been informed that further FVO missions are being undertaken to Brazil and the Commission will reassess the authorization of exports from Brazil in the light of the outcome of these missions.

Grant Payments.

361. **Deputy Beverley Flynn** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Mayo has not received approval for their application for grant aid for an ESB connection to their slatted shed. [22571/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The person concerned

is an applicant under the Farm Waste Management Scheme and his application is currently being processed. However, my Department does not provide grant-aid for the connection of electricity to farm buildings.

Cross-Border Projects.

362. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Agriculture, Fisheries and Food if she will report on the work of the North-South unit in her Department; and if she will make a statement on the matter. [22591/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The North-South Unit of my Department is the central and coordinating point for any matter involving co-operation in relation to Agriculture between my Department and the Department of Agriculture and Rural Development in Northern Ireland.

The main areas of co-operation were laid down in the Good Friday Agreement and the North-South Unit facilitates progress in these areas. The areas specifically identified were animal and plant health. The work of the North-South Unit includes contact with the Joint Secretariat of the North South Ministerial Council and involvement in sectoral meetings.

Rural Environment Protection Scheme.

363. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when REP scheme four will be fully introduced and available for applications through the local offices of her Department; and if she will make a statement on the matter. [22603/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I launched REPS 4 on 8 August after Ireland's Rural Development Programme was approved by the EU Structural Funds Committee. Scheme documents were subsequently published on my Department's website and printed versions are currently being made available in local AES Offices.

A number of applications have already been received. Those that were received in September will, if they were valid, be paid with a start date of 1 October 2007; similarly, valid applications arriving this month will have a start date of 1 November. The electronic mapping system, eREPS, is being re-programmed for the new scheme and will be available at the end of October. This system is funded by my Department and hosted by Teagasc, and is now used by the majority of planners. Planners still have the option of submitting REPS plans with maps that have been prepared manually, however, and the applications received so far have been prepared in this way.

Decentralisation Programme.

364. **Deputy Margaret Conlon** asked the Minister for Agriculture, Fisheries and Food the position in relation to provision of office space for her Department in Ballybay. [22622/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department is currently examining the provision of office space in Ballybay.

Rural Environment Protection Scheme.

365. **Deputy Dara Calleary** asked the Minister for Agriculture, Fisheries and Food when the details of REP scheme four will be made available to farmers. [22648/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I launched REPS 4 on 8 August after Ireland's Rural Development Programme was approved by the EU Structural Funds Committee. Scheme documents were subsequently published on my Department's website and printed versions are currently being made available in local AES Offices.

A number of applications have already been received. Those that were received in September will, if they were valid, be paid with a start date of 1 October 2007; similarly, valid applications arriving this month will have a start date of 1 November. The electronic mapping system, eREPS, is being re-programmed for the new scheme and will be available at the end of October. This system is funded by my Department and hosted by Teagasc, and is now used by the majority of planners. Planners still have the option of submitting REPS plans with maps that have been prepared manually, however, and the applications received so far have been prepared in this way.

Departmental Agencies.

366. **Deputy Jack Wall** asked the Minister for Agriculture, Fisheries and Food when Teagasc was established; the area of responsibility it had then; the person it was responsible to; if she and her Department had the total control of Teagasc; and if she will make a statement on the matter. [22798/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Teagasc, the Agriculture and Food Development Authority, was established under the Agriculture (Research, Training and Advice) Act, 1988. Its establishment day was 5 September 1988. Its principal function, set out in Section 4 of the Act, is to provide research, training and advisory services for the agri-food sector.

As provided for in the Act Teagasc is governed by an eleven member Authority. The Chairman and five ordinary members are appointed by the

Minister and the remaining five members are appointed by the Minister following nominations from designated organizations. Subject to the provisions of the Act, and other requirements such as the Code of Practice for the Governance of State Bodies, it is the responsibility of the Teagasc Authority to exercise full and effective control over the organisation and monitor the executive management and performance.

Ministerial responsibility to Dáil Éireann in relation to Teagasc is confined to matters of policy in accordance with the Act. The Minister does not interfere in the day-to-day operations of Teagasc.

Youth Services.

367. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Science the amount of grant funding her Department has provided to Foróige for the years 2002 to date in 2007; and if she will make a statement on the matter. [22342/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Foróige receives annual grant-in-aid funding from my Department under the Youth Service Grant Scheme, Special Projects for Youth Scheme and Youth Information Centres Scheme.

The organisation has received total grant-in-aid funding of €26.6million for the years 2002 to 2007 to date. Details of the funding provided are as follows:

Youth Service Grant Scheme

Year	Grants-in-aid paid
	€
2002	1,689,850
2003	1,821,952
2004	1,894,830
2005	2,064,667
2006	2,319,001
2007	2,492,926

Special Projects for Youth Scheme

Year	Grants-in-aid paid
	€
2002	1,528,473
2003	1,683,200
2004	1,795,591
2005	2,261,881
2006	2,444,838
2007	2,747,453

[Deputy Seán Haughey.]

Youth Information Centres

Year	Grants-in-aid paid
	€
2002	323,096
2003	276,143
2004	297,948
2005	370,725
2006	354,395
2007	204,207

Note: Foróige grant-in-aid in respect of one Youth Information Centre has not yet been finalised and is not included in the above total for 2007.

Student Support Services.

368. **Deputy Brian Hayes** asked the Minister for Education and Science his views on setting up an independent body to adjudicate over allegations of sexual harassment and malpractice of students in third level colleges; and if she will make a statement on the matter. [22438/07]

Minister for Education and Science (Deputy Mary Hanafin): I do not believe that there is a need to set up an independent body on the lines suggested by the Deputy. Our higher education institutions are autonomous bodies which have statutory and other grievance procedures. The statutory procedures provide for appointment of an independent person or persons as appropriate.

Of course, where allegations are of a criminal nature they should be reported to the Garda authorities.

Schools Building Projects.

369. **Deputy Deirdre Clune** asked the Minister for Education and Science the steps she has taken to ensure the provision of a primary school in Rochestown, County Cork; and if she will make a statement on the matter. [22272/07]

Minister for Education and Science (Deputy Mary Hanafin): The Office of Public Works, which acts on behalf of my Department in relation to sites acquisitions, has secured a site for the provision of a new school. The building programme required to deliver the new school building will be considered in the context of the School Building and Modernisation Programme.

Higher Education Grants.

370. **Deputy Pat Breen** asked the Minister for Education and Science if an application will be processed for a person (details supplied) in County Clare; and if she will make a statement on the matter. [22276/07]

Minister for Education and Science (Deputy Mary Hanafin): The decision on eligibility for

third level grants is a matter for the relevant assessing authority — i.e. the 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 required.

If an individual applicant considers that she/he has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, she/he may appeal, in the first instance, to the relevant local authority or 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/her case, an appeal form outlining the position may be submitted by the applicant to my Department.

Alternatively, as already indicated, the local authority or VEC may, itself, in exceptional circumstances, seek clarification on issues from my Department.

In light of the particular circumstances I would like to make the Deputy aware of the Student Assistance Fund (SAF), in third level institutions which provides funding to higher education students in need of financial assistance. The objective of the SAF is to assist students in a sensitive and compassionate manner who might otherwise, because of financial reasons, suffer severe hardship or be unable to continue their third level studies. Applications for funding should be made by the individual student to the Access Officer in their institution. The SAF is administered on a confidential, discretionary basis.

School Staffing.

371. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Science the number of additional primary teachers employed in County Kildare in September 2007; and if she will make a statement on the matter. [22284/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, major improvements have been made in staffing at primary level in recent years. There are now 5,000 more primary teachers than there were in 2002. By the 2006/07 school year, we had reduced the average class size in our primary schools to 24, while the pupil teacher ratio was 16.4:1, including resource teachers etc. In that year, schools were staffed on the basis of a general rule of at least one classroom teacher for every 28 children. Given that the national average was 24, many schools benefited from much more favourable staffing ratios than this.

In relation to County Kildare alone, the number of teaching posts in primary schools was increased to 1,286 for the 2006/2007 school year.

This figure has been increased again to 1,377 for the current school year.

Extra teachers were provided by the Government for the 2007/08 school year to improve primary school staffing so that schools would generally get at least one classroom teacher for every 27 children. Posts allocated on the basis of this staffing 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.

A further initiative in recent years that has been of direct benefit to primary schools has been the change in the criteria for developing schools. For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year. Over 350 such posts have been sanctioned in the 2007/08 school year compared to 280 in 2006/07.

The improvements we have made in school staffing in recent years are absolutely unparalleled. The Government is committed to providing more teachers to our primary schools over the next five years. We will also continue our focus on measures to improve the quality of education in our primary schools to ensure that increased resources lead to better outcomes for our children.

Special Educational Needs.

372. **Deputy Seán Ó Fearghail** asked the Minister for Education and Science the number of special needs assistants employed in schools in County Kildare in the years 2002 to 2007; and if she will make a statement on the matter. [22285/07]

Minister for Education and Science (Deputy Mary Hanafin): There are currently 369 Special Need Assistants (whole-time equivalents) employed in schools in Co. Kildare. Three hundred and forty one are serving in Primary schools and twenty eight in Post Primary schools. It is not possible to provide this information for previous years.

School Accommodation.

373. **Deputy Shane McEntee** asked the Minister for Education and Science when her officials propose to visit schools (details supplied) in County Meath with a timeframe for the provision of classrooms to meet the two schools future needs; and if she will make a statement on the matter. [22279/07]

Minister for Education and Science (Deputy Mary Hanafin): Officials in the Department are currently in the process of arranging a technical visit to the schools referred to by the Deputy. The school authorities will be notified directly as soon as arrangements in this regard have been finalised.

School Enrolments.

374. **Deputy Michael D. Higgins** asked the Minister for Education and Science if she will make a statement on the fact that children of foreign nationals on a student visa are being told that they do not have the right to enrol their children, even when the children have been given a place in a national school; and her views on whether this prohibition is in contravention of the internationally accepted rights of the child in international law. [22332/07]

Minister for Education and Science (Deputy Mary Hanafin): Existing education policy is that students up to 18 years of age are admitted to schools irrespective of their nationality or status. Indeed, under the Equal Status Act, schools may not discriminate in admission to schools except where this is necessary to maintain the religious values or ethos of the school. The Act does provide for differential treatment in relation to fees for further and higher education for persons who are not nationals of an EU Member State.

I understand that student Visas issued by the Department of Justice, Equality and Law Reform are subject to a number of conditions including conditions which relate to financial independence and access to State funded services.

Departmental Expenditure.

375. **Deputy Brian Hayes** asked the Minister for Education and Science the average funding per student from Government spending within the primary, secondary and third level systems of education; and if she will make a statement on the matter. [22333/07]

Minister for Education and Science (Deputy Mary Hanafin): The average Non-Capital cost to the Exchequer of a student at First, Second and Third level Education in 2006 was:

	€
First Level	5,780
Second Level	8,085
Third Level	11,405

School Staffing.

376. **Deputy John O'Mahony** asked the Minister for Education and Science when a replacement visiting teacher will be assigned to a school (details supplied) in County Mayo. [22334/07]

Minister for Education and Science (Deputy Mary Hanafin): The case of the pupil to whom the Deputy refers has been reassigned to another Visiting Teacher for the Visually Impaired attached to the Western Regional Office of my Department. The Visiting Teacher has already made contact with the school in question.

Schools Building Projects.

377. **Deputy Joanna Tuffy** asked the Minister for Education and Science the status with regard to the proposed construction of a new school at a school (details supplied) in County Cork; when she expects work to commence; and if she will make a statement on the matter. [22336/07]

Minister for Education and Science (Deputy Mary Hanafin): The position regarding the provision of a new school in Summercove is that the Property Management Section of the Office of Public Works (OPW), which acts on behalf of my Department in relation to site acquisitions generally, has been asked to source a suitable site for this school. A site has been identified at this stage and the OPW are currently in negotiations with the owner for its acquisition.

When the site has been secured the proposed building project for the school will be considered in the context of my Department's multi-annual School Building and Modernisation Programme and available financial resources.

School Staffing.

378. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of laboratory technicians and assistants employed in secondary schools; and if she will act upon the recommendation of the Task Force on the Physical Sciences which recommended the employment of laboratory technicians and assistants in all second level schools. [22350/07]

400. **Deputy Margaret Conlon** asked the Minister for Education and Science if she will approve the employment of laboratory technicians in all second level schools; and if she will make a statement on the matter. [22625/07]

429. **Deputy Brian O'Shea** asked the Minister for Education and Science the proposals she has to provide laboratory technicians in all second level schools (details supplied); and if she will make a statement on the matter. [22844/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 378, 400 and 429 together.

Significant progress has been made in progressing a range of areas highlighted in the Report of the Task Force on the Physical Sciences e.g. A new science curriculum has been introduced at primary level supported by a

resource grant in December 2004 of €1000 per school plus €10 per pupil.

A revised syllabus in Junior Certificate Science was introduced in 2003 and it was examined for the first time in June 2006. Revised syllabi in Leaving Certificate Physics, Chemistry and Biology have also been introduced and examined within the last five years. Work on the revision of the two remaining Leaving Certificate subjects — Agricultural Science and Physics and Chemistry (combined) — is well advanced. The introduction of each of the revised syllabi has been supported by comprehensive in-service programmes for teachers.

Additional equipment grants have been provided to schools, and laboratories continue to be refurbished as part of the ongoing school building programme. In that context, €16 million was issued to schools in 2004 to support the implementation of the revised Junior Certificate Science syllabus.

Investment in the Programme of Research in Third Level Institutes (PRTLTI) is continuing apace to enhance and promote world class standards in research, innovation and development.

My Department does not allocate provision for laboratory technicians/assistants in second level schools. The recommendation made by the Task Force Report in this area, in 2002 prices, was costed at €18.8m annually. The current cost of such provision is estimated at c. €24.6m for science subjects only, but could exceed €120m annually if applied to other practical subjects. While I have made it clear that I am not yet convinced of the need for lab assistants and that I believe that their provision would lead to demands for similar assistance in other subjects with a strong practical component, the Government is committed under the Strategy for Science, Technology and Innovation to re-visiting the issue. A decision on this issue can only be made in the context of the resources available from time to time in the Estimates.

As the Deputy will be aware, the Strategy for Science, Technology and Innovation 2006 to 2013 sets out a range of measures to further strengthen science teaching and learning and improve the uptake of senior cycle Physics and Chemistry. These include ensuring that the project based hands-on investigative approach now in place at junior cycle is extended to senior cycle, that the appropriate type of assessment is used and that there is an emphasis on the inter-disciplinary nature of science in society.

Other aspects of the Plan include: reviewing the implementation of the primary science curriculum to ensure its effectiveness in stimulating interest and awareness in science at a very young age, strengthening teacher training in this area, reforming maths and Leaving Certificate Physics and Chemistry curricula, promotion of science initiatives in Transition Year; and, the provision of information and brochures on science oppor-

tunities and careers, linking effectively with school guidance services.

Taken together, the comprehensive set of measures provided for in the SSTI will build on the improvements made in recent years and ensure even greater support for science education.

Schools Refurbishment.

379. **Deputy John O'Mahony** asked the Minister for Education and Science the reason there has been a delay in applications for the small schools scheme for 2008; when these applications will be made; and if she will make a statement on the matter. [22371/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, the Small Schools Scheme is aimed at funding renovation projects and or extensions in primary schools of up to 4 classrooms and where the school authorities project that their overall enrolment levels will remain stable. Since the scheme was launched in 2003, nearly 400 schools have been approved for works through an investment of more than €146 million. The breakdown of the 2008 building budget between the devolved and other schemes has not yet been determined.

Special Educational Needs.

380. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science his views on whether the National Braille Production Centre is underfunded, under-resourced and understaffed; and her plans to address these concerns in view of failures to process and deliver complete braille text books and in other formats, that is large print and text only files to students in time for the start of the 2007/2008 year. [22373/07]

381. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to the fact that some blind and visually impaired students are experiencing difficulties in accessing complete braille text books and in other formats; and if she will make a statement on the matter. [22374/07]

382. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science if the protocol regarding the provision of alternative formats for children with a visual impairment is due to be reviewed; if so, if there will be representation from parents and guardians and an outside independent representative with expertise in braille production in order to provide an independent opinion regarding the service the National Braille Production Centre provides; and when the recommendations will be published and acted upon. [22375/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 380 to 382, inclusive, together.

I am aware of the needs of the visually impaired students in accessing educational materials in various formats. As the Deputy is already aware, the National Braille Production Centre (NBPC), an integral part of the services provided by St. Joseph's School for the Visually Impaired in Drumcondra, Dublin, was established in 2000 to provide blind/visually impaired pupils at first and second level with textbooks in braille and other alternative formats. The NBPC produces educational materials in braille, large print format and text only for children who are blind or visually impaired. It is an essential service to children and young people who are blind or visually impaired and without it many of them would not be able to access mainstream education or be able to undertake the Junior and Senior Cycle examinations.

The NBPC provides an essential service to children who are blind or visually impaired and it is important that it is adequately funded to enable it to meet the needs of such children. Many of the children for whom the NBPC caters are being educated in a mainstream setting and the success of the mainstream placement is dependent on suitable educational materials being available to these children in a timely fashion.

Due to the technical processes involved, the NBPC requires a significant notice period in relation to orders for the materials in question. In the case of late orders or other unforeseen circumstances where a delay occurs in the provision of books, officials from the NBPC, in conjunction with the parents of the pupil/student and the Department's Visiting Teacher Service for the Visually Impaired, work together to establish solutions to provide the books in a timely manner. It is accepted practice generally that the Braille books are delivered in volumes throughout the school year, due to the lengthy transcription process.

My Department's Visiting Teacher Service for the Visually Impaired has a significant role to play in the process of ordering books or materials on behalf of a particular pupil/student. In 2006, a protocol dealing solely and exclusively with the provision of educational materials in alternative formats was agreed between the NBPC and my Department's Visiting Teacher Service for the Visually Impaired. The protocol was devised on the initiative of the Visiting Teacher Service for the Visually Impaired and will be reviewed very shortly on the basis of current experience in its operation. Any amendments to the protocol will be put in place and communicated to all relevant interests, including parents, without delay following the review.

An Advisory Board for the NBPC is in place and includes representation from parents and

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guardians and other interested parties including the Visiting Teacher Service.

My officials have met with the NBPC recently to discuss its operations and services and it is intended to meet them again shortly.

Higher Education Grants.

383. **Deputy Michael Ring** asked the Minister for Education and Science the official documents that can be used as proof of independent residency where a student is applying for a third level maintenance grant and they have not been registered as a tenant to the Private Residential Tenancies Board by their landlord in order that they cannot get a letter from the Private Residential Tenancies Board. [22386/07]

Minister for Education and Science (Deputy Mary Hanafin): The Higher Education Grants Scheme operates under the Local Authorities (Higher Education Grants) Acts, 1968 to 1992. These Acts define a mature student to mean a person “of not less than 23 years of age, or such other age as may stand specified for the time being in regulations made by the Minister with the consent of the Minister for Finance, who have secured places in approved institutions and have reached that age on the 1st day of January, or such other date as may be prescribed from time to time by the Minister with the consent of the Minister for Finance, in the year of entry to such institutions”.

Mature students are categorised as either independent mature students or mature students dependent on parents. An independent mature student is defined to mean a mature student who was not ordinarily resident at home with his/her parents from the October preceding their entry to an approved course. Independent mature students are assessed without reference to either their parents' income or address.

In order to establish that a candidate is an independent mature student documentary evidence is required as proof of a candidate's ordinary/ permanent address from the 1st October of the year preceding entry to college. Examples of the type of documentary evidence, which would establish residence, are as follows:

- (i) Utility bills such as telephone, gas, E.S.B.
- (ii) Evidence of registration with the Private Residential Tenancies Board (P.R.T.B.)
- (iii) Official Documentation from any Government Department e.g. Social Welfare or Revenue (if any) The awarding authorities are obliged to satisfy themselves beyond doubt that an acceptable degree of proof is submitted by the grant applicant in establishing eligibility under all aspects of the schemes.

Schools Building Projects.

384. **Deputy Seán Sherlock** asked the Minister for Education and Science if she will sanction funding for new primary school buildings at a school (details supplied) in County Cork in view of the fact that the planning section of the DEIS have passed all requirements regarding need, projected figures and local area plans and that the school has used prefabs for almost 20 years. [22387/07]

Minister for Education and Science (Deputy Mary Hanafin): An application for capital funding towards the provision of a new school has been received from the school referred to by the Deputy. An assessment of projected enrolment trends, demographic trends and housing developments in the area was carried out in order to inform the determination of the long term projected staffing on which the school's accommodation needs will be based. This has been finalised and notified to the school.

The building project required is being considered in the context of the School Building and Modernisation Programme.

School Transport.

385. **Deputy Jack Wall** asked the Minister for Education and Science the criteria and guidelines her Department has to ensure that children disembark at their designated drop off points; if each driver of a school bus has a listing of the children and their respective embarking and disembarking points; and if she will make a statement on the matter. [22392/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): My Department has been advised by Bus Éireann, which operates the School Transport Scheme on its behalf, that all school bus tickets, both primary and post-primary, have the pick-up and set-down point clearly shown on them. Pupils are expected to disembark at their designated drop-off points as printed on their tickets. Parents/guardians also have a responsibility to ensure that their children arrive at, and are collected from, these pick-up and set-down points at the appropriate times.

It is not the general practice to provide school bus drivers operating within the Scheme with a listing of the pupils and their respective embarking and disembarking points.

Schools Building Projects.

386. **Deputy Jack Wall** asked the Minister for Education and Science the position in relation to the provision of a new primary school (details supplied) in County Kildare; the position regarding discussions with primary schools regarding a possible rationalisation or re-configuration of primary educational facilities in the area where the schools are located; the stage the discussions

are at; the agreements that have been reached; and if she will make a statement on the matter. [22393/07]

Minister for Education and Science (Deputy Mary Hanafin): Discussions are on-going with the authorities of the schools to which the Deputy refers in relation to their long term accommodation needs. As part of this process, meetings have also taken place with both Kildare County Council and Athy Town Council with a view to ensuring that the appropriate level of educational provision is made in the context of planned housing developments.

The Department expects to be in a position to make a decision on the long term needs of Athy shortly.

School Services Staff.

387. **Deputy Dan Neville** asked the Minister for Education and Science when a classroom assistant will be made available for a person (details supplied) in County Limerick. [22442/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOS), for allocating resource teachers and special needs assistants (SNAs) to schools to support children with special needs. My officials have been in contact with the NCSE in relation to this case and I understand that additional SNA support has recently been sanctioned to the school and that there is sufficient support available to cater for this pupil's needs.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie

School Placement.

388. **Deputy Róisín Shortall** asked the Minister for Education and Science her plans, in accordance with the Education Welfare Act, 2000, to ensure that a child (details supplied) attends a recognised school or otherwise receives a certain minimum education; and if she will make a statement on the matter. [22456/07]

Minister for Education and Science (Deputy Mary Hanafin): The National Educational Welfare Board is developing a nationwide service on a continuing basis that is accessible to schools, parents/guardians and others concerned with the welfare of young people. For this purpose, Educational Welfare Officers (EWOs) have been deployed throughout the country to provide a welfare-focused service to support regular school attendance and discharge the Board's functions locally.

The Board operates through 5 regional teams, with bases in Dublin, Cork, Limerick, Galway and Waterford. A service is provided from 26 locations nationwide. Staff are deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. In addition, the Board follows up on urgent cases nationally where children are not currently receiving an education. Educational Welfare Officers play a pivotal role in implementing the service provided by the NEWB through monitoring school attendance and working to improve it. The EWOs also help parents that are experiencing a difficulty with getting a school place for their child.

In relation to the Deputy's specific question, I am informed that the National Educational Welfare Board are working in close liaison with the Health Service Executive to ensure that the child will attend a recognised school or otherwise receives a certain minimum education as soon as possible.

School Curriculum.

389. **Deputy James Bannon** asked the Minister for Education and Science her plans for a new curriculum for leaving certificate agricultural science in the light of the excessively difficult paper in June 2007, which impacted adversely on rural and urban students and particularly on those seeking a career in the farming industry; her views on a greater input into the setting of this exam from farming interests; and if she will make a statement on the matter. [22466/07]

Minister for Education and Science (Deputy Mary Hanafin): Work on a revised syllabus for Agricultural Science has largely been completed by the National Council for Curriculum and Assessment (NCCA). However, the assessment arrangements for the revised syllabus have not yet been finalised as they will have to be considered in the context of the assessment of other senior cycle science subjects, including the introduction of a second assessment component.

The role of the NCCA is to advise the Minister for Education and Science on matters relating to the curriculum for early childhood education, primary and post-primary schools, and to the assessment procedures employed in schools and examinations on subjects that are part of the curriculum. The revised syllabus was developed in consultation with all of the partners in education and through the representative structures of the NCCA.

With regard to input into the setting of the examination in Agricultural Science, the position is that the preparation of examination papers is a function of the State Examinations Commission which has statutory responsibility for operational matters relating to the certificate examinations.

Dormant Accounts Fund.

390. **Deputy Richard Bruton** asked the Minister for Education and Science if she will confirm that €60 million is available from the Dormant Accounts Fund for a capital grant for facilities in national schools; and when the money will be allocated to schools who have applied. [22519/07]

Minister for Education and Science (Deputy Mary Hanafin): Among the priority funding measures approved for support in 2006/2007 under the Educational Disadvantage category of the Dormant Account Fund and the RAPID Leverage Fund, was a scheme addressing educational infrastructure in disadvantaged schools. Eligibility for the scheme was restricted to primary and post primary schools participating in my Department's DEIS programme; schools in, or serving, RAPID areas; and special schools.

The scheme consists of four measures and a number of sub-measures. The four measures are: (1) Outdoor Play Facilities; (2) Libraries; (3) Parent Rooms; and (4) Dining Areas. Eligible schools were allowed to submit prioritised proposals under each of the measures. Proposals were sought in respect of improvements to existing facilities ('enhancements' or 'non new-builds') and the development of new facilities ('new-builds').

A total of €20.5m, (€14.5m from the Dormant Accounts and €6m from the RAPID Leverage Fund, which is administered by the Department of Community, Rural and Gaeltacht Affairs), has been made available to fund the scheme. The scheme was launched on 16th January 2007, with a closing date for applications of 1st March 2007. The scheme was over-subscribed with 2,271 individual project proposals submitted for funding. The total amount of grant aid sought exceeded the funding available under the scheme.

The first stage of assessment involved proposals identified by applicants as Priority 1, 2 & 3 under the Outdoor Play Facilities Measure; lower priorities were not assessed because there is insufficient funding available. In July, €6.25m in funding was approved in respect of 447 Outdoor Play Facilities projects. These projects are currently being implemented by schools.

Phase II involves the assessment of some 380 library enhancement proposals. This work is at a very advanced stage and it is intended to progress the assessment in matter of weeks. Phase III, which will involve the assessment of the Parent Room and Dining Area proposals, will occur subsequently.

School Accommodation.

391. **Deputy Olwyn Enright** asked the Minister for Education and Science when a technical inspection report relating to a school (details supplied) in County Offaly will be available; the

reason for the delay in publishing the report; and if she will make a statement on the matter. [22568/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy will be aware of the significantly increased activity in the area of provision of additional school accommodation as a result of the recent demographic changes. In this context, the Department's technical unit have carried out a large number of technical inspections in order to progress new school building/extension projects to Design Team Appointment stage.

A technical inspection has been carried out in the school to which the Deputy refers and a report of this inspection is expected shortly. The Department will be in contact with the school's management authority as soon as the contents of the report have been considered.

Schools Building Projects.

392. **Deputy Michael McGrath** asked the Minister for Education and Science the reason for the delay in appointing a design team for a new primary school building (details supplied) in County Cork; and the position regarding this appointment. [22588/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to advise the Deputy that the process of appointing a Design Team for the school building project he refers to is at an advanced stage. Tender documents issued to consultants on 10th September last. The closing date for receipt of replies is 15th October 2007. Subsequent to the tender submissions being assessed, a number of documents will be requested from the preferred consultants namely, Tax Clearance Certificate, evidence of Certified Turnover and evidence of suitable Professional Indemnity Insurance. Once these documents are checked and deemed appropriate, contracts will be signed and architectural planning of the school project will commence immediately thereafter.

Special Educational Needs.

393. **Deputy Michael McGrath** asked the Minister for Education and Science if her Department has plans to provide a dedicated ABA autism unit in Cork; and if she will make a statement on the matter. [22589/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy will be aware of my commitment to ensuring that all children, including those with autism, receive an education appropriate to their needs.

With regard to specific provision for children with autism, the Government believes that as each child with autism is unique; such children should have access to a range of different interventions to meet their individual needs. Applied

behavioural analysis, or ABA, is one of the methodologies used in special classes for children with autism.

Advice received from international experts on autism, the National Educational Psychological Service and the inspectorate inform the Department of Education and Science's view that a range of approaches should be used, rather than just one. An analysis of research, including the report of the Irish Task Force on Autism, also supports this approach, and autism societies in other countries also caution against relying on just one intervention. By enabling children in special classes to have access to a range of methodologies, including ABA, the Government is doing what we are advised is in the best interests of such children.

The use of ABA as part of the range of interventions is particularly useful for addressing behavioural issues. My Department therefore supports the use of ABA and training is provided for teachers in its use. It is important that children have access to a range of methods so their broader needs can be met. Whereas ABA helps to improve behaviour, other interventions, such as TEACCH and PECS, are important in developing children's communication skills.

Children in special classes have the benefit of fully-qualified teachers trained in educating and developing children generally and who have access to additional training in autism-specific approaches, including ABA. The level of such training available to teachers has significantly improved in recent years and is a major priority for the Government. Children in special classes also have the option, where possible and appropriate, of full or partial integration into mainstream classes and of interaction with other pupils.

In excess of 265 autism-specific classes have now been approved around the country at primary and post primary level and the National Council for Special Education will continue to establish more such classes where the need arises. At primary level there are a maximum of six children in each special class with a teacher and at least two special needs assistants (SNAs). Extra assistants are provided where the children need them. An individual child can have access to full-time support from an individual SNA if he or she needs one.

My Department is currently funding an ABA pilot scheme which was established in the absence of this network of special classes in our schools. The Government is committed to long term funding for the centres participating in the scheme, including one based in Cork, subject to agreement on standards that will enable my department to support them as primary schools for children with autism. In terms of autism provision in other locations, we will continue to work to ensure that all children can have access to a broad

programme, with provision for ABA as appropriate, in special classes.

Cross-Border Projects.

394. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if she will report on the work of the North-South unit in her Department; and if she will make a statement on the matter. [22595/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department, together with the Department of Education Northern Ireland, has responsibility for the development of co-operation and common action in the field of education between both parts of the island of Ireland, in the context of the Good Friday Agreement. My Department's North/South Unit is required to take forward this co-operation through the North/South Ministerial Council (NSMC) and to develop, within that framework, common policies in the designated areas of special education needs, educational underachievement, teacher mobility and school, youth and teacher exchanges.

My Department's North South Unit also develops, supports and participates in a range of programmes and joint initiatives designed to increase mutual understanding and promote closer co-operation. A number of these extend beyond the island of Ireland, involving co-operation with education authorities in Britain, the United States, the European Union and other countries and institutions with a view to maximising the positive contribution they can make to North/South co-operation.

The re-establishment of the NI Assembly structures including the North South Ministerial Council will present opportunities to enrich and develop cooperative activities with Northern Ireland in the education and youth sector.

The next Education Sectoral meeting of the NSMC will take place in Dublin in November 2007.

School Accommodation.

395. **Deputy Mary O'Rourke** asked the Minister for Education and Science the situation with regard to the provision of new school facilities for a school (details supplied) in County Westmeath. [22616/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department's School Planning Section is currently examining educational provision at primary level in the area to which the Deputy refers. Factors under consideration include population growth, demographic trends, current and projected enrolments, recent and planned housing developments and the capacity of existing schools to meet the demand for places. Having considered these factors, a decision will

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be made on the means by which any emerging needs should be met for the area, including the school to which the Deputy refers.

Schools Building Projects.

396. **Deputy Mary O'Rourke** asked the Minister for Education and Science the situation with regard to the provision of a new primary school for an area (details supplied) in County Westmeath. [22617/07]

Minister for Education and Science (Deputy Mary Hanafin): The proposal for the school referred to by the Deputy is to construct a new 16-classroom generic repeat design facility on the existing school site. Currently, the Client, the School Board of Management, is in the final stages of appointing an architectural design team to the project. The final date for receipt of tenders from pre-selected, short-listed candidates is Tuesday, 23rd October. When the Board of Management has completed their assessment of the tenders and appointed their preferred consultants, architectural planning of the project will commence with immediate effect.

397. **Deputy Michael McGrath** asked the Minister for Education and Science when her Department will approve an extension to the school building for a primary school (details supplied) in County Cork. [22618/07]

Minister for Education and Science (Deputy Mary Hanafin): An application for capital funding towards the provision of an extension has been received from the school referred to by the Deputy. An assessment of projected enrolment trends, demographic trends and housing developments in the area was carried out in order to inform the determination of the long term projected staffing on which the school's accommodation needs will be based. This has been finalised and notified to the school. The building project required is being considered in the context of the School Building and Modernisation Programme.

Special Educational Needs.

398. **Deputy Margaret Conlon** asked the Minister for Education and Science the position in relation to the allocation of resource hours to children diagnosed with dyslexia and discalculia. [22623/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department has given a very high priority to the provision of resources to address the learning difficulties of children with low levels of achievement in reading and numeracy. As the Deputy is aware, my Department implemented a general allocation system in all primary schools in September 2005 to ensure that

every school has learning support/resource teaching support already in place to meet the needs of children with high-incidence special educational needs, including those children with a specific learning disability in the areas of reading, writing, reasoning or mathematics. There are now over 6,000 teachers in our primary schools working directly with children with special educational needs, including those requiring learning support. This compares to fewer than 1,500 in 1998.

The special educational supports provided to second level students vary according to the students' needs. Students with a specific learning disability are normally integrated into ordinary classes. In such situations they may receive additional support from the remedial/learning support teacher, guidance counsellor and individual subject teachers. Over 2,490 whole time equivalent teachers are in place to work directly with pupils with special educational needs in post-primary schools with 560 of these being learning support teachers.

My Department will continue to prioritise educational provision for students with special educational needs.

School Transport.

399. **Deputy Margaret Conlon** asked the Minister for Education and Science her plans to review the school bus catchment areas. [22624/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): The Programme for Government includes a commitment to review the school transport scheme, including catchment boundaries. My Department is currently considering how best to progress this task.

Question No. 400 answered with Question No. 378.

School Staffing.

401. **Deputy Brian O'Shea** asked the Minister for Education and Science further to her reply to Parliamentary Question No. 401 of 2 October 2007, if she will answer the question asked. [22629/07]

Minister for Education and Science (Deputy Mary Hanafin): As I advised the Deputy in my reply to Parliamentary Question No. 401, my Department implemented a general allocation system of learning support/resource teachers (LS/RT) to mainstream primary schools, including gaelscoileanna in September 2005. The language used by the learning support, formerly remedial, teacher should reflect the ethos of the school in which s/he works and the needs of the pupils in question.

School Enrolments.

402. **Deputy Enda Kenny** asked the Minister for Education and Science her plans to meet the second level educational needs of the growing population in south Lucan; and if she will make a statement on the matter. [22630/07]

417. **Deputy Enda Kenny** asked the Minister for Education and Science the number of children in primary schools in Lucan with a breakdown by school; and if she will make a statement on the matter. [22768/07]

419. **Deputy Enda Kenny** asked the Minister for Education and Science the number of primary school places in Lucan; her views on whether this number is adequate; and if she will make a statement on the matter. [22770/07]

420. **Deputy Enda Kenny** asked the Minister for Education and Science the number of secondary school places in Lucan; her views on whether this number is adequate; and if she will make a statement on the matter. [22771/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 402, 417, 419 and 420 together.

I am conscious of the extent of housing developments in the Lucan area and the pressure that this has created for school places. In light of this, the Department has expanded capacity significantly at both primary and post primary level to cater for existing and newly emerging demands for pupil places.

The Department monitors primary pre-enrolment lists in the area on an on-going basis to ensure adequate capacity and will provide extra accommodation if needed. A total of 4,832 pupils were enrolled in the 12 primary schools in Lucan in September 2006. The enrolment figures increased to 5,128 this September and there are now 13 primary schools serving the Lucan area.

At post primary level, recent building projects have increased capacity to 3,000 pupil places which will cater for not only the current enrolments of 2,476 pupils but provide additional capacity of over 500 places. In addition, a building project for Lucan Community College will further increase capacity by 200 pupil places. A building project for St Joseph's College is also being assessed currently with a view to providing additional capacity at post-primary level in Lucan.

The situation will continue to be monitored to ensure that there are sufficient places to meet demand into the future.

Departmental Reviews.

403. **Deputy Dara Calleary** asked the Minister for Education and Science the position regarding the review of her Department's Technical Guid-

ance Document T9D 014 Guidance for the Pre-selection of Contracts for Capital Works Projects. [22649/07]

Minister for Education and Science (Deputy Mary Hanafin): Technical Guidance Document 014 relating to Guidance for the Pre-Selection of Contractors for Capital Works Projects is under review in my Department at present. The review is being carried out in consultation with the Department of Finance and the revised guidance document will be published on my Department's website as soon as the review is completed.

Site Acquisitions.

404. **Deputy Darragh O'Brien** asked the Minister for Education and Science if she will arrange for the urgent allocation of a permanent site for a school (details supplied) as they will have to vacate their current location in May 2008. [22652/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware the Department is moving to acquire a number of sites reserved in the Balbriggan area under the Fingal School Model Agreement for the provision of educational facilities. A permanent site for the school referred to by the Deputy is being acquired under this process.

With regard to the necessary re-location of the school at the end of the 2007/08 school-year, officials in the School Planning Section of the Department are considering alternative accommodation options as a matter of priority.

Teacher Graduates.

405. **Deputy Terence Flanagan** asked the Minister for Education and Science the number of pupils from an area (details supplied) that have registered and graduated from each teacher training college over the past five years; and if she will make a statement on the matter. [22660/07]

Minister for Education and Science (Deputy Mary Hanafin): Below in tabular form are the numbers of pupils from Dublin city or county who (i) registered with, and (ii) graduated from the five Colleges of Education in each of the years 2003 to 2006 inclusive (Bachelor of Education or the Post Graduate Diploma in Education). The figures for 2007 are in the course of preparation by the Colleges and when received will be forwarded directly to the Deputy by my Department.

Hibernia College commenced the distance learning 18 month Post Graduate course in primary teaching in October 2003. Forty two, fifty six and ninety three individuals with Dublin city or county addresses graduated from the course in 2005, 2006 and 2007 respectively.

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Year	Bachelor Education		Post Grad Ed	
	Entrants	Graduates	Entrants	Graduates
2003	110	82	109	107
2004	117	110	64	68
2005	152	140	74	98
2006	131	114	67	89
Total	510	446	314	362

School Placement.

406. **Deputy Michael McGrath** asked the Minister for Education and Science the position in relation to the provision of a school place for the 2007/2008 school year for a person (details supplied) in County Cork. [22666/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and special needs assistants to schools to support children with special needs. Another specific function of the SENO is to identify appropriate educational placements for children with special educational needs.

I understand that a school place was accepted by the family but that they did not take up the placement. My officials have been in contact with the NCSE and I understand that the SENO has been liaising with the parents of the child in question to assist them in the matter.

School Staffing.

407. **Deputy Richard Bruton** asked the Minister for Education and Science the reason a school did not open when the new term started in September 2007; the further reason there are continuing delays in providing temporary home tuition for children such as a child (details supplied) in Dublin 5; and if she will ensure that a rapid resolution is secured. [22671/07]

Minister for Education and Science (Deputy Mary Hanafin): Three teaching vacancies out of a total teaching complement of four teaching posts have arisen in the school for the 2006/2007 school year. Due to this exceptional number of vacancies, the school was unable to re-open in September 2007. I am informed that the Board of Management is actively engaged in a recruitment process to fill these vacancies and that every effort is being made to expedite the process with a view to re-opening the school as soon as possible.

In the interim, arrangements have been made to facilitate some of the children's attendance at

other schools. Where this has not been possible, my Department has offered a home tuition grant to the remaining families. This grant has been sanctioned for the pupil referred to by the Deputy.

Languages Programme.

408. **Deputy Denis Naughten** asked the Minister for Education and Science the resources and allocations presently available to primary and post primary schools to cater for students who are not proficient in the English language; and if she will make a statement on the matter. [22677/07]

Minister for Education and Science (Deputy Mary Hanafin): Language Support Teachers are provided at primary and post-primary levels to those schools which have newcomer pupils who do not have English as their first language. The limit of two Language Support Teachers per school was removed last year and the provision of language support has been extended beyond two years. As a result, some schools with a large number of newcomer children without English as their first language have up to 6 Language Support Teachers.

Towards 2016 provides for the provision of an extra 550 language support teachers by 2009 including 200 teachers (175 primary and 25 post-primary) in 2007, with a further 150 in 2008 and 200 in 2009.

Primary schools in which between three and thirteen eligible non-national pupils are enrolled receive grant assistance towards the cost of employing part-time teachers. The 2007 Budget for financial support to schools is €4.2 million.

Language assessment kits, based on best international practice, are to be provided to all primary schools during the 2007/08 school year. The kits will enable accurate initial and on-going assessment of language proficiency of newcomer children with a particular focus upon assessing whether language support needs to be provided beyond the current two year limit.

NCCA intercultural guidelines to support teachers and schools in developing a more inclusive learning environment and in providing students with knowledge and skills they need to participate in a multicultural world. Corresponding guidelines for intercultural education in post-primary schools have also been made available by the NCCA.

The Department continues to provide funding to Integrate Ireland Language and Training Ltd (IILT) to provide Language Support Teachers with in-service training to assist them in meeting the English language needs of their pupils/students. The Department has distributed a resource book ("Up and Away") for English Language Support Teachers to all primary schools which will serve as the basis for induction seminars for newly appointed Language Support Teachers. Information on the Irish Education

system has been placed on the Department's website (www.education.ie) in 6 languages including Polish, Latvian, Lithuanian, Russian, Spanish and German.

School Accommodation.

409. **Deputy Darragh O'Brien** asked the Minister for Education and Science the progress of the draft development plan for education for Dublin north; and when her Department will respond to submissions. [22687/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware the Department published, in January this year, an Area Development Plan in draft format which sets out the educational infrastructural requirements of the North Dublin, East Meath and South Louth area into the future. In this draft Plan, which is available on the Department's website, www.education.ie, the Department has set out its recommendations for the North Dublin area.

The Commission on School Accommodation has concluded its public consultation process on the draft document and are finalising the report for publication. This report will form a framework against which capital investment for the area will be made for the foreseeable future.

410. **Deputy Damien English** asked the Minister for Education and Science the progress on the provision of the necessary additional accommodation capacity for students at a school (details supplied) in County Meath; when her Department expects to begin construction of proposed works; and if she will make a statement on the matter. [22689/07]

Minister for Education and Science (Deputy Mary Hanafin): It is the Department's intention to construct a new post-primary school to cater for the long term needs of the area served by the school to which the Deputy refers. The acquisition of a site for this purpose is being actively pursued.

Schools Building Projects.

411. **Deputy Damien English** asked the Minister for Education and Science the progress on the provision of the necessary additional accommodation capacity for primary students at a school (details supplied) in County Meath; when her Department expects to begin construction of proposed works; and if she will make a statement on the matter. [22690/07]

Minister for Education and Science (Deputy Mary Hanafin): The brief for the building for the school in question is for 12 general classrooms and appropriate ancillary accommodation. The Board of Management of the school have been advised of the approval of Stage 3 of the architec-

tural design and instructed to advise their Design Team to progress the project to the next stage of architectural planning.

412. **Deputy Damien English** asked the Minister for Education and Science the progress on her Department's plans for the future provision of post primary schools in Navan, County Meath; and if she will make a statement on the matter. [22704/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department is in regular communication with officials in Meath County Council in relation to proposed housing developments for Navan and the consequential educational requirements that may be necessary for the future at both primary and post-primary level.

The Navan Development Plan 2003-2009 identified 5 areas in Navan as being suitable for the preparation of Local Area Plans and the Department will be reserving sites at both primary and post-primary level as part of these Local Area Plans.

At present only Local Area Plan No.3 has been published. The Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to establish the location, scale and pace of any major proposed developments and sites are reserved, where necessary, to ensure as far as possible the timely delivery of any required education infrastructure.

At present Navan is served by 4 post-primary schools and one of these was recently approved funding for the provision of two further classrooms to cater for its immediate accommodation needs. The Department will continue to monitor the need for the provision of a further post-primary school in Navan in the future and continue communications, as required, with officials in Meath County Council.

Site Acquisitions.

413. **Deputy Damien English** asked the Minister for Education and Science further to Parliamentary Question No. 777 of 26 September 2007, if the site being looked at for a school (details supplied) will be large enough to accommodate any proposed future secondary school for the area; and if she will make a statement on the matter. [22705/07]

Minister for Education and Science (Deputy Mary Hanafin): As outlined to the Deputy in my previous Parliamentary response, the Department is in the process of trying to acquire a suitable site for the primary school concerned. It is

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not proposed to locate a post-primary school at the site in question.

Home-School Liaison Scheme.

414. **Deputy Joe McHugh** asked the Minister for Education and Science if she will review the situation of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [22730/07]

Minister for Education and Science (Deputy Mary Hanafin): An additional 80 posts were made available in 2006 to extend Home School Community Liaison services to all schools selected to participate in DEIS, the Action Plan for Educational Inclusion, that did not have such services. I also extended my commitment to schools not selected to participate in DEIS but already in HSCL scheme, to continue to support these schools in their efforts to deal with educational disadvantage among their students. HSCL coordinator posts are provided on a full time or shared basis between schools and must be deployed to do full-time liaison duties. For the first time, posts are shared across the two sectors — primary & post primary level, to facilitate local HSCL coordinators working with the families of disadvantaged children.

A total of 691 schools now have the services of 450 local HSCL co-ordinators and my Department is currently undertaking a full review of Home School Community Liaison (HSCL) clustering arrangements, to ensure that all schools participating in the scheme have a level of service which commensurate with both the size of the school as well as its relative level of disadvantage. Any changes made in the HSCL clustering arrangements in schools, which will take effect from 1 September 2008, will facilitate local HSCL coordinators working with families of disadvantaged children across both primary and second level.

HSCL provision in both schools referred to by the Deputy is being considered as part of this review.

Special Educational Needs.

415. **Deputy Damien English** asked the Minister for Education and Science if speech and therapy will be reinstated for a person (details supplied) in County Meath; the reason for the cessation of this service; and if she will make a statement on the matter. [22764/07]

Minister for Education and Science (Deputy Mary Hanafin): I wish to advise the Deputy that the provision of therapy services, including speech therapy for people with disabilities, is a matter for the Health Services Executive (HSE) and funding is provided to the HSE for such purposes. It is open to the Deputy to contact my col-

league the Minister for Health and Children or the HSE directly regarding the matter.

Millennium Partnership Fund.

416. **Deputy Seán Fleming** asked the Minister for Education and Science the amount of education grants payable under the millennium education grant scheme for the most recent years for which figures are available; the nature of the organisations which qualify to receive this funding; if the social inclusion programmes are extended to other areas will they qualify for this Millennium Fund; and if she will make a statement on the matter. [22766/07]

Minister for Education and Science (Deputy Mary Hanafin): The Millennium Partnership Fund is made available through the National Office for Equity of Access to Third Level Education to Pobal who distribute the allocations to the participating Partnership Companies and Community Partnerships. The Fund was launched in September 2000. It forms part of the European Social Fund-aided package for education disadvantage at further and higher education. The objective of the fund is to support students from disadvantaged areas with regard to retention and participation in further or higher education courses.

The nature of the organisations which are eligible to apply for funding are partnership companies and community partnerships participating in the Local Development Social Inclusion Programme (LDSIP). Under the LDSIP no further partnership companies or community partnerships will be admitted. The table below sets out the allocations since the Fund was introduced in 2000.

Millennium Partnership Fund

Year	Gross Allocation	No. Partnership/Community Groups	No. of Beneficiaries
	£ Irish		
01/02	1,000,000	35	1,747
	Euro		
02/03	2,000,000	50	3,385
03/04	2,000,000	59	3,759
04/05	2,000,000	59	3,791
05/06	2,050,000	57	3,957
06/07	2,111,500	56	n/a
07/08	2,175,000	56	n/a

Question No. 417 answered with Question No. 402.

School Enrolments.

418. **Deputy Enda Kenny** asked the Minister

for Education and Science the number of children in secondary schools in Lucan with a breakdown by school; and if she will make a statement on the matter. [22769/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the

Post-Primary Schools in Lucan with enrolment details for the 2006/07 School Year

School Address Details	Number of Boys Enrolled	Number of Girls Enrolled	School Roll Number
St Josephs College, Lucan	—	810	60263V
Coláiste Phádraig CBS, Roselawn, Lucan	561	23	60264A
Coláiste Cois Life, Gleann an Ghrífin, Leamhcán	131	147	76065H
Lucan Community College, Esker Drive, Lucan	462	342	70080T

Questions Nos. 419 and 420 answered with Question No. 402.

Schools Recognition.

421. **Deputy Mary O'Rourke** asked the Minister for Education and Science her plans to set up an Educate Together school in Athlone, County Westmeath. [22777/07]

Minister for Education and Science (Deputy Mary Hanafin): The New School Advisory Committee (NSAC) has received formal notification of intention to apply for recognition of the establishment of a Multi-Denominational primary school in Athlone in September 2008 under the patronage of Educate Together.

The New Schools Advisory Committee (NSAC) is an independent advisory group and was established to process applications for the recognition of new primary schools and to make recommendations to me. It is my role as Minister to consider the report and recommendations by the NSAC at the end of their deliberative process and to make a decision on the recommendations made. I would expect that NSAC will produce its report early in 2008.

School Accommodation.

422. **Deputy Mary O'Rourke** asked the Minister for Education and Science if she will provide a resource room to a school (details supplied) in County Westmeath. [22778/07]

Minister for Education and Science (Deputy Mary Hanafin): The school to which the Deputy refers has been in contact with the Department concerning the need for an additional Resource Room. A formal application will be submitted by the school authority shortly and the application will be considered.

School Transport.

423. **Deputy Pat Rabbitte** asked the Minister

Deputy in relation to the number of pupils enrolled in each post-primary school in Lucan is contained in the table.

for Education and Science if she will take the necessary steps to have transport provided for a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [22784/07]

The provision of transport under the School Transport Scheme may be considered in respect of education facilities which are recognised by my Department. As the facility referred to by the Deputy in the details supplied is neither recognised nor funded by my Department, the question of providing transport under the terms of the Scheme does not arise.

However, the Deputy will be aware that the National Council for Special Education (NCSE) has responsibility, through its network of local Special Educational Needs Organisers (SENO), for the establishment of special classes for autism and for allocating resource teachers and special needs assistants to schools to support children with special needs. Parents are encouraged to contact their local SENOs to discuss their child's special educational needs using the contact details on www.ncse.ie.

Higher Education Grants.

424. **Deputy Michael Ring** asked the Minister for Education and Science the reason a person (details supplied) in Dublin 6 is not being considered for a third level grant as an independent mature student by Sligo County Council, Dublin City Council or Mayo County Council. [22791/07]

Minister for Education and Science (Deputy Mary Hanafin): The decision on eligibility for third level grants and the issue of grant awards is a matter for the relevant Local Authority. I understand, from the information provided by the Deputy, that the student referred to completed her undergraduate studies in 2004 and commenced her post-graduate study in 2006/07 when

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she entered the Higher Diploma programme. The candidate is progressing, in the current academic year, to the Master's programme without a further break in studies. On this basis the student must be assessed with reference to the terms and conditions of the 2006 scheme i.e. the Scheme relevant at point-of-entry to the student's initial post-graduate course.

In order to be assessed as an independent mature student the candidate must still satisfy the conditions at point-of-entry in 2006/07 even though the grant application currently submitted relates to the 2007/08 academic year.

It is for the Local Authorities to agree amongst themselves which assessing body the application is more relevant to, having regard to where the candidate was ordinarily resident during the period from the 1st October 2005 to the date of commencement of the Higher Diploma programme in 2006/07.

The candidate will also have to satisfy the conditions pertaining to independent mature student status, as prescribed under the 2006 Scheme, in order to be assessed as such for the 2007/08 academic year.

Pupil-Teacher Ratio.

425. **Deputy Joe Carey** asked the Minister for Education and Science if she will present a report on class size for primary schools throughout the State on a county basis; her plans to reduce class size to no more than twenty pupils per class for all children under nine years of age; and if she will make a statement on the matter. [22829/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the Deputy is included in the table for the 2006/2007 school year. As the Deputy will be aware, major improvements have been made in staffing at primary level in recent years. There are now 5,000 more primary teachers than there were in 2002. By the 2006/07 school year, we had reduced the average class size in our primary schools to 24, while the pupil teacher ratio was 16.4:1, including resource teachers etc. In that year, schools were staffed on the basis of a general rule of at least one classroom teacher for every 28 children. Given that the national average was 24, many schools benefited from much more favourable staffing ratios than this.

Extra teachers were provided by the Government for the 2007/08 school year to improve primary school staffing so that schools would generally get at least one classroom teacher for every 27 children.

A further initiative in recent years that has been of direct benefit to primary schools has been the change in the criteria for developing schools. For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year. Over 350 such posts have been sanctioned in the 2007/08 school year compared to 280 in 2006/07.

The improvements we have made in school staffing in recent years are absolutely unparalleled. The Government is committed to providing more teachers to our primary schools over the next five years. We will also continue our focus on measures to improve the quality of education in our primary schools to ensure that increased resources lead to better outcomes for our children.

Average Class Size By County 2006/2007

County	Total Pupils	No. Classes	Average Class Size
Carlow	5,836	229	25.5
Cavan	8,040	335	24.0
Clare	12,113	518	23.4
Cork City	13,655	598	22.8
Cork County	38,108	1,536	24.8
Donegal	17,684	767	23.1
Dublin City	40,891	1,798	22.7
Dun Laoghaire/Rathdown	15,678	613	25.6
Fingal	25,925	970	26.7
Galway City	5,981	261	22.9
Galway County	18,052	828	21.8
Kerry	14,749	633	23.3
Kildare	23,221	875	26.5
Kilkenny	9,576	383	25.0
Laois	7,577	306	24.8
Leitrim	3,147	144	21.9
Limerick City	6,329	280	22.6

County	Total Pupils	No. Classes	Average Class Size
Limerick County	13,654	564	24.2
Longford	3,859	177	21.8
Louth	13,866	546	25.4
Mayo	13,377	628	21.3
Meath	19,707	764	25.8
Monaghan	6,365	274	23.2
Offaly	8,995	366	24.6
Roscommon	6,428	309	20.8
Sligo	6,572	290	22.7
South Dublin	27,263	1,110	24.6
Tipperary N.R.	7,566	323	23.4
Tipperary S.R.	9,435	400	23.6
Waterford City	5,606	221	25.4
Waterford County	6,886	278	24.8
Westmeath	9,553	395	24.2
Wexford	15,618	625	25.0
Wicklow	14,143	565	25.0
Total	455,455	18,909	

Schools Refurbishment.

426. **Deputy Joe Carey** asked the Minister for Education and Science if she will provide emergency funding for the development of car parking facilities at a school (details supplied) in County Clare in order to introduce measures to protect the safety of pupils attending the school; and if she will make a statement on the matter. [22830/07]

Minister for Education and Science (Deputy Mary Hanafin): The school referred to by the Deputy applied under the Summer Works Scheme 2007 for funding for car parking facilities. The application was unsuccessful however, as due to the volume of applications received; it was not possible to allocate funding to all proposed projects.

The school management subsequently submitted the project for consideration under my Departments Emergency Works Scheme. The application was unsuccessful and the management have lodged an appeal against this decision. The appeal will be processed and a decision conveyed to the school as soon as possible.

427. **Deputy Joe Carey** asked the Minister for Education and Science if she will provide emergency funding for the development of car parking facilities at a school (details supplied) in County Clare in order to introduce measures to protect the safety of pupils attending the school; and if she will make a statement on the matter. [22831/07]

Minister for Education and Science (Deputy Mary Hanafin): The Building Unit of my Department has no record of an application for funding

for car parking facilities from this school under the Emergency Works Grant Scheme. However, I have arranged for an application form to be issued to the school for completion and return.

School Transport.

428. **Deputy Beverley Flynn** asked the Minister for Education and Science the reason all the students (details supplied) who were transferred to a neighbouring national school when their existing school was closed by her Department were not provided with school transport when their parents were given assurances at meetings that took place prior to the closure that transport would be provided for all of the pupils to the new school. [22840/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Where a school is closed and amalgamated with another, children for whom the closed school would have been their nearest had it remained open, are eligible for free transport to the school of amalgamation.

Bus Éireann, which operates the school transport service on behalf of my Department, has advised that the family listed at number 1 in the details attached is not eligible for transport as the 'closed school' was not the nearest to their place of residence. The second family mentioned in the details attached should liaise with the local Bus Éireann office regarding their eligibility for school transport.

Question No. 429 answered with Question No. 378.

Clár Tógála Scoileanna.

430. **D'fhiafraigh Deputy Brian O'Shea** den

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Aire Oideachais agus Eolaíochta cathain a chuirfear iarratas Ghaelscoil Philib Bharúin ar mhórtionscnamh tógála ar aghaidh go dtí an staid pleanála ailtireachta (sonraí tugtha) agus an ndéanfaidh sí ráiteas ina thaobh. [22879/07]

Minister for Education and Science (Deputy Mary Hanafin): Tá Rannóg Pleanála Scoileanna na Roinne tar éis iarratas a fháil ar oibreacha móra caipitil ón údarás scoile sa scoil dá dtagraíonn an Teachta. Measúnaíodh an t-iarratas ar scoil nua faoi réir ag na critéir tosaíochta atá foilsithe agus sannadh rátáil Bhanda a 2 dó. Machnófar an t-iarratas i gcomhthéacs an Chlár ilbhliantach Tógála agus Nuachóirithe Scoileanna.

Schools Refurbishment.

431. **Deputy Joe McHugh** asked the Minister for Education and Science the reason a school (details supplied) in County Donegal has been left in such a state, that after recent renovations three children have received in excess of ten stitches as a result of falling in treacherous playground conditions; the reason it has been left to the school to provide the money to make the playground safe; and if she will make a statement on the matter. [22893/07]

Minister for Education and Science (Deputy Mary Hanafin): I have asked the School Building Section of my Department make contact with the Board of management of the school in question and to review the school requirements.

Defence Forces Property.

432. **Deputy Michael McGrath** asked the Minister for Defence if his Department has made a decision on the future of a site (details supplied) in County Cork in the ownership of his Department; and if he will make a statement on the matter. [22587/07]

Minister for Defence (Deputy Willie O'Dea): The property in question is currently the subject of some consideration in my Department. However, at this time, no final decision has been made concerning its future use.

433. **Deputy Michael McGrath** asked the Minister for Defence his views on selling a vacant building (details supplied) in County Cork to a voluntary organisation in the local community. [22638/07]

Minister for Defence (Deputy Willie O'Dea): The Department of Defence holds only a leasehold interest in the property in question, which is due to expire in April 2028. The future of the property will be decided following clarification of certain aspects in relation to title, which are presently the subject of correspondence with the Chief State Solicitors Office.

Decentralisation Programme.

434. **Deputy Jack Wall** asked the Minister for Defence the position on the decentralisation of his Department to Newbridge; the timescale involved; the amount of staff to be transferred; and if he will make a statement on the matter. [22655/07]

Minister for Defence (Deputy Willie O'Dea): Kildare County Council has approved the sale of a site at Station Road in Newbridge to the Office of Public Works for the construction of the Department's new headquarters. A preferred tenderer for the design and construction of the building has been chosen and the planning process is under way with a decision by OPW expected shortly. Depending on planning and the commencement of building work, OPW has indicated that construction and fit-out will take 18 months to complete.

The number of Departmental staff to be relocated to Newbridge is just over 200. There are currently 128 Newbridge-bound staff serving in the Department, which amounts to 70% of the total administrative and clerical staff requirement. In addition to the civil servants, 43 military personnel will be located in Newbridge also.

435. **Deputy Jack Wall** asked the Minister for Defence the position on his plans for the decentralisation of his Department to the Curragh; the timescale involved; the number of staff that will be moving; and if he will make a statement on the matter. [22656/07]

Minister for Defence (Deputy Willie O'Dea): The Office of Public Works published the planning notification for the new Defence Forces' Headquarters in the national press on 13 July 2007. No observations were received in relation to this building project. Tender documents are currently being prepared by OPW in consultation with the Defence Forces. When completed, this building will accommodate 335 members of the Defence Forces. It is expected that the building will be ready at the end of 2009. In addition, 78 support staff will be located in a separate building in the Curragh. This represents an increase in the numbers decentralising to the Curragh, and was approved by Government last month.

Departmental Properties.

436. **Deputy Jimmy Deenihan** asked the Minister for Justice, Equality and Law Reform if the Office of Public Works will sell or lease the building adjoining Tarbert Garda Station to an association (details supplied) in County Kerry for community use; and if he will make a statement on the matter. [22277/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The detailed allocation of Garda resources, including decisions on

accommodation requirements, is a matter for the Garda Commissioner in accordance with his identified operational requirements. In the case of Garda buildings such decisions are taken in co-operation with the Office of Public Works (OPW) — the body in which ownership of the majority of the properties is vested.

I am informed by the Garda authorities that the building adjoining Tarbert Garda Station was surveyed by the OPW in July 2007. A recommendation by the OPW for the disposal of the building, outbuildings and surplus site is currently under consideration by Garda management.

Asylum Applications.

437. Deputy Denis Naughten asked the Minister for Justice, Equality and Law Reform the steps which he is taking to address the delays in the asylum process; and if he will make a statement on the matter. [22288/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As the Deputy is aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT) which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

Two types of processing caseloads exist in the ORAC and the RAT namely, applications which are prioritised on foot of a ministerial prioritisation direction made under section 12 of the Refugee Act, 1996 and cases in respect of which such a direction does not exist.

In relation to processing timescales for prioritised asylum applications, on 24 January 2005 my predecessor announced new arrangements for the speedier processing of such applications which were implemented with effect from 25 January. The new arrangements apply in the main to nationals of Nigeria, Croatia, South Africa and Romania and Bulgaria prior to their accession to the EU on 1 January 2007.

In terms of timescales at first instance for prioritised cases, an interview date is usually scheduled within 9-12 working days from the date of the initial application. These applications are normally finalised within a further 5 to 8 working days giving an average processing time of 17/20 working days from the date of application.

The average length of time taken by the Refugee Appeals Tribunal to process and complete prioritised appeals received from nationals of five countries — Nigeria, Romania, Bulgaria, Croatia and South Africa — between 1st July 2006 and 30th June 2007 was 6 weeks.

In the case of non-prioritised cases at first instance, an interview date is usually scheduled approximately 16 weeks from the date of the initial application. These applications are nor-

mally finalised within a further 4/5 weeks giving a total processing time of approximately 20/21 weeks from the date of application.

The average length of time taken by the Refugee Appeals Tribunal to process and complete substantive appeals received between 1st July 2006 and 30th June 2007 was approximately 16-17 weeks. Work is ongoing in the ORAC and RAT with a view to further reducing processing times for asylum applications. It should be noted, however, that the extent to which any period can be abridged is dictated in part by the necessity to allow an applicant a reasonable period in which to set out his or her claim in full. These safeguards are underpinned by the Refugee Act, 1996 itself. Also a range of factors can add to the complexity of cases notably where a case requires more than one interview or where the applicant is unable to attend an interview or hearing for valid medical reasons.

I should point out that following significant additional investment in the asylum determination process over the past six years, considerable progress has been made in processing asylum applications in the State and in the timescales involved. The Government has increased staffing in the asylum and immigration area from 22 in 1997 to a current sanctioned level of over 700. The Irish Naturalisation and Immigration Service is also currently developing three major information technology platforms representing a combined investment of €32 million approximately.

This is evidenced, for example, by the fact that the number of cases which are over six months old in the ORAC and the RAT stood at 2,018 on 31 August 2007, as compared to a figure of approximately 6,500 at the end of September, 2001.

As the Deputy will no doubt be aware, the Government in April 2007 published the Immigration, Residence and Protection Bill 2007. The Bill sets out a legislative framework for the management of inward migration to Ireland and represents a comprehensive overhaul of the State's immigration and protection laws. The Bill will integrate into the immigration code Ireland's processes for honouring our obligations under the 1951 Geneva Convention relating to the status of refugees and other international, including European Union, instruments designed to offer protection from persecution and other dangers. It also provides for a single protection procedure within which all grounds (protection or otherwise) on which a person may wish to remain in the State will be considered together at the same time. This contrasts with the present sequential processes for considering different aspects of the same basic question.

This new integrated process will bring the State into line with processes in other EU States and will result in the functions currently carried out by the Office of the Refugee Applications Commissioner being subsumed into the Irish Natural-

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isation and Immigration Service (INIS). The current independent appeal process for asylum claimants will remain with the establishment of the Protection Review Tribunal which will replace the Refugee Appeals Tribunal. This new body will have an expanded remit to consider, in addition to appeals against decisions not to grant refugee status, appeals against decisions not to grant subsidiary protection as defined in the EU Asylum Qualification Directive.

Crime Levels.

438. **Deputy Pat Rabbitte** asked the Minister

The number of murders recorded, detected, proceedings commenced and convictions in which a firearm was used for the years 1998 to 2006 and in 2007 up to 3 October

Year	Recorded	Detected	Proceeding Commenced	Convictions
2007 (to 3 October)	13	3	1	0
2006	27	10	5	0
2005	21	4	2	2
2004	9	8	5	4
2003	20	11	4	2
2002	10	5	4	3
2001	9	6	2	1
2000	12	7	6	2
1999	12	7	7	5
1998	4	3	2	1

Figures for 2007 are provisional, operational and liable to change.

All incidents of murder involving firearms are subject to a rigorous investigation. The identification of all evidence available is a key element of the investigation and prosecution process. I am assured that all resources necessary, including national specialist units, are deployed by the Gardaí in the investigation process.

Operation Anvil is central to the strategy of the Garda Síochána in combating serious crime and in particular murder. Operation Anvil continues to provide successes in this area. Figures which I received from the Garda Commissioner recently show that from its beginning in May 2005 to 9 September last, 768 firearms have been recovered, 37,437 searches for drugs have taken place and over 70,000 checkpoints established. These figures make clear the unrelenting nature of the activity being undertaken by the Garda Síochána to deal with these crimes.

In addition the Organised Crime Unit at the National Bureau of Criminal Investigation has been strengthened to 70 persons and is tasked with targeting organised criminals and disrupting criminal networks by providing armed assistance during planned operations and searches against those persons suspected of being involved in organised criminal activities.

for Justice, Equality and Law Reform the number of cases of murder in which firearms were used in respect of each year from 1998 to date in 2007; the number of such cases in which prosecutions for murder were initiated; the number of such cases where convictions were secured; if he is satisfied with the level of detection and conviction in such cases; and if he will make a statement on the matter. [22757/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The following table shows the number of murders recorded, detected, proceedings commenced and convictions which involved the use of a firearm for the years 1998 to 2006 and in 2007.

A package of crime investigation initiatives was recently launched by senior Garda management. These include the establishment of a crime training faculty at the Garda College, Templemore to provide a professional, comprehensive training programme for those charged with the management of serious crime investigations. Senior Investigating Officers will also be appointed. These will be key personnel who will take charge of serious crime investigations. Incident Room Co-ordinators will manage serious crime investigation incident rooms, and specialist victim interviewers will interview persons under 14 years of age or with special needs who are victims of sexual crime.

Additional Divisional Detective Inspectors will be appointed and will be allocated on the basis of one per District in the Dublin Metropolitan Region and one per Division outside the DMR. The appointments of Regional Detective Superintendents, who will be responsible for the investigation of serious crime, were also announced. Pre-screening and competency based interviewing have been commenced as part of the selection process for Detective Gardaí and Sergeants. This will enhance best practice and procedures in the investigation of serious crime.

A Major Investigation Management System will also be developed to provide a PULSE based management system for all serious investigations.

As a result of the enactment of the Criminal Justice Act 2007 the Garda Síochána are in a much better position to ensure that those involved in gun crime will be made accountable for their actions. The Act intensifies further the fight against gangland activity by:

- making it more difficult to get bail in drug trafficking, firearms and other serious cases;
- having tighter controls to monitor post-release activity by introducing monitoring orders and protection of persons orders;
- having enhanced penalties for those who reoffend within 7 years of a previous offence;
- giving further guidance on the application of mandatory minimum sentences in cases of drug trafficking and firearm offences, while fully respecting the discretion and independence of the judiciary;
- providing for indefinite retention of fingerprint samples;
- extending detention periods in the case of certain very serious offences; and
- updating the law on the right to silence.

Yesterday I met senior Garda management who briefed me on ongoing intensive operations to counteract the menace of gun crime, including Operation Anvil and CAB's efforts against drug dealers. I assured the Commissioner that unprecedented resources would continue to be provided to support them in their efforts. I wish to reiterate my call for all members of the community to support An Garda Síochána in their efforts to bring those responsible for these crimes to justice.

Question No. 439 answered with Question No. 193.

Visa Applications.

440. **Deputy Ruairí Quinn** asked the Minister for Justice, Equality and Law Reform if he has familiarised himself with the case of a person (details supplied); the rules relating to student visas and dependent family members of the visa holder; the location where those rules are to be found; the degree of discretion available in their application; his views on whether it is appropriate that the same rules in relation to student visas and dependent family members should apply to persons with established academic records and positions seeking to pursue higher degrees as apply to those pursuing undergraduate or non-degree courses; the rules, precedents or guidelines that apply in relation to the requirement that a student visa holder should not have recourse to public funds in circumstances where a child of that person will attend school in the

State; if, in such circumstances it is required that the child must be enrolled in a fee-paying school; if so, the location where such a requirement is to be found in writing; if an appeal to a superior officer within the GNIB against a refusal of leave to land is or ought to be carried out by way of a review of the original decision or a reconsideration of the original application on its merits; if the stated reason for refusing leave to land in this case must mean that the non Irish national was disbelieved by the immigration officers who interviewed them; if so, in what respect; if he has satisfied himself in all the circumstances that the correct or the only correct decision was taken in this case; and if he will make a statement on the matter. [22335/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Immigration Act 2004 was enacted for the stated purpose of making provision, in the interest of the common good, for the control of entry into the State, the duration and condition of stay in the State and obligations while in the State of non-Irish nationals. The Act of 2004 makes provision for the Minister for Justice, Equality and Law Reform to appoint “such and so many persons as he or she considers appropriate to perform the functions conferred on immigration officers by the Act”.

At section 4 of the Immigration Act, 2004, provision is made for an immigration officer to authorise a non-national to land in the State. However sub-section (3) of section 4 enumerates, at (a) to (k) circumstances in which an immigration officer, may, on behalf of the Minister, refuse to give a person a permission to land in the State.

In performing his or her functions under the Immigration Act, 2004, an immigration officer is obliged, pursuant to the provisions of the Act, to have regard to all the circumstances of the non-national concerned known to the officer or represented to the officer by him or her and, in particular, but without prejudice to the generality of the foregoing, matters including the following:

- (a) the stated purpose of the proposed visit to the State;
- (b) the intended duration of the stay in the State;
- (c) his or her income, earning capacity and other financial resources
- (d) the financial needs, obligations and responsibilities which he or she is likely to have in the foreseeable future
- (e) whether he or she is likely to comply with any proposed conditions as to duration of stay and engagement in employment, business or profession in the State;

On arrival in the State, a non-national is obliged, pursuant to the provisions of the Immigration Act, 2004, to present to an immigration officer at

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an immigration control facility, for the purpose of making an application to land in the State.

Every person landing in the State is obliged, pursuant to the provisions of section 11 (2) of Immigration Act, 2004, to furnish to an immigration officer such information in such manner as an immigration officer may reasonably require for the purposes of the performance of his or her functions.

One of the main principles of Ireland's immigration system is that persons coming to Ireland should not be an undue burden on the resources of the State.

In application of this general principle, the child of an adult student attending an Irish university would be present in the State as a dependant of that parent who would be expected to have sufficient resources to provide for him/herself and any family members while they are in the State. If the children of such a student were to be permitted to attend State schools it would be in conflict with the condition of self-sufficiency. The fact that a parent is attending university and paying the costs of that course of study should not in itself permit their child to access State education services. This policy has been in place for some time.

In relation to detailed guidelines relating to students, the visa requirements are set out on the Irish Naturalisation and Immigration Service website www.inis.gov.ie. These are only guidelines however and the onus remains on the individual in all immigration cases to make whatever enquiries are necessary to be sure that their proposed stay in the State will be permissible.

In the course of making an application to land in the State, the person referred to by the Deputy stated to an immigration officer that his purpose for visiting Ireland was to undertake a course of study at University College Cork.

The person concerned was accompanied by his wife and daughter when he presented at immigration control at the port of entry and the information disclosed caused the Immigration Officer to enquire further about purpose for visiting Ireland, in order to fulfil his obligations pursuant to the provisions of Immigration Act, 2004, and in order to establish the information he required to make a decision with regard to the application to land.

Following his conversations with the persons concerned, the Immigration Officer decided that the appropriate course of action for him to take was to refuse their application for a permission to land on the basis that circumstances enumerated at section 4(3)(k) of the Act of 2004 existed. The Immigration Officer explained to the persons concerned the conditions of entry to Ireland that pertain with regard to the spouse / partner and children of a person whose permission to enter the State relates to the undertaking of a course of education.

The person referred to subsequently entered into correspondence with the Registration Officer at the Garda National Immigration Bureau who, having examined all the circumstances surrounding the arrival in the State of the family concerned on 7th September 2007, concluded that the Immigration Officer acted constitutionally and lawfully, reasonably, and in accordance with fair procedure and informed the person, in writing, of that decision.

The person referred to has been advised that the refusal to enter Ireland does not prevent him from making another application for permission, in the future.

Paternity Leave.

441. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform his proposals to amend Irish law to strengthen the rights of fathers in respect of paternity leave rights and of rights where the child is born outside marriage; the treatment of these issues in other EU countries as shown by his research; and if he envisages constitutional obstacles to changes in these areas. [22343/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I assume the Deputy is enquiring about paternity leave rights of married and unmarried fathers.

I have no objection in principle to the introduction of a statutory entitlement to a short period of paternity leave. However, I take the view that securing consensus among the social partners is a crucial element before doing so. The Agreed Programme for Government includes a commitment to examine the possibility of introducing paternity benefit. The question of permitting unmarried fathers to avail of paternity leave can be examined in that context.

As regards practice in the EU countries, I refer the Deputy to the Report of the Working Group on the review of the Parental Leave Act 1998 which was published by my Department in April 2002. It contains at pages 45 to 47 an analysis of paternity leave entitlements in the 15 countries which were members of the EU at the time.

Residency Permits.

442. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform the circumstances in which a marriage of an EU national in a third country to a national of a state outside the EU can be recognised and the spouse given residency rights here; and his plans to amend existing legal provisions in view of the considerable number of both Irish and other EU nationals living in third countries for periods of their lives. [22351/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): EU citizens have the

right to move to and reside in Ireland as set out in the European Communities (Free Movement of Persons) (No. 2) Regulations 2006. Their non-EEA spouses would be entitled to apply for permission to remain in the State with the EU citizens and provided that evidence of the marriage is submitted with the application (there are also provisions relating to durable relationships other than marriage) and subject to the satisfying other conditions (in particular the requirement that they have been lawfully residing in another Member State), the non-EEA spouses can obtain permission to remain in the State. Where the spouse is not eligible under the relevant EU Regulations they may still be permitted to remain in Ireland under national measures depending on the circumstances of the case.

A similar application process is available to non-EEA spouses of Irish citizens and any permission to remain would be in accordance with national measures.

I have no plans at present to amend the legislation in this area.

Prisoner Transfers.

443. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform when, in view of the new beds acquired in Shelton Abbey Prison, the prisoners for these beds are to be expected; the number of prisoners expected for Shelton Abbey Prison when all prisoners are in place; and if he will make a statement on the matter. [22368/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The current capacity of Shelton Abbey is for 54 prisoners. However, the accommodation is dormitory accommodation which caters for 4 to 6 males in each room. Clearly this type of accommodation is not ideal in 2007. A new unit has recently been completed which has 44 single spaces. The additional accommodation being provided will facilitate the refurbishment and modernisation of the existing accommodation.

It is anticipated that Shelton Abbey will have capacity for 90 prisoners in the near future, with 46 prisoners being accommodated in the refurbished block and 44 prisoners in the new accommodation.

Residency Permits.

444. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform his views in relation to a submission (details supplied); his plans to address the concerns expressed; and if he will make a statement on the matter. [22389/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Immigration Division of my Department that following a review of the application for residence

in the State based on EU Treaty Rights a decision has recently issued to the person concerned.

The person concerned did not meet the criteria for eligibility for residence in the State in accordance with Regulation 3(2) SI 656/2006 European Communities (Free Movement of Persons) No. 2, Regulations 2006. In order to avail of rights of residence in the State under the Regulations, applicants must submit evidence showing lawful residence in another EU Member State prior to arrival in Ireland. The vires of this Regulation was recently upheld in the High Court. The matter is under appeal to the Supreme Court.

Although the applicant is not eligible under the above Regulations for residence in the State, Stamp 4 conditions have been granted for a two year period to the person concerned.

Stamp 4 conditions entitle the person concerned to take up employment without the need for a work permit and to set up a business without the need for permission from the Minister for Justice, Equality and Law Reform.

Citizenship Applications.

445. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the reason for the delay in granting naturalisation to a person (details supplied) in County Carlow; when a decision regarding same can be expected; and if he will make a statement on the matter. [22398/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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 in February 2005.

Officials in that section are currently processing applications received at the beginning of 2005 and have approximately 400 applications on hand to be dealt with before that of the person concerned. These are generally dealt with in chronological order as this is deemed to be the fairest to all applicants. It is likely, therefore, that further processing of the application will commence in the near future.

I will inform the Deputy when I have reached a decision on the application.

Residency Permits.

446. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if he will grant residency to persons (details supplied) in County Clare. [22399/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Immigration Division of my Department that following a review of the application for residence in the State based on EU Treaty Rights a decision has recently issued to the person concerned.

[Deputy Brian Lenihan.]

The person concerned did not meet the criteria for eligibility for residence in the State in accordance with Regulation 3(2) SI 656/2006 European Communities (Free Movement of Persons) No. 2, Regulations 2006. In order to avail of rights of residence in the State under the Regulations, applicants must submit evidence showing lawful residence in another EU Member State prior to arrival in Ireland. The vires of this Regulation was recently upheld in the High Court. The matter is under appeal to the Supreme Court.

Although the applicant is not eligible under the above Regulations for residence in the State, Stamp 4 conditions have been granted for a two year period to the person concerned.

Stamp 4 conditions entitle the person concerned to take up employment without the need for a work permit and to set up a business without the need for permission from the Minister for Justice, Equality and Law Reform.

447. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the anomaly arising from Regulation 3(2) of S.I. No.656 of 2006 and the Employment Permits Act 2006, whereby the spouses of many EU citizens have no right to live and work here despite the fact that such right is granted to the spouses of non-EU migrant workers; if this violates the spirit and letter of European Union law by discriminating against EU citizens in the area of family rights; and if he will make a statement on the matter. [22400/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): EU citizens and their non-EEA family members who have the right to reside in Ireland under the European Communities (Free Movement of Persons) (No. 2) Regulations 2006 (SI No. 656 of 2006) have far more extensive rights than those accruing to non-EEA spouses of migrant workers. Under the Regulations the rights of those EU citizens and their non-EEA family members are the same as those of Irish citizens in terms of the right to travel in or to or from the State; to seek and enter employment (apart from restrictions placed on some Bulgarian and Romanian nationals and as a consequence their family members); to carry on any business, trade or profession; to access education and training and to receive medical care and services. Other rights under the Regulations include, subject to certain conditions, the retention of residence in the event of death or departure of the EU citizen, or in the event of divorce or annulment and the right to permanent residence after 5 years.

In some cases the non-EEA spouse of an EU citizen does not qualify for residence under the terms of the above Regulations as a result of Regulation 3(2), as referred to by the Deputy. This does not mean that in every such case the

right to remain in the State is refused and the non-EEA national must leave. Applicants who are refused under the Free Movement Regulations may be entitled to permission to remain in the State in accordance with national immigration measures. The outcome of each case depends on its particular circumstances.

The Regulations and the underlying Directive fully set out the rights obtained by EU citizens and their family members who move to the host Member State in the company of the EU citizen or to join the EU citizen. Non-EEA spouses who do not qualify for residence in accordance with the Regulations cannot expect to obtain entitlements which are equivalent to the rights set out in the Regulations. Outside of the Regulations these non-EEA spouses of EU citizens fall to be considered under national measures under which they may fare better or worse than other migrants depending on the circumstances of their case.

Citizenship Applications.

448. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 136 of 24 April 2007 when he expects this application to be processed; and if he will make a statement on the matter. [22427/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to my reply to Parliamentary Question 258 of 31 January 2007. The position remains as stated.

Question No. 449 answered with Question No. 196.

Question No. 450 answered with Question No. 128.

Garda Stations.

451. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform if he will make a statement on the future of Mountjoy Garda Station. [22437/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The formulation of proposals in relation to the opening and closing of Garda stations is a matter, in the first instance, for the Garda Commissioner in the context of the annual policing plan, as provided for in section 22 of the Garda Síochána Act 2005.

I have been informed by the Garda Authorities that as part of the plans for the renovation of Fitzgibbon Street Garda Station, Mountjoy Station is to be used as a temporary District Headquarters during the renovation period.

Question No. 452 withdrawn.

Residency Permits.

453. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the status of an application for residency on the basis of marriage to an Irish national for a person (details supplied) in Dublin 8; when a decision will be made; and if he will make a statement on the matter. [22448/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An application for residence in the State on the basis of marriage to an Irish national was received from the person in question in January 2007. An acknowledgement of receipt of the application was issued on 1 February 2007.

Applications of this kind, in fairness to all other such applicants, are dealt with in strict chronological order and currently take approximately twelve months to process. It should be noted that marriage to an Irish national does not confer an automatic right of residence in the State.

Garda Deployment.

454. **Deputy Charlie O'Connor** asked the Minister for Justice, Equality and Law Reform if he will confirm that efforts will be made to increase the Garda strength at Tallaght Garda Station, sited in the third largest population centre here; and if he will make a statement on the matter. [22470/07]

455. **Deputy Charlie O'Connor** asked the Minister for Justice, Equality and Law Reform if he will provide additional resources to Tallaght Garda Station to allow personnel to be assigned to deal specifically with issues relating to anti-social behaviour in an estate (details supplied) in Dublin 24 which were identified to the Garda authorities at a recent meeting involving community representatives; and if he will make a statement on the matter. [22471/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 454 and 455 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 as at the 31 August, 2007 was 13,288.

The personnel strength (all ranks) of Tallaght Garda Station as at the 31 August 2007 was 172.

Divisional and National Units are also utilised in the Tallaght District to combat criminal activity and antisocial behaviour. I have been informed that local Garda management is satisfied that the present resources are sufficient to meet the policing needs of the area.

I have further been informed by the Garda authorities that local management is aware of the issue raised by the Deputy and of the concerns raised by residents regarding anti-social behav-

iour. Members of the local Community Policing Unit regularly visit this area and are now in the process of addressing this issue. Local Garda management will continue to monitor the situation.

It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of Tallaght Garda Station will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

Citizenship Applications.

456. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding the application for Irish citizenship through naturalisation of a person (details supplied) in County Cork; and when a decision is due to be made. [22475/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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 2 December 2005. Officials in that Section are currently processing applications received in the beginning of 2005 and have approximately 4,300 applications on hand to be dealt with before that of the person concerned. These are generally dealt with in chronological order as this is deemed to be the fairest to all applicants. It is likely, therefore, that further processing of the application will commence in the first half of 2008.

I will inform the Deputy and the person in question when a decision is reached in the case.

457. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding the application for Irish citizenship through naturalisation of a person (details supplied) in County Cork; and when a decision is due to be made. [22476/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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 14 April 2005.

Officials in that Section are currently processing applications received in the beginning of 2005 and have approximately 1,200 applications on hand to be dealt with before that of the person concerned. These are generally dealt with in chronological order as this is deemed to be the fairest to all applicants. It is likely therefore, that further processing of the application will commence in the coming months.

[Deputy Brian Lenihan.]

I will inform the Deputy and the person in question when a decision is reached in the case.

Residency Permits.

458. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for leave to remain in the State in the case of persons (details supplied) in County Cork; and if he will make a statement on the matter. [22526/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The persons in question submitted applications on 3rd January, 2006 for permission to remain in the State under the revised arrangements for parents of Irish children born prior to 1st January, 2005, commonly referred to as the IBC/05 scheme. However, as the closing date for receipt of applications under the IBC/05 scheme was 31st March, 2005, the applications in question were received too late for consideration. Additionally, the Irish child in question was born on 18th August, 2005 which is outside the cut-off date of the scheme. Consequently the applications and all supporting documentation were returned to the applicants on 4th January, 2006.

Citizenship Applications.

459. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when a review of the application for naturalisation can or will be undertaken in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [22527/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person referred to in the Deputy's Question applied for a certificate of naturalisation in May 2004. This application was considered under the provision of the Irish Nationality and Citizenship Act 1956, as amended and it was decided to refuse same. The reason for the decision was disclosed to the person in question in a letter dated 11 December 2006.

The said Act does not provide for a formal process of appeal on review. However, it is open to the individual concerned to lodge a new application if and when he is in a position to meet the statutory requirements applicable at that time.

Residency Permits.

460. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [22528/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to my previous reply of 26th September 2007 in

relation to the person in question. The position remains unchanged.

Citizenship Applications.

461. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform when the naturalisation applications of persons (details supplied) will be finalised; if same will be expedited; and if he will make a statement on the matter. [22530/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Applications for certificates of naturalisation from the persons referred to in the Deputy's Question were received in the Citizenship section of my Department in June and July respectively.

Applications are generally dealt with in chronological order. However, due to circumstances outlined by the Deputy, I understand that a submission will be made to my Office shortly for a decision on whether these cases might be expedited.

I will inform the Deputy and the person in question once I have reached a decision on the matter.

Garda Strength.

462. **Deputy Kieran O'Donnell** asked the Minister for Justice, Equality and Law Reform the Garda numbers currently in place and as at 31 December 2006 for Limerick City and County, broken down by Garda station. [22567/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As of 31 August last, the latest date for which figures are readily available, the personnel strength of the Limerick Garda Division was 554 (all ranks).

The following table shows the personnel strength (all ranks) of the Limerick Division by Station as at the 31st December 2006 and as at 31 August 2007 respectively.

Station	Strength at 31/12/2006	Strength at 31/08/2007
Abbeyfeale	13	12
Adare	3	3
Ardnacrusha	4	3
Askeaton	24	23
Athea	1	1
Ballingarry	1	1
Ballylanders	1	1
Ballyneety	2	2
Bruff	25	26
Bruree	1	1
Caherconlish	2	2
Cappamore	3	3
Castleconnell	5	5
Castletown Conyers	1	1

Station	Strength at 31/12/2006	Strength at 31/08/2007
Croom	4	4
Drumcollogher	2	2
Foynes	2	2
Glin	1	1
Henry Street	212	212
Hospital	2	2
Kilfinane	1	1
Kilmallock	5	3
Kilmeedy	1	1
Mary Street	4	14
Mayorstone Park	60	65
Murroe	2	2
Newcastle West	29	27
Pallas	3	3
Pallaskenry	2	2
Patrickswell	3	3
Rathkeale	6	6
Roxboro Road	105	118
Shanagolden	1	1
Tournafulla	1	1
Total	532	554

The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of the Limerick Garda Division will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country and the recommendations of the Fitzgerald report.

Road Traffic Offences.

463. **Deputy Paul Kehoe** asked the Minister for Justice, Equality and Law Reform the efforts are being made to detect learner drivers not displaying L plates, particularly those not displaying the L plates who drive on motorways here; and if he will make a statement on the matter. [22639/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The law on licences including the display of L plates is enforced by An Garda Síochána both through scheduled checkpoints and unscheduled checks.

I am informed by the Garda authorities that 40,391 proceedings were commenced in 2006 for the offence of having no driving licence. There have been 26,177 proceedings commenced to date in 2007. Figures provided for 2007 are provisional, operational and liable to change.

I am further informed that statistics are not compiled in such a way as to provide a breakdown of these figures.

Anti-Social Behaviour.

464. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the number of behaviour warnings that have been issued in respect of adults and children in Cork City and County under the ASBOs legislation. [22647/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Part 11 of the Criminal Justice Act 2006, which provides for civil proceedings in relation to anti-social behaviour by adults, was commenced on 1 January, 2007. Part 13 of the Act relating to anti-social behaviour by children was commenced on 1 March, 2007. These provisions set out an incremental procedure for addressing anti-social behaviour by adults and children, the first step of which is the issue of a behaviour warning by a member of An Garda Síochána, which remains in place for three months from the date of issue.

I am informed by the Garda authorities that eight behaviour warnings have been issued to adults in the Cork City, Cork North and Cork West up to 31 August, 2007. No behaviour warnings have been issued to children in these Divisions in this period.

Some inaccurate conclusions have been drawn from the fact no ASBOs have yet been applied for by Garda authorities. The regime involves a series of procedures including behaviour warnings and, in the case of children, good behaviour contracts. In setting up the regime, the intention was that these warnings or good behaviour contracts would themselves address the problem behaviour. It is only if they fail that an ASBO will be applied. In any case, it inevitably takes time to reach the stage where an ASBO itself might be sought. Where these do not succeed in altering a person's behaviour, they will culminate in ASBOs being sought by the Garda authorities from the courts.

National Women's Strategy.

465. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if his Department is represented on the inter-Departmental committee to implement the National Women's Strategy 2007 to 2016; if his Department has a coordinating role in the implementation; and if he will make a statement on the matter. [16486/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): My Department has responsibility for monitoring and reporting on the implementation of the National Women's

[Deputy Brian Lenihan.]

Strategy 2007-2016 which was launched by the Taoiseach in April 2007.

To facilitate co-ordination and the exchange of information on progress, an Inter-Departmental Committee which was responsible for the drafting of this report, has been reconstituted and will continue to meet regularly to oversee progress on the implementation of the key objectives and the 200 actions which are included in the Strategy.

National Disability Strategy.

466. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the progress made in his Department regarding the implementation of the National Disability Strategy; and if he will make a statement on the matter. [16487/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The National Disability Strategy was launched by Government in September, 2004 and underpins the participation of people with disabilities in Irish society by building on existing policy and legislation. The implementation of the Strategy is the agreed focus of disability policy under the Partnership Agreement, Towards 2016. My Department is responsible for the provision of the framework for the implementation of the Strategy including cross-Departmental coordination and reports to the Cabinet Committee on Social Inclusion on progress of the Strategy. Minister of State Dr. Jimmy Devins, T.D. has special responsibility for disability including mental health.

The National Disability Authority (NDA) is concerned with the implementation of important aspects of the Strategy and works closely with my Department to meet relevant objectives.

Key elements of the National Disability Strategy include the Disability Act 2005 and Sectoral Plans for service provision for people with disabilities. The Disability Act is the cornerstone of the National Disability Strategy and my Department played a lead role in its development and enactment. Part 2 of the Disability Act commenced on 1 June, 2007 in respect of children up to age five. All other sections of the Disability Act have been commenced.

Under the Act, six Government Departments were required to draw up plans in key sectors including transport, built infrastructure, housing, training and employment, health and social welfare provision. My Department acted as co-ordinator for the purpose of the Sectoral Plans and presented the Plans to the Houses of the Oireachtas for approval. They were published by the Government in December 2006. Each of the relevant Departments has provided its own targets and costings for the implementation of the Sectoral Plans.

All public bodies, subject to certain considerations, must meet a number of requirements with

regard to accessibility under the Disability Act. These accessibility provisions are supported by the Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies which was launched in July 2006. The Code of Practice was developed by the NDA in consultation with my Department. The Act also gives statutory effect to the 3% employment target for people with disabilities in the public sector. My Department has a key role in relation to the implementation of these provisions while progress achieved by public bodies in this regard is being monitored by the NDA. Again, under the Act, a Centre for Excellence in Universal Design has been established within the NDA with the support of my Department. The Centre has an important role in contributing to the development and promotion of standards in universal design.

Under the terms of Towards 2016, the National Disability Strategy Stakeholder Monitoring Group was established in December, 2006 to monitor progress on the overall implementation of the National Disability Strategy. The Group comprises representatives of stakeholder groups, senior officials and the NDA while my Department also serves as Secretariat to the Group.

The roll-out of the Strategy has been accompanied by a significant increase in the level of investment to expand the range of services and supports available to persons with disabilities. In particular, the Government is committed to a five-year, multi-annual investment Programme to run until 2009 worth €900 million, targeted at high priority disability support services.

In addition to ensuring the delivery of key objectives of the National Disability Strategy, my Department has a role in several functions that are complementary to the Strategy. My Department had a lead role in relation to the negotiation of the UN Convention on the Rights of Persons with Disabilities which was adopted by a UN General Assembly in December 2006. Ireland was in the first group of countries to sign the Convention. My Department also has a lead role in relation to the ratification process.

My Department also funds certain accessible transport initiatives for people with disabilities, promoted an independent living support programme and provides financial support to People with Disabilities in Ireland (PwDI). The total funding allocation for these initiatives amounts to €3.2 million in 2007. My Department also continues to fund the Enhancing Disabilities Services Programme which was launched in 2005. The Programme comprises a funding package of €15 million over a five-year period to support once-off projects which can demonstrate an innovative, efficient, collaborative and cost effective approach to service provision for people with disabilities. The funding allocation for this Programme for 2007 is €3 million.

In 2007, my Department undertook a number of awareness raising initiatives including funding two TV programmes and a National Information Day. The funding allocation in 2007 for this purpose is €434,000.

The Excellence through Accessibility Award was initiated to acknowledge public bodies that provide accessible services to people with disabilities. The NDA in consultation with my Department, issued guidelines and the first awards ceremony took place in September 2006 at which four public bodies were presented with awards. The second round of awards will take place in December, 2007.

Citizenship Applications.

467. **Deputy Michael Creed** asked the Minister for Justice, Equality and Law Reform the situation regarding an application for naturalisation by a person (details supplied) in County Cork. [22669/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An application for a certificate of naturalisation was received in the Citizenship Section of this Department in August 2005.

Officials in that Section inform me that processing of the application has commenced and the file will be submitted to me for a decision in the near future.

I will inform the Deputy of the outcome at that time.

468. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding the application for Irish citizenship through naturalisation of persons (details supplied) in County Cork; and when a decision is due to be made. [22773/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Applications for certificates of naturalisation from the persons referred to in the Deputy's Question were received in the Citizenship Section of my Department in February 2004.

Officials in that section inform me that letters requesting further documentation have been sent to the applicants on 22 June 2006 and further letters were issued on 28 April 2007 and 29 September 2007. To date, no reply has been received. However, it appears that the applicants changed address since lodging their applications, but did not inform officials of the Citizenship Section of this change. A letter has now been issued to the persons concerned at the address provided by the Deputy in this Parliamentary Question. Further processing of the applications will commence once the documentation requested has been received.

I will inform the Deputy when a decision has been reached on the case.

Dublin and Monaghan Bombings.

469. **Deputy Rory O'Hanlon** asked the Minister for Justice, Equality and Law Reform the position regarding the investigation into the Dublin and Monaghan Bombings; if new developments are expected in the near future; and if he will make a statement on the matter. [22775/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the Garda investigation into the Dublin and Monaghan bombings of 1974 remains open and that any new lines of inquiry coming to light will be diligently pursued.

With regard to the Final Report of the Commission of Investigation into the bombings, I understand that the Department of the Taoiseach, in conjunction with other State bodies, is currently pursuing the one significant item that for legal reasons could not be reported upon, namely, an issue regarding a man who stayed in the Four Courts Hotel.

Asylum Applications.

470. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the status of an application for subsidiary protection and leave to remain for a person (details supplied) in County Limerick; when a decision will be made; and if he will make a statement on the matter. [22785/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person concerned arrived in the State on 08 June, 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 09 March, 2007 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. In addition, he was notified that he was eligible to apply for Subsidiary Protection in accordance with regulations known as the European Communities (Eligibility for Protection) Regulations, S.I. 518 of 2006 which came into force on 10 October, 2006. The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application will be considered in due course.

[Deputy Brian Lenihan.]

If the subsidiary protection application is refused, the case file of the person concerned, 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). I expect the file to be passed to me for decision in due course.

471. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the status of an application for asylum for a person (details supplied) in County Kerry; when a decision will be made; and if he will make a statement on the matter. [22787/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on these applications will be made upon receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

Residency Permits.

472. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the status of an application for leave to remain for a person (details supplied) in Dublin 24; when or if a decision will be made; and if he will make a statement on the matter. [22788/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person concerned arrived in the State on 28 November, 2001 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 23 April, 2003 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.

On 10 October, 2006, regulations known as the European Communities (Eligibility for

Protection) Regulations, 2006, S.I. No. 518 of 2006, came into force. The person concerned submitted an application for subsidiary protection in the State in accordance with these Regulations and this application will be considered in due course.

If the subsidiary protection application is refused, the case file of the person concerned, 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). I expect the file to be passed to me for decision in due course.

473. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the status of an application for a five year residency visa or permit for a person (details supplied) in Dublin 24; if or when a decision will be made; and if he will make a statement on the matter. [22789/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Immigration Division of my Department that a decision in relation to the application for residence in the State based on EU Treaty Rights issued to the person concerned, at the above address, by registered post on 17th July 2007. The decision letter was returned to the Immigration Division of my Department by An Post marked “not called for”.

The decision letter has since re-issued to the person concerned.

474. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the status of an application to have a certificate of registration renewed for a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [22790/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person in question has previously been granted permission to remain on the basis of marriage to an Irish national. This permission has not been renewed. Judicial Review proceedings were instituted on 30 July 2007 and accordingly, as the matter is sub judice I do not propose to comment further on the matter.

Road Traffic Offences.

475. **Deputy Paul Kehoe** asked the Minister for Justice, Equality and Law Reform if he will arrange an urgent response to Parliamentary Question No. 346 of 27 June 2007; and if he will make a statement on the matter. [22841/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that as part of the process to ensure penalty points are properly applied, and the legislative requirement to duly complete a

fixed charge notice is complied with, Irish driving licence numbers supplied on fixed charge notices are validated at time of payment against the National Driver File. Where the validation process indicates the driving licence number supplied on the fixed charge notice does not relate to the person to whom the notice is addressed, payment is not accepted.

An Garda Síochána recommends that a copy of the licence is attached at time of payment because there is no legislative or regulatory provision by which An Garda Síochána can require or demand a copy of the licence.

The relevant legislation falls under the aegis of the Department of Transport.

I am also informed that statistics are not readily available on the number of cases where the amount payable on foot of fixed charge notices has increased. Compilation of these statistics would necessitate an unjustifiable amount of Garda time and resources to compile.

Citizenship Applications.

476. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform when he expects a decision in the appeal to the Supreme Court of a number of matters related to the IBC/05 scheme as outlined in a letter from his Department; and if he will make a statement on the matter. [22842/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): A decision in the appeal to the Supreme Court concerning the matters related to the IBC/05 scheme is expected in the current legal term.

Residency Permits.

477. **Deputy Jan O'Sullivan** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Clare who is married to an EU citizen for the past 18 months and whose spouse has lived here for 36 years has not been granted residency rights; if he will review the case; and if he will make a statement on the matter. [22847/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Immigration Division of my Department that following a review of the application for residence in the State based on EU Treaty Rights a decision has recently issued to the person concerned.

The person concerned did not meet the criteria for eligibility for residence in the State in accordance with Regulation 3(2) SI 656/2006 European Communities (Free Movement of Persons) No. 2, Regulations 2006. In order to avail of rights of residence in the State under the Regulations, applicants must submit evidence showing lawful residence in another EU Member State prior to arrival in Ireland. The vires of this Regulation

was recently upheld in the High Court. The matter is under appeal to the Supreme Court.

Although the applicant is not eligible under the above Regulations for residence in the State, Stamp 4 conditions have been granted for a two year period to the person concerned.

Stamp 4 conditions entitle the person concerned to take up employment without the need for a work permit and to set up a business without the need for permission from the Minister for Justice, Equality and Law Reform.

Bail Laws.

478. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if it is intended to initiate administrative or legislative changes to discourage those committing crimes while on bail; and if he will make a statement on the matter. [22850/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In relation to offences committed while on bail, the Deputy will be aware that section 11 of the Criminal Justice Act 1984 provides that any sentence of imprisonment imposed on anyone for an offence committed while on bail shall be consecutive on any sentence passed on that person in respect of a previous offence. Sections 22 and 23 of the Criminal Justice Act 2007 address an issue that may have cast doubt on the ability of the court to impose a consecutive sentence in a very particular circumstance, i.e. where the person is 'unlawfully at large', having failed to appear in court as required by the terms of his or her bail. Under section 13 of the 1984 Act, that failure to appear is an offence and, following the recent amendment, it is now clearly established as an offence committed while on bail. As a result, under section 11 of the 1984 Act, as amended, any sentence of imprisonment imposed for that offence will be consecutive on any sentence imposed for a previous offence.

The Deputy will also be aware that Part 3 of the 2007 Act introduced several other important changes to the bail laws. These included changes designed to assist the Gardaí and the Director of Public Prosecutions in opposing bail applications by those accused of serious offences. In addition, there are numerous changes of a technical nature which will improve the overall operation and administration of the bail laws.

The changes introduced by the 2007 Act are the most extensive since the Bail Act was enacted in 1997. Any proposals for further changes of that kind must await an assessment of the impact of these recent amendments as it will take some time before their effect becomes clear. In this regard, I would also remind the Deputy that the Agreed Programme for Government contains a commitment to assess annually the effect of the recent changes.

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Although it will be necessary to await an assessment of the recent changes, some ongoing alterations of a relatively minor nature will be necessary from time to time and will be dealt with as opportunities arise. For example, a small number of amendments to the list of serious offences listed in the Schedule to the Bail Act 1997 may be included in the Criminal Justice (Miscellaneous Provisions) Bill which is due for publication shortly. These amendments will take account of new offences and other changes as a result of the enactment of recent legislation, such as the Prisons Act 2007.

Question No. 479 answered with Question No. 149.

Crime Prevention.

480. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the action that has been taken or is expected to be taken to prevent crime bosses from having access to modern technology for the running of their criminal empires from prison; and if he will make a statement on the matter. [22852/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I would like to assure the Deputy that I am committed to implementing all appropriate measures to deal with prisoners who may be engaging in criminal activities from inside prison cells.

One of the major challenges in prisons worldwide lies in preventing access to contraband items, primarily mobile phones and drugs, which for obvious reasons, are viewed as highly valuable commodities which could assist in illegal activity. Efforts are made on a continuous basis to prevent the flow of such contraband into our prisons, by for example, the installation of nets over exercise yards, vigilant observation of prisoners by staff, upgraded CCTV monitoring, the use of screened visits and prisoner and cell searches. In addition, new visiting arrangements are in place in all closed prisons whereby only persons who have been pre-approved by the Governor are permitted to visit.

I can also assure the Deputy that I am determined to deal with the problem of prisoners using mobile phones and, in this context, I believe technology offers the only real answer to dealing with the problem. The first phase of a pilot programme to inhibit the use of mobile phones in prisons has been completed at Midlands Prison and the second phase of the programme is expected to be completed next month. Evaluation of the project so far has yielded positive results and, if confirmed, the inhibitors will be installed in all our closed prisons over an 18 to 24 month period.

The Deputy will be aware that Section 36 of the Prisons Act 2007, which was brought into

operation from 1 May 2007, makes it an offence for prisoners to have unauthorised possession of or use mobile telecommunications devices. Under the Act it is also an offence to supply such a device to a prisoner. The penalty for such an offence, on summary conviction, is a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, and on conviction on indictment, to a fine not exceeding €10,000 or imprisonment for a term not exceeding 5 years or both.

Random searches of cells and their occupants and searching of correspondence and other items entering the prison have all intercepted significant quantities of contraband in recent years. When a person is admitted to prison custody, he or she is searched and prohibited items and money are taken. Similarly, searching takes place of prisoners returning from court, temporary release or after visits. Searches of prisoners also take place where their behaviour or information received raises suspicions that they may be in possession of contraband. The Prison Service has recently purchased a number of cameras and probe systems which assist in searching previously difficult areas such as hollow chair or bed legs, U-bends in toilets, drain holes, under floor boards and other cavities. These new technologies are proving to be a valuable asset in this area. The planned new prison estates at Thornton Hall and Kilworth will also make it harder for contraband to enter the prison by locating recreation yards away from perimeter walls and having a cordon sanitaire.

As regards enhanced security, the Deputy will also be aware that I have recently announced a range of security measures aimed at keeping contraband out of our prisons. These measures include: the establishment of an Operational Support Group dedicated to, and developing expertise in, searching and gathering intelligence. The group will be available in addition to the normal prison staff and can target specific problem areas. They will also gather and collate intelligence information in their prison, carry out high profile escorts and assist the chief officer in charge of security in the continuing assessment and improvement of security.

In addition, a number of serious gang members are now segregated in a special area of Cloverhill Prison. This initiative, in conjunction with the other measures referred to earlier, will prevent them from exerting inappropriate influence over other persons.

Garda Deployment.

481. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the number of Gardaí currently available on a daily or nightly basis in each of the Dublin metropolitan divisions and the adjoining divisions in Wicklow, Carlow, Kildare, Meath and Louth; the way these numbers compare with other regions

throughout the country; and if he will make a statement on the matter. [22855/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As of 31 August last, the latest date for which figures are readily available, the personnel strength of each Garda Division is as set out below:

Division	Strength
DMR South Central	741
DMR North Central	677
DMR South	597
DMR North	656
DMR West	727
DMR East	599
Louth/Meath	570
Carlow/Kildare	393
Laois/Offaly	306
Longford/Westmeath	303
Wicklow/Wexford	360
Waterford/Kilkenny	407
Tipperary	352
Cork City	639
Cork North	274
Cork West	284
Kerry	304
Limerick	555
Clare	299
Galway West	413
Roscommon/Galway East	265
Mayo	301
Sligo/Leitrim	289
Donegal	473
Cavan/Monaghan	395

For security and operational reasons, it is not Garda policy to disclose the number or percentage of personnel on duty at any specific area or over any given period of time.

The Deputy will appreciate that, as with any large organisation, on any given day, the overall strength of the organisation may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account.

The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of each of the Garda Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country. The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division

taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of these Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

Question No. 482 answered with Question No. 101.

Prison Staff.

483. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the degree to which adequate staff are available in each of the prisons throughout the country; and if he will make a statement on the matter. [22857/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Current staffing levels and configurations for each of the prisons were established in the context of the Change Agreement reached with the Prison Officers' Association in 2005. The Agreement involved substantial changes to staff deployment which could only be achieved over time. At present, staffing levels and configurations are quite close to what was envisaged when the Agreement was reached with the POA. The Deputy will appreciate that in a large organisation such as the Irish Prison Service, surpluses and shortfalls in staffing have to be managed on an ongoing basis. However, I am satisfied that there are adequate staff in each of the prisons at present.

Garda Deployment.

484. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform his plans to extend the opening hours of various Garda stations throughout the country with particular reference to areas of increased crime or anti-social behaviour; and if he will make a statement on the matter. [22858/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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 as at the 31 August, 2007 was 13,288.

The opening hours of Garda Stations is a matter for the Garda Commissioner but a general point which should be borne in mind is that an extension in the opening hours of any particular Garda Station would necessitate the employment of additional Garda personnel on indoor administrative duties who may be more effectively employed on outdoor policing duties.

Garda personnel assignments throughout the country, together with overall policing arrangements and operational strategy, are continually

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monitored and reviewed by Garda Management. The purpose of such monitoring is to ensure that optimum use is made of Garda resources and that the best possible Garda service is provided to the general public.

485. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the extent to which staffing levels have been increased at various Garda stations in Dublin City and County and the adjoining counties in the

past five years; and if he will make a statement on the matter. [22859/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that the personnel strength in all stations in the Dublin Metropolitan Region, the Carlow/Kildare Division, the Wexford/Wicklow Division and the Louth/Meath Division over the past five years and as at 31 August, 2007, the latest date for which figures are readily available, is as follows:

Station	31/12/2003	31/12/2004	31/12/2005	31/12/2006	31/08/2007
DMR South Central					
<i>District "A"</i>					
Kevin Street	117	119	122	127	134
Kilmainham	73	81	81	87	83
<i>District "B"</i>					
Pearse Street	238	252	253	260	257
Harcourt Terrace	75	77	74	85	82
<i>District "E"</i>					
Donnybrook	123	125	121	125	128
Irishtown	55	57	56	54	56
DMR North Central					
<i>District "C"</i>					
Store Street	261	269	271	281	285
<i>District "D"</i>					
Bridewell	163	166	162	165	172
Fixed Penalty Office					6
<i>District "U"</i>					
Fitzgibbon Street	119	119	119	118	119
Mountjoy	85	91	90	92	95
DMR South					
<i>District "G"</i>					
Crumlin	82	87	87	98	102
Sundrive Road	61	65	65	73	75
<i>District "M"</i>					
Rathfarnham	71	76	70	72	77
Tallaght	166	173	167	178	172
<i>District "P"</i>					
Rathmines	71	72	70	76	67
Terenure	87	91	97	98	104
DMR North					
<i>District "H"</i>					
Santry	105	107	119	130	114
Whitehall	40	35	34	40	42
Ballymun	63	65	62	56	75
Dublin Airport	63	65	21	21	21
<i>District "R"</i>					
Coolock	87	84	88	98	109
Malahide	40	40	40	45	47
Swords	56	68	65	68	77

Station	31/12/2003	31/12/2004	31/12/2005	31/12/2006	31/08/2007
<i>District "J"</i>					
Raheny	60	66	59	69	67
Clontarf	62	69	63	71	65
Howth	42	44	49	42	39
DMR West					
<i>District "K"</i>					
Blanchardstown	142	152	167	174	171
Cabra	65	63	69	68	74
Finglas	68	74	76	87	88
<i>District "Q"</i>					
Lucan	65	74	68	70	79
Leixlip	26	28	25	25	25
Ronanstown	81	82	88	92	81
<i>District "L"</i>					
Ballyfermot	78	81	80	88	89
Clondalkin	78	76	81	92	97
Rathcoole	23	28	25	23	23
DMR East					
<i>District "F"</i>					
Dun Laoghaire	90	104	99	96	103
Dalkey	28	26	26	26	32
Kill-O-Grange	37	35	33	35	33
Cabinteely	40	41	39	38	36
<i>District "N"</i>					
Bray	75	85	88	103	98
Enniskerry	5	5	5	5	7
Shankill	53	55	61	63	64
Greystones	28	29	28	35	42
<i>District "W"</i>					
Blackrock	66	68	75	79	79
Dundrum	65	68	75	76	73
Stepaside	32	31	29	35	32
Carlow/Kildare					
<i>District: Naas</i>					
Naas	80	78	80	89	99
Celbridge	19	17	19	20	23
Clane	6	6	5	8	7
Kill	3	3	3	3	2
Maynooth	15	15	15	17	13
<i>District: Kildare</i>					
Kildare	27	27	26	31	29
Robertstown	2	3	3	3	4
Kilcullen	3	3	3	3	4
Monasterevin	3	3	3	3	5
Rathangan	3	3	3	2	4
Carbury	2	2	2	2	4
Newbridge	29	29	32	33	33
<i>District: Carlow</i>					
Carlow	50	53	54	60	69
Leighlin-bridge	1	1	1	1	1
Ballon	1	1	1	1	1

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Station	31/12/2003	31/12/2004	31/12/2005	31/12/2006	31/08/2007
Myshall	1	1	1	1	1
Muinebheag	7	7	6	7	7
Athy	16	16	18	19	17
Castledermot	2	2	2	2	2
<i>District: Baltinglass</i>					
Baltinglass	21	21	23	24	33
Blessington	13	14	14	18	15
Dunlavin	1	1	1	1	1
Hollywood	1	1	1	1	1
Donard	1	0	0	1	1
Shillelagh	1	1	1	1	1
Tinahely	2	2	2	2	2
Hacketstown	1	1	1	2	2
Rathvilly	1	1	1	1	1
Ballymore Eustace	1	1	0	1	1
Tullow	9	9	9	9	9
Ballytore	1	1	1	1	1
Louth/Meath					
Drogheda	90	89	93	93	96
Castlebellingham	4	4	4	4	4
Clougherhead	2	2	1	2	1
Dunleer	4	4	4	4	4
Laytown	7	8	8	10	12
<i>District Dundalk</i>					
Dundalk	97	101	101	109	109
Carlingford	3	3	3	3	3
Hackballscross	14	13	12	11	11
Dromad	12	11	9	7	8
Omeath	14	15	10	7	7
Louth	2	1	2	2	2
Blackrock	4	4	5	5	5
<i>District: Kells</i>					
Kells	34	31	32	37	40
Athboy	6	6	6	6	6
Oldcastle	4	4	3	4	4
Nobber	3	3	3	3	3
<i>District: Trim</i>					
Trim	25	25	23	25	29
Summerhill	2	2	2	1	2
Longwood	0	0	1	2	1
Enfield	17	16	13	14	12
Ballivor	2	3	2	2	3
<i>District: Ashbourne</i>					
Ashbourne	37	40	37	49	51
Dunboyne	13	12	14	14	15
Dunshaughlin	11	10	9	9	9
Kilcock	5	5	5	5	5
<i>District: Balbriggan</i>					
Balbriggan	32	34	32	32	34
Skerries	10	11	10	11	10
Lusk	4	4	4	4	4
Rush	5	5	6	7	7

Station	31/12/2003	31/12/2004	31/12/2005	31/12/2006	31/08/2007
Garristown	3	3	3	3	2
<i>District: Navan</i>					
Navan	49	46	45	48	52
Ardee	10	10	10	9	10
Collon	2	2	2	2	2
Duleek	4	4	3	3	3
Slane	4	4	4	3	4
Wicklow/Wexford					
<i>District: Wexford</i>					
Wexford	71	69	72	83	86
Taghmon	3	3	3	3	3
Baldwinstown	0	1	1	1	1
Castlebridge	1	1	1	1	1
Kilmore Quay	2	1	2	2	2
Glynn	1	1	1	1	1
Rosslare Strand	2	2	2	3	3
Rosslare Harbour	9	8	8	7	7
<i>District: Gorey</i>					
Gorey	41	39	39	45	48
Bunclody	5	5	5	6	6
Courtown Harbour	4	4	4	4	4
Arklow	27	28	30	31	29
Carnew	1	1	2	1	1
<i>District: Enniscorthy</i>					
Enniscorthy	31	32	32	34	36
Blackwater	6	6	6	6	6
Ferns	2	2	2	2	3
Kiltealy	1	1	1	1	1
Oylegate	1	1	1	1	1
Oulart	1	1	1	1	1
Clonroche	2	2	2	2	2
<i>District: New Ross</i>					
New Ross	31	32	33	37	38
Ballycullane	2	1	1	2	2
Carrick-On-Bannow	2	2	2	2	2
Duncannon	2	2	3	3	3
Carrickbyrne	2	2	2	2	2
Campile	2	2	2	2	2
<i>District: Wicklow</i>					
Wicklow	39	36	36	44	52
Ashford	3	3	3	3	3
Rathdrum	4	4	3	3	3
Newtownmount-kennedy	4	3	2	2	2
Avoca	3	2	3	3	3
Roundwood	4	4	5	4	4
Aughrim	3	3	2	2	2

The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division

taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of these Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

486. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he will ensure the provision of extra Gardaí to provide for the extended opening hours at the various Garda stations throughout County Kildare with particular reference to the need to ensure increased Garda presence in order to deter crime; and if he will make a statement on the matter. [22860/07]

487. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the number of Gardaí available at each Garda station through County Kildare on a daily or nightly basis; his plans to increase such numbers in order to combat crime; and if he will make a statement on the matter. [22861/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 486 and 487 together.

As of 31 August 2007, the latest date for which Garda numbers are readily available, the personnel strength of the Carlow/Kildare Division was 393. The personnel strength in the Division as on 31 August 2006 was 358. This represents an increase of 35 Gardaí in the twelve month period.

The following table shows the strength of Gardaí in the Carlow/Kildare Division broken down by Station as of 31 August 2007:

District	Station	Strength 31/08/07
Naas	Naas	99
	Celbridge	23
	Clane	7
	Kill	2
	Maynooth	13
Kildare	Kildare	29
	Robertstown	4
	Kilcullen	4
	Monasterevin	5
	Newbridge	33
	Rathangan	4
	Carbury	4
	Carlow	69
Carlow	Leighlinbridge	1
	Ballon	1
	Myshall	1
	Muinebheag	7
	Athy	17
	Castledermot	2
	Baltinglass	33
	Blessington	15
	Dunlavin	1
	Hollywood	1
Baltinglass	Donard	1
	Shillelagh	1
	Tinahely	2

District	Station	Strength 31/08/07
	Hacketstown	2
	Rathvilly	1
	Ballymore Eustace	1
	Tullow	9
	Ballytore	1
	Total	393

The opening hours of Garda Stations is a matter for the Garda Commissioner but a general point which should be borne in mind is that an extension in the opening hours of any particular Garda Station would necessitate the employment of additional Garda personnel on indoor administrative duties who may be more effectively employed on outdoor policing duties.

The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of the Carlow/Kildare Division will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country. The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of these Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

Anti-Social Behaviour.

488. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the number of incidents of anti-social behaviour reported to each Garda station in County Kildare in the past three years; the number of prosecutions and convictions arising therefrom; and if he will make a statement on the matter. [22862/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from the Garda Síochána. The Garda Síochána Act, 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling and publishing crimi-

nal statistics and has published provisional headline crime statistics since the third quarter of 2006. In addition, it has compiled and published a series of quarterly and annual statistics for the period starting with the first quarter of 2003. I understand that the CSO are examining how the crime statistics published might be expanded and made more comprehensive.

I have requested the CSO to provide the statistics sought by the Deputy directly to him.

Joyriding Offences.

489. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the number of reports of boy racers received at each Garda station throughout County Kildare in the past two years; the number of prosecutions and convictions arising therefrom; and if he will make a statement on the matter. [22863/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): It has not been possible in the time available for the Garda authorities to supply the details requested by the Deputy. I will be in contact with the Deputy when the information is to hand. The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of these Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

Witness Intimidation.

490. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the action that has been taken to prevent the intimidation of witnesses; and if he will make a statement on the matter. [22864/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): All information or complaints in relation to alleged witness intimidation are thoroughly investigated by An Garda Síochána.

Section 41 of the Criminal Justice Act, 1999 creates a specific offence of intimidation, in respect of persons assisting the Garda Síochána with a criminal investigation, witnesses, potential witnesses, jurors, potential jurors or a member of their family.

I am informed by the Garda authorities that the table below shows the number of convictions recorded for the offence of intimidation of a wit-

ness or juror, contrary to section 41, for the years 2002 to 2005.

Year	Convictions
2005	4
2004	9
2003	7
2002	2

Following consultations with the Garda authorities a dedicated Witness Security Programme was established in 1997 under the direct operational control and administration of the Garda Commissioner.

The Witness Security Programme was established because of the rise in the criminal activities of organised crime groups, which increasingly attempt to corrupt and destroy the normal functioning of the criminal justice system by all possible means, including threats of violence and systematic intimidation or elimination of witnesses.

Protecting vulnerable witnesses has thus become a primary duty for States to ensure the integrity and effectiveness of their criminal justice systems and the continued safety and well being of their citizens.

The potential intimidation of witnesses has long been a grounds for refusing bail (along with the possibility of flight and interference with evidence). The Bail Act 1997 (following the Constitutional amendment) added the likelihood of committing a serious offence as another grounds for refusing bail.

Furthermore, the Criminal Justice Act 2007, section 26(4) introduced a new post-release order, called a “protection of persons” order. Its purpose is to protect the victim “or any other person” from harassment. The order applies where the person had been convicted of an offence on Schedule 2 to the Act (gangland type offences) and may last up to seven years post-release. Breach of an order carries a penalty of up to €2,000 or six months imprisonment or both.

Crime Levels.

491. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the extent to which racketeering protection and infiltration of security services have been made known to the Gardaí or his Department; the action taken or expected to be taken; and if he will make a statement on the matter. [22865/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Anyone wishing to operate in various sectors of the private security industry, to which I assume the Deputy is referring, is now required to hold a licence.

The Private Security Authority, which was established in October 2004, is the statutory body responsible for the regulation of the private security industry and for managing the licensing

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process. The Authority has put in place stringent criteria to protect the industry from infiltration by criminals. All applicants for licences, including company directors and major shareholders, undergo criminal record checking by An Garda Síochána, and applicants who have resided abroad for 6 months or more must provide a Criminal Record Certificate from that jurisdiction.

Currently, contractors operating in the door supervisor, security guarding, alarm monitoring and intruder alarm installation sectors require a licence as do employees in door supervisor and security guarding. To date the Authority has licensed over 760 contractors and is currently in the process of dealing with 19,000 applications for employee licences.

In addition to criminal record checking all contractors must be tax compliant, hold a relevant standard from the National Standards Authority of Ireland and comply with company law.

The Garda Síochána of course investigates rigorously any reports it receives of illegality within the industry. The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of these Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

Missing Persons.

492. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the number of Gardaí dedicated to a particular unit with responsibility for tracing missing persons; the number of such persons on file and untraced at present; if the facilities available are adequate to meet requirements; and if he will make a statement on the matter. [22866/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that local Garda management take direct responsibility for missing person cases and special investigation teams are appointed as necessary. All missing persons are recorded on the PULSE system and when a person is reported missing, the local Garda Superintendent will appoint an investigation team to include any specialised unit deemed necessary. The systems put in place by An Garda Síochána to manage and deal with reports of missing persons are in line with best international police practice. An Garda Síochána interacts fully and as appropriate with all of the media outlets —

print, radio and TV — in highlighting cases involving missing persons. The services of other external agencies such as Interpol and Europol are also available to assist in the investigation. In addition, every Garda District has a specially trained search team that is familiar with the locality. The investigation of missing persons is a dedicated subject on the curriculum at the Garda College, Templemore and is also a subject covered in in-service training. The Garda authorities are continuously monitoring international developments in relation to investigations of missing persons in order to ensure that best practice is followed.

The following persons remain untraced for the period 2000 to 2007:

Year	Number
2006	87*
2005	45
2004	58
2003	54
2002	53
2001	45
2000	21

The figure for 2007 is 68 (up to 31st July).

*This figure is operational and subject to change resulting from on-going monitoring and validation of persons reported missing. The Deputy will appreciate that, as with any large organisation, on any given day the strength of the organisation, or units within it, may fluctuate due, for example, to retirements, resignations etc. It is the responsibility of the Garda Divisional Officer to allocate personnel within his or her Division taking everything into account. The situation will be kept under review by the Garda Commissioner and when additional personnel next become available the needs of these Divisions will be fully considered by him within the overall context of the needs of Garda Divisions throughout the country.

Question No. 493 answered with Question No. 111.

Garda Deployment.

494. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if a review has taken place to increase the number or armed Gardaí with particular reference to increased use of arms by criminals; and if he will make a statement on the matter. [22868/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that an additional 70 personnel have been allocated to the Organised Crime Unit within the National Bureau of Criminal Investigation. This Unit is tasked with targeting organised criminals and disrupting criminal networks by providing armed assistance during planned operations and searches in respect of persons suspected of being involved in organised criminal activities. Armed support is also provided by the Garda Emergency Response Unit.

Residency Permits.

495. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Clare has been denied their application for residency under the provision of the European Communities (Free Movement of Persons) (No. 2) Regulations 2006; if his Department will review this application; if the provisions of Regulation 3(2) of the said regulations continue to have effect; and if he will make a statement on the matter. [22872/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Immigration Division of my Department that following a review of the application for residence in the State based on EU Treaty Rights a decision has recently issued to the person concerned.

The person concerned did not meet the criteria for eligibility for residence in the State in accordance with Regulation 3(2) SI 656/2006 European Communities (Free Movement of Persons) No. 2, Regulations 2006. In order to avail of rights of residence in the State under the Regulations, applicants must submit evidence showing lawful residence in another EU Member State prior to arrival in Ireland. The vires of this Regulation was recently upheld in the High Court. The matter is under appeal to the Supreme Court.

Although the applicant is not eligible under the above Regulations for residence in the State, Stamp 4 conditions have been granted for a two year period to the person concerned.

Stamp 4 conditions entitle the person concerned to take up employment without the need for a work permit and to set up a business without the need for permission from the Minister for Justice, Equality and Law Reform.

Detention Centres.

496. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform his plans for the future of the five existing special schools for young offenders as reported in a newspaper (details supplied); his views on whether it is inappropriate to locate remand and assessment places on the same campus as detention places; the implications of these plans for the Finglas Child and Adolescent Centre; the status of these plans; and if he will make a statement on the matter. [22875/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to the reply I gave earlier today, Tuesday, 9 October 2007, to Priority Question No. 97.

The Deputy may also wish to be aware that the Expert Group, which I referred to in my earlier answer, is examining a range of possible options for the development of additional children detention school accommodation. One of these options is to locate all of the facilities on the Lusk site where three of the existing schools are already

located. There are, however, other options also being examined. These options include maintaining and developing separate remand and assessment services at the existing Finglas Child and Adolescent Centre.

The Expert Group will consider the implications for all of the existing detention schools, including Finglas Child and Adolescent Centre, in its report and it is consulting with all stakeholders as part of the process. No decisions have yet been made on the future of any of the existing detention schools. The final decision on the location, scope and design of the new facilities will be taken by the Government after the Expert Group has reported.

497. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform further to a media report (details supplied) the steps which have been taken to secure additional land in Lusk; if agreement to purchase has been entered into; if so, if the Department of Finance has sanctioned the agreement; if so, the purchase price and from whom it was purchased; and if he will make a statement on the matter. [22882/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): No steps have been taken (nor have I any in contemplation) to secure additional land at Lusk. The Expert Group on Children Detention Schools, is currently examining a range of options for the development of new children detention school facilities. One of these options is to locate all new facilities on a site near Lusk, Co. Dublin where 3 of the existing schools are currently operating. This site which is approximately 65 acres in extent of sufficient size to accommodate any level of development necessary to provide new facilities while facilitating the continued operation of the existing schools until such time they are replaced.

498. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform further to a media report (details supplied) the composition of the expert group; the chair of the group; the person or body who appointed the chair; and the reasons there are no child care representatives from the relevant children detention school on this expert group. [22883/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Expert Group was set up to advise the Minister for Children on the transfer of responsibilities for the four children detention schools from the Department of Education and Science to the Department of Justice, Equality and Law Reform and to advise on the planning for the redevelopment of the existing detention facilities and the development of new facilities, if required, to meet the future residential accommodation requirements of offending children under 18 years who have been ordered to be detained by the Courts. The Government

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has allocated €143 million in the National Development Plan 2007 to 2013 for this redevelopment.

Ms. Mary Geaney, National Manager for Detention School Services, was appointed as chair by the Minister for Children following her recruitment to the position of National Manager through a public competition. The Expert Group comprises representatives of the Irish Youth Justice Service (IYJS), the Children Detention Schools, the Office of Public Works, the Department of Education and Science, the Irish Prison Service and the IYJS Child Care advisor.

499. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform further to a media report (details supplied), if the Children's Act Advisory Board advise him in all matters regarding care of young people in the children detention schools. [22884/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): On 1 March, 2007 upon the commencement of the relevant provisions of the Children Act 2001, as amended, responsibility for the operation of the children detention schools transferred from the Department of Education and Science to the Irish Youth Justice Service of my Department. Advice in relation to matters regarding the care of children in the detention schools is provided by the Irish Youth Justice Service (IYJS). IYJS was established by Government and its remit includes developing a coordinated youth justice policy; devising and implementing a National Youth Justice Strategy; and the management of the children detention schools.

An Expert Group on Detention Schools was established to provide recommendations and advice in relation to the development of children detention facilities. That Group is to provide a final report by the end of this year.

Section 227(1) of the Children Act 2001, as amended by the Child Care (Amendment) Act 2007, sets out the functions of the Children Act Advisory Board. The Board may at the request of the Minister for Justice, Equality and Law Reform, or the Minister for Health and Children, advise the Ministers on policy issues relating to the coordinated delivery of services under the Children Act 2001 and the Child Care Act 1991, including residential accommodation and support services to children detained in children detention schools.

Water and Sewerage Schemes.

500. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government when he will provide capital funding for the proposed sewerage works at Blenheim, Waterford; and if he will make a statement on the matter. [22278/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): A sewerage scheme to serve Blenheim and other areas was sixth on the list of water and sewerage schemes submitted by Waterford City Council in response to my Department's request to all local authorities in 2006 to undertake assessments of needs for capital works in their areas and to prioritise their proposals on the basis of these assessments. The priority lists were taken into account in preparing the Water Services Investment Programme 2007-2009 which I published in September 2007 and which is available in the Oireachtas Library. Given the level of competing demand for the available funding, and the priorities identified by the elected members of Waterford City Council, I regret that it was not possible to include the Blenheim scheme in the current Programme.

Litter Pollution.

501. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the number of on-the-spot fines issued and the number of on-the-spot fines paid for litter offences in the past 12 months; and if he will make a statement on the matter. [22286/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Statistics on local authority enforcement action, including the number of litter fines issued and paid, are submitted by local authorities to my Department every six months; these figures are also available in the Oireachtas Library. The number of on-the-spot litter fines issued for the twelve months ended 31 December 2006 was 27,078. Of these 12,521 were paid.

Environmental Policy.

502. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his views on recent objections to quarrying of the Hill of Allen in County Kildare; and if he will make a statement on the matter. [22306/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My attention has been drawn to the quarry development referred to in the question. However, under section 30 of the Planning and Development Act 2000 I, as Minister, may only intervene in the planning process in respect of heritage matters, i.e., I may comment on planning applications or appeals, or give expert advice to planning authorities or an Bord Pleanála, in relation to the protection of the built and natural heritage only.

In all other circumstances, I am precluded, under section 30 of the Planning and Development Act 2000, from exercising any power or control in relation to any individual planning appli-

cation or appeal with which a planning authority or An Bord Pleanála is or may be concerned.

Given this general principle, and given that the case in question is currently with the relevant planning authority, it would not be appropriate for me to comment in this instance.

Local Authority Housing.

503. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his plans to lay down criteria for the naming of estates by local authorities; and if he will make a statement on the matter. [22307/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under Section 34 of the Planning and Development Act 2000 planning authorities may attach conditions to planning permissions in relation to appropriate naming and numbering of, and the provision of appropriate signage for, proposed developments.

I have no plans to issue national guidance on this matter, which I consider is more appropriately dealt with at local authority level.

Water and Sewerage Schemes.

504. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the position with regard to the proposed new sewerage scheme for Courtmacsherry and Timoleague, County Cork; when he expects work to commence; and if he will make a statement on the matter. [22337/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Courtmacsherry and Timoleague sewerage scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to begin construction in 2009.

Kildare County Council	2002	2003	2004	2005	2006	2007 to date ¹
	€	€	€	€	€	€
Social Housing ²	23,998,000	10,761,200	14,048,792	29,755,708	32,532,432	33,745,741
Traveller Accommodation	730,904	101,408	176,249	507,417	95,065	0
Athy Town Council						
Social Housing	1,109,200	1,255,500	887,900	3,888,571	1,928,407	1,164,000
Traveller Accommodation	0	0	0	0	0	0

¹ Position at 8 October 2007

² Includes expenditure on construction, acquisition and improvement programmes

Capital funding is also provided through the voluntary, affordable and other private housing sector programmes.

Local Authority Housing.

507. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Govern-

ment My Department is awaiting the submission of a revised Preliminary Report for the scheme by Cork County Council. Following approval of the Preliminary Report the Council will be in a position to draw up Contract Documents.

505. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the status with regard to the proposed new sewerage scheme at Summercove, Kinsale, County Cork; when he expects work to commence; and if he will make a statement on the matter. [22338/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Kinsale Sewerage Scheme has been approved for construction under my Department's Water Services Investment Programme 2007-2009 at a cost of €20 million.

I understand that work has already begun on the upgrading of the collection system. Cork County Council's Tender Documents for the new wastewater treatment plant are being examined in my Department and are being dealt with as quickly as possible.

Local Authority Funding.

506. **Deputy Seán Ó Fearghaíl** asked the Minister for the Environment, Heritage and Local Government the funding provided by his Department to Kildare County Council and Athy Town Council under the capital housing programme for each year from 2002 to late in 2007; and if he will make a statement on the matter. [22341/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Expenditure under the social housing and traveller accommodation programmes by Kildare County Council and Athy Town Council is set out in the table below:

ment the number of non Irish nationals that have been housed by each local authority in each of the past five years. [22354/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The information

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requested is not available in my Department. However, the Local Authority Housing Needs Assessment 2005 shows that there were a total of 6,624 Non Irish Households on the waiting list. A breakdown of these by local authority was published in my Department's Annual Housing Bulletin for 2005, which is available in the Oireachtas Library and on my Department's website at www.envirom.ie.

Natural Heritage Areas.

508. **Deputy Michael D. Higgins** asked the Minister for the Environment, Heritage and Local Government if the river basin districts which have been identified and the river basin studies which have been undertaken in the context of implementing the Water Framework Directive includes fens and if in addition to such, all of the areas that are priority habitats for conservation and which depend on ground water, and such marsh areas, reed beds and scrub, through which the water body in the fens egresses to the sea. [22414/07]

509. **Deputy Michael D. Higgins** asked the Minister for the Environment, Heritage and Local Government if he will have the maps prepared by the western river basin district amended to include habitats listed as special areas of conservation such as Cregganna Marsh special protection area and those portions of the special areas of conservation which lie to the north on either side of the N6 in view of their importance; and if he will provide an assurance that these three SAC areas will be listed in the fens database. [22415/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 508 and 509 together.

The Water Framework Directive is transposed into Irish National Law by the European Communities (Water Policy) Regulations 2003, as amended. The regulations require the Environmental Protection Agency (EPA) to establish and maintain a Register of Protected Areas in accordance with Article 6 of the Directive. These 'protected areas' include all areas which are designated for the protection of waters, or for the conservation of habitats and species which are directly dependent on water. All areas on the register will be shown on the maps associated with the River Basin Management plans, which are due to be adopted in 2009.

The register maintained by the EPA includes all water-dependent Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), and includes wetlands which are fed by groundwater, including fens. It also includes portions of SACs near the N6 as referred to by the Deputy.

SPAs (designated under the EU Birds Directive) which host waterfowl such as geese will also be included on the register. Cregganna Marsh is proposed as an SPA but the designation process is not yet fully complete. Once designated, it will be included on the register and mapped under the relevant River Basin Management Plan.

510. **Deputy Paul Connaughton** asked the Minister for the Environment, Heritage and Local Government when the sale of a bog to Duchas by a person (details supplied) in County Galway will be finalised; and if he will make a statement on the matter. [22421/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I understand that the Chief State Solicitor's Office has raised a legal query which needs to be resolved before the sale can be completed in this case. My Department is examining the matter, with a view to resolving it as early as possible.

Private Rented Accommodation.

511. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the status of the review of the regulation of standards in the private rental sector; when he expects them to be published; and if he will make a statement on the matter. [22434/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Following on a commitment in the partnership agreement Towards 2016, a comprehensive Action Programme to promote improvement in standards of private rented accommodation is being undertaken. An important element of this Programme is the updating of the existing standards regulations, in consultation with local authorities and other relevant interests. This work is progressing and I envisage that revised regulations will be available later this year. Submissions from a number of interested groups are being considered and relevant recommendations arising from a study currently being carried out by the Centre for Housing Research on measures to promote improvement in private rented accommodation standards will also be taken into account.

512. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the amount by which funding to local authorities has increased for enforcement of regulations in the private rental sector; if these authorities have been compliant in providing quarterly information to him on the number of rental properties inspected; if so, the number of notifications that have been received by quarter and the local authority area breakdown; and if he will make a statement on the matter. [22435/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): Funding provided to local authorities, through the Private Residential Tenancies Board, from the proceeds of tenancy registration fees in respect of functions relating to private rented accommodation standards and rent books, increased from €1.582m in 2005 to €2.026m in 2006, an increase of some 28%. Returns in relation to enforcement of the regulations have been received in respect of all local authorities up to the quarter ended 30 June 2007. Details are published on a county/city basis in the Annual Housing Statistics Bulletins which are available in the Oireachtas Library and on the Department’s website www.enviro.ie.

Library Projects.

513. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that although a new state of the art library has been constructed in Garristown, it remains unopened due to staff shortage; if in view of the staffing problem he will relax the local authority staff embargo to allow for the employment of staff in order that this library can be opened; and if he will make a statement on the matter. [22451/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I am aware of the current staffing needs identified by Fingal County Council in relation to the new library in Garristown and am more generally reviewing the overall employment levels in the local government sector having regard to the need to deliver front line services and achieve value for money within the parameters of Government policy on public service employment generally.

As part of my review, my Department is consulting the Department of Finance in relation to the current ceiling on local authority staff numbers, including increased servicing requirements in areas which have experienced high population growth.

Cross-Border Projects.

514. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22597/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The North/South Unit of my Department is responsible for coordinating matters relating to North/South and British-Irish co-operation in the environmental area in the framework of the

Good Friday and St. Andrews Agreements. Since the restoration of the Northern Ireland Executive in May 2007 work has intensified regarding the preparations necessary for meetings of the North/South Ministerial Council. In July I attended the first North/South Ministerial Council Plenary meeting since 2002 and met with, among others, my Northern Ireland counterpart, Ms. Arlene Foster, Minister of the Environment.

I will be meeting with Ms. Foster in the near future at a North/South Ministerial Council Environment Sector meeting and I look forward to working with her to promote mutually beneficial co-operation on environmental matters. The North/South Unit of my Department is working with the Department of the Environment Northern Ireland and the Joint Secretariat in Armagh to prepare for this meeting.

Housing Projects.

515. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the position on the regeneration of a housing estate (details supplied) in County Kildare; the cost involved; the timescale involved; and if he will make a statement on the matter. [22657/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): My Department has received no specific proposals on this matter.

Deer Population.

516. **Deputy Andrew Doyle** asked the Minister for the Environment, Heritage and Local Government his plans for a survey of deer populations in the Wicklow Hills in view of the increase in deer numbers in the national parks in Wicklow, the lack of data on the populations of deer and the need for this data to undertake a management plan. [22684/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): While my Department does not have precise information on the number of wild deer in County Wicklow, estimates suggest a figure in excess of 40,000 animals.

With regard to Wicklow Mountains National Park, which is managed by my Department, regular deer counts have been carried out since 1995 with the following results.

Summary of Deer Populations in Wicklow Mountains National Park

Year	Area (Km ²) counted	Number of Deer Counted	Density of Deer (per Km ²)
1995	239	1951	8.2
1997	176	1440	8.2

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Year	Area (Km ²) counted	Number of Deer Counted	Density of Deer (per Km ²)
1999	197	1223	6.2
2005	182	1691	9.3
2006	188	1798	9.5

These figures show that the deer population in the upland areas within Wicklow Mountains National Park is naturally stable and is not undergoing the same expansion that appears to have occurred outside the national park area. Under the Wicklow Mountains National Park Management Plan 2005-2009, targets for deer densities within the national park are set at a level consistent with sustainable grazing. Controlled culls are carried out in certain areas of the park to reduce densities to target levels. Other management techniques to reduce the impact of deer, such as fencing and removal of conifers, are also used.

My Department is represented on the Wicklow Deer Management Group which also includes representatives of Coillte, Wicklow IFA, Hunting Groups and the Irish Timber Growers Association. The overall aim of this group is to promote and develop an integrated approach to deer management in the county.

Planning Issues.

517. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government if, in view of recent concerns raised by an association (details supplied), he has conducted a review regarding the nomination and appointment of members to An Bord Pleanála; and if he will make a statement on the matter. [22707/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The procedures for the appointment of ordinary members of An Bord Pleanála are set out in the Planning and Development Act 2000, as amended by Sections 14-16 of the Planning and Development (Strategic Infrastructure) Act 2006. In addition, Article 11 of the Planning and Development Regulations, 2006 amended the list of prescribed bodies for the purposes of making nominations to the Board and the Irish Rural Dwellers Association are now included on the list. I am satisfied that the current nomination and appointment processes are fair and transparent. Furthermore, as the legislative provisions underpinning these processes have only recently been endorsed by the Oireachtas, I have no proposals to make any further amendments at this time.

Natural Heritage Areas.

518. **Deputy Paul Connaughton** asked the Minister for the Environment, Heritage and

Local Government if the owners of a bog (details supplied) in County Galway, a bog listed under the EU Habitat Directive, have been notified that turf cutting will have to cease by 2008; and if he will make a statement on the matter. [22733/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

From the information supplied my Department has been unable to identify the bog in question.

There are two designated bogs near Ballinasloe — Eskerboy Bog (NHA 001264) and Kilnaborris Bog (NHA 000284) on which domestic turf cutting can continue until 2014 in areas in which the bogs are not being severely damaged.

Water and Sewerage Schemes.

519. **Deputy Seán Fleming** asked the Minister for the Environment, Heritage and Local Government if he will provide details in relation to his Department's policy on charging for waste water going back into the public network by non-domestic users; and if he will make a statement on the matter. [22767/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

Local authorities are required to recover the cost of providing water services, including water supply and waste water collection and disposal, from the users of those services, other than households using the services for domestic purposes. This is in accordance with the polluter pays principle and the requirements of the EU Water Framework Directive. The policy provides for full cost recovery without profit, with charges based on actual metered consumption.

Local authorities are required to set separate charges for water supply and waste water collection based on the actual cost of providing the particular service to the non-domestic sector within their functional areas. Where one service is utilised, only the charge pertaining to that service applies. In the majority of cases, both services are utilised and the charges are combined to cover water supply and sewage collection and disposal, on the basis of the "water in equals water out" principle. However, where there is a significant difference in the level of usage of the two services, a non-domestic consumer should discuss with the local authority whether it would be advantageous to meter separately its water usage and its waste water production.

Rural Renewal Scheme.

520. **Deputy John Perry** asked the Minister for the Environment, Heritage and Local Government when a certificate of qualification under rural renewal will be issued to persons (details supplied) in County Leitrim as they were informed in April 2007 that their application would be dealt with in two months approxi-

mately; and if he will make a statement on the matter. [22783/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): An inspection with a view to issuing a Certificate of Reasonable Cost, if in order, will be carried out as soon as possible.

Archeological Sites.

521. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the position regarding a letter dated 29 June 2007 sent by the European Commission to the Irish Government seeking an explanation as to the reason it did not carry out a second impact assessment when there was an archaeological discovery at Lismullen on the route of the M3 motorway in March 2007; and if he will make a statement on the matter. [22796/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): On 29 June 2007, my Department received an Additional Reasoned Opinion from the European Commission raising, inter alia, the issue of whether or not EIA is required in certain circumstances for demolition works. Specific reference was made in this context to Ministerial directions of 12 June, 2007 under the National Monuments Act, 2004 in relation to a National Monument discovered at Lismullin, County Meath on the route of the M3 motorway. A detailed response to the Commission was issued by my Department on 31 August 2007.

Natural Heritage Areas.

522. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if significant damage was caused to the national monument known as Rath Lugh in the Tara/Skryne valley; his views on a permanent preservation order for this particular site; and if he will report on significant archaeological finds at this particular site; and if he will make a statement on the matter. [22797/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I am not aware of any damage caused to the monument to which the question refers. Having regard to its archaeological importance, I placed a temporary Preservation Order on the national monument at Rath Lugh on 28 September 2007. The Order has been put in place as an interim protective measure and is effective for a period of six months. Upon its expiration the Order may be renewed, or alternative measures to protect the monument, including a permanent Preservation Order, may be put in place. The monument is located on lands owned by Coillte Teoranta. My Department will engage with Coillte in the com-

ing weeks to consider how the monument can best be protected in the longer term.

I am not aware of significant archaeological finds at this particular site.

Water and Sewerage Schemes.

523. **Deputy Joe Carey** asked the Minister for the Environment, Heritage and Local Government the reason for the ongoing delays in the delivery of the Ennis/Clarecastle main drainage scheme; when work will commence; and if he will make a statement on the matter. [22832/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Ennis/Clarecastle Sewerage Scheme is included in my Department’s Water Services Investment Programme 2007-2009 as a scheme to begin construction in 2009.

My Department approved Clare County Council’s Preliminary Report for the scheme in September 2006. The Council, in consultation with my Department, is now finalising a brief for the appointment of consultants to prepare the necessary Contract Documents.

524. **Deputy Joe Carey** asked the Minister for the Environment, Heritage and Local Government if he will provide a detailed report on his plans to deliver the Ennis water augmentation scheme; when this additional source of water will be available; and if he will make a statement on the matter. [22833/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Ennis Town Water Supply Augmentation Scheme is being funded under my Department’s Water Services Investment Programme 2007-2009. My Department approved Clare County Council’s proposals to lay the pipework for the scheme in conjunction with the Ennis Road Bypass in 2005 and I understand that the works will be completed later this year.

Energy Conservation.

525. **Deputy Deirdre Clune** asked the Minister for Communications, Energy and Natural Resources the grant schemes he has in place to facilitate owners of existing houses to improve the energy efficiency of their homes; and if he will make a statement on the matter. [22273/07]

526. **Deputy Beverley Flynn** asked the Minister for Communications, Energy and Natural Resources if he will introduce a grant scheme to provide assistance to house owners to insulate their homes. [22363/07]

527. **Deputy Olivia Mitchell** asked the Minister for Communications, Energy and Natural Resources if he envisages the early introduction

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of measures to incentivise improved insulation standards in the existing housing stock; and if he will make a statement on the matter. [22433/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I propose to take Questions Nos. 525 to 527, inclusive, together. The Government is committed to promoting and incentivising energy efficiency in the residential sector. In the context of the National Energy Efficiency Action Plan and the Programme for Government, we will be giving particular priority to upgrading the energy efficiency of older housing stock.

Detailed proposals for the requisite scheme and related measures are being developed.

Foreshore Licences.

528. **Deputy Beverley Flynn** asked the Minister for Communications, Energy and Natural Resources if a decision has been made regarding an application for a foreshore licence by a person (details supplied) in County Mayo; and if not, when a decision will be made. [22572/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Company in question has applied for a licence under the Fisheries (Amendment) Act, 1997 for the cultivation of clams in Blacksod Bay, Co. Mayo.

The area in question is within an area designated as a Special Protection Area (SPA) under the EU Birds Directive and a Special Area of Conservation (SAC) afforded protection under the EU Habitats Directive.

Accordingly, my Department wrote to the applicant on 17 June 2005 advising him that an appropriate assessment under the European Communities (Natural Habitats) Regulations, 1997 was required in this instance in order to assess the implications of the proposal for the designated site. The applicant was advised to contact the Department of Environment, Heritage and Local Government in this regard and also to contact the local National Parks and Wildlife Service Officer to agree terms for the carrying out of an appropriate assessment for this particular application.

A reminder issued to the applicant on 21 April 2006 to which my Department has no record of a response.

Marina Developments.

529. **Deputy Deirdre Clune** asked the Minister for Communications, Energy and Natural Resources the plans he has to improve coastal marina development; his views on whether there is a shortage of such facilities; and if he will make a statement on the matter. [22839/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): My Department has no capital budget for investment in coastal marina development. More generally, the issue of Departmental responsibility for this area is under consideration in the context of the shortly to be finalised transfer of Departmental functions consequent on the reconfiguration of my Department and of certain other Departments.

Fishing Industry Development.

530. **Deputy Arthur Morgan** asked the Minister for Communications, Energy and Natural Resources if he will review the level of payments offered to participants of the salmon hardship scheme; when such review will be complete; if he will increase the unreasonable and unacceptably low rate on offer presently; and if he will make a statement on the matter. [22870/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The €25m Salmon Hardship Scheme adopted by Government is intended to provide a measure of relief to individuals in line with the level of hardship likely to be experienced on foot of the cessation of mixed stock fishing for wild salmon. The overall sum takes account of the levels of payment recommended by the Independent Group, based on the recorded catch history of the eligible licensees.

The approach to determining the hardship payments is fair and reasonable and there are no plans to revise the scheme.

Foreshore Licences.

531. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the progress made in granting the foreshore licences requested by Waterford County Council for the Seven Villages sewerage scheme; when these licences will issue; and if he will make a statement on the matter. [22891/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): There are a number of applications for licences being processed in respect of sewerage schemes in County Waterford.

The current position regarding the applications is as follows:

Outfall from Stormwater/Surfacewater Collection system at Cappoquin: My Department's Engineering Division, having reviewed additional information provided by the Council in respect of the application has advised that the application in respect of this outfall should be amended so that the outfall would consist of an appropriate type pipe buried to discharge point with protection provided against scour etc by appropriately sized rock armour.

Outfall from Wastewater Treatment Plant at Cappoquin: Engineering Division, having reviewed additional information supplied by the Council requires that a rock layer be put in place at the outfall.

Outfall from Stormwater/Surfacewater Collection system at Ardmore: The revised proposal by the Council to construct a new outfall is currently being assessed by Engineering Division.

Outfall from Wastewater Treatment Plant at Ardmore: Engineering Division has examined additional information supplied by the Council in respect of this application and remains of the view that the outfall should be protected by a rock layer.

Outfall from Stormwater/Surfacewater Collection System at Stradbally: This application is being examined by Engineering Division.

Outfall from Wastewater Treatment Plant at Stradbally: Engineering Division having examined the application and supplementary information supplied has indicated that it remains of the view that the outfall should be protected by a rock layer.

Outfall from Wastewater Treatment Plant at Ballyduff/Kilmeaden: Engineering Division has not yet been in a position to report on this revised application which was received in this Department on 31 July 2006.

Ardmore — Outfall from Stormwater/ Surfacewater and Wastewater Treatment Plant: The Department of Environment, Heritage and Local Government (DOEHLG) has requested that further archaeological investigations be carried out and submitted for consideration. DOEHLG requires that no works should take place until the further information requested has been submitted for consideration and comment by that Department.

Cappoquin — Outfall from Wastewater Treatment Plant: Further archaeological observations have been received from the Department of Environment, Heritage and Local Government in which that Department indicates that no foreshore licence should be granted until a report has been received and commented on with respect to the old quay structure.

Dunmore East — Outfall from Stormwater/Surfacewater and Wastewater Treatment Plant: Draft specific conditions have been issued to the Council in respect of these two applications. However, these conditions are subject to amendment depending on any observations received from the Heritage and Planning Division of the Department of Environment Heritage and Local Government, from which a response is awaited.

Cheekpoint Sewerage Scheme: Following extensive correspondence between my Department and Waterford County Council, the council has agreed to accept proposed specific conditions to be included in the licence and accordingly a decision on this application is now imminent.

Dungarvan Sewerage Scheme: Following extensive correspondence with the Council, revised draft specific conditions in respect of the licence for the Dungarvan Sewerage scheme were issued to the Council and I understand that these are being examined by the Council at present.

My Department considers the above applications as being of high priority and will continue to make every effort to ensure that they are expedited having due regard to the requirements of good foreshore management.

Planning Legislation.

532. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources the legislation that is applicable to the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [22264/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The conditions of access to private property by ESB are set out under section 53 of the Electricity (Supply) Act, 1927. Decisions regarding construction of and/or access to infrastructure, and any resultant need for way-leaves, are a day-to-day operational matter for the Board and Management of ESB, in consultation with the landowner as applicable, and not one in which I have a function.

Transport Policy.

533. **Deputy Phil Hogan** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the product dipetane which can be used for the reduction of hydrocarbon fuels; if he has researched the potential of this particular product in the context of the reduction of carbon emissions; and if he will make a statement on the matter. [22305/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): My primary responsibility in relation to sustainable transport is in the development of a market for biofuels. I am however aware of the production in question and I understand that officials from the Department of Transport will meet promoters of this product in the near future.

Alternative Energy Projects.

534. **Deputy Seán Ó Fearghail** asked the Mini-

[Deputy Seán Ó Fearghaíl.]

ster for Communications, Energy and Natural Resources if he will extend renewable energy grants to include waste oil recycling for domestic heating; and if he will make a statement on the matter. [22340/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The primary focus of policy in relation to waste oils and vegetable oils generally is to encourage the conversion of these oils into transport fuels where options for the production of renewable fuel is more limited than in the electricity or heat sector. The domestic Greener Homes Scheme is designed to optimise development of renewable energy technologies. Waste oil recycling is not being considered in that context.

National Parks.

535. **Deputy Willie Penrose** asked the Minister for Communications, Energy and Natural Resources if he has received and assessed a submission from a committee (details supplied) seeking to have the cutover peatlands of Bord na Móna, Mount Dillon Group on both sides of the Shannon in Longford and Roscommon, retained in State ownership and have a national peatlands park established on the approximately 18,000 acres contained in this geographical area; his view thereon; and if he will make a statement on the matter. [22463/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I have received a proposal from the North Midlands Peat lands Park Committee. The lands in question are vested in Bord na Móna plc under the Turf Development Act 1946.

I am advised that the lands in question are still being fully utilised by Bord na Móna for the harvesting of milled peat and will be for the foreseeable future.

Corrib Gas Field.

536. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if the pipeline and refinery scheme (details supplied) projected for the area of Kilcommon, Erris, County Mayo has his full backing. [22583/07]

537. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if he has an intention of having a formal meeting with representatives of the local community in Kilcommon, Erris, County Mayo to discuss a scheme (details supplied) to install a gas refinery and high pressure pipeline in their midst; and if so, if he will provide a time when such a meeting might take place. [22585/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I propose to take Questions Nos. 536 and 537 together.

The Corrib Gas Project, including the constituent pipeline and terminal, is an infrastructural development of major national importance.

Since my appointment as Minister I have met with a wide range of stakeholders involved in the project, including the developers, individuals who are interested in the project and people from the local community. As the project advances I am open to continuing my engagement with representatives of the local community in relation to matters that relate to my regulatory role.

Cross-Border Projects.

538. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Communications, Energy and Natural Resources if he will report on the work of the North-South unit in his Department; and if he will make a statement on the matter. [22593/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The North-South Coordination Unit of my Department has responsibility for the coordination of North-South cooperation across the sectoral policy areas of Communications, Energy and Natural Resources. The Unit also participates in the work of the Interdepartmental Groups chaired by the Department of Foreign Affairs.

I have arranged for the North-South Unit in my Department to compile a report on latest developments across the sectors which I will forward to the Deputy.

Harbours and Piers.

539. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources when a foreshore lease will be put in place between his Department and the Port of Cork in relation to a pier (details supplied) in County Cork. [22632/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): This is a long-standing case involving leasing arrangements put in place initially in 1937.

Following refurbishment of the pier in the late 1990s, the Port of Cork indicated a wish to alter the leasing arrangement with a view to ultimately acquiring the freehold of the area of foreshore in question.

The matter is being given urgent consideration by my Department and an early meeting will be sought with the Port of Cork to advance matters.

Telecommunications Services.

540. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out

of fixed line broadband services to Clonmellon, County Westmeath; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22692/07]

541. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out of fixed line broadband services to Summerhill, County Meath; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22693/07]

542. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out of fixed line broadband services to Kilmessan, County Meath; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22694/07]

543. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out of fixed line broadband services to Kildalkey, County Meath; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22695/07]

544. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out of fixed line broadband services to Longwood, County Meath; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22696/07]

545. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out of fixed line broadband services to rural areas of the Meath west constituency; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22697/07]

546. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources if he has satisfied himself with the availability of fixed line broadband services in rural areas of Meath west; his views on whether local business investment is being hindered by the lack of this service; and if he will make a statement on the matter. [22698/07]

547. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the reason for the delay in the roll-out of fixed line broadband services to Robinstown, County Meath; the plans his Department has to provide this service in this area; and if he will make a statement on the matter. [22699/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I propose to take Questions Nos. 540 to 547, inclusive, together.

The provision of telecommunications services, including broadband, is a matter for the private sector. Broadband service providers operate in a fully liberalised market, regulated, where appropriate, by the independent Commission for Communications Regulation, ComReg.

The role of the Government is to formulate regulatory and infrastructure policies to facilitate the provision of high quality telecommunications services, by competing private sector service providers.

The widespread provision of broadband services continues to be a priority for the Government. In that regard my Department has undertaken initiatives to address the gaps in broadband coverage. These include providing grant-aid under the recently concluded Group Broadband Scheme and investment in Metropolitan Area Networks (MANs).

Despite these Government initiatives there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband services. Accordingly, the procurement process for a National Broadband Scheme (NBS) is under way. The NBS will provide broadband services to areas that are currently unserved and will ensure that all reasonable requests for broadband in unserved areas are met.

The first phase of the procurement process, the Pre-Qualification Questionnaire (PQQ) phase, is now complete and four candidates have pre-qualified. As my Department indicated on 2 September 2007, the four candidates are, in alphabetical order, BT Communications Ireland Ltd Consortium, Eircom Ltd, Hutchinson 3G Ireland Ltd and IFA/Motorola Consortium. The next phase of the procurement process involves inviting candidates to participate in a competitive dialogue process. My Department is anticipating that the award of the NBS contract will be Quarter 2 of 2008, with roll-out of the services due to begin as soon as possible thereafter. This timeline is subject to negotiations with candidates during the competitive dialogue phase of the procurement process.

548. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources if his Department has plans to allow fixed line broadband providers to access the States recently laid line that runs from the N3 at Castlemartin, County Meath to the NRA offices Phoenixtown in order to provide a residential broadband service in the area; and if he will make a statement on the matter. [22703/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I

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understand that the infrastructure to which the Deputy refers is privately owned and is not part of any Government owned Metropolitan Area Network. Accordingly, it is a matter for the relevant service provider to determine whether it wishes to provide services to residential customers.

549. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources when provision can or will be made for Broadband in the Derrinturn and Carbury areas of County Kildare; the reason for the delay in providing this much needed service to these local residents; and if he will make a statement on the matter. [22761/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunications services, including broadband, is a matter for the private sector. Broadband service providers operate in a fully liberalised market, regulated, where appropriate, by the independent Commission for Communications Regulation, ComReg.

The role of the Government is to formulate regulatory and infrastructure policies to facilitate the provision of high quality telecommunications services, by competing private sector service providers.

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