



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

*Tuesday, 29 April 2008.*

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# DÁIL ÉIREANN

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*Dé Máirt, 29 Aibreán 2008.*  
*Tuesday, 29 April 2008.*

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

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*Paidir.*  
*Prayer.*

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## Ceisteanna — Questions.

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### e-Government Projects.

1. **Deputy Eamon Gilmore** asked the Taoiseach if he will make a statement on the findings of the Comptroller and Auditor General special report No. 58 on e-Government in so far as it relates to areas for which his Department has responsibility. [1138/08]

2. **Deputy Eamon Gilmore** asked the Taoiseach the amount expended by his Department in regard to the e-Government project; and if he will make a statement on the matter. [1139/08]

3. **Deputy Eamon Gilmore** asked the Taoiseach the new or improved services that were provided for members of the public by his Department under the e-Government project; and if he will make a statement on the matter. [1140/08]

4. **Deputy Eamon Gilmore** asked the Taoiseach the reason the Information Society Commission was not reappointed or replaced when its term ended in May 2005; and if he will make a statement on the matter. [1141/08]

5. **Deputy Eamon Gilmore** asked the Taoiseach when the new information society action plan will be published; and if he will make a statement on the matter. [1142/08]

6. **Deputy Eamon Gilmore** asked the Taoiseach the role his Department played in the development of the reach and broker system, arising from the Government's e-Government plan; and if he will make a statement on the matter. [1143/08]

7. **Deputy Liz McManus** asked the Taoiseach his views on the recently published report from the Comptroller and Auditor General which found serious issues with e-Government projects; and if he will make a statement on the matter. [10588/08]

8. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach if a value for money audit has been carried out in his Department on the e-Government project; and if he will make a statement on the matter. [15232/08]

**Minister of State at the Department of the Taoiseach (Deputy Tom Kitt):** I propose to take Questions Nos. 1 to 8, inclusive, together.

The special report on e-Government, prepared by the Comptroller and Auditor General, focused on a number of specific areas including strategies, costs, and projects. The report acknowledges that there have been many successful projects which, when compared with other countries, points to Ireland being exceptional in the high level of success that has been achieved.

It is important to understand that the development of the information society both here and abroad is a story of evolution that started with a strong focus on the supply of technology and the development of on-line facilities for information dissemination and, increasingly, the use of the Internet for conducting transactional business. In short, much of the earlier efforts were concentrated on putting things on-line because of the perceived need to establish a momentum.

More recently, the emphasis has shifted towards ‘outcome’ achievement and there is a growing recognition that the decision on whether and when to deploy technologies needs to take account of the capacity of organisations to cope with, and to effectively manage, the changes required in terms of the people, the processes and the organisational cultures involved.

It is no longer a simple issue of just procuring the technology. It is fundamentally an issue of setting out to achieve a goal of improved performance in an integrated approach that takes account of the context outlined above, both within government and in all other sectors of society where managers and leaders pursue the goal of better outcomes.

One aspect of this is that the power of technology is opening up possibilities for new services, new structures that reflect different types of relationships, and a shift in service cultures being brought about by the social innovations emerging from the huge increase in Internet-based social networking.

In terms of the use of technology in Government, it can both catalyse and support change and modernisation being undertaken to improve the performance on the public service in the many activities that this involves. For instance, the goals and targets set out in the current programme for Government, in the social partnership agreement, Towards 2016, in the national action plan on social inclusion and in the national development plan mean that the organisations involved in implementing the relevant schemes and programmes will deploy resources and implement organisational transformations around these new purposes.

The information society policy unit at my Department has been responsible for co-ordinating the development of information society policy in Ireland. However, under the Public Service Management Act 1997 individual Departments are responsible for the delivery of services related to their own remits. The Department of Finance, which is responsible for policy on the deployment of information and communications technologies in Government Departments has, by circular 16/97, given individual Departments and offices responsibility for e-Government projects under normal delegated sanction for ICT related expenditure. Accordingly, questions related to specific e-Government projects should be addressed to the relevant Departments.

The Department of the Taoiseach does not have responsibility for the delivery of many “public facing” services, with the exception of our websites which have been expanded and enhanced in recent years. Therefore, the question of my Department delivering “new or improved services” for members of the public does not arise in practice.

The information society policy unit at my Department was established in 1999 following the publication of the first action plan for the development of an information society in Ireland. One of the strands of that plan was around the development of on-line service delivery mechanisms and the unit worked in conjunction with other Departments in promoting that goal. It is important to bear in mind that the main focus was on getting services on-line as an outcome

in itself, on the basis that by doing so the quality of the service experience would be improved in terms of speed and convenience. As the Comptroller and Auditor General's special report points out, there was considerable success in that drive and we now have several hundred services on-line to individuals and businesses.

To boost the momentum, the information society fund was used to support e-Government projects until the end of 2005. At that stage, it was felt that Departments and agencies should have mainstreamed the use of modern technologies where compatible with their business objectives and it was no longer necessary to have a special fund because by treating e-Government as something different, it was felt that it was in danger of being considered a luxury rather than a necessity for organisations to improve their performance in their particular field of activity. As I indicated, however, questions related to specific e-Government projects should be addressed to the relevant Departments.

In the case of the Department of the Taoiseach, it has had significant success in the use of ICT to improve the internal services it provides, including e-Cabinet. The e-Cabinet system, which is in operation across Departments, was implemented on a phased basis between 2004 and 2007. In 2005, the Department's internal audit unit completed an audit on the e-Cabinet project, which was funded under the Government's information society fund. The purpose of the audit was to provide assurance to the Department's Accounting Officer on the integrity of the financial records and procedures. The subsequent report by the internal audit unit concluded that the correct procedures and financial records had been maintained. It also noted that significant savings had been made on the delivery costs of the project. The total cost of the e-Cabinet project was slightly more than €5 million, well below the initial estimated cost of €6.45 million, at 2001 prices, even though the system has many additional features beyond those referred to in the 2001 PWC feasibility study.

The Department of the Taoiseach, in the context of its steering role in public service modernisation, encourages all Departments to aim for the highest standards of service delivery, including the innovative and targeted use of ICT. The principal proposals prepared by Departments and offices were collated by my Department and published in the first information society action plan and its successor, *New Connections*.

The Information Society Commission played an important role, as an independent advisory body, in increasing awareness and understanding of the potential contribution that can be made by ICT. It also provided advice to the Government and played a key role in shaping the evolving public policy framework for the development of the information society in Ireland.

The second commission's term ended in December 2004 and its final report, *Learning to Innovate*, was published in January 2005. By the time the commission published its final report, it had produced 14 valuable reports on a wide range of information society related issues which were taken into account in formulating policy. By the time the commission's term ended, awareness of information technology was high and the key issues identified for action were inclusion and the incorporation of the exploitation of technology within mainstream management across the sectors.

The commission endorsed the move from the concept of an information society to one of a knowledge society, with a consequent shift in emphasis to building knowledge assets that are more mobile and potent in our globalised world. This, in turn, highlights the need to create and maintain an environment that is conducive to creativity — one which values those who will create and work with such knowledge assets. It also underlines the need to ensure as many people as possible get access to the facilities and services ICT and the Internet can provide.

The report of the Comptroller and Auditor General acknowledges that many e-Government projects — the majority of the projects it reviewed — have been successful. These include the

[Deputy Tom Kitt.]

Revenue on-line service, ROS, motor tax on-line, citizens' information and agricultural services. The previously mentioned e-Cabinet project delivered by the Department of the Taoiseach is another example of how technologies can be used to deliver internal efficiencies and this project, spearheaded by my Department, has attracted international interest.

There are also examples of e-Government projects that have resulted in substantial financial savings, such as the Government virtual private network, GVPN, which reduced the voice and data telecommunications costs of public bodies by between 20% and 50%.

**Deputy Simon Coveney:** On a point of order, we have listened to an answer for more than ten minutes. Will we have an opportunity to ask some supplementary questions?

**An Ceann Comhairle:** Yes.

**Deputy Tom Kitt:** There will be an opportunity. I have eight questions to answer and I am doing my best.

**Deputy Simon Coveney:** By the look of the length of the Minister's script——

**Deputy Tom Kitt:** Deputy Coveney need not worry.

**Deputy Liz McManus:** Deputy Coveney should let the Minister continue. There are questions that must be answered. Will the Minister please continue?

**Deputy Tom Kitt:** I am looking forward to it.

**Deputy Thomas P. Broughan:** It sounds like a filibuster.

**Deputy Simon Coveney:** I am just asking the question because——

**Deputy Liz McManus:** Let the Minister keep going.

**An Ceann Comhairle:** The Minister must be allowed to complete his answer to the questions.

**Deputy P. J. Sheehan:** The Minister should be the Taoiseach elect.

**Deputy Tom Kitt:** Discounted rates achieved through the GVPN contract ensured the public service received maximum value for money and substantial savings in the order of €25 million per annum in its voice and data telecommunications expenditure. Savings such as the €18.41 million saved by Revenue in 2007 represent an ongoing annual value dividend from that investment in e-Government.

Research by my Department indicates that it has already been possible to identify estimated savings in the region of €86 million per annum arising from our investment in e-Government projects. These savings result, for example, from staff savings, reduced administrative overheads, reduced third party costs and reduced need for advertising. This represents the annual value of savings to the State and, in some cases, for citizens or customers of the State. It is a figure that will grow as more people avail of on-line services, as new on-line services are made available and as other benefits are identified and measured. This is further strong evidence of the success of the Government's action plan.

The report notes that some projects did not proceed. Decisions not to proceed were taken following detailed analysis of significant relevant factors. In those circumstances, a decision not to proceed represented prudent management.

The Government decision to establish the public services broker, PSB, was taken in May 2000. The broker was conceived as the shared mechanism for facilitating the delivery of on-line services to citizens on an integrated basis. The Government decided at that time that the REACH agency should be mandated to progress and build the broker. The Department of the Taoiseach was involved in an advisory capacity on the REACH board. Responsibility for REACH now lies with the Department of Finance. Specific questions related to the agency or broker should be addressed to that Department.

As the Comptroller and Auditor General's report acknowledges, elements of the e-Government strategy were innovative and ambitious and this posed special challenges. For instance, early implementation of the public services broker was contingent on successfully putting in place an on-line identity processing system. Some of the countries now regarded as being very advanced in on-line service delivery had the advantage of already having had national identity registers in place since Napoleonic times. The identity validation system being delivered has to rigorously protect personal identities and information.

Subsequent to the period covered by the Comptroller and Auditor General's report, stronger project governance measures have been put in place by the Government, including the requirement for peer review of significant projects. I draw attention to the remarks of the Comptroller and Auditor General at the Committee of Public Accounts session on 6 March where he indicated that his report should not be seen as a criticism, but one which recognised the considerable successes that have been achieved.

A new knowledge society action plan is nearing completion. It will take account of relevant international developments, such as the EU's i2010 framework, as well as the review of the Irish public service by the OECD which has just been published and, indeed, the report of the Comptroller and Auditor General. Contrary to some reports, e-Government in this country has been a considerable success story.

The e-Cabinet system is an important example of the innovative utilisation of technology to improve public service efficiency. It is an award-winning project and is the first of its kind worldwide. It has helped to eliminate the manual distribution of papers and has streamlined processes across all Departments regarding the submission of papers to the Cabinet. Delivered under budget, it represents excellent value for money. Besides staff savings and reduction of paper usage in serving Government, it facilitates significant time savings for Ministers and senior officials. This is a real value, although difficult to quantify in financial terms.

The Government virtual private network was designed to provide all Departments and agencies with a high availability, secure and cost effective mobile and fixed line voice and data telecommunications solution through a draw-down contract. The centrally negotiated contract was to provide for continued monitoring of the market and price negotiation with the preferred carriers to ensure value for money through robust contract management arrangements and annual reviews. The GVPN contract ensured that the public service received maximum value for money and substantial savings — in the order of €25 million per annum — in its voice and data telecommunications expenditure. These discounted rates also resulted in a reduction in prices by most other major telecommunications providers for public service bodies.

The on-line motor tax, OMT, project has been extremely successful. Some 41% of eligible vehicle owners nationally are taxing their vehicles on-line and 84% of vehicles, including private cars, agricultural tractors and excavators, motorcycles and motor caravans, can have their motor tax renewed on-line. There have been significant savings in transaction time. It is estimated that at least 125,000 hours are saved annually through use of the OMT service rather than traditional attendance and queueing at local tax offices, not to mention the easing of other difficulties associated with traffic congestion and parking problems in the areas surrounding



[Deputy Tom Kitt.]

these offices. The average transaction time, including queuing, has been cut by 28 minutes by OMT. Theoretically, citizens in Dublin could have saved 61,000 hours in 2005 by using this service.

The revenue on-line service provides electronic filing, payment and account look-up facilities for 22 taxes and duties for its customers and their agents or intermediaries. Since 2004, increasing usage of ROS has delivered estimated savings of €49 million to the Revenue Commissioners in the areas of postage, printing and processing.

The Public Appointments Service has successfully introduced the website *www.publicjobs.ie*, which has reduced the lead time for large volume recruitment by approximately 50%. While the need to advertise all public service jobs widely and on a continuous basis remains, the emergence of *www.publicjobs.ie* has meant that offices and agencies can utilise the website as a major advertising vehicle at no charge. Annual staff savings to the PAS are estimated at €700,000, while staff savings to the wider public service are estimated at €250,000. Other savings include administrative overheads valued at €620,000. This equates to a total saving of €1,570,000 for the public service. It is estimated that there are additional savings of €170,000 for the user. The total estimated saving is €1,740,000.

The Property Registration Authority of Ireland, PRAI, provides on-line access to folios and maps, which is another clear example of the success of e-Government. This success is evident from the major increases in the number of legal transactions completed since 2000, 107%, and the number of dealings completed by staff members, 75%. The success of e-Government projects may be judged based on take-up — more than 3 million searches and inspections were carried out on-line by customers of the PRAI in 2007.

A total of 205 direct staff savings were identified as being due to the introduction of the animal health computer system by the Department of Agriculture, Fisheries and Food. Of these staff, 115 were made available for redeployment to other Departments and 90 were redeployed internally. The redeployment of 115 staff represents an annual saving of €7.3 million on salary, pension and accommodation costs and €100,000 on other administrative costs. Including those redeployed internally, this represents an ongoing annual saving of more than €13 million. While some portion of this saving was attributable to a reduction in disease levels, it is largely attributable directly to the animal health computer system.

I know this is a long answer, but it is in reply to a number of questions. By pointing out these successes I do not wish to imply that we cannot do better. In that context it is appropriate that we and all Departments, bearing in mind that each has a responsibility for the development of e-Government services relating to its remit, have regard to the recommendations of the OECD report and consider the impact of these recommendations on our progress. The new Government action plan can then be tailored accordingly in setting out the blueprint for even greater successes. A new knowledge society action plan to replace New Connections, which remains the current action plan until a successor plan is approved by Government, will also reflect the relevant conclusions and recommendations of the report of the Comptroller and Auditor General.

**Deputy Liz McManus:** I thank the Minister for his lengthy reply, which I can only describe as a fig leaf to cover his embarrassment. Surely the Minister accepts that the report of the Comptroller and Auditor General shows a shambolic record on e-Government. In the Comptroller and Auditor General's report there are repeated criticisms of the failure of two action plans launched by the Government. I can remember the rhetoric, fanfare and commitments to strategic management and moving into the 21st century. All kinds of clichés are used

when these plans were being launched by the Taoiseach and his Department but at the end of the day surely the Minister of State will accept the hard facts show a very different picture.

It is almost a scatter-brained approach that has been exposed in this report on e-Government. Clearly, what we have are projects that were delayed, that overran or that never happened. Of the total number, one in three projects were only partly implemented within the period and one in six were abandoned altogether. Is that a matter of concern to the Minister of State? The general approach adopted clearly shows there is poor planning, unrealistic expectation, interdepartmental friction and weak central oversight.

Since the Minister of State seems to be perpetuating the difficulty in getting this sorted out when he states that one should refer to each Department for particular projects, the first question I want him to answer is who is in charge and who will provide the central oversight clearly lacking in this endeavour? Is the Minister of State concerned — as far as I recall he did not mention this in his reply — that progress is slowing rather than speeding up, to which the Comptroller and Auditor General referred and which is a matter of great concern?

I quote particulars to which the Comptroller and Auditor General referred because we need to get a response from the Minister of State. In his report, the Comptroller and Auditor General stated:

All projects should have clear, measurable business objectives, and time and cost targets. A much stronger project cost and performance measurement and reporting system is required, integrated with departmental and agency reporting systems.

Over €420 million was spent over the number of years scrutinised in the report, 20% above budget. On average, the projects were 25% delayed in terms of time lines. Surely, that must alert us to great concerns about poor management.

Neither did the Minister of State state his response to the following request by the Comptroller and Auditor General:

Measurable targets should be set for each of the strategic goals of e-Government, and responsibility for the achievement of the goals should be formally assigned. Annual e-Government progress reports should be published, focusing on the achievement both of strategic goals and of planned project impacts. The effectiveness of the e-Government strategy should be formally and independently evaluated from time to time.

Will the Minister of State do that? These are basic, good management practices with which clearly this Government does not seem to be familiar but now that we have an independent report on which to work, and which is extremely helpful in terms of trying to put the mess right, I wonder whether the Government is listening.

As the Minister of State was clear on the question on the Information Society Commission that he felt this was an important commission which provided much valuable information and direction in terms of policy, why has it not been replaced? It has disappeared since 2005. Why is the Minister of State not replacing it? No doubt he needs help. A commission was in place and was able to give expert advice, and yet this too was jettisoned along with many other projects within the e-Government strategy that never saw the light of day.

Perhaps the Minister of State would be more specific on the information society plan. He did not specify in his reply when exactly that will be published.

I have two other questions, one of which relates to the REACH programme and the public service broker. I do not want the Minister of State to give me the same answer as the Minister



[Deputy Liz McManus.]

of Finance when I asked him this question. A decision came from nowhere about a project that was central to the e-Government strategy, for which someone in the Department of the Taoiseach has overall responsibility. This particular service was to assist the public and was to cost €14 million. It ended up costing €37 million and it costs €15 million per annum to run. On 1 April — an appropriate day — it was announced that the service would be transferred from the Department of Social and Family Affairs to the Department of Finance, presumably to be buried.

Can the Minister of State please clarify exactly what is going on? How many people are involved in developing this particular project? What has happened to the private consultants who are contracted to deal with this project that was supposed to help the public? I would be grateful if he did not refer me to the individual Department. When Government policy on a project is switched or nosedives, the very least the Minister of State can do is to tell the public what is going on. As he pointed out, this is providing better services for the public, but the public is paying a very heavy price due to Government incompetence and rising costs. The REACH programme of the public service broker is a very fine example of how costs have got out of control. We are not getting any answers when we try to raise these issues.

Will the Minister of State please accept that there is disenchantment out there? The public wants on-line services, but we have been lumbered with useless e-voting machines and there was a gargantuan loss of money in the health services following the PPARS fiasco. Now the report of the Comptroller and Auditor General clearly states there are problems in the e-Government strategy that are extremely serious and need to be addressed. Comprehensive and all as it is, does the Minister of State accept that his answer will not deal with the issues?

**Deputy Tom Kitt:** There are many questions to be answered, but I thank the Deputy for acknowledging some of the work that has been done. The Comptroller and Auditor General stated at the Committee on Public Accounts that his report should not be seen as a criticism, but one which recognises the considerable success that has been achieved. Having said that, I accept that there is much work to be done.

The Deputy's first question was about the linkages between Departments. My own Department is involved in policy co-ordination and we also have a strong role on e-inclusion, which means involving as many people as possible in the information society. We have an e-strategy group of Secretaries General, which provides for a good governance structure. The Information Society Commission was there as——

**Deputy Liz McManus:** Who actually is in charge?

**Deputy Tom Kitt:** Each Department and each Minister——

**Deputy Liz McManus:** Who is at the centre of it?

**Deputy Tom Kitt:** The Taoiseach's Department is in charge of policy formation and delivery is the responsibility of each Minister. The linkage——

**Deputy Liz McManus:** Does that mean that the Minister of State is in charge?

**Deputy Tom Kitt:** No. The Minister in each Department is in charge. I mentioned the successes of on-line revenue, motor taxation and savings in agriculture. The Ministers in those different Departments have provided the leadership and with their officials have been coming

up with fantastic results. The Department of the Taoiseach is co-ordinating the work and ensuring we get good value for money.

The OECD report is very timely. The target date for the action plan we are producing is July. That action plan must take the report of the Comptroller and Auditor General into account, as well as the OECD report. The reports acknowledged the success stories of on-line delivery. I agree with the OECD's reference to the fact that e-Government needs to be very much a central part of the modernisation of public services. One gets right in there and it becomes part and parcel of it. It is probably the easiest part. *3 o'clock* The Deputy knows that the Tánaiste, Deputy Brian Cowen, as Minister for Finance and the next Taoiseach, is applying himself to that project. Obviously, all Ministers would be involved in that regard. It is about involving the right people, processes and culture within the public service so e-Government must be part and parcel of the modernisation process. We draw on the successes that we have achieved.

The OECD report and the Comptroller and Auditor General's report acknowledge considerable successes. We have a co-ordinating role but I want to make it very clear, as I mentioned in my reply, that under the ministerial Acts etc., each line Minister has responsibility for the delivery of on-line services. We know the successes that are there.

In respect of the Deputy's other questions, I covered the information society and the new plan.

**Deputy Liz McManus:** What about the Information Society Commission?

**Deputy Tom Kitt:** At that particular time, the commission had a sizeable budget, as the Deputy is aware. It had to use the funding to initiate many of the very good proposals that have now been realised. We have moved on. Technology moves on. There are so many new ways of dealing with issues with modern technology. That was an idea of its time which is, quite frankly, spent. We are now moving to a new action plan which we hope to launch in July and which will certainly take account of all of the advice we have been given.

As I said earlier, a detailed reply is a matter for the Minister for Finance but I will give a brief background to the Reach project. Reach was originally an agency of the Department of Social and Family Affairs. A decision was made to promote the use of the personal public service number, PPSN, and the public services card, PSC. In 2000, it was mandated to build a public service broker, PSB. The PSB consists of a number of components working together — information repositories, registration, transaction management facilities, a payment engine and a data vault. The information repositories were constructed in the form of Oasis, which is now Citizens Information, and was also built by Comhairle, and Basis for business, which was built by the Department of Enterprise, Trade and Employment.

An important point is that much of the work and ideas that went into that are now being operated by line Departments. This goes back to my earlier point. A considerable amount of good work was done that is valuable so it is not a waste in that sense. Certainly, the payment——

**Deputy Liz McManus:** It is costing €15 million per year.

**Deputy Tom Kitt:** The broker has not been abandoned. Some components are well-established and are used by many people. However, there have been concerns about the ongoing running cost of the broker and the Department of Finance is looking at this with a view to making it more cost effective.

[Deputy Tom Kitt.]

It is important for people to recognise that technology is changing at all times in terms of cost and functionality and that the concept of the broker was devised eight years ago, which is 24 Internet years ago. We must face up to the fact that time and the Internet era move on very rapidly. What is happening now is the right thing. The Department of Finance is looking at that aspect.

I know we will discuss benchmarking and where we stand with regard to our EU colleagues during Deputy Coveney's Private Members' motion tonight. We are at the EU average. We should not lose sight of the fact that our score continually improves. We have been leapfrogged by some member states, but it is important to remember that this is to be expected considering the absence of any culture of centralised identity registration. This is a key issue with which we must deal and which is being addressed by the Department of Finance at present.

**Deputy Thomas P. Broughan:** It is a poor excuse.

**Deputy Tom Kitt:** I want to see it dealt with in the context of the new action plan. We have been leapfrogged by some member states. We need a centralised identity registration system. It is part and parcel of any work we do. Indeed, Deputy Coveney's motion refers to this point. The Government is very seriously engaged with the issue of a centralised identity registration system which is common throughout many of the new member states.

I do not know if the Ceann Comhairle has seen a copy of the motion but he will note that we are addressing many of the issues raised by the Deputy.

**Deputy Caoimhghín Ó Caoláin:** I am sure the Minister of State has set a record here today with his earlier reply.

**Deputy Tom Kitt:** I know; I need a glass of water.

**Deputy Caoimhghín Ó Caoláin:** I will be brief in putting my question. Are specific guidelines and practices in place within the Civil Service for the procurement and commissioning of IT within Departments and State bodies? A succession of less than successful procurements of computer systems have taken place within State bodies and among the major players in the Civil Service. We need only remind ourselves of the e-voting machines which come directly under the ambit of the Cabinet, PPARS in the HSE and even PULSE in terms of the Garda. None of these measured up to the expectation on its introduction, significant problems arose and the address of deficiencies in regard to two of them was costly. The first of those I mentioned has been parked, perhaps indefinitely.

The Minister of State is obviously consulting outside agencies, so-called experts in the field, on the systems required. Has consideration been given to the expertise within the Civil Service because unquestionably tremendous expertise and knowledge has been built up by people in the Civil Service? Has it been explored? What steps have been taken to avoid a recurrence of these disasters where significant sums of public moneys have been clearly wasted with a very poor return? What steps have been taken to bring on board the expertise within the State bodies, Departments and agencies to match the input of outside expertise in determining the best systems to serve the needs of the particular player considering acquiring a new system or a development of an existing system? I commend the input of those within the Civil Service in this regard. Does the Minister of State agree that if that approach was adopted, we might not have seen the many disasters that have already been recorded during the Government parties' terms in office?

**Deputy Tom Kitt:** Good public servants within Departments have shown leadership on this issue. I made that point at the outset. To expand on some of the examples I gave, huge savings have been made in systems in the Revenue Commissioners, the motor taxation section and the Department of Agriculture, Fisheries and Food because of the ingenuity and leadership of people within the system. That must be acknowledged. My Department encourages and advocates a greater performance in those areas.

The modernisation of public service, with which we are determined to proceed, in particular following the comments in the OECD report, will be a key target of Government. A recommendation of the OECD report, with which I agree, is the use of e-Government, as a central part of such modernisation. The revenue on-line service will lead to an estimated annual saving of €18 million due to the work of the staff in introducing that system. The motor tax on-line service will result in a saving of €924,000 and the introduction of the public jobs website will result in savings of €1.7 million. The e-Cabinet project will result in savings of €60,000 to €70,000 and the system in the Patents Office of the Department of Enterprise, Trade and Employment——

**Deputy Caoimhghín Ó Caoláin:** There has not been a striking performance in that area.

**Deputy Tom Kitt:** The introduction of e-forms in the Local Government Computer Services Board will result in savings of €9 million. The system in the civil registration department of the Department of Social and Family Affairs will result in savings of €7.6 million and the jobs Ireland database of FÁS will result in savings of €1.9 million.

**Deputy Simon Coveney:** I am glad we have made some savings, given €0.5 billion has been spent on the system.

**Deputy Tom Kitt:** Naturally, the Opposition Members will concentrate on areas that did not work out. If systems are not working out, it is prudent to decide not to proceed with them.

**Deputy Simon Coveney:** We recognise the successes, but the Minister of State should recognise the failures.

**Deputy Tom Kitt:** In Government, as in business, one has to take some risks and we should encourage people who are intelligently examining the options. Given that technology is such a changing and moving target, there will be some element of risk but let us commend and acknowledge the good work that has been done. I could go on about the good examples that exist. There are good performers in the public service and the key objectives of Government must be to acknowledge that and to encourage more of it. Deciding on the system of government is the key target and challenge for any Government and we must now move on to the next stage.

A key issue is the question of identity. We can address the issue. Indeed, it has been seriously addressed. We can examine the systems of identity that are in existence, across a range of Departments, including the Departments of Health and Children, Social and Family Affairs and Finance. There are systems in place already. One objective is to use those systems. A number of experts are examining all sorts of options with regard to identity.

We do not have a culture of identity here, for various reasons. We have had debates on this issue in other fora. In central and eastern Europe, identity is a given with regard to their systems of government and societal objectives. That is part and parcel of the way they are. We have some ground to make up in that area but we will make it up.

**Deputy Simon Coveney:** We are asking for an honest assessment of the performance of two e-Government strategies to date. I am glad we learned something new today, which is that the Government plans to introduce a new strategy in July of this year. However, the current strategy, which Deputy Kitt has said is still current, ended in 2005 and is already out of date.

I ask the Minister of State to at least acknowledge some of the significant failures that have been outlined in the Comptroller and Auditor General's report. We have spent €0.5 billion of taxpayers' money on these projects. A total of 161 projects were due for completion, but only 74 were delivered. Is that acceptable to the Government? Twenty-three projects were abandoned. Is that acceptable to the Minister of State at the Department of the Taoiseach, which is the Department with responsibility for co-ordinating the e-Government effort? Some 44 projects have only been partially implemented and 20 have been described as "status unknown". Does that demonstrate leadership on e-Government? The Minister of State quoted the Comptroller and Auditor General a number of times in his reply. However, his report states:

The momentum towards developing e-Government that was evident in the early years of the decade appears to have faded somewhat. This is evident in the absence of a formal e-Government strategy since the beginning of 2006.

Is that good enough for the Minister of State?

The Minister of State argued that we compare favourably with other countries in the European Union and elsewhere but that is not true. We are below the average in terms of performance, and falling. Our graph is stagnant, while the graphs of other countries are improving. The European Commission pointed out last year that Ireland is ranked No.17 out of 27 member states and No.11 out of the original EU 15. *The Economist* intelligence unit placed us at No. 21 out of 69 countries. We are not performing well. We need a new impetus, energy and leadership from the Government in this area. It is not good enough to say that if Deputies have questions regarding failed projects, they should address them to the relevant Ministers. It is the Taoiseach's Department that has the information society policy unit at its disposal. It is surely the body that must drive and co-ordinate e-Government and its future direction.

I ask the Minister of State to outline who is putting the new e-Government strategy in place, who is responsible for it and the proposed timescale and cost of the strategy.

**Deputy Liz McManus:** I ask the Minister of State to comment on the fact the Comptroller and Auditor General's report found that progress had slowed. Does he accept that if nobody is in charge, it will not be possible to sort out the problems? I urge him to acknowledge that it must be clear that there is leadership from the top and stop blaming the technology. The report does not find fault with the technology but with the fact that strategic management was not in place and must be provided by the Government. With regard to benefits to the citizen, does the Minister of State accept, for example, it was promised that driving licence and passport applications could be dealt with on-line? The report highlights that business has done better out of this than individuals. For example, only a few services are available to the public through the public service broker scheme. The failures must be dealt with in any future plan.

**Deputy Caoimhghín Ó Caoláin:** I refer to my earlier question about the lessons that must be learned from this series of disasters, several of which have been enumerated. Are specific guidelines and practices in place to ensure there will no be recurrence of the squander of public moneys that we have addressed this afternoon and on many occasions previously? What are the guidelines and practices required of Departments, State agencies and the various subsections of



the public service? Can we have specific responses in this regard in order that we can have some confidence in a new approach being adopted by the Government?

**Deputy Tom Kitt:** I refer to the comments of Deputies McManus and Coveney. I acknowledged earlier that lessons will be learned from the Comptroller and Auditor General's report, which covered the period up to 2005, and the OECD report. We want to get this right and what the two reports said is very important with regard to the action plan. My Department will produce the new action plan and it is hoped it will be done by July. Consultation has taken place with all the other Departments and it is our responsibility to put the plan together in consultation with them. We will take account of that. I will be happy to forward detailed information regarding the guidelines, as requested by Deputy Ó Caoláin.

### **Priority Questions.**

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#### **Departmental Expenditure.**

9. **Deputy James Reilly** asked the Minister for Health and Children if she is satisfied that the finance allocation to the Health Service Executive in 2008 will enable it to deliver the 2007 level of services in addition to specific service improvements; and if she will make a statement on the matter. [16775/08]

**Minister for Health and Children (Deputy Mary Harney):** Our democratic system means that, fundamentally, there is no public spending decision without a tax decision. The two cannot, and should not, be separated. That is why both expenditure Votes and taxes are set by the Oireachtas annually around the same time, and both have to be adhered to. The Oireachtas has voted a budget for the HSE for 2008 from resources provided by taxpayers. Excluding the long-stay repayment scheme, the gross current amount is €14.2 billion which equates to approximately €3,380 for every person in the country or €9,732 for every income taxpayer. This amount is more than a quarter of voted Government current expenditure. It is almost the equivalent of total estimated income tax receipts. This allocation is an increase of 8% on the 2007 outturn of the HSE. By any national or international standard, that is a high level of increase for a national health service. Few other countries maintain such levels of increases year after year. The OECD reported yesterday our rate of increase in public health spending was the second highest in the developed world between 1995 and 2005. Many people say recent levels of annual increases are unsustainable.

No health system in the world operates without implicit or explicit budget limits and benefit limits. It is also the case that every health system, including our own, needs to deliver the most effective services for given resources and to constantly improve, that is, to make value for money and efficiency gains. The HSE has incorporated value for money targets within its service plan. Those who support increased efficiency in public services will fully understand and support the fact that a 1% increase in efficiency for the HSE means, in financial terms, providing the same level of services at a cost of €142 million less; a 2% efficiency gain means providing the same level of services at a cost of €280 million less.

*Additional information not given on the floor of the House.*

The services and targets to be provided by the HSE in 2008 are set out in the national service plan, which I approved in November 2007 and the addendum to the service plan which I approved in February 2008. Both of these documents have been laid before this House and published. In its Exchequer issues return to end April, the HSE is reporting an overspend



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against profile of €95 million, excluding the long-stay repayments scheme. I have had discussions recently with the chairman and CEO of the HSE about these emerging budget pressures. The imperative for efficiency gains and more effective practices is all the greater to deliver services, consistent with Government priorities, and within the annual budget allocated by the Oireachtas and the profile of expenditure planned for each month. The HSE is considering the steps it should take in this regard. When I receive the HSE's proposals in this regard, I will report to Government as part of the normal expenditure management process.

**Deputy James Reilly:** It is no surprise we have the second highest increase in spending while we have come from being the second lowest out of 28 countries only a few years ago. I have a letter from Mr. Woods, the national director of finance. The HSE sought €14.7 million to maintain existing services but the Minister has decided to give them €14.1 million. Was there an agreement to that effect or was it determined by her Department that this is how it should be? This being the case, is this the reason we have had promises of such a run of cutbacks in this coming year? I refer to a reduction of 25% in orthopaedic elective surgery in Our Lady's Hospital, Navan, a reduction in surgical activity in Louth County Hospital, including elimination of on-call and the establishment of a shorter working day, a reduction in outpatient clinics in Our Lady of Lourdes Hospital, possibly being reduced by one day per week, Friday, reduced outpatient clinics to four days a week——

**An Leas-Cheann Comhairle:** A question please, Deputy.

**Deputy James Reilly:** The question is coming.

**An Leas-Cheann Comhairle:** It had better come quickly.

**Deputy James Reilly:** ——the reduction of elective surgery to four days a week in Cavan-Monaghan; the closure of ten beds in Cavan-Monaghan; and Monaghan to be taken off call. I also refer to the intended closure in August of UCHG, the hospital which is designated to be the regional centre of excellence for cancer care in the west and is the centre of tourism for this country. How clever is that? An embargo on staff, cutbacks in Connolly Hospital——

**An Leas-Cheann Comhairle:** A question please, Deputy.

**Deputy James Reilly:** Was this by agreement or is this the reason we have this never-ending list of cutbacks, including cutbacks to home help for the elderly, home care packages for the disabled and now the hospital in the home scheme to be removed? While we are talking about cutbacks, has the Minister made any progress on redundancies in the HSE and how much does she hope to save? I ask her to answer my first question clearly and concisely, as I know she will. How did the Minister reach the figure of €14.1 million when the HSE sought a figure of €14.7 million? I ask her not to mention the extra €200 million for particular new services.

**Deputy Mary Harney:** The Deputy may not be aware but what happens in the Estimates bid from every Department, including when the health boards existed, was that those health boards would make their bid. The Minister for Health and Children engages in discussions with the Minister for Finance and a budget limit is agreed.

**Deputy James Reilly:** We no longer have health boards.

**An Leas-Cheann Comhairle:** Allow the Minister to continue without interruption.

**Deputy Mary Harney:** I am explaining there is a finite amount of money which the Minister for Finance can allocate across Departments. The line Ministers discuss this with the Minister for Finance and this is how the budget is agreed for health, education or whatever it might be.

The Deputy's colleague, Deputy Bruton, has been lecturing us about slicing off 2% for value for money initiatives across the public service and this year we expect the HSE to achieve value for money initiatives. In the first two months of this year, there has been an increase of 7.6% in the number of inpatients discharged and day cases, and a total of more than 14,000 extra people being treated in our hospitals in the first two months of 2008, as against the first two months of 2007. This is an increase in activity.

**Deputy James Reilly:** In that case how can the Minister explain this long list of cutbacks? Will she answer the question in respect of progress made on redundancy packages within the HSE, especially in light of the threat to strike by IMPACT trade union because of the recruitment ban?

**Deputy Mary Harney:** As I informed the Deputy on a number of occasions and as I have repeated publicly, I have discussed this with the chairman and board of the HSE, which I addressed recently, and with the chief executive officer of the HSE. If there are people in one area in the health service who are superfluous to requirements while there are shortages in other areas, we must make decisions. A manpower analysis has been being carried out in recent months within the HSE and the hospitals and community services operated by the HSE. A new human resources director will start work on either 3 June or 4 June. In that context I expect the HSE to be in a position to make proposals about where it intends to make reductions in some areas so that more people can be employed in other areas.

#### **Accident and Emergency Services.**

10. **Deputy Jan O'Sullivan** asked the Minister for Health and Children her views on figures provided for the board of the Health Service Executive which indicate that 44% of patients in hospital emergency departments had to wait longer than the maximum target time of 12 hours in the first two months of 2008; her further views on whether this is still a national emergency; the measures planned to address this situation, which is causing great distress to patients; and if she will make a statement on the matter. [16329/08]

**Deputy Mary Harney:** A total of 184,159 people attended accident and emergency departments in January and February this year. Of these, one third, about 61,000, were admitted as inpatients. The vast majority of these patients were admitted without delay. The HSE reports daily at 2 p.m. on the numbers of remaining patients who have not been admitted immediately. The report cites the waiting times as being either between zero to six hours, six to 12 hours, 12 to 24 hours and more than 24 hours. The number of patients waiting in each category as a proportion of the total who are not admitted immediately can be calculated on a daily basis.

The number of patients waiting in each category as a proportion of total admissions is not immediately apparent from the published data. For example, yesterday was Monday which is traditionally a day of heavy demand and approximately 3,100 people attended accident and emergency departments. Of these, 1,000 would have been admitted for care, 870 were admitted immediately and 123 people were reported as waiting for admission. The total number of patients reported by the HSE as waiting for admission for more than 12 hours was 46 persons. I would much prefer if that number were much lower or even zero but it represents 4.6% of admitted patients and 1.5% of all patients presenting at accident and emergency departments.

It is important to set clear targets for improvement and to measure performance accordingly. This was never done in the past. In line with this approach, the HSE has introduced a target

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waiting time of no more than 12 hours from the time a decision is taken to admit a patient. A number of hospitals have commenced reporting information from the time the patient presents, and the HSE expects to be in a position to publish data on up to 18 hospitals in the next few weeks.

Significant additional resources have been provided to address problems arising in accident and emergency departments. These include additional long-stay beds and a range of community-based measures aimed at reducing the need to use acute hospital services.

**Deputy Jan O'Sullivan:** Is the Minister disputing the figures that 44% of patients must wait 12 hours or more in accident and emergency departments to get into hospital? This is the figure published from a report given to the HSE and the target is 12 hours.

I refer to what the Minister said shortly after she became Minister for Health and Children:

I expect real and measurable improvements to take place in the coming months in the delivery of A and E services. A and E is the litmus test for me, for the Government and for the people of this country.

In view of those figures and of the stories in the media, is the Minister passing this litmus test? I met a man a short time ago who told me that he was in the accident and emergency department in the Mater hospital recently and he described it as being like a scene from the Crimean War. We have constant descriptions of what is happening in accident and emergency departments. Statistics were published in the newspapers last week from official figures given to the HSE.

Has the Minister given away her power? Is this something she wishes to be measured by? Has she any control as Minister over this situation? Can she do anything about it or is she a powerless Minister who has given the power to the HSE and who has stated she wants something done about accident and emergency departments? The HSE has stated it may cut accident and emergency services as one of the cutbacks.

**Deputy Mary Harney:** We have made significant progress and this has been acknowledged by every single group. I refer to the significant progress made in dealing with waiting times in accident and emergency departments. There has been a 60% improvement in the past three years. I remind the Deputy that up to then, waiting times were never measured and we had no target times whatsoever.

**Deputy Jan O'Sullivan:** Targets were set up and they were not reached.

**Deputy Mary Harney:** The accident and emergency initiatives we have funded through the HSE and for which we have set targets through the HSE are the final responsibility of each hospital. Among the changes that have taken place and the manner in which the health service is delivering services, greater accountability is achieved by measuring in the first instance. If one does not measure something one will not be able to manage it. We never measured in the past.

If Deputy Jan O'Sullivan is suggesting that 44% of the 3,000 people going daily to accident and emergency departments have to wait for more than 12 hours, that is not the case. She referred to a man she met recently. I met somebody on my way here who told me that a member of his family was in an accident and emergency department in this city at the weekend and they were astonished at how fast the person was seen and how clean the hospital was compared with previous visits. We can all refer to isolated cases.

I would love to get to a situation where nobody in an accident and emergency department would have to wait more than six hours to be seen and discharged or kept for observation, which is often the case, and admitted to a ward. This has to be the ambition. However, one does not achieve the ambition overnight, there has to be steady progress on the way and we have made enormous progress in the past few years with regard to accident and emergency attendances and waiting times.

**Deputy Jan O'Sullivan:** Is the Minister saying it is not true that a total of 44% of patients in accident and emergency departments are awaiting admission and had to wait longer than the official maximum target period of 12 hours in the first two months of this year? This is what was in the report that went to the board of the HSE and either it is true or it is not true. If it is true, it is the Minister's responsibility.

What will the Minister do about the fact that so many people in acute beds, in the beds that the people in accident and emergency departments hope to occupy, are not able to leave those beds and go back into the community because of closure of respite beds? What will the Minister do about the overall problem, which is the great difficulties experienced by patients attending accident and emergency departments?

**Deputy Mary Harney:** We are now clinically supporting 10,000 older persons who require respite care by providing them with medical supports in their own home. Four years ago, no such home support with clinical back-up was available. This represents great progress. There are 28,000 older people in residential care, which is higher than the international average for people over the age of 65. In the past, many people with low levels of dependency ended up in residential care because in-home and community supports were not in place.

The new nursing home support scheme, A Fair Deal, will make a major impact on the ability of families to afford long-term care. We currently have an unsustainable situation where 90% of the cost of care is funded in respect of public facilities and effectively only 40% in the case of private facilities. The increased affordability of long-term care will have a significant impact in terms of what are broadly referred to as late discharges in our acute system, which number approximately 700. This presents a major challenge for the acute system.

**Deputy Jan O'Sullivan:** Are the figures to which I referred correct?

**Deputy Mary Harney:** The figure of 44% of people attending accident and emergency departments is not correct.

**Deputy James Reilly:** The Minister is rejecting her own figures.

**Deputy Mary Harney:** Only one third of people who present at accident and emergency departments are admitted to hospitals. Deputy O'Sullivan is using the wrong statistic in the wrong context.

**Deputy Jan O'Sullivan:** I am referring to the figures published by the Health Service Executive.

**Deputy Mary Harney:** They do not relate to those attending accident and emergency units.

### **Cancer Screening Programme.**

11. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the reported plans to outsource the reading of all 300,000 cervical smears outside this State to another Continent, causing the closure of all cervical smear laboratories here and the

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consequent loss of more than 100 highly skilled specialised jobs involved in the teaching and reading of cervical smears at a time of economic downturn, she will confirm that the accuracy rate of the non-Irish tender was only 85% compared to 95% in the Irish laboratory at University College Hospital, Galway; her views on whether it is untenable to leave Ireland in a position where we will have no laboratories for cytology screening, and that Ireland will be at the mercy of the vagaries of the international commercial laboratory operators; if she will reconsider the path she is taking and instead properly resource, update and fund adequately the screening laboratories here as formerly agreed by her Department and all the stakeholders in Limerick in 2005 as per the Dr. McGoogan report on cervical screening services; and if she will make a statement on the matter. [16776/08]

**Deputy Mary Harney:** I confirm the planned roll-out of a national cervical screening programme. The absolute priority in the roll-out of this programme is to provide a quality-assured service for women availing of the service. This includes an acceptable turnaround time for cytology results.

The national cancer screening service is in the process of procuring cytology providers as part of the planned roll-out of the screening programme. It commenced in December 2007 and was open to laboratories in Ireland and internationally. The procurement process is being run in accordance with national and EU procurement requirements. The necessary entry criteria in choosing a cytology partner included accreditation status and a laboratory dealing with a volume of a minimum of 25,000 smears per annum. These criteria were chosen in line with international acceptable criteria for cervical screening programmes. The initial contractual period with laboratories will be for a two-year period. As this process is ongoing, it is not appropriate for me to comment on the specific aspects of the competition such as those referred to by the Deputy. However, in more general terms, taxpayers are entitled to expect the best value for money in terms of the cost of the service being provided.

The Dr. McGoogan report recommended that cervical screening be managed as a national call and recall programme via effective governance structures that provide overall leadership and direction in terms of policy, quality assurance, accountability and value for money. This report, among others, was taken into account by the national cancer screening service in determining the process for roll-out of the cervical screening programme nationally.

The HSE has undertaken a review of its laboratory medicine services. I welcome steps being taken by certain HSE-funded laboratories to secure accreditation. If all those involved work together in partnership, there is scope to provide high quality and cost effective services within HSE-funded laboratories.

**Deputy James Reilly:** The Minister's reply is incredible. A cervical cancer screening programme was piloted in the mid-west in 1999. Either the Department of Health and Children or the Health Service Executive engineered the tender for this contract. Why was action not taken in recent years to encourage, assist and resource the laboratories in this State to be in a position to tender for the contract?

Some important facts must be put before this House. The data arising from the smear tests undertaken in the United States will be available in that jurisdiction and may come under the remit of the Patriot Act. Information relating to Irish women will be in the hands of the Department of Homeland Security to do with as it wishes.

Under the national screening programme, women are to undergo smear tests every three to five years. Given the way in which this Government has been funding the health service, it will be every five years. In the United States, where women are offered smear tests every year, an



85% efficiency rate is tolerable as opposed to the 95% efficiency rate required here. This means we are putting patients at risk by outsourcing smear tests to a jurisdiction in which women undergo tests yearly and where a greater margin of error is therefore allowed.

Deputy Harney observed that several of the State's laboratories expect to achieve accreditation in the near future. Many of these laboratories have leased expensive new equipment but no advice was offered to them on how to tender for this contract. They are not accustomed to this type of approach.

**An Leas-Cheann Comhairle:** I am sure there is a question among Deputy Reilly's statements.

**Deputy James Reilly:** Will the Minister reconsider this tendering process, particularly in light of the patient safety issues, to which I referred? In addition, smear tests are reported in a different manner in the United States. We are building into the system more room for human error that may impact on the patient in a negative fashion.

**Deputy Mary Harney:** It is extraordinary that the Deputy who has been screaming at the Government to introduce the cervical screening programme, a Deputy who understands that we do not currently have the capacity in this State to provide quality-assured cytology services, is now screaming at me because we are proceeding to introduce that programme this year. I am also surprised that Deputy Reilly is raising the prospect of private patient data being made widely available in the United States. I do not understand his concern. Others may have something to say about it

Our tests will meet the standards laid down by the British Society for Colposcopy and Cervical Pathology. That is the most important issue. It is our intention to bring the laboratories in this State up to the standard required and to achieve accreditation. However, we will not be in a position to do so between now and the summer.

**Deputy James Reilly:** The Minister and the Government of which she is a member have had ten years of economic boom to achieve this. It is difficult to accept her undertaking to do so in the coming years as we face into an economic downturn. The public will not swallow that.

**Deputy Mary Harney:** We are providing the service. That is what is important.

**Deputy James Reilly:** It is my understanding that one of the main United States tenderers for this contract is currently taking ten weeks to turn around results.

**Deputy Mary Harney:** I have already told the Deputy what is required under the terms of the tender. The specified turnaround time must be met. The quality control standard in the United States is similar to the high standard set by the British society. That standard will be met. There is no point in having cytology without accuracy.

**Deputy James Reilly:** What about the 85% efficiency rate versus the 95% efficiency rate?

**Deputy Mary Harney:** The Deputy knows that much of the opportunistic screening that took place here was not reliable because the quality-assured facilities were not in place.

#### **Health Service Staff.**

12. **Deputy James Reilly** asked the Minister for Health and Children her estimation of the number of general practitioners needed in the next ten and 20 years; her views on whether under current education and training arrangements there could be a serious shortage of GPs in the very near future; the action she will take to address this impending shortage; and if she will make a statement on the matter. [16777/08]



**Deputy Mary Harney:** The number of general practitioners in active practice is 2,500. This equates to approximately 0.5 GPs per 1,000 of the population, a ratio that is low by comparison with other EU and OECD countries. I recognise there is a need to increase the number of GPs to take account of the projected growth in population, the aging of the population and the aging of the GP workforce.

The Government has taken several initiatives to address this. In February 2006, we announced that the number of medical school places for EU students would be more than doubled by 305 to 725. The quota of 305 had been in place since 1978 under successive Governments. The new graduate entry stream will provide an additional 240 places and increase the number of EU undergraduate places by 180.

A total of 170 extra medical school places have been provided between 2006 and 2007 for Irish and EU students in the existing undergraduate courses and the new graduate entry programme. A further 95 places will be made available in 2008, with the remaining 155 places coming on stream in the next two years. In 2004, it was agreed with the Irish College of General Practitioners, ICGP, that the number of GP vocational training places should be increased from 84 to 150 on a phased basis over three years. I am informed by the Health Service Executive that, to date, 36 of the additional 66 places have been provided, bringing the total number of training places annually to 120. The further increase to 150 places is being kept under review by the HSE in light of the current budgetary situation.

There are currently 12 GP vocational training programmes in the State and these programmes are accredited by the ICGP. Three hundred and seventy-six trainees are currently participating in these programmes and the HSE has advised that this number will increase to 449 in July 2008. The HSE has indicated that there have been capacity issues within these training programmes and that this is the principal reason that it has not been possible to increase the number of training places as quickly as had been hoped. The HSE continues to work with the ICGP with a view to addressing these issues.

A joint Department of Health and Children-HSE working group on workforce planning was established in June 2006. It includes representatives of the Departments of Finance and Education and Science and the Higher Education Authority. Research is currently being undertaken by FÁS on behalf of the joint working group. This research will analyse the labour market for 11 health care grades and professions, including GPs, and will help determine future GP training needs.

**Deputy James Reilly:** The Minister referred to 0.5 GPs per 1,000 persons. We have 52 GPs per 100,000 while France has 164 and Austria 144. To put this in context, throughout the country GPs are closing lists, with 35% of GPs in the north east closing lists because they are overworked and cannot take any more patients. This has been coming down the line for some time. In her reply, the Minister alluded to the fact that 150 GP training places were supposed to be made available. This year, the funding for the final 30 places was supposed to have been provided but because of budgetary constraints, this will not happen. I remind the Government that we have a manpower crisis. It is not coming down the line, it is here now. Within the next 12 years, 50% of the general practitioner population in the country will retire and we are already in trouble before we go there.

Two out of three young doctors cannot access GP training. The problem is not that we do not have enough qualified doctors who want to be GPs. We have plenty but they cannot access training positions. This is why it is so important that the Minister accedes to requests for the funding for the 30 additional places. I spoke to the college and even if we want to stand still, we need an average of 200 GP training places a year. However, given that we will lose 50% of them during the coming years, we need 300 places for the next four or five years.

Will the Minister re-examine the situation and fund these critical jobs? Will she also examine another method of training qualified and experienced doctors to be general practitioners? They have completed much of their training but they cannot get on to a training scheme or access their MICGP exam. What hope does Professor Brendan Drumm have for his great new vision of the future in which we do not need more beds and we have primary care facilities provided by general practitioners if we do not have GPs to deliver services today let alone tomorrow?

**Deputy Mary Harney:** A number of years ago we were told we had a shortage of nurses and we greatly increased the numbers. Now we are told in another report that we have too many. I hope we can get it right with regard to doctors. We will double the number of Irish and EU medical students, either as postgraduate or undergraduate entrants. This was the first important thing to do and it was not without considerable resource implications. The number of general practitioner training places will also be increased. I accept we did not achieve 150 this year.

Deputy Reilly made a valid point with regard to people who cannot get on to the programme but have considerable experience and I would like to explore this with the college. I would certainly be open to this. As Deputy Reilly knows, we have 6,000 non-consultant hospital doctors and 2,000 consultants and it should be the other way around. People in a hospital environment may be suitable for general practice if they can access appropriate training.

I have met general practitioners who cannot access a GMS list because of a previous industrial relations agreement. This also needs to be examined so any doctor qualified here as a general practitioner can take on GMS patients. In some areas, this has been challenged.

#### **Child Abuse.**

13. **Deputy Alan Shatter** asked the Minister for Health and Children if the Health Service Executive has submitted to her a report for the first quarter of 2008 pursuant to the HSE national service plan which requires the provision of performance indicators for each HSE region on the number of notifications of child abuse or neglect received, the number of assessments conducted following notifications, the number of children on waiting lists for assessments following notification of child abuse or neglect and the average time spent on a waiting list for assessment following notification of child abuse or neglect; if she will provide detailed information on these matters received by her in respect of each HSE region; the initiative she proposes taking with regard to the number of children on waiting lists for assessments; and the average waiting time spent on such lists following notification of child abuse or neglect.  
[14413/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** I have been informed by the Health Service Executive that its 2008 national service plan commits it to developing from the end of the second quarter of this year a means of collecting information on the following for each administrative area: the number of notifications made of child abuse or neglect, the number of assessments conducted following notifications, the number of children on waiting lists for assessments following notification of child abuse or neglect and the average time spent on a waiting list for assessment following notification of child abuse or neglect. Reporting against this information will be based on the phased implementation of standardised business processes through the child care information system project.

Since the inception of the Office of the Minister for Children, there has been a significant build up in both the flow and quality of management information available. Key components of this information management include the analysis of the child care interim data set prepared annually by the HSE and the regular service plan monitoring reports submitted to the Department of Health and Children. The further development of this information strategy is set to

[Deputy Brendan Smith.]

continue with the completion of the joint Office of the Minister for Children and HSE knowledge management policy and its subsequent implementation plan. This implementation will include a pilot scheme which will integrate the children service data sets with other relevant HSE data sets.

All of these initiatives, if accompanied by planned commentary and analysis, will allow for much enhanced management of children's services by cross-referencing a series of relevant data and research sources via the shared health atlas tool. It is anticipated that this capacity will begin to be available to HSE and Office of the Minister for Children policy makers, managers and frontline staff in 2009 in line with the requirements and approach of the Office of the Minister for Children developed agenda of children services, the overarching policy for children services in Ireland.

The Office of the Minister for Children meets regularly with the HSE to monitor such service provision and policy related issues. These meetings are an integral part of the response to the issues raised by Deputy Shatter in the context of the overarching policy, the agenda for children's services, which I launched in December 2007.

**Deputy Alan Shatter:** I am trying to digest all of this. I wish to ask the Minister of State an extraordinarily simple question. How many children reported to the HSE throughout the country's various sub-regions as being at risk of neglect or abuse are awaiting assessment at present?

**Deputy Brendan Smith:** As Deputy Shatter knows, reports were made available for 2005. We have preliminary data for 2006 which has not been analysed. With regard to the performance indicators to which the Deputy referred, the January report has come to the Department as has the February report. We await the March report and expect to have it within the next two weeks. When we have this, it will enable us to provide a quarterly report. I asked the HSE to ensure that as soon as it has analysed its March data to forward it to Deputy Shatter.

**Deputy Alan Shatter:** Will the Minister of State confirm that the HSE has a statutory obligation under the Child Care Act 1991 to publish an annual report relating to child welfare services? Will he also confirm that the HSE is in breach of this in that it took until the end of February 2008 to produce a report for 2005? The Minister of State does not have a report for 2006 or 2007.

Am I right in understanding that the Department has absolutely no idea how many children were reported to the HSE during 2006 or 2007 as being at risk? The Minister of State does not know the average waiting times before children at risk are assessed. He does not know how many children are at risk at present because they are on a waiting list. He does not know how many children are being abused having been reported as being at risk six or 12 months ago.

Will the Minister of State also confirm that in reply to a Dáil question which I tabled on 31 January 2008 seeking this information I was promised a response from the HSE containing the information? It has been incapable of producing this in four months. Will he also confirm that in a reply in early April he informed me he would have in his Department the quarterly figures? He still does not have them. Will the Minister of State explain in what way he suggests his Department can function in the absence of any detailed information of any nature whatsoever which is up-to-date and current concerning the manner in which our child protection services are working?

**Deputy Brendan Smith:** I am anxious that we have the up-to-date information available as soon as possible. As Deputy Shatter knows, the first year for which the HSE——

**Deputy Alan Shatter:** It is a disgrace. The whole thing is a disgrace.

**Deputy Brendan Smith:** —had responsibility for this report was 2005. This report was completed.

**Deputy Alan Shatter:** It was completed in February 2008.

**Deputy Brendan Smith:** It was completed prior to that.

**Deputy Alan Shatter:** It was not published until February 2008.

**Deputy Brendan Smith:** That is different.

**Deputy Alan Shatter:** It languished in the Department from July 2007.

**Deputy Brendan Smith:** Just one second, Deputy Shatter. The scheduling and publication of the report is a matter for the HSE. It is not a matter for the Office of the Minister for Children.

**Deputy Alan Shatter:** Did the Minister of State discover why it took it three years to publish it?

**An Leas-Cheann Comhairle:** Deputy Shatter must allow the Minister of State to provide him with a reply without interruption.

**Deputy Brendan Smith:** The HSE completed its report for 2005 in 2007. The report for 2006 is nearing completion. I am informed by the HSE that the report on 2007 will be completed in the summer of this year. We want a more timely publication of reports. We want the information to be more accessible and a better quality report. I stated the reports in respect of January and February of this year have been made available. The March report will be completed within the next two weeks and this will provide us with the quarterly report. We are developing a new system whereby the information available will be put to the best possible use to ensure the best possible outcomes for children. The HSE informed me it was prioritising the——

**Deputy Alan Shatter:** The Minister of State does not know how many children are not being investigated having been reported as being at risk.

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** Deputy Shatter should allow the Minister of State to speak.

**Deputy Alan Shatter:** There is no point having a constitutional referendum as window dressing if the Department does not have this basic information.

**Deputy Brendan Smith:** We are not involved in any window dressing.

**An Leas-Cheann Comhairle:** If I can interrupt the Minister of State for a moment——

**Deputy Brendan Smith:** I already told Deputy Shatter, if he had listened——

**An Leas-Cheann Comhairle:** If Deputy Shatter wishes to obtain an answer to his question it would be useful if he would allow the Minister of State to conclude his reply.

**Deputy Alan Shatter:** I appreciate what the Leas-Cheann Comhairle is saying but we have learned enough about children at risk who have been abused in this country——

**An Leas-Cheann Comhairle:** Deputy Shatter, I have not finished speaking.

**Deputy Alan Shatter:** It is an absolute disgrace that we have a Department that is masquerading as knowing what is going on in this area.

**An Leas-Cheann Comhairle:** If the Deputy would allow the Chair to speak——

**Deputy Alan Shatter:** The Department does not have a clue what is going on.

**An Leas-Cheann Comhairle:** Deputy Shatter must resume his seat.

**Deputy Brendan Smith:** I will not accept Deputy Shatter's use of the word "masquerading".

**An Leas-Cheann Comhairle:** I will allow the Minister of State to conclude his contribution. However, both Deputies must observe the direction of the Chair. This is a parliamentary House of debate. Debate means listening as well as speaking.

**Deputy Alan Shatter:** That is true.

**An Leas-Cheann Comhairle:** If questions are asked, Deputies must allow the Minister charged with giving an answer to give that answer uninterrupted.

**Deputy Alan Shatter:** I have been since the beginning of January trying to get specific information. I am aggrieved it is not available.

**An Leas-Cheann Comhairle:** Deputy Shatter has put his question. We will move on to Other Questions unless there is no further interruption from Deputy Shatter. The Minister of State to respond without interruption, please.

**Deputy Brendan Smith:** The HSE has informed me that the delay in preparing the 2005 report was due to the prioritisation of a service delivery mechanism as it was a relatively new body. Previously, reports were produced by individual health boards. The HSE on its establishment developed a template for a national reporting procedure. As I stated, preliminary data for 2006 has been supplied to the Department but it has not yet been analysed. I will ask the HSE to send preliminary data in respect of 2006 to Deputy Shatter. The full report in respect of 2006 should be finalised soon. The 2007 report will be finalised during the summer.

**Deputy Alan Shatter:** How can policy decisions be made without this information?

### **Other Questions.**

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### **Promised Legislation.**

14. **Deputy Seán Barrett** asked the Minister for Health and Children the status of the fair deal Nursing Home Support Scheme Bill; when she expects it will be returned from the Attorney General's office; when she expects it will be published; if the plan was poorly planned and prematurely announced; and if she will make a statement on the matter. [16272/08]

33. **Deputy Enda Kenny** asked the Minister for Health and Children if the Health Information and Quality Authority is adequately staffed and funded to carry out nursing home inspections; the length of time it will take HIQA to carry out inspections on all the nursing homes here and approve them for the proposed fair deal scheme; the provisions that will be



put in place for nursing homes that do not pass the criteria; and if she will make a statement on the matter. [16357/08]

53. **Deputy Jim O’Keeffe** asked the Minister for Health and Children the reason for the delay in the publication of the Bill providing for the replacement of the current system of nursing home subvention; the outstanding issues unresolved in relation to this Bill; and the additional level of resources that will be required to fund the fair deal system. [15761/08]

71. **Deputy Joanna Tuffy** asked the Minister for Health and Children if the issues that have delayed the publication of the fair deal legislation have constitutional as well as legal implications; when she expects to publish the legislation; and if she will make a statement on the matter. [16256/08]

87. **Deputy Seán Sherlock** asked the Minister for Health and Children if the Health Service Executive has been instructed to divert the €110 million allocated in budget 2008 for the implementation of the fair deal scheme into other areas of health spending; and if she will make a statement on the matter. [12252/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** I propose to take Questions Nos. 14, 33, 53, 71 and 87 together.

The Bill providing for the new nursing home support scheme, A Fair Deal, is currently being finalised by the Office of the Attorney General and will be published when it has been approved by Government.

Details of the fair deal were announced in December 2006 to facilitate full consultation with the social partners and other stakeholders. The legislation is complex and requires careful drafting to ensure the interests of older people requiring residential care are fully protected. In the course of progressing the legislation, the Department has received legal advice on a number of matters, some of which are the subject of consideration in the context of finalising the Bill. The issues are legal rather than constitutional in nature. However, it would not be appropriate to comment further until the Bill has been brought before the Government for approval.

The fair deal is designed to remove from real financial hardship individuals and their families who under the current system of nursing home subvention must sell or remortgage their homes to pay for nursing home care. There will be one transparent system of support towards the cost of care that will be fair to all irrespective of whether they are in public or private nursing homes. The basic commitments of the new scheme are, individuals will be asked to contribute, based on income and assets; the HSE will meet the balance of cost in homes approved for the purpose; individuals will not have to sell or mortgage their homes; individuals will not have to borrow to fund costs; individuals will not experience unaffordable costs and an individual’s family will not have to find money for their care.

The new scheme encompasses five key steps. The first of these steps is a care needs assessment carried out by a multidisciplinary team of HSE healthcare professionals. A person assessed as requiring residential care can apply to the HSE for a means assessment to calculate his or her contribution to care. Under the scheme, people requiring long-term residential care will contribute 80% of their assessable income, for example, their pension(s), whether for public or private nursing home care. Depending on the amount of a person’s assessable income, there may also be a contribution of up to 5% of a person’s assets. The State will meet the full balance of cost thereafter in public or private nursing homes.



[Deputy Máire Hocht.]

Payment of the contribution based on assets can be made at the time when care is received or may be deferred until settlement of a person's estate. This deferred contribution will be based on the actual number of weeks spent in residential care, the cost of care and, consequently, may be less than 5% per annum. No one will pay more than the cost of their care. In addition, where the deferred contribution applies to the principal private residence, it will be capped at a maximum of 15%, or 7.5% in the case of one spouse in long-term residential care while the other remains in the home. This means that after three years in care a person will not be liable for any further deferred charge on the principal residence. It also means that as much as 85% of the value of the principal residence may be maintained for the beneficiaries of the person's estate. This is not something that can be guaranteed at the moment.

Where a spouse or certain dependants are living in the principal residence, the contribution may be further deferred until after the death of that spouse or dependant or until such time as a person previously qualifying as a dependant ceases to qualify as such. Finally, individuals can choose care in any approved private or public nursing home subject to availability and an ability to meet their particular needs. If an individual opts for a private nursing home, he or she will make a co-payment to the nursing home and the State will meet the balance of the cost to provide the service. If the individual opts for a public nursing home, the State will collect the co-payment and provide the service.

An additional €110 million has been provided for the introduction of the new scheme in 2008 and the development of long-term residential care services. I confirm to the Deputy that the HSE has not been instructed by Government or my colleague, the Minister for Health and Children, Deputy Mary Harney, to divert into other areas of health spending the €110 million allocated in budget 2008 for implementation of the fair deal scheme. However, it should be noted that the provision of 200 additional contract nursing home beds by the HSE was approved by the Minister for Health and Children in January of this year. The cost of the additional beds is to be met from within the HSE's total financial allocation in respect of long-term residential care services for older people.

Current standards for nursing homes are set out in the Care and Welfare Regulations 1993. The HSE inspects private nursing homes on the basis of these standards but public homes are not inspected. The Health Act 2007 provides for the registration and inspection of all nursing homes, public, private and voluntary. Future inspections will be carried out by the Office of the Chief Inspector of Social Services which is part of the Health Information and Quality Authority. The existing inspection and registration systems for residential services will be replaced by a strengthened and expanded system. Deputies will be aware that the board of HIQA submitted draft standards for approval by the Minister for Health and Children, as required under section 10(2) of the Health Act 2007. These draft standards are currently under consideration by the Department. The standards and regulations required to underpin them will be subject to a regulatory impact assessment, RIA, before finalisation. It is hoped work on the RIA and the regulations will commence later this year. In the meantime, the Health Service Executive continues to carry out inspections of private nursing homes under the Care and Welfare Regulations 1993.

*Additional information not given on the floor of the House.*

This is the first full year of operation of HIQA and the organisation is still in the process of recruiting staff and building up its operational capacity. It has been allocated a budget of €16.8 million in 2008 to meet the estimated costs of its planned work programme including, the phased commencement of nursing home inspections by the Office of the Chief Inspector of Social Services.

Under the fair deal, the National Treatment Purchase Fund, NTPF, will negotiate prices for long-term care with private nursing home owners on behalf of the State. While private nursing homes will also have to be registered to be approved for the purposes of the scheme, HIQA will not have to carry out inspections on all nursing homes prior to the introduction of the scheme.

**Deputy James Reilly:** A number of issues arise. Earlier, the Minister alluded to the fact there had been a huge improvement in respect of waiting times. The matter was raised with the Minister by my colleague, Deputy Jan O'Sullivan.

During the past 30 days there were, on average, 300 patients lying on trolleys in hospitals. On one day alone, there were 397 patients lying on trolleys in our hospitals. This does not compare well with the situation three or four years ago.

Accident and emergency departments are at crisis point. This issue is kernel to the problem. Some 57,000 bed days were lost last year at Beaumont Hospital and the Mater Hospital. This is equivalent to the closure for one year of a 150 bed hospital. There was no place to which patients could be discharged to continue their recovery.

**An Leas-Cheann Comhairle:** Deputy Reilly must ask a question.

**Deputy James Reilly:** The question is coming. The recent NCB report indicates that the number of people living beyond 65 years will during the next ten years increase by 167,000.

**An Leas-Cheann Comhairle:** The Deputy must ask a question. A number of other Deputies wish to ask questions.

**Deputy James Reilly:** I understand that. We do not have enough nursing home beds. I put it to you, a Leas-Cheann Comhairle, as you are harassing me, that the question stated quite clearly when the Minister expects the nursing home support scheme Bill will be returned from the Attorney General's office and when she expects it will be published. With due respect, Sir, she did not answer either question.

**An Leas-Cheann Comhairle:** Will the Deputy please take his seat for a moment, as he is required when the Chair is on his feet? The Chair is not harassing anybody. This is Question Time. The Deputy is a new Deputy and latitude is given to new Deputies. At Question Time what is in order is the putting of questions so that we can allow in as many Deputies as we can. I have five Deputies on my list. If Deputies proceed to make speeches, there is no time for others to get in and it is not fair. The Deputy has already had the benefit of a number of priority questions, because he is the spokesperson for his party, but I do not want to exclude other Members who also have rights in this House. The Deputy may put his question.

**Deputy James Reilly:** I reiterate that Question No. 14 was clear and concise. It asked the Minister when she expects the nursing home support scheme Bill will be returned from the Attorney General's office and when she expects it will be published. She read a speech that lasted for six or seven minutes and failed to answer the question. I would like that question answered. When bringing forward the legislation, will the Minister ensure there is adequate time to discuss the heads of the Bill properly because there are many issues within it, such as issues around land ownership, farmers, small shopkeepers, etc., which have to be considered? If I can be allowed one further supplementary, has the Minister any contingency plan in place to support nursing home patients in the likelihood that pharmacies will withdraw their service during the course of this week and will she ensure continuity of supply of medication for the most vulnerable in our society?

4 o'clock

**Deputy Máire Hctor:** I wish to point out to Deputy Reilly that I attempted to answer a number of questions in my reply to Deputies who are not present. However, I will answer the question put to me, that is, when the fair deal legislation will come before the House. We all acknowledge, right across the board, that this is complex legislation. Much consideration has been given to it. The Deputy will recall that all the stakeholders were consulted in the earlier stages and it is still with the Attorney General's office. A very positive meeting took place last Wednesday in the Attorney General's office, at which I was present, on the finalisation of the fair deal. We expect the legislation to come before the House shortly and we expect it will be finalised before the summer.

**Deputy Jan O'Sullivan:** Can the Minister of State give us any idea why the Bill has taken four months given that it was supposed to be published before Christmas and that it was only delayed because there was not enough time for consultation? Can she say why it has taken four months to sort out the legal problems? In regard to the €110 million set aside for the purposes of the fair deal legislation, the Minister of State said the HSE was not told it should spend it in other areas. Can she tell me if the HSE was told not to spend it in other areas? In other words, did she tell the HSE to ring fence it and use it for the care of the elderly? There are families out there who were waiting to get this and they are struggling to pay the costs. The Minister of State said people could choose to go into private or public care. Originally we were told that the National Treatment Purchase Fund had a role in allocating people to certain nursing homes. If people can choose where they go, what exactly is the role of the National Treatment Purchase Fund in this matter?

**Deputy Máire Hctor:** We appreciate the length of time it has taken to publish the Bill. It was never anticipated that it would take this long. We looked to 1 January. Unfortunately, we were unable to reach that target due to the legal implications. I stated in my reply that the implications were more legal than constitutional.

**Deputy Jan O'Sullivan:** Can the Minister of State give us a hint of what they were?

**Deputy Máire Hctor:** I would like to be able to say today we will have it next week, but we are not certain. We must have robust legislation in this area. It is important legislation for families. We intend to have it finalised before the summer. On the issue of costs, again I refer to 1 January when we did not anticipate this would be an issue because we believed the fair deal scheme would be up and running. However, the €110 was ring-fenced for the fair deal scheme. The HSE has been in negotiations with the nursing home organisations to see what is the best way forward. We appreciate there are families who are under extreme duress at present where charges have been increased by nursing homes. To be fair to the HSE, it had not anticipated this increased cost.

**Deputy Jan O'Sullivan:** What about the role of the National Treatment Purchase Fund?

**Deputy Máire Hctor:** The role of the National Treatment Purchase Fund is to negotiate and meet with the nursing home providers on the issue of costs and to assess cost needs. If a patient opts for the fair deal, a care-needs assessment will be carried out but not by the National Treatment Purchase Fund.

**Deputy Caoimhghín Ó Caoláin:** We have been advised that a sum of €110 million was set aside specifically for the introduction of the fair deal scheme and that it has been diverted. Will the Minister of State be specific and tell us if, indeed, that €110 million has been diverted and, if so, to what purpose? Has she taken the required steps to ensure it is specific to the needs of older people or is it the case that it is part ring-fenced and safe for the specific purpose for

which it was intended? Will she accept that Deputies will be concerned because the HSE has demonstrated a skill at diverting moneys from their intended purpose to other uses?

Is the Minister of State aware that in November 2007, nine organisations dealing with the needs of older people came together and represented the real concerns of senior citizens at the lack of clarity in the fair deal proposals? Given that is the case and that they have further highlighted the erosion of the State's responsibility to provide public nursing home facilities and supports for access to same, as a matter of right and entitlement for every citizen who requires that service in later life, is it the case, as has been suggested, that the difficulties with the fair deal proposals that are currently being considered by the Attorney General are all in that area in terms of a demands—

**An Leas-Cheann Comhairle:** I must call the Minister of State.

**Deputy Caoimhghín Ó Caoláin:** I am just finishing the question.

**An Leas-Cheann Comhairle:** By way of information, Deputies have one minute in which to put a question. I have already allowed two-and-a-half minutes to the Deputy.

**Deputy Caoimhghín Ó Caoláin:** I am very sorry. I am grateful to you for your patience. We may need this support ourselves some day. Is it the case that the difficulties are around the whole area of the contribution that is expected from senior citizens and their families and the real concern rests around the whole issue of up to 15% of the estate of the person being provided for? I ask the Minister of State to be specific.

**Deputy Máire Hctor:** It is in the interests of older people, often the most vulnerable in society, that we protect them with the strongest and most robust legislation possible. I am aware of the groups who met at that particular time. Those same groups also engaged in the stakeholders discussion at Fairleigh House with the Minister, Deputy Harney, some months earlier. It is not in the absence of consultation that this has come about. We must consult with the Attorney General to finalise the issue and ensure that the legislation will protect the interests of older people when it finally comes into this Chamber.

**Deputy Caoimhghín Ó Caoláin:** I asked if the €110 million has been diverted and, if so, to what purpose?

**Deputy Máire Hctor:** The €110 has been ring-fenced for the provision of the fair deal scheme. However, 200 beds have been allocated from that fund, obviously with the approval of my colleague, the Minister, Deputy Harney, since January 2008 to meet the demand spoken of in the House. We intend to have the fair deal legislation before the House in the summer. The stakeholders will be informed of it when it reaches the House.

**An Leas-Cheann Comhairle:** I will take a final supplementary from Deputy Crawford.

**Deputy Seymour Crawford:** The fair deal scheme has been talked about for almost two years. In February 2007, we were guaranteed it would be in place on 1 January this year. Is it possible to secure a fair deal for those currently residing in nursing homes? Is the Minister of State satisfied that an old age pensioner in receipt of €218 per week should be asked to contribute €70 per week towards the cost of keeping his or her spouse in a nursing home because the amount of subvention has been capped? Is that a fair deal for ordinary people in my constituency of Cavan-Monaghan? Dozens of people have been affected by the instruction issued to the subvention office not to increase the amount of subvention paid this year.

[Deputy Seymour Crawford.]

Which nursing homes in Cavan-Monaghan provide care for €531 per week, the guidance figure for the subvention office? Thankfully, the office is paying somewhat more than this. We do not seek a fair deal for future residents of nursing homes but for senior citizens currently in residential care. This matter must be urgently addressed and the sum of €110 million to which Deputy O'Sullivan referred should be used for this purpose.

**Deputy Máire Hctor:** I remind the Deputy that the reason for producing the fair deal is to render private long-term care anxiety and stress free for patients, the most important persons concerned, and their families. The increase in the subvention to a maximum of €300 is a clear recognition by the Government of the difficulties endured by families who have relatives in private nursing homes. When a member of the Fine Gael Party last held the position of Minister for Health, legislation ensured that the families of patients in private nursing homes were assessed using a means test .

**Deputy Seymour Crawford:** I assure the Minister of State that the then Minister reopened closed wards.

**Deputy Máire Hctor:** In 1997, when the Tánaiste, Deputy Brian Cowen, was appointed Minister for Health he changed the legislation and recognised that families should not be responsible for the care of patients in private nursing homes.

**Deputy James Reilly:** I ask the Minister to answer the question I put to her earlier, namely, whether she has a contingency plan in place to support nursing homes in the event that many pharmacies withdraw from the general medical scheme and cease to provide services by the end of the week. Most of those in private nursing homes are GMS patients. I would appreciate if the Minister of State answered the question rather than responding to other questions she may have in mind or questions Deputies outside the House may wish to have answered.

**An Leas-Cheann Comhairle:** The Minister of State may respond to the Deputy's supplementary question, although it is outside the scope of the group of questions under discussion.

**Deputy Máire Hctor:** I will answer the Deputy's question. I understand the Irish Pharmacy Union and other interested stakeholders are meeting today. Positive negotiations have taken place on this issue in recent days and we expect positive news to emerge in the coming days.

**Deputy James Reilly:** There are no contingency plans in place.

**Deputy Jimmy Devins:** The Deputy is making an assumption.

**Deputy Máire Hctor:** The contingency plan is that the discussions will continue.

*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 Denis Naughten — the need for the Minister for Health and Children to outline her plans for the provision of acute medical and surgical care for the people of counties Roscommon, Galway, Westmeath, Longford, Leitrim and Offaly, following the HSE decision to close the inpatient surgery and accident departments at Roscommon County Hospital and transfer them to Portiuncula Hospital, Ballinasloe, on an interim basis; (2) Deputy James



Bannon — the need for the Minister to give the go-ahead for Ballymahon vocational school's refurbishment project to go to tender without further procrastination or reconsideration on her part and if she will make a statement on the matter; (3) Deputy Leo Varadkar — that the Minister for Foreign Affairs make a statement to the Dáil on the efforts he is making to support the struggle for individual freedom, human rights, press freedom and democracy in the People's Republic of China and whether he will use the opportunity of the Olympic Games to increase pressure on the socialist regime; (4) Deputy Willie Penrose — the need for the Minister for Education and Science to ensure progress on the new school building for Athlone community college, which was given approval for architectural planning in November 2006; (5) Deputy Tom Sheahan — the position regarding the proposals to designate 5,000 acres by the banks of the Kenmore river; (6) Deputy Finian McGrath — the future of Dublin Bay; (7) Deputy Pat Breen — the exclusion of the air navigation transport pre-clearance Bill from the Government's legislative programme for the summer session 2008 and the urgent need for the Minister for Transport to have the heads of the Bill approved by Government as the delay in proceeding with this project is placing Shannon Airport at a serious disadvantage; (8) Deputy John Cregan — that protection is afforded to suppliers and sub-contractors to main contractors awarded contracts by local authorities; (9) Deputy Fergus O'Dowd — to discuss the OECD report regarding the health reform plan for hospitals in the north east; (10) Deputy Billy Timmins — the death of 16 patients at St. Columcille's Hospital, Loughlinstown, in 2007 from MRSA and *C. difficile*; (11) Deputy Thomas Byrne — the concerns and fears of the people of north Meath regarding the proposed meat and bone meal incinerator in Nobber, County Meath; and (12) Deputy Martin Ferris — the scale of illegal fishing by non-Irish vessels in Irish waters.

The matters raised by Deputies Billy Timmins, James Bannon, Tom Sheahan and John Cregan have been selected for discussion.

### Leaders' Questions.

**Deputy Enda Kenny:** While the Tánaiste may find it a little facile or simplistic to raise cases in regard to health, I would like to make a point. Last Friday, *The Irish Times* reported that a woman named Kathleen Whiston was admitted to St. Colmcille's Hospital in Loughlinstown on 15 May 2007 with an infection for management of a diabetes problem. Ms Whiston died in the hospital two weeks later on 29 May. According to the inquest, the cause of her death was a hospital-acquired infection or *C. difficile*. Her daughter is quoted in *The Irish Times* as saying: "We certainly didn't expect my mother to have gone so soon and she wouldn't have only she got that bug". The problem is that Kathleen Whiston, God rest her, was not the only casualty of this bug. Over a seven-month period, 16 other people died in the hospital from hospital-acquired infections. *C. difficile* was the direct cause of death in five cases and a contributory factor in five other cases. In half of the remaining cases, MRSA was directly to blame.

Could these deaths have been prevented? The answer must be that they could have been prevented if the essential staff had been in place and proper procedure and practice followed. What really concerns people and causes them to lose confidence is that the hospital stated in October 2007 that it would discontinue the procedural policy of swabbing for MRSA all patients admitted to the hospital due to the failure to appoint a microbiologist. Five times in the past six months, the Dublin City Coroner has called for a microbiologist to be appointed. Today, almost one year after Kathleen Whiston passed away, a microbiologist has still not been appointed to St. Colmcille's Hospital, Loughlinstown, and it does not have a formal relationship with St. Vincent's Hospital. Yesterday, we heard a great deal of rhetoric about putting citizens at the centre of the public service and patients at the centre of the health service. How does a failure or inability to appoint a microbiologist over a two-year period put the patient at the centre of the health system?

**The Tánaiste:** I sympathise with the family on the death of the person concerned. I will make a general point about trying to put the citizen at the centre, which is the purpose of trying to have better public services. The Minister for Health and Children has taken a systematic approach to hygiene in the health system. HIQA has been established and we are now measuring hospital infection in a manner which was not done previously under any Administration. We are systematically approaching this issue in a manner which seeks to improve the provision of health care in our hospitals and throughout the health system.

The Minister for Health and Children today dealt with a question from a Fine Gael Deputy inquiring as to the reason we are spending more on cleaning and infection control, yet Deputy Kenny — quite rightly — places priority on the need to deal with these basic amenity requirements to ensure we provide as good and healthy an environment as possible in our hospitals. Consistency is needed in this regard, as is a preparedness to look at what is being done to address these issues.

On the appointment of microbiologists, the Deputy will be aware that a microbiologist is shared between St. Colmille's Hospital, Loughlinstown, and St. Vincent's Hospital. That we have secured some agreement on the consultants' contract enables us to look at the appointment of another 120 consultants, including in the specialty of microbiology, in an effort to improve the situation. All the evidence shows the work of the Minister for Health and Children in this Administration has been to seek to address the basic issues of hygiene and infection control, measurement and reduction. There is a downward trend, according to the latest data available.

**Deputy Alan Shatter:** The Minister has failed abysmally.

**The Tánaiste:** As the Deputy knows, infection control is a rising priority in all advanced health systems in view of the number of people who come through the system.

**Deputy Alan Shatter:** This is waffle.

**The Tánaiste:** This is a serious issue about which I am not in any way complacent. In fairness to the Minister, she has brought forward a systematic response to those issues and phenomena in the health service.

On the question of the microbiologist post specific to Loughlinstown hospital, I cannot say if that specific area will be addressed but the changes in the consultants' contract provide the opportunity, over time, to move towards a consultant-provided service rather than the current consultant-led service.

**Deputy Alan Shatter:** That has nothing to do with it.

**Deputy Enda Kenny:** This is a Minister who is stripping services from hospitals and not replacing them with anything better. Question No. 17 in the name of Deputy Coonan queries the value for money achieved in respect of the extra moneys spent on hygiene because more money does not mean cleaner hospitals. We need to ask what happened when information about the deaths in Loughlinstown hospital became known. These are not just statistics; they are deceased persons. They went into hospital to get better but got these hospital acquired infections and are now dead. Regardless of having hand gel or solution at the entrances to the wards or at the doors in this case, the monitoring and assessment of the value for money achieved must be examined. Extra money does not mean cleaner hospitals.

The 15 people in Ennis who passed away all had hospital acquired infections. The Tánaiste has been the paymaster general. He is paying €15 billion to a health system. This year, €170

million is being spent on cleaning our hospitals and we cannot get that system right. I do not know if the Tánaiste can appreciate the real fear, anxiety and lack of confidence people have about going into hospital.

God rest her, Ms Kathleen Whiston went into Loughlinstown hospital to be treated for a diabetes problem and management of an infection. She died, as did 16 others there and 15 in Ennis General Hospital, and we do not know what has happened in other hospitals around the country. The Tánaiste is paying €170 million for hospital hygiene but has no monitoring of the impact or benefit of it. Extra money does not mean extra hygiene. Through the HSE the Tánaiste is paying private contractors huge sums of money with no assessment of the outcome of that work.

What happened in Loughlinstown after it became known that C. diff, MRSA and hospital acquired infection were the causes of death in those persons? What happened in Ennis when it became known that 15 deceased people had hospital acquired infections? The end result is that while we are spending a significant amount of money, we cannot keep our hospitals clean. When the Tánaiste and I were much younger, one could smell the disinfectant from 200 yd. away. People want to know they can have confidence that when they go into hospital to be treated for an ailment or illness, they will not die because of lack of hygiene or a hospital acquired infection. That is the problem to which the Minister for Health and Children should apply herself with the money the Tánaiste has given her for extra hygiene controls. Where is the assessment, the value for money and the extra benefit? Patients are dying.

**The Tánaiste:** Those assertions are not evidence based to the extent to which Deputy Kenny speaks.

**Deputy Alan Shatter:** They are. The Tánaiste need only go to Loughlinstown hospital.

**The Tánaiste:** Will the Deputy allow me to answer the question? I have listened

**Deputy Billy Timmins:** The coroner reprimanded the HSE after it refused to do anything on several occasions and nothing was done. The Tánaiste and I know. It is a disgrace.

**An Ceann Comhairle:** The Tánaiste without interruption.

**The Tánaiste:** If Deputy Timmins has a good case to make, he does not need to shout me down. That is if he has a good case.

**Deputy Billy Timmins:** It is not getting through to the Tánaiste any other way.

**The Tánaiste:** Will Deputy Timmins let me respond to Deputy Kenny? He said we do not measure the outcomes but we do. There are annual hygiene audits in every hospital in Ireland. They were initiated and introduced by the Minister for Health and Children.

**Deputy Alan Shatter:** The outcomes are that people are dying in Loughlinstown and Ennis.

**The Tánaiste:** I wish to respond to the assertions Deputy Shatter's leader has made.

**Deputy Alan Shatter:** Why is the Tánaiste sitting back while people die?

**The Tánaiste:** It is important we try to get some facts on the record. On the second point on hospital infection, as a result of advances in microbiology, we can identify many of these infections in a way that they were never identified before. In Ennis, people died not because of that infection but with it, because when people are sick and vulnerable they are open to many infections.

[The Tánaiste.]

Let us take what happened in Ennis as an example in value for money. As a result of management working with staff in Ennis General Hospital in the past number of months, they have significantly reduced the incidence of infection and great credit is due to them for doing it without the need for huge capital investment or cost. They reviewed procedures and practices and brought in some very practical methods of operation which have greatly improved the situation — much to their credit. I acknowledge that. There is a need for constant monitoring through the systems put in place by HIQA, the annual hygiene audits and the management changes of methods that have been instigated, of which we have the evidence in Ennis, for example, after a very serious situation there. Those people have got down to the business of trying to ensure that is not replicated and great credit is due to them in that regard. Deputy Joe Carey and others from Clare would be aware of that. In an interview on RTE last Friday, Dr. Donal O'Shea, a consultant in St. Vincent's Hospital, said there has been a significant improvement in hospital infection rates.

**Deputy Alan Shatter:** What about Loughlinstown hospital?

**The Tánaiste:** Infections are happening in hospitals. That phenomenon has been taken on by every advanced health system in the world. We have put in a systematic approach. Last week, when I referred to a Deputy raising an individual case, I did not suggest it was not significant or had not been a very traumatic experience for a family. Of course I appreciate that situation. I have held the office of Minister for Health and Children and have some acquaintance with those issues. However, if we are to improve our health service, we will not do it on the basis of anecdotal evidence but only on the basis of a systematic response. That sort of systemic response, outlined in reports like the one we received yesterday, to continuing public sector reform will provide us with the prospects of improving the service rather than suggesting there have been no improvements in the service. The example of Ennis General Hospital and what happened there on infection control is a very salutary example of what can be achieved on a daily, weekly and monthly basis if the right approach is adopted, which does not necessarily mean increased capital resources.

**Deputy Alan Shatter:** What about Loughlinstown hospital?

**The Tánaiste:** On Question No. 17, improvements are taking place as a result of that increased investment. The evidence available from the annual hygiene audit confirm that we have a downward trend in the level of infection in our hospitals compared to when we began to measure it. Is it sufficient? No, it is not. Have we a means to measure, monitor and improve it? Yes, we have, and that is to the credit of the Minister for Health and Children.

**Deputy Paul Kehoe:** Will the Tánaiste listen?

**Deputy Joe Carey:** A key recommendation of the report is that the hospital be upgraded.

**Deputy Paul Kehoe:** Will the Tánaiste listen?

**Deputy Enda Kenny:** How much for a microbiologist?

**Deputy Alan Shatter:** What about Loughlinstown hospital?

**Deputy Seán Power:** Let the real Opposition leader speak.

**Deputy Eamon Gilmore:** I want to pursue this issue a little further with the Tánaiste, not least because Loughlinstown hospital is in my constituency. The county coroner examined the

case of 16 deaths and concluded that the *C. diff* infection was the direct cause in five and a contributory factor in another five. Loughlinstown is not the only example of this. As Deputy Kenny said, earlier this month we had the report on Ennis, which showed that of the 46 cases examined there, 15 were as a result of hospital infections. We are talking about people dying. People go to hospital to get cured, not to get killed. A report from the HSE last year concluded that one out of every 20 hospital admissions ends up with a hospital-related infection. This represents 30,000 people in a year, 600 per week or 80 per day who acquire hospital infections. That is an epidemic. We know from what the medical personnel in the hospitals have been saying that they have sought help. One common thread running through all this is that the medical professionals in the hospitals flagged the problem some time ago and went looking for help. They did so in Ennis. The consultant, Mr. Hennessy, said it was as a result of overcrowding in the wards and sought help on that front. At Loughlinstown, medical consultants and staff at the hospital, for whom I have enormous respect, stated on five different occasions that they needed a consultant microbiologist. The coroner who examined this issue over a six-month period repeatedly supported the call for the appointment of a consultant microbiologist. The problem in Loughlinstown is that swabs cannot be carried out due to the absence of a consultant microbiologist. Because of this, doctors cannot even tell whether a person acquired his or her infection in the hospital or brought it into the hospital.

The solution has been there for some time. The first request for the appointment of a consultant microbiologist was made as far back as 2005. I do not accept the answer that this was held up by negotiations on the consultants' contract. Will the Tánaiste explain why such a person has not been appointed? The HSE said there were difficulties with the appointment of a microbiologist. What are the difficulties? When will a consultant microbiologist be appointed at Loughlinstown hospital so that the problem can be brought under control at least at this hospital?

**The Tánaiste:** In my previous reply I mentioned Dr. Donal O'Shea, an endocrinologist who practises at both St. Vincent's and Loughlinstown hospitals. He stated on public radio last Friday that there has been a significant improvement——

**Deputy James Reilly:** He still wants a microbiologist.

**Deputy Liz McManus:** This is the man who is looking for a microbiologist.

**An Ceann Comhairle:** We must hear the Tánaiste without interruption.

**The Tánaiste:** I have been asked to respond to suggestions that there has been no improvement or that the situation is out of control. An endocrinologist who works in those two hospitals has said on public radio, although I did not hear him, that there have been improvements in infection control in these hospitals as a result of proactive steps taken by staff and consultants after previous incidences of infection. That is a statement from a person who works at the front line.

The suggestion is being made — perhaps this is a corollary to the argument made by Deputy Gilmore — that if a hospital has a microbiologist it will not have infections. That is not the case.

**Deputy James Reilly:** It is an essential part of infection control.

**The Tánaiste:** The Deputy should let me answer the question. I am either going to be allowed to answer the question or I am not. At present a microbiologist is shared between St. Vincent's and Loughlinstown hospitals.

**Deputy Liz McManus:** That is nonsense.



**Deputy James Reilly:** That was utterly rejected. It was rejected today on the radio.

**The Tánaiste:** Either we will have a response or we will keep playing like children.

**Deputy James Reilly:** If the Tánaiste speaks the truth he will not be interrupted.

**An Ceann Comhairle:** The Tánaiste must be allowed to answer without interruption.

**The Tánaiste:** A serious question has been raised and I would like the opportunity to answer it. The Deputies have had an hour for Question Time and they have probably got nowhere, but I would like to deal with Deputy Gilmore's inquiry.

**Deputy James Reilly:** We were getting nowhere because we could not get straight answers. We are not getting them from the Tánaiste either.

**The Tánaiste:** The Deputy is not at an IMO meeting now.

**Deputy James Reilly:** The Tánaiste is not in Tullamore at a Fianna Fáil cumann either.

**Deputy Liz McManus:** This is the great debate.

**The Tánaiste:** Perhaps the Deputy should come to one and he might learn something.

**Deputy James Reilly:** If it is more of what I have seen already, I doubt it.

**Deputy James Bannon:** More corruption.

**The Tánaiste:** I am simply making the point in response to Deputy Gilmore that there have been incidences of infection in hospitals which already have microbiologists. The presence of a full-time microbiologist does not change this as things stand. I have simply made the point——

**Deputy Emmet Stagg:** It does change it.

**The Tánaiste:** If that were the case, we would not need infection control in hospitals with microbiologists. However, that is not my main point. In Ennis, for example, where there has been a significant improvement in infection control, it was not due to the presence of a microbiologist but to proactive steps that were taken to improve basic hygiene in the hospital to the extent that it now has a reduced incidence of infection. That is a statement of fact. Although the argument can be made that there should be more microbiologists in the system, one cannot jump to the conclusion that the presence or absence of a microbiologist in the hospital determines success in reducing the incidence of infection. The proof of this is what happened in Ennis.

**Deputy Emmet Stagg:** The Tánaiste is wrong.

*(Interruptions).*

**The Tánaiste:** The Deputy's attempt to shout me down does not stop me from making the point.

**Deputy Emmet Stagg:** I am not shouting down the Tánaiste.

**The Tánaiste:** I thank the Deputy. As a result of the changes to the consultants' contract that have been achieved we can look forward to the quick appointment of another 120 consultants to the system. These will probably include some microbiologists. The whole purpose of this

long and too drawn-out negotiation on the consultants' contract was to enable the Government, or any Government, to move from a consultant-led service to a consultant-provided service in due course.

**Deputy Alan Shatter:** The Tánaiste should not blame this disaster on the consultant negotiations. That is grossly dishonest.

**The Tánaiste:** We will appoint more consultants and have fewer junior doctors, which will deal with one of the structural problems with the provision of hospital services that has existed for years and perhaps decades.

**Deputy Eamon Gilmore:** Dr. O'Shea stated that a microbiologist was needed. He was not trying to explain the problem away. We all acknowledge that Dr. O'Shea and his colleagues in the hospital are doing their best to get the problem under control. The Tánaiste's argument that there will still be hospital infections even if there are microbiologists is a bit like saying that people still get sick after they visit the doctor. It does not get us anywhere. The medical personnel in Loughlinstown hospital concluded that what was required was a microbiologist. They looked for a microbiologist three years ago and have done so repeatedly since. The request came from the consultants and from hospital management and was supported repeatedly by Dr. Geraghty, the Dublin county coroner, who had the task of examining the deaths that occurred because of these problems.

I do not want a lecture on the generality of the relationship between the presence of a microbiologist and possible levels of infection in the system as a whole, nor do I want a response based on the number of consultants to be employed. I have two specific questions, neither of which the Tánaiste has answered. Why was a consultant microbiologist not appointed to Loughlinstown hospital in the past three years? When will one be appointed? That is what people who are being admitted to this hospital or have relatives in the hospital want to know.

**Deputy Ciarán Lynch:** Hear, hear.

**Deputy Eamon Gilmore:** Why was this appointment not made? Why have there been 16 deaths, ten of which were related to hospital infections that were either brought into the hospital or contracted there? When will a microbiologist be appointed to help the hospital deal with the problem?

**The Tánaiste:** I accept that the appointment of more microbiologists adds value to the system. I am not suggesting otherwise.

**Deputy Emmet Stagg:** That is better.

**The Tánaiste:** I emphasise to Deputy Stagg that I am not suggesting otherwise.

**Deputy Emmet Stagg:** The Tánaiste was saying otherwise.

**The Tánaiste:** I was not. What I am saying is that there is plenty of evidence for reductions in infection incidence in the absence of a resident microbiologist. Why do we not have that speciality in Loughlinstown? The structural problem with the system is that we have half the number of consultants we should have and twice as many junior doctors as we should have. One of the only ways in which we can make the switch is to change the terms of the contract to allow us to employ more consultants. That process, unfortunately, took far too long. Perhaps Deputy O'Reilly knows more about this than I do, but—

**Deputy James Reilly:** I was not Minister for Health and Children for two years.

**The Tánaiste:** —it took far too long.

**Deputy James Reilly:** The Tánaiste should give me a couple of years in the Department of Health and Children and I will sort it out.

**An Ceann Comhairle:** The Tánaiste, without interruption.

**Deputy Alan Shatter:** A microbiologist has deliberately not been employed. That is what it comes down to.

**The Tánaiste:** A structural change is required and we are engaged in this.

**Deputy Alan Shatter:** Sixteen people have died because of the lack of a microbiologist.

**The Tánaiste:** I also accept that Dr. O'Shea was one of the people who was seeking another microbiologist. I do not want to use his name in a partial way. That was his view and I accept what the man said. However, the idea that we can improve the service without the structural changes required, including reform of the consultants' contract, is known by everybody to be impossible. Such a change is the only way in which we can move from where we are to where we want to go. The fact is there are 120 consultants who can now be appointed as a result of the new arrangements and the issue that Deputy Gilmore correctly raises, both as a constituency TD and as a party leader, can better be addressed on the basis of the reforms we have introduced in the interests of trying to move this situation along.

**Deputy Eamon Gilmore:** It will be a great comfort to the relatives.

**The Tánaiste:** It is some comfort to them.

**Deputy Alan Shatter:** So they deliberately ignore the coroner and the local doctors, and let people die in Loughlinstown. That is the conclusion.

### **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 several notices under Standing Order 32.

**Deputy James Bannon:** I wish to seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the failure of the Government to ensure that Irish citizens are given the means to make an informed decision on the Lisbon treaty, with the level of public understanding of the treaty very poor, as two thirds of the population do not understand the treaty text, which in consideration of the fiasco regarding the Nice treaty is gross mismanagement by the Government and could lead to a "No" vote by default.

**Deputy Martin Ferris:** I wish to seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, to discuss the scale of illegal fishing by non-Irish vessels in Irish waters which many Irish fishermen believe is being grossly under-reported due to the manner in which the fisheries protection service deploys its resources, and the fact that it is estimated that at least 9,000 tonnes of fish are being illegally caught in our waters each year amounting to a value of €45 million.

**Deputy Arthur Morgan:** I wish to seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the deepening crisis in the economy with continuing job losses, the most recent being the announcement by Dell this afternoon that 200 jobs are to go in their Cherrywood plant in Dublin, the need for the Government to outline

what new measures it proposes to introduce to sustain jobs in the economy, the urgent need for further upskilling and retraining of workers in vulnerable sectors and in vulnerable regions, and the need for the Government to offer immediate help and training to workers who have been affected by these job losses today.

**An Ceann Comhairle:** Tar éis breithniú a dhéanamh ar na nithe ardaithe, níl siad in ord faoi Bhuan-Ordú 32. Having considered the matters raised, they are not in order under Standing Order 32.

### **Order of Business.**

**The Tánaiste:** It is proposed to take No. 16, Twenty-eighth Amendment of the Constitution Bill 2008 — Committee and Remaining Stages; No. 10, motion re statement for information of voters on the Twenty-eighth Amendment of the Constitution Bill 2008; and No. 17, Student Support Bill 2008 — Second Stage (resumed).

It is proposed, notwithstanding anything in Standing Orders, that No. 10 shall be taken immediately upon the conclusion of No. 16, and shall be decided without debate. Private Members' business shall be No. 35, motion re e-Government services.

**An Ceann Comhairle:** There is one proposal to be put to the House today. Is the proposal for dealing with No. 10, motion re Twenty-eighth Amendment of the Constitution Bill 2008, agreed to?

**Deputy Caoimhghín Ó Caoláin:** It is not agreed.

**Deputy Enda Kenny:** I saw the results of a poll at the weekend in respect of the information about the Lisbon treaty. For my part, as the Tánaiste will be aware, six months ago I made the point that the Fine Gael Party would support this treaty strongly and campaign strongly on it, irrespective of any political differences we might have with the Government on economics, health, justice, crime or whatever. I have been at ten or 12 public meetings. I am concerned at the lack of information that is getting out there from Government. One is confronted with leaflets and dealing with persons stating that the Lisbon treaty will introduce euthanasia, abortion, the limiting of family sizes, tax harmonisation, an ending of neutrality, an ending of sovereignty, the introduction of a dictatorship etc. — stuff that is completely and utterly false and off the wall, and is not in any way relevant to the facts contained in the Lisbon treaty.

I would like to think that the Tánaiste, as the newly-appointed Leader of his party and the person due to take up the reins of office as Taoiseach, would assume responsibility for the Government campaign here. Genuinely, there is an atrocious lack of information out there. In fact, one of the Tánaiste's party's MEPs stated that this party would peak its campaign too soon. There are just six weeks left and the level of confusion and lack of information is incredible.

I assume this motion dealing with information of voters relates to the short instruction on the polling card that voters will receive through their doors. I want to hear the Tánaiste state now that as the joint director of elections for his party he will assume real responsibility here in putting energy from Government into this campaign and that people will get digestible and understandable information. This is really important. From my perspective, irrespective of any differences we have, this party will campaign strongly and publicly, and will ask all our people to support strongly the Lisbon treaty, which is so critical for the future of the country.

I want to put an end to these theories of conspiracy that Fianna Fáil, Fine Gael, Labour, the Progressive Democrats, the Greens and some Independents are all involved in some subterranean underlying conspiracy to introduce all of the matters I mentioned earlier into the country. It is ingrained in these persons who stand up at public meetings that I attend and we need

[Deputy Enda Kenny.]

a very strong response based on facts and giving people information in a way they can understand and appreciate, so that they are properly informed when they go to vote on 12 June.

For my part as leader of the Fine Gael Party, we will follow on the tradition of leaders who went before me, whether in Opposition or in Government, putting the country first in terms of its place in Europe. It is really important that the Tánaiste comes out here strongly and shows decisiveness and leadership in respect of the position he holds at the party level.

**Deputy Eamon Gilmore:** I substantially agree with what Deputy Kenny stated. Like Fine Gael, the Labour Party supports this treaty and the referendum, notwithstanding the political differences we have with Government on day-to-day matters.

The poll at the weekend accurately reflects the response we are getting. There is a combination of lack of information and misinformation which is causing a reluctance among people to support this treaty.

It is obviously a complex treaty because of the way it is written and it is difficult to explain in a couple of sentences, but we are dealing on a day-to-day basis with much misinformation and many red herrings. There are allegations that the treaty will haul us into a militarised Europe when manifestly that is not the case. There are allegations that it will result in self-amending arrangements when clearly that is not the case. There are allegations that it will result in tax harmonisation when clearly that is not the case.

One necessity at this stage is clear leadership on the part of Government on the treaty. I acknowledge the good work that the Minister of State, Deputy Roche, is doing in advocating the case for the treaty but there is a necessity for the Tánaiste to take command of this campaign as soon as possible and for there to be a greater evidence of Government energy in promoting the treaty than there has been to date.

As far as the Labour Party is concerned, we support the treaty on its merits. It is a good treaty for Europe and for the people of this country and it advances many aspects of the social and democratic Europe that the Labour Party wants to see advanced. However, we, on the Opposition side of the House, cannot win this treaty. The Government must show a greater degree of energy and leadership on the issue than has been evident to date.

**Deputy Caoimhghín Ó Caoláin:** The differences of opinion that the Tánaiste and I may have on this issue aside, I agree that we need all of the information available. The electorate has a right and entitlement to all the facts. We all also have a responsibility to respect the right of others to offer an alternative view and it should be conducted in a mature and respectful debate process over the six weeks remaining up to 12 June.

For my part, I participated in two such debates in different parts of the country over the past weekend and I noted a concord with members not of my own party but of parties here represented on the “Yes” side, who do not concur with the views already expressed by other Members here this afternoon. There is a wide body of people who are deeply concerned at what is involved. I agree with them and we will continue to argue that case.

I wanted to raise something more immediate than the 12 June referendum date. I have a difficulty with the Order Paper this week as there is no provision for an opportunity for the Tánaiste or the Minister for Health and Children to address the impending meltdown of the entire State supply of medicines through the medical card scheme and other State supported systems of access for many citizens.

**An Ceann Comhairle:** That is not in order.



**Deputy Caoimhghín Ó Caoláin:** It is in order. I am requesting, with respect——

**An Ceann Comhairle:** No, it is not in order. We are discussing the Twenty-eighth Amendment of the Constitution Bill 2008 and a motion on that Bill.

**Deputy Caoimhghín Ó Caoláin:** We are discussing the Order of Business. Will the Tánaiste provide an opportunity for a clear outline——

**An Ceann Comhairle:** We are not discussing that. I will ask the Tánaiste to reply and the Deputy may not continue with that.

**Deputy Caoimhghín Ó Caoláin:** ——of the Government's attempts to deal with the threatened withdrawal of pharmacists from State-sponsored schemes——

**An Ceann Comhairle:** That is not in order. I call on the Tánaiste to reply to the debate on the Twenty-eighth Amendment of the Constitution Bill 2008, and nothing else.

**The Tánaiste:** I must respect the Ceann Comhairle.

**Deputy Caoimhghín Ó Caoláin:** The Tánaiste must also respect the importance of debate on this issue.

**The Tánaiste:** I respect the fact that the Ceann Comhairle runs the House.

**Deputy Caoimhghín Ó Caoláin:** The Tánaiste will shortly be running the country.

**The Tánaiste:** That will be my privilege. I will make the following comment on the issues raised by Deputies Kenny and Gilmore. It is very important to recognise that the country will make a major strategic decision on 12 June next. All parties will vigorously campaign for a “Yes” vote because we believe it is in the national interest to do so and in the interests of the citizens we serve, and for no other reason. Having been involved in campaigns in the past, unfortunately there has always been an element of the campaign which has exaggerated its case and which has not served debate well. Unfortunately, there are some who have had quite cataclysmic visions since 1972 of what our membership of the European Union might entail, all of which have proved false.

We have seen a phase of economic, social and political development which has greatly been influenced by the force for good represented by the European Economic Community, now the European Union.

**Deputy Caoimhghín Ó Caoláin:** All has not been shown to be false, with respect.

**The Tánaiste:** In the interests of a respectful debate, on any objective assessment of the balance sheet of the pros and cons of membership of the EU, the great majority of the evidence suggests that voting “Yes” and our continued membership and centrality in the EU provides the best mechanism for the advancement of this country's interests at home and abroad. Any objective assessment of the situation would confirm that. While some people have opposed this from the start — approximately 20% of the electorate in every referendum that has been held — it behoves the rest of us who are on the other side of the argument to ensure that we get the voters to come out and participate in what is an important issue for them.

I do not believe that it is in the interests of this country to send a signal to the rest of Europe that we wish to step back from a more efficient and effective European Union, an EU that brings more democracy to national parliaments than has been the case until now; an EU that provides for equality of treatment in the composition of the Commission, regardless of the size

[The Tánaiste.]

of the member state; an EU that maintains the institutional balance that has served this country well over the years. I do not believe that the whole industrial strategy that we have adopted in the past 35 years should be put at risk by a message we might send to the international investment community about our role in Europe and the platform we believe this economy represents in a Single Market with 500 million of the best paid consumers in the world available to us.

What message would we send to the international investment community, the more than 1,000 industries that have located here, many of which are at the high end of science, technology and software development and have brought modernisation to this country? What message do we send to them, their investors and their shareholders if we suggest that we are not prepared to vote “Yes” unequivocally to the EU? There are 128,000 people employed in those multinational industries and many more hundreds of thousands of people have jobs that depend on the health of those industries, while we have built up many indigenous industries over the years.

What do we say to the farming community to ensure that they keep an eye on the ball for this issue? We will be looking to a mid-term review of the Common Agricultural Policy between now and 2013. In what way is the voice of any agriculture Minister strengthened by a “No” vote, which would suggest that we are not prepared to go in and bat for our people?

While I accept the sincerity of other people’s opinions, I believe the empirical evidence is very much in our favour. Members in this House should take courage from the fact that the people have discernment and they will respond to a clear elucidation of the issues during this referendum campaign. We have done it in the past and we can do it on this occasion. In the same way as they do for elections, people only bring their attention to the issues when the campaign has been launched and when we are actively involved in seeking to persuade them on the doorsteps, at the shopping centres and in the streets of every town and city in Ireland.

We will begin our campaign on 12 May 2008. So as not to get involved in the blame game, I would like to point out that over 50 meetings have been held by my party in every constituency in the country to mobilise our people. The logistics for our campaign are ready and we have gone to the printers. We will go out there vigorously because we believe that this is an important strategic decision for the Irish people. I am gladdened by the fact that we will be supported by other Members, whose parties will get out and make sure that their supporters are activated in that way. We look forward to a debate, but let it be a calm, correct and accurate debate.

**Deputy Caoimhghín Ó Caoláin:** Correct. No scaremongering.

**The Tánaiste:** Those who wish to get involved in the exaggerated arguments of the past will not deserve the respect of the Irish people. They will not persuade them in any case because I believe in the discernment and common sense of our people to recognise that over the past 35 years, the one thing to which we can point, apart from good policy making in the main, has been the framework that the EU has provided for us to open up not only economically and socially but psychologically and in other ways. We are now a country that is very much part of what the EU is about. It is a force for good in the world that is trying to bring a greater sense of solidarity, not just within Europe.

Where would the Europe of today be if we did not have an entity called the European Union after the implosion of communism? The progressive democratic forces of those countries most affected by the implosion could tell their people that they had something to which they could aspire, which would adhere to the rule of law, which would respect individual rights and which would ensure that people could seek progress in a pluralist democracy that had been denied to them since 1945 when the Iron Curtain came down.

The young people of this country realise that many of the problems that affect them today are transnational in nature, whether it is climate change, environmental sustainability or sustainable economic development. We can only tackle those problems working with others rather than on our own. Let us leave the isolationists to themselves over there in the far corner, outlining their visions of the future as if the Irish people will not be capable of defending themselves, working their way through the issues and progressing as we have done for the past 35 years. We have more confidence in the Irish people than that, which is the positive message we should get out. I am not interested in the exaggerated arguments of the naysayers.

**Deputy Caoimhghín Ó Caoláin:** Let us hope for a fair debate.

**The Tánaiste:** If we get our act together, I believe the people will respond.

**Deputies:** Hear, hear.

*(Interruptions).*

**An Ceann Comhairle:** Is the proposal agreed? Agreed.

**Deputy Enda Kenny:** When can we expect to see the publication of the broadcasting Bill? What is the reason for the delay in respect of the long-stay institutions Bill? Is it constitutional or does it relate to property rights or legal complexities the Bill has run into? A very significant number of people are waiting for this Bill to be published. If the Tánaiste cannot give me the information about what the nature of the problem is, could he tell me when he expects to see the Bill here in the House because it is an important piece of legislation?

**The Tánaiste:** The broadcasting Bill is due this session. The other Bill regarding a fair deal is an issue that has taken longer to come to the House than we expected because of legal issues. They are not insurmountable. The Attorney General is working on this and the Minister met him again last week. I believe it will be a matter of weeks before we have it resolved. Certainly, we believe there is a way forward that meets the requirements of the situation and the Attorney General's advices.

**Deputy Eamon Gilmore:** On 3 April 2008, the Minister for the Environment, Heritage and Local Government told the Irish Planning Institute that he intended to bring in new legislation to tax the windfall gains made by landowners and property developers, that he believed the

*5 o'clock* Attorney General had found a way around the constitutional difficulties with such windfall taxes and that such a measure now had the backing of his Cabinet colleagues. I asked the Taoiseach about it on 8 April and he told me that those provisions would be included in the property services regulatory authority Bill which he said would be taken this session. I was slightly surprised, therefore, to see a reply the Tánaiste gave to my colleague, Deputy Róisín Shortall, last Thursday when she asked him about his plans for this piece of legislation. He said "the Deputy will be aware that the programme for Government does not include provision for the introduction of such a tax and there are no plans at this stage to introduce a tax of this type".

When he spoke to the Irish Planning Institute in Westport, the Minister for the Environment, Heritage and Local Government said that there would be a windfall tax on landowners and property developers. Is this tax going ahead or not? Which Minister is right because the Minister for the Environment, Heritage and Local Government has said one thing while the Tánaiste has said the direct opposite.

**The Tánaiste:** Tax policy is a matter for the Minister for Finance of the day and, ultimately, the Government. All I can say to the Deputy is that I am not aware that the Government has taken any decision in respect of a windfall tax on that matter.

**An Ceann Comhairle:** We must deal with legislation.

**Deputy Liz McManus:** It is promised legislation.

**Deputy Eamon Gilmore:** The Minister for the Environment, Heritage and Local Government promised it in Westport. He promised that this legislation would be introduced. The Taoiseach, to be fair to him, seemed to agree on 8 April because he said this would be in the property services regulatory authority Bill which would be brought in this session.

Perhaps we might return to it when the Tánaiste has an opportunity to reconcile what he said with what the Minister for the Environment, Heritage and Local Government and the Taoiseach said. We might return to it some other day. It seems to be a bit odd that at least two different positions are emanating from Government about this important matter.

**Deputy Billy Timmins:** The issue raised on Leaders' Questions with regard to St. Columcille's Hospital in Loughlinstown has been very kindly selected by the Ceann Comhairle for the Adjournment debate. Can the Tánaiste give an assurance that the Minister for Health and Children will be here tonight to take the Adjournment debate as opposed to someone coming in here and reading out a prepared script that may be full of inaccuracies?

**An Ceann Comhairle:** That is not in order.

**Deputy Billy Timmins:** The Tánaiste should look after it. It is a very serious issue.

**An Ceann Comhairle:** It might be but it is not in order.

**Deputy Billy Timmins:** Could the Tánaiste contact the Minister for Health and Children afterwards to see if she would make herself available?

**An Ceann Comhairle:** I am sure he has other things to do. He cannot get involved in that.

**Deputy Liz McManus:** The Tánaiste said that the broadcasting Bill would be published this session. Is it intended to take it in the Seanad first?

**The Tánaiste:** I understand that this is the case.

**Deputy Joan Burton:** Those in the Opposition were probably the only people in the country who were not invited to the launch of the OECD report yesterday.

**An Ceann Comhairle:** We cannot discuss it now.

**Deputy Joan Burton:** I am sure this was probably by design on the Tánaiste's part.

**An Ceann Comhairle:** We cannot discuss it now.

**Deputy Joan Burton:** Given that the report is very important in terms of the future of the public service, what it has to say, particularly about decentralisation, and the fact that it says that decentralisation is resulting in considerable damage to the public service, is the Tánaiste willing to provide an opportunity for a detailed debate on this report, which will be very important to the future of the country, services in the country and how we conduct the modernisation and reform of the public service?

**An Ceann Comhairle:** That is not in order, as the Deputy well knows. Will there be a debate on this issue?

**The Tánaiste:** It is certainly very important that this House debates such an important report which follows on from many reports in the past, such as the Devlin report, the strategic management initiative and Delivering Better Government. As part of that continuum of assessment of how we can improve public services, the delivery of services and the ability to provide for training, improvement and development for people who work in the public service, it is an obvious candidate for a debate in this House in due course, subject to the agreement of the House.

**Deputy Joan Burton:** Could I——

**An Ceann Comhairle:** The Tánaiste has answered the question.

**Deputy Joan Burton:** I have a question about another piece of legislation. The Tánaiste spoke about good government over the past 11 years. The Financial Regulator does not seem to have been able to do anything to persuade the Bank of Ireland to tell the 31,000 people whose identity details were stolen——

**An Ceann Comhairle:** We cannot have these little stories now. The Deputy must ask about legislation. I must move on.

**Deputy Joan Burton:** The Financial Regulator seems to be racing to catch up or else kept mum while the Bank of Ireland got on with sorting out the mess.

**An Ceann Comhairle:** To what legislation is Deputy Burton referring?

**Deputy Joan Burton:** The Tánaiste promised a financial services regulation Bill, which would be a consolidation Bill in respect of financial services, some time ago. Is there any intention to update financial regulations to ensure that bank customers actually rank in terms of importance in respect of being told if their identity details have been stolen.

**An Ceann Comhairle:** We must move on. Is legislation promised in that area?

**The Tánaiste:** The legislation is being prepared in the Department of Finance. It is a consolidation Bill. It will probably be ready to be brought forward at the end of this year at the earliest. It is a very large Bill. It will probably be next year when it is ready to be brought forward, to be accurate.

Consumer panels have been set up that are within the Financial Regulator's remit. A consumer code is also in existence, as are a range of consumer affairs-type mandates and arrangements for the Financial Regulator which were not there before. They are often fully utilised.

**Deputy James Bannon:** In light of suspect policy decisions being taken by Coillte, which cost Irish taxpayers in excess of €8 million in EU levies——

**An Ceann Comhairle:** We cannot have any prologues.

**Deputy James Bannon:** These were grants that were due to farmers

**An Ceann Comhairle:** The Deputy should confine himself to legislation.



**Deputy James Bannon:** When can we expect to see the forestry (amendment) Bill come before the House? This is an important Bill to deal with this situation.

**The Tánaiste:** No date has been set for that.

**Deputy P. J. Sheehan:** Has the Tánaiste any intentions to amend the Freedom of Information (Amendment) Act 2003 in response to the suggestion in the OECD report that charges for accessing information be abolished? The report said that the Government should reduce barriers to public information by making all requests under the Freedom of Information Act 1997 free.

**An Ceann Comhairle:** That is not in order.

**Deputy P. J. Sheehan:** Does the Tánaiste intend to bring in any legislation under that Act to grant that request?

**An Ceann Comhairle:** Is legislation promised in that area?

**The Tánaiste:** No.

**An Ceann Comhairle:** No legislation is promised.

**Deputy Bernard J. Durkan:** An issue I have raised previously with the Tánaiste and will, no doubt, raise again is the question of the proposed legislation to give effect to certain positions of the United Nations Convention Against Transnational Organised Crime. The question of organised crime has not gone away, as we all know. Will the Tánaiste and future Taoiseach take an initiative to bring together the new measures proposed under the Lisbon treaty and co-ordinate them with the list of proposed legislation on the Order Paper, with a view to bringing the matters to a satisfactory conclusion? Will he ensure the issues are dealt with together rather than in the haphazard way as they appear to be laid out?

**An Ceann Comhairle:** We cannot have omnibus questions.

**Deputy Bernard J. Durkan:** It is not an omnibus question.

**An Ceann Comhairle:** It is.

**Deputy Bernard J. Durkan:** It is a question on specific legislation.

**The Tánaiste:** We do not have a date for that.

**Deputy Bernard J. Durkan:** Why do we not have date for it? Would it not be a good idea to have one?

**An Ceann Comhairle:** We cannot go into that. I call Deputy Jan O'Sullivan.

**The Tánaiste:** I know how important it is to have an accurate date.

**Deputy Bernard J. Durkan:** It is a good idea. I will return to this issue.

**An Ceann Comhairle:** I have no doubt the Deputy will. I call Deputy Jan O'Sullivan.

**Deputy Jan O'Sullivan:** I welcome that talks are taking place between the HSE and the Irish Pharmaceutical Union in advance of Thursday.

**An Ceann Comhairle:** That matter is not in order.

**Deputy Jan O'Sullivan:** We have been told for months that under the Competition Act they could not have such discussions.

**An Ceann Comhairle:** That matter is not in order.

**Deputy Jan O'Sullivan:** The Tánaiste might tell us if, in that respect, they have found a way around the Competition Act?

**An Ceann Comhairle:** The Deputy knows as well as I do that there are other ways of dealing with that matter.

**Deputy Jan O'Sullivan:** Will the Tánaiste tell us about the talks and whether they are successful?

**An Ceann Comhairle:** He cannot do so. I call Deputy Ó Caoláin.

**Deputy Jan O'Sullivan:** Many people are worried about what will happen.

**An Ceann Comhairle:** I am sure they are, but the matter cannot be raised now. I call Deputy Ó Caoláin.

**Deputy Caoimhghín Ó Caoláin:** How quickly can I raise a matter? It is as if the Ceann Comhairle is ready to pounce on me.

**An Ceann Comhairle:** I am not. If anything, I try to accommodate the Deputy in any way I can.

**Deputy Caoimhghín Ó Caoláin:** As I was ruled out of order earlier, will the Tánaiste indicate a willingness on his part to facilitate address of this issue on tomorrow's Order Paper?

**Deputy Jan O'Sullivan:** Will the Tánaiste give us some information on it?

**Deputy Caoimhghín Ó Caoláin:** I refer to the issue of the pharmacists and the impending meltdown of the supply of medicines in this State.

**An Ceann Comhairle:** Tomorrow's Order Paper is a matter for tomorrow.

**Deputy Caoimhghín Ó Caoláin:** It is scheduled for 1 May.

**Deputy Bernard J. Durkan:** Tomorrow is another day.

**Deputy Caoimhghín Ó Caoláin:** Will the Tánaiste take this issue on board and provide for its address tomorrow?

**The Tánaiste:** This issue has been debated in plenary session here and on Committee Stage more than any other issue in the past three or four months. As regards the idea that there has not been an opportunity for debate, that all the views have not been expressed or that the facts have not been laid out for the umpteenth time, that has happened here. As has been said, some discussion between the Minister and the IPU took place last week. I understand the IPU is considering all of that matter. The Deputy is aware of the initiative, Mr. Dorgan is involved and let us hope common sense prevail in that respect to ensure we do not have inconveniencing of patients, which would be unnecessary in the context of what we are trying to achieve.

**Deputy Thomas P. Broughan:** When will the promised legislation on the graduate driver system be brought forward? We were promised last October that it would be passed by the end of June. Will we see that legislation at some stage?

I understand that the Tánaiste and the Cabinet were considering a new tranche of PPPs for the NRA's road building programme. Has any decision has been taken on that matter and will it be announced to the House?

**An Ceann Comhairle:** That is not in order.

**Deputy Thomas P. Broughan:** It is. We have had a discussion on PPPs here previously and we need to have another one.

**An Ceann Comhairle:** I am sure we do, but we are not going to have it now. The Tánaiste might reply on the matter of promised legislation.

**The Tánaiste:** I will have to come back to the Deputy Broughan on the information he is seeking on legislation dealing with learner drivers.

**Deputy Thomas P. Broughan:** The Minister, Deputy Dempsey, said he might do it before he left office.

**An Ceann Comhairle:** I am moving on to the next business.

**The Tánaiste:** I think he said he would do it before the Deputy's party would come into office.

**Deputy Andrew Doyle:** Unfortunately, the Minister for Health and Children is not present. I raise this matter on foot of further information given at this morning's health committee on the previously identified decision by the High Court on the need to introduce legislation to redress the legal lacunae that exist following the dissolution of the NRB on 12 June 2000. Given that the need to introduce such legislation has been identified and that it has been agreed to bring the matter before the committee again, will the Tánaiste and the Government at least accept to review this matter on an ongoing basis and to consider the need to introduce legislation on it?

**An Ceann Comhairle:** Is legislation promised in this area?

**The Tánaiste:** Not to my knowledge.

**An Ceann Comhairle:** I am moving to the next business.

### **An Bille um an Ochtú Leasú is Fiche ar an mBunreacht 2008: Céim an Choiste.**

#### **Twenty-eighth Amendment of the Constitution Bill 2008: Committee Stage.**

**An Ceann Comhairle:** Before Committee Stage commences I wish to deal with a procedural matter relating to Bills to amend the Constitution. The substance of the debate on Committee Stage relates to the wording of the proposed constitutional amendment contained in the Schedule to the Bill. The sections of the Bill are merely technical. Therefore, in accordance with long-standing practice, the sections are postponed until consideration of the Schedule has been completed. Is that agreed? Agreed.

## AN SCEIDEAL.

## SCHEDULE.

**An Ceann Comhairle:** Amendments Nos. 1 and 2 in the name of Deputy Ó Snodaigh have been ruled out of order.

Níor tairgeadh leasú Uimh. 1 agus 2.

Amendments Nos. 1 and 2 not moved.

**Deputy Joe Costello:** Tairgim leasú a 3:

In Part 1, page 6, between lines 7 and 8 to insert the following:

“11° Amhail ar theacht i bhfeidhm agus ó theacht i bhfeidhm an Chonartha dá dtagraítear i bhfo-alt 10°, is feidhm de chuid Thithe an Oireachtais é na feidhmeanna a thugtar do Pharlaimintí Náisiúnta leis an gConradh sin a chomhall thar ceann an Stáit, de réir Theideal II (“Forálacha maidir leis na Prionsabail Dhaonlathacha“) den Chonradh ar an Aontas Eorpach arna chur isteach le hAirteagal 1.12 den Chonradh dá dtagraítear bhfo-alt 10°.”,

I move amendment No. 3:

In Part 2, page 8, between lines 20 and 21, to insert the following:

“11° Upon and from the entry into force of the Treaty referred to in subsection 100, it shall be a function of the Houses of the Oireachtas to carry out for the State the functions conferred on National Parliaments by that Treaty, in accordance with Title II (“Provisions on Democratic Principles”) of the Treaty on the European Union inserted by Article 1.12 of the Treaty referred to in subsection 10°.”.

I welcome the opportunity to contribute to the debate on Committee and Final Stages of this Bill. This amendment reflects one of the major new innovations in the Lisbon reform treaty. I am seeking to ascertain if the Minister of State will take it on board to ensure it is reflected in the constitutional amendment. Much of the Lisbon reform treaty is about democratisation of the European Union institutions and seeking to bring the European Union closer to the citizen. That is why we have the citizens’ initiative, more powers have been given to the European Parliament and there is a more egalitarian Commission in that each member state no matter how large is equal to the smallest member state and has no greater powers. That is why the Council of Ministers no longer conducts its business *in camera* but in public.

The extra dimension that has been added here in regard to national parliaments gives them a new role. This is extremely welcome because one of the major criticisms of the European Union was that it was too distant from the ordinary people and remote from the people who were elected to represent the ordinary people in our national Parliament in Dáil Éireann and in Seanad Éireann. A recent euro barometer indicated that 75% of Irish people believed that their opinions were not reflected in the production of legislation because it seemed to be produced at a distance in Brussels even though the institutions operate democratically. That is the belief abroad.

At least 50% of the legislation that governs the lives of our people comes through the European legislative procedure. We have domestic legislation that goes through these Houses

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and European legislation in the form of directives and regulations that are transposed into our law, but this House and Parliament do not have a direct input into that legislation. Now, for the first time, the Parliament, namely the Seanad and the Dáil, will be consulted directly on every item legislation that comes from Europe. When the Commission comes up with a legislative proposal, it must directly consult this Parliament. It must send the proposal to us, give us an opportunity to reflect upon it and report back with a considered opinion. Further, it gives us the opportunity to determine whether we are happy with it and whether we wish to combine with other national parliaments in respect of it. If a third of national parliaments are unhappy with a proposal, then a yellow card comes into play in respect of it. That means that the Commission will have to reconsider the legislation. This process proceeds to an orange card, so to speak and, with the agreement of 50% of the member states, a proposal can be set back and the Commission will have to go back to the drawing board to deal with it anew.

The powers that are being given to the national parliaments are very substantial. The question arises as to how the parliaments will execute or implement those powers. We must deal with these issues in some detail. If our Parliament is to have additional powers, the existing mechanisms, namely the Committees on European Affairs and European Scrutiny, are inadequate to give the full weight of consideration that is required on a parliamentary basis. We will have to re-examine the European Union (Scrutiny) Act 2002 and our standing orders, as well as determine where we conduct our business. Will we deal with European Union matters in committee in Leinster House 2000 — pretty much out of sight — or will we do it on the floor of both Houses of the Oireachtas? These are important issues because they will determine that this Parliament will act differently in the future, once the Lisbon treaty is ratified as I hope it will be.

My amendment seeks to register the importance of the new role for national parliaments in the 28th amendment to the Constitution. The new role is sufficiently weighty that it should be registered separately, as part of the amendment. I seek to insert my amendment after section 10, making it a new section 11.

It will, in the first instance, highlight the new role of national parliaments under the Lisbon treaty. It also has a legal justification because the national Parliament here is the Oireachtas, which technically includes the President. However, in practical terms, the powers under the Lisbon treaty would be exercised by the Houses of the Oireachtas only. It is important to insert this distinction so it is clear the new powers are not being given to the President. The Lisbon treaty deals with a direct, two-way relationship between the national Parliament and the European Commission that does not involve the President directly. At the same time, of course, the President is part and parcel of our parliamentary system.

I table this amendment in the hope the Minister of State will accept this is one of the key changes inherent in the Lisbon treaty. It is one that is absolutely beneficial in terms of eliminating the democratic deficit, enabling us to conduct our business closer to Europe and to conduct it in greater consultation with Europe. It is of such importance that it requires to be stated as an amendment in the 28th amendment to the Constitution.

**Deputy Billy Timmins:** I support the amendment tabled by Deputy Costello. It drives home the fact that national parliaments will have an enhanced role under the new treaty. One of the difficulties with the EU is that people feel there is a divide between it and them. They want to bridge this gap and in the Lisbon treaty, a very clear bridge is being built. This will increase democracy and improve the interaction between the European Union and the people of Europe. It will give this Parliament a role that heretofore it did not have.



The amendment raises the important issue of the President being excluded from exercising the new powers, on the basis that these powers apply to the Houses of the Oireachtas. We are lucky we have two parliamentary Houses — the Seanad and the Dáil. I do not know how some other countries in the European Union, which do not have a bicameral system, will implement this element of the treaty. The treaty gives the Seanad an enhanced role too. Ireland will have two votes out of 54, as each House will have a vote. Deputy Costello mentioned the yellow card concept, whereby 18 votes will be enough to send an issue back to the EU for a reasoned opinion. If the issue relates to judicial or home affairs, only 13 votes are required. If more than 27 votes are cast against a measure, it will have to be dropped. This is all very worthwhile.

The amendment also draws attention to the additional requirement for parliamentarians to scrutinise all of the material from the EU, which is something we have not considered at an administrative level. We have sought that role for a long period and it is something for which the public is crying out. If, and hopefully when, the Lisbon treaty is ratified — one never wants to pre-empt the will of the electorate or other parliaments — we will have to put new measures in place. It will not be satisfactory to simply sign off on a bundle of material on a nod. The House will have a responsibility to ensure the material is adequately examined. The structures in place at present in both Houses and at committee level must be beefed up. They will not be sufficient to deal with the amount of material that will be coming through, if we are to carry out our new functions properly.

The amendment is worthwhile because it reiterates the important point that the Lisbon treaty increases accountability through the enhancement of the role of national parliaments.

**Minister of State at the Department of Foreign Affairs (Deputy Dick Roche):** I thank Deputies Costello and Timmins for their contribution. The Deputies are correct in pointing out that one of the extraordinary aspects of the Lisbon treaty is that it enhances democracy in the European Union in a way that could not have been even envisaged five or ten years ago. For the very first time real powers are being given to national parliaments. I mentioned in a committee meeting I attended earlier that the Speaker of the Portuguese Parliament commented to the effect the real winners in the Lisbon treaty are national parliaments.

The treaty strengthens the role of parliaments by giving them a direct input into European legislation and the legislative process. The provisions whereby a sufficient number of member state parliaments can object to a particular proposal is a genuine step forward. Not only has it never existed before, it was not even contemplated a number of years ago. The idea that parliaments will have to be consulted and will receive documentation and proposals at the same time as national governments must be seen as a significant and positive step forward.

I am strongly of the view that the new powers will promote democratic accountability within the European Union. It will certainly bring the Union's legislative process closer to the citizens of the member states. Citizens in this country, for example, are closest to their own elected representatives in this House. The treaty will also strengthen co-operation between parliaments. I envisage in the period ahead, when the treaty is passed — as I hope it will be — a network of national parliaments, political parties and electorates across the Union being more engaged in the affairs of the EU than ever before.

I examined the proposed amendment but believe that to single out the provisions relating to national parliaments could give rise to uncertainty about the status of other elements of the treaty not specifically referred to in the amendment. It will be possible to deal with the enhanced role for the Parliament and the detail thereof by way of the amending legislation,

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that is, the Bill amending the European Communities Act which will be brought forward as soon as the referendum is carried, which will hopefully be the case.

I have consulted the Attorney General and believe it is not legally necessary to insert the words proposed into the Constitution. Indeed, as the Deputies know, I believe we have already inserted more than sufficient words into the Constitution. In my view, we have damaged what was a very well written Constitution by inserting too many legal phrases into it. The Government's view is that the mechanics of how the Houses of Oireachtas will fully engage with and implement the new powers will be better dealt with in the reform of the European Union (Scrutiny) Bill.

I am grateful to Deputy Costello for tabling his amendment because it highlights the enormous increase in democracy within the EU. For practical reasons, it would be better to make the detailed changes in the legislation. By ratifying the treaty, we will accept the main thesis, which is that national parliaments will be more closely involved than ever before.

**Deputy Joe Costello:** I thank the Minister for his remarks. I am inclined to agree with the Attorney General's advice that it is not strictly legally necessary to incorporate my amendment in the Constitution. However, at the same time, as the Minister of State acknowledged, the treaty reflects a significant increase in democracy in the context of national parliaments, legislation and the Union. Because it does that, we should strongly affirm it by inserting a reference to this in the Constitution in much the same way as the provision relating to defence was inserted to underline our absolute affirmation of the concept that Ireland should not be part of a European army or common European defence policy in order that our neutrality would not be taken away under any circumstances or we would exercise the veto in that respect.

We should come out fighting on this issue and we should adopt a robust and proactive approach because it deals with democracy and bridging the democratic deficit. Citizens of all countries say they want to know more and they want to be more closely involved in the decision-making process in Europe. For the first time in a long time, the treaty gives direct power to national parliaments. The citizens' initiative is another great new role that is being granted and that is very much welcome. The National Forum on Europe was set up and legislation was introduced to establish the European scrutiny sub-committee in 2002 with the intention of getting to grips with the European issues that concern people and to bridge the democratic deficit. That is the context in which the amendment would highlight the new role of national parliaments. I accept the Minister of State's contention that it is not absolutely necessary in a constitutional context but it would highlight the change. The amendment states: "It shall be a function of the Houses of the Oireachtas to carry out for the State the functions conferred on National Parliaments by that Treaty...". The Oireachtas includes the President and the national Parliament and it is intended under the new powers that it should refer to the two Houses without the President. That clarity would also be valuable in the Constitution.

**Deputy Dick Roche:** I thank the Deputy and I fully appreciate this is such a huge leap forward in the democracy of the Union that it would be nice to mark it in a special way. The Bill is not silent on the role of the Houses of the Oireachtas. They are specifically mentioned in sections 12, 13 and 14 and the Schedule to the Bill and they are also highlighted in the explanatory memorandum. More than enough words have been inserted in the Constitution and we have marred it of necessity to make amendments. This amendment will not help the Constitution in the context of its readability. The Attorney General's advice is that it could be legally risky to insert this provision and to single out the specific reference, albeit for the best

of reasons, to the Houses of the Oireachtas. I regret I cannot accept the amendment and I am sure the Deputy will appreciate from our correspondence that I have given a great deal of consideration to this issue.

**Acting Chairman (Deputy Jack Wall):** Is the amendment being pressed?

**Deputy Joe Costello:** I will accept the Attorney General's advice and the Minister's wish that I do not press it.

Tarraingíodh siar an leasú faoi chead.

Amendment, by leave, withdrawn.

Níor tairgeadh leasuithe Uimh. 4 agus 5.

Amendments Nos. 4 and 5 not moved.

**Deputy Aengus Ó Snodaigh:** Tairgim leasú a 6:

I gCuid 1, leathanach 7, idir línte 21 agus 22, an méid seo a leanas a chur isteach:

“Chuige sin, déanfaidh an Stát, go háirithe, beartas neamhchomhaltais a chothabháil maidir le comhghuaillíochtaí míleata.”,

I move amendment No. 6:

In Part 2, page 8, between lines 33 and 34, to insert the following:

“To this end the State shall, in particular, maintain a policy of non-membership of military alliances.”.

The amendment is similar to my other amendments and it seeks to ensure the stated aim of people in the past, which is that a constitutional amendment should enhance Ireland's role in the future. The amendment relates to non-membership of military alliances. The second Nice treaty contained the Seville Declaration, in which the Minister holds a great deal of sway. It is a solemn declaration, which was an afterthought in the Nice treaty debate because of the rejection by the people of the first referendum on that treaty. If the Minister of State believes the declaration was required, I fail to understand they he did not succeed in having it included in the text of this treaty or how the negotiators, who have spent many years since the convention commenced dealing with the proposal for the constitution, which was rejected, and this treaty, failed to make any reference to Irish neutrality or that of other states whereas many references are made to the NATO military alliance.

I have in the past suggested Irish neutrality be enshrined in the Constitution and the people in a referendum should decide to amend, clarify or restrict our operation of such declared neutrality because the Union in the past number of treaties has drifted towards the increased militarisation not only of Europe but also the world and the use of EU troops in operations dictated by the Union rather than by the United Nations, the organisation set up more than 50 years ago to bring peace to areas of conflict in the world and to address the causes of conflict. Ireland has a proud tradition in theatres of operations abroad in blue hatted battalions serving under a UN mandate, which attempted to bring peace to various parts of the world. In recent times, the Government has moved away from the UN totally. In its commitment to the EU battlegroups it has wished away the commitment of Irish troops to any future UN operations

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because the number committed to EU battlegroups is the same and is the State's upper limit on the availability of Irish troops operating under the blue flag of the UN.

The Government and the "Yes" side have failed to explain that the move towards operating with the EU battlegroups will be a cost to the Exchequer. This was not explained in detail to the Irish electorate or even to this House. Operating under the UN mandate allowed Ireland to receive a contribution from the UN for costs incurred whereas now the costs incurred will have to be borne by the Irish taxpayer. This year at least €40 million of Irish taxpayers' money will be expended on the EU adventure in Chad. There is a cost to the drift towards a greater militarisation of the European Union. There is a cost to the policies of the Government with regard to Irish neutrality.

Now is the time for the Irish people to call a halt to that drift and to allow a proper debate on the future of Irish neutrality which, the main Government party, Fianna Fáil, states it is committed to defending and protecting. I do not know how that stands with its moves in recent times towards the EU battlegroups. In the past it moved from a position prior to an election of saying that it would not join the partnership for peace and then, within a matter of months of returning to Government, signing up to it. Neither do I know how it squares with the stated aims of the treaty where we are being dictated to that, in the future, this State must progressively improve military capability. This is not in line with neutrality in terms of military or international affairs. Somebody else will dictate to us what our military capabilities need to be and how these are to be improved.

The structure of the European Defence Agency will, in the field of defence capabilities, development, research, acquisition and armaments, identify the operational requirements. It shall promote measures to satisfy these requirements and shall contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector. It shall participate in defining a European capabilities and armaments policy and shall assist the Council in evaluating the improvement of military capabilities. This is what the treaty states.

This is an organisation telling the Irish State what it needs to do to strengthen the industrial and technological base of the defence sector. I do not know how that squares up with neutrality. There has been a gradual erosion of Irish neutrality and now is the time to call a halt. Ireland has played a positive role on the international stage. We believe there is a need to tackle the causes of conflict and instability by addressing global insecurities, poverty and disease and the United Nations is the vehicle into which Ireland should be putting its resources and efforts. We are in favour of a peaceful and demilitarised world but that is not in line with what is being planned by this treaty. We are strongly in favour of the State's policy of neutrality when considering any military alliance and this is the reason I am asking that it be stated quite clearly in black and white so that there can be no doubt. We have been to the forefront in defending neutrality and we have in the past criticised the gradual erosion of that neutrality through the ratification of successive EU treaties and the Government policies regarding the use of Shannon Airport for US military personnel and aircraft *en route* to and from Iraq and the use of Shannon Airport to transport depleted uranium and the like. We do not know what is on board the planes that stop in Shannon; we must take the word of those who have been found to be quite dubious in the past about what has been on board planes that have passed through Irish and other European airports.

In our view, the case has not been made for an EU foreign security and defence policy or a diplomatic service. When it comes to international affairs, Ireland should have its own distinct

and separate role on the international stage and that role will complement the role played by this State until recently. In our view, matters of co-operation would best be left to intergovernmental level and there should be no opportunity in the future, through a passerelle clause or by means of any other clause, to move towards qualified majority voting, QMV, on these matters. To transfer these powers to a federal level would be undemocratic, unaccountable and serve to deepen the cycles of conflict and instability across the globe.

The European Union will become part of a military alliance and a military bloc when it implements fully the effects of the European Defence Agency, its EU battlegroups and the changes to the Petersberg Tasks. The European Union will become a military bloc as NATO and the Eastern bloc were in the past. It is hoped that it will never come to the situation which pertained for many decades in the last century of the Cold War and the arms race when more money was being spent on armaments than on attempts to address poverty. This would be the impact of what is contained within this treaty.

The Lisbon treaty does exactly what I have stated. Articles 10 to 28 detail the further consolidation of the EU's control over foreign and security policy against the intent of supposed Irish neutrality. Article 11 states: "the Union's competence in matters of common, foreign and security policy shall cover all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common defence policy that might lead to a common defence."

The treaty creates a European external action service which will provide the Union with a stand-alone diplomatic corps alongside that of member states. Articles 23 and 28 relate to provisions of common security and defence policies. I have already quoted some of Article 28. I encourage members of the public, if they have access to the text of the treaty, to read these articles. They set out the situation in black and white. Article 42 states:

The common security and defence policy shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on civilian and military assets.

What is envisaged is the progressive framing of a common defence policy for the Union. This article further states that commitments and co-operation in this area shall be consistent with commitments under the North Atlantic Treaty Organisation. The latter is not a body of the European Union. In other words, we are being asked to sign up to something which ties us to an external organisation.

In terms of military spending, I have mentioned the provision that obliges member states to improve progressively their military capabilities. In addition, Article 41 provides for a start-up fund made up of member states' contributions to finance preparatory activities in the creation of a common defence. Even though we have an opt-out in regard to all decisions on a common defence policy, we will suffer the consequences of all such actions. A start-up fund is already in place or will be in place to prepare for a common defence. Is the Minister of State suggesting that when actions deriving from that common defence policy are undertaken, Ireland, having opted out, will not bear some portion of the blame for the activities of other member states in the European Union? We will suffer the same consequences as any other state.

Proponents of the Lisbon treaty argue that the triple lock, whereby military intervention abroad requires a United Nations mandate, the support of the Government and the approval of the Dáil, will defend Irish neutrality. The triple lock is effectively only a double lock because there is no difference between Government approval and that of the Dáil. I recall no occasion



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in recent times when the Government lost a vote on such an issue. Perhaps that might happen in the future. The triple lock has already been weakened by legislation enacted by the Oireachtas in 2007 which opened the way for military interventions abroad based on a United Nations authorisation rather than a formal mandate. The purpose of this was to facilitate the EU battle groups. Accordingly, authorisation does not necessarily require a United Nations resolution but rather the weaker sanction of a United Nations assent such as compatibility with the UN Charter. The Lisbon treaty likewise dispenses with the requirement for a UN mandate for military interventions. Thus, neither Irish nor EU deployment abroad will automatically require a specific UN resolution for future military operations.

The Government failed to secure any recognition in the treaty of the specific nature of Ireland's defence policy and neutral status. This is particularly worrying when one considers the provision in the treaty for the expansion of the scope of the EU's military actions. I refer to the Petersberg Tasks to which Ireland has already signed up. Article 28 B provides for an expansion of the types of military interventions deemed acceptable under the Petersberg Tasks, as if that list were not expansive enough, to include joint disarmament operations, military advice on assistance tasks and post-conflict stabilisation. The United States' current involvement in Iraq is effectively post-conflict stabilisation. Joint disarmament operations might mean operating abroad in circumstances where the EU must take the side of one or other party in a conflict. Given the colonial and imperialist history of many member states within the European Union, including France, and the continuing influence they exert over their former colonies, this is a dangerous road to embark upon.

The treaty also contains new obligations in Articles 42 and 222 according to which member states must assist other member states that are victims of armed aggression, including a terrorist attack, in a spirit of mutual defence and solidarity. These changes weaken the threshold of UN sanction for operations abroad while significantly expanding the scope for such actions. When taken with the sections on common defence, the frequent references to NATO and the increased military expenditure, they signal the most substantial erosion of Irish neutrality and control over foreign policy to date. The treaty moves us further down the road to a common defence while significantly advancing the capabilities and competencies of the EU to act independently of individual member states on the world stage.

In 2001, the then EU Commissioner, Mr. Romano Prodi, asked: "Are we all clear that we want to build something that can aspire to be a world power?" That is precisely the vision of the architects of this treaty. If the Government believes otherwise, it has been sold a pup. It has absolutely failed to understand the significance of the article to which I referred. Another character who is involved in the progression of an agenda is the President of the European Commission, Mr. José Barroso. Speaking about the treaty last July, he said: "Sometimes I like to compare the EU as a creation to the organisation of empire. We have the dimensions of empire." That says it all.

We in Ireland must be especially cautious given the history of imperialism here. Ireland was part of the militarised and centralised super-state that was the British Empire, or British union. Leaders such as Isaac Butt, John Redmond and others encouraged Irish troops to participate in the equivalent of battle groups on behalf of that union by taking part in imperialist wars abroad. We should always try to learn from history. One of the greatest failures of the Government, however, is that it has not listened to the lessons of history. The only difference today is that the advocates of involvement in battle groups are the advocates of the Lisbon treaty and we are dealing with EU battle groups rather than British battle groups.

We must protect our neutrality. We must achieve a renegotiation of this treaty to ensure the other EU member states understand how dearly we hold our neutrality. We must make the case for moving towards non-aligned status and militarily neutral states. Such a stance would be a signal that we are not prepared to move towards militarisation and towards a conflict and stand-off similar to that which cost Europe billions of euro in the 50 years of the Cold War. The current imperialist wars, whether those initiated by the United States or those instigated by the EU in Chad and elsewhere, will cost us dearly. I will refer to another aspect to bring home to the House the status of Irish neutrality and where Fianna Fáil Governments in particular have led us. In fairness to Fine Gael, it has always stated up-front that it was time to jettison neutrality and that there was no harm in joining NATO. This is for Fine Gael to argue but at least it has the guts to stand up and state this. It does not declare it from the tree tops. It is one of those policies it has which is buried. At least Fine Gael has the balls to admit to it whereas in recent times Fianna Fáil has slithered away and wormed its way into various military groups in the European Union.

The Government is now trying to equate us with NATO and what I quoted earlier was with regard to our commitments and obligations being in common with those of NATO, an organisation of which we are not members and, according to the Government, of which we do not intend to be members. However, we must equate ourselves to it.

In 1948, the Western European Union, WEU, a nuclear armed military alliance, was established. In the recent treaties, the assets and competencies of the WEU, apart from collective self-defence, have been transferred to the European Union. Andrew Duff, MEP, who is rapporteur of the Foreign Affairs Committee on the Lisbon treaty, believes the WEU should be terminated because of the mutual defence clause contained in the treaty and which I am trying, through my amendment, to prevent. The mutual defence clause, 28 A 7 states:

If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States.

Commitments and cooperation in this area shall be consistent with commitments under the North Atlantic Treaty Organisation, which, for those States which are members of it, remains the foundation of their collective defence.

Therefore, the policy of Irish neutrality will be destroyed. This treaty legislates its destruction.

I already mentioned the budget implications. The general public would far rather if the additional €40 million the Government has authorised to be spent on Chad were spent on tackling poverty in Africa rather than building up the capabilities of the military to fight wars abroad. They would also rather see the €40 million spent on tackling problems within the Irish health services.

Another quote on this issue for the Minister of State, in case he does not have enough of them, comes from the EU foreign policy chief, Javier Solana. When discussing military expenditure and the obligation we would be under to progressively improve military capability, he stated there is an absolute requirement on us to spend more, spend better and spend together. It is an affront to us in this House that we cannot decide for ourselves what future military expenditure will be.

The protocol on permanent structured co-operation in the treaty states:

[Deputy Aengus Ó Snodaigh.]

RECALLING that the common security and defence policy of the Union respects the obligations under the North Atlantic Treaty of those Member States which see their common defence realised in the North Atlantic Treaty Organisation, which remains the foundation of the collective defence of its members, and is compatible with the common security and defence policy established within that framework

CONVINCED that a more assertive Union role in security and defence matters will contribute to the vitality of a renewed Atlantic Alliance, in accordance with the Berlin Plus arrangements.

The Berlin Plus arrangements concern the sharing of EU and NATO assets.

The Irish people should be aware of this and should vote “No” on this basis. Irish negotiators could then return to the negotiation table because despite what those on the “Yes” side argue, if this treaty is rejected it will come back in some form or another. It might come back in a form which is more beneficial to the Irish State.

**Deputy Billy Timmins:** On a point of order, we have limited time until 7 p.m. for this debate. In view of the fact he has spoken for more than 30 minutes will Deputy Ó Snodaigh practice a little democracy, not abuse the rules of House and afford us an opportunity to speak on the Bill?

**Acting Chairman:** That is not a point of order.

**Deputy Billy Timmins:** What Deputy Ó Snodaigh is doing is a complete abuse of the privilege of the House.

**Acting Chairman:** Deputy Ó Snodaigh can continue and I wish to inform him that four Deputies wish to speak and perhaps he will take this into consideration.

**Deputy Aengus Ó Snodaigh:** I have no problem. The limited number of amendments I tabled which were accepted for debate afford me an opportunity to put across a point of view which none of the other Deputies in the House will put across. I will use this opportunity. This debate will not be guillotined so we do not have a restriction on time. I am within my rights to continue. It is better for me to do so now rather than when I return to it after the Minister responds. I can go on again *ad nauseam* if people wish.

**Deputy Martin Mansergh:** Without doubt.

**Deputy Joe Costello:** On a point of order, this is Committee Stage and not Second Stage. On Committee Stage we must address the issue and one is not entitled to go on *ad nauseam*. One can go on *ad nauseam* on Second Stage but not on Committee Stage.

**Acting Chairman:** I wish to inform Deputy Costello and the other Members of the House that I checked with the Clerk of the Dáil and the Deputy is within his rights to do what he is doing. I again remind him that four Deputies wish to speak and I ask him to take this into consideration.

**Deputy Aengus Ó Snodaigh:** I will continue and I will try not to repeat the points I have already made. I am trying to keep this as brief as required. It is Committee Stage and I have

not abused my position up to now. Other Deputies will be able to address this amendment if they so wish.

I have lost my train of thought but I will return to it. There is not much more I have to say on this and we have wasted two or three minutes in a small exchange which was not required.

I was dealing with structured co-operation. This is a dangerous area for Ireland and our neutrality. It allows a group of states within the EU to form permanent military groups within the EU to implement more demanding military adventures. It is not clear whether once established these groups can have their own defence policies. This would be interesting. Not everything was negotiated and there is room for these countries to do what they wish because it is not prevented.

Their military operations shall be “in accordance with the principle of the single set of forces” which is just another way of saying “a European army”. France has already proposed that the six largest EU states establish a massive EU intervention army using this protocol. One might

say, “let them at it”, but we are members of the European Union and operations  
*6 o'clock* carried out by such an army in theatres of war or other theatres outside of the European Union will have the consequence of us being associated with them by virtue of the fact we are members of the European Union. We would suffer consequences or loss of standing in countries where such an army was involved. It is interesting that we can ringfence money to progressively improve our military capabilities, which will be the effect of Government spending in this area, but that we cannot through this document progressively improve public service capabilities or strengthen the technological base of the community or disability sectors. The treaty makes no provision for these sectors but goes out of its way to strengthen the industrial and technical base of the defence sector or to progressively improve military capabilities.

Whatever is contained in this document, the negotiators have failed us. Why did the Minister not succeed in having inserted in the treaty a specific clause which gives full effect to his beloved triple lock? There is no mention of neutral states in the document. Also, where is provision made in respect of opt-out of the EU defence agency or EURATOM? What protection is provided to our existing relationship with the UN? We have moved to endorsing fully the EU battlegroups, the increased and expanded Petersberg Tasks and the NATO agenda.

I mentioned previously Fianna Fáil’s election promises in regard to neutrality, partnership for peace and so on. They have not lived up to these promises but have done the opposite. People need to be mindful of this when considering the implications of this treaty in regard to Irish neutrality and expenditure on future military adventures in the world.

**Deputy Dick Roche:** I was interested in the long and somewhat tedious contribution from Deputy Ó Snodaigh while accepting his right to make that contribution.

The treaty provides three protections in respect of neutrality. First, it includes a requirement for unanimity in CFSP and in defence. Nothing in the treaty forces any member state to take in defence or in CFSP any step it does not wish to take. Second, it includes specific recognition — Deputy Ó Snodaigh read this but appeared to misunderstand what he was reading — of the specific character of individual member states and states that the policy of the Union in accordance with this section shall not prejudice the specific character of the security and defence policy of certain member states. This reference is intended to encompass the non-aligned and military neutral states. Deputy Ó Snodaigh seems to forget, overlook or simply dismiss the reality that all states not member states in NATO do not necessarily wish to describe themselves as neutral states.

[Deputy Dick Roche.]

The reference to the special character of our defence arrangements is a recognition of the special character of our defence arrangements. It is certainly not anything sinister. Not all non-aligned member states wish to use the word “neutrality”. For example, Sweden no longer uses it. The third point is the most important in terms of Ireland’s neutrality and is one which Deputy Ó Snodaigh and his party continuously refuse to recognise. Given Sinn Féin now recognises Bunreacht na hÉireann, it is a pity it does not recognise it in its totality. The constitutional prohibition which was put in place following the second referendum on the Nice treaty specifically prevents any Government from becoming involved in membership of a common defence. The protection of Ireland’s neutrality or its position of military neutrality lies in the hands of Irish citizens.

Deputy Ó Snodaigh mentioned specifically the arrangements made following the first referendum on the Nice treaty and referred to the Seville declaration. First, all declarations are carried forward. Second, the language originally proposed by Ireland for the Maastricht treaty is carried in this treaty. The phrase “specific character and security of defence policy of certain member states” is one which we inserted into the Maastricht treaty and it is carried forward.

I was surprised at Deputy Ó Snodaigh’s reference to Ireland moving away from its historic commitment to the United Nations. The primacy of the United Nations for maintenance of international peace and security is explicitly recognised in the reform treaty. Deputy Ó Snodaigh took the trouble to read into the record some parts of Article 10. It is a pity he did not read the Article in totality. In the interests of being comprehensive we should, perhaps, address the totality of that article. Article 10 A states:

The Union’s action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and on which it seeks to advance in the wider world: democracy [does Deputy Ó Snodaigh or his party object to this?], the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity [perhaps, he finds that difficult] the principles of equality and solidarity and respect for the principles of the United Nations Charter and international law.

If the Deputy is going to quote from the treaty he should take it upon himself to be comprehensive in that regard. I must say, not for the first time, that I find offensive Deputy Ó Snodaigh’s reference to Irish troops and their involvement in Chad. Most civilised people in Ireland would find deeply offensive his characterisation of Irish troops’ involvement in Chad as an EU military adventure. It runs counter to the generosity of the Irish people and, in particular, to the ethos of the Irish Army. It is a scandalous misrepresentation of a mission aimed at providing humanitarian aid to a people who have suffered grievously. It is certainly an appalling misrepresentation of the attempt by the Irish Army and other brave troops to bring hope to people who have lived in despair, have been driven from their homes, subjected to rape, harassment, torture, starvation and death. To portray these highly noble objectives as a military adventure is perverse. Sinn Féin does itself damage in referring to the humanitarian effort in Chad in those terms. I wish Deputy Ó Snodaigh would think twice and, perhaps, withdraw that characterisation.

Deputy Ó Snodaigh also mentioned the passerelle. Passerelle may not be used in regard to military and defence matters. It is specifically provided that this may not be the case. Deputy Ó Snodaigh expressed concern in regard to military spending. I remind him that our military spend as a proportion of GDP was infinitely higher a few short years ago when his party and those associated with it were involved in other activities. Also, our Army was significantly bigger than it is today.



The Deputy referred again and again to mutual solidarity. Again, he sees this as somehow threatening or sinister. If this nation were, for example, to be engulfed in a natural disaster or the subject of an horrific event, it would be nice if our neighbours came to our assistance. This is what the Irish people would want. On the military side, no member state is forced to intervene against its will. The Deputy made several references to the United Nations. It is worthwhile to remind him that the United Nations is not just mentioned in Article 10 A but it is mentioned in no fewer than nine separate occasions in the reform treaty. I will save the House from reading all the references. There are a further six references specifically to the United Nations in the protocols and declarations.

There is not a one-size-fits-all description for the way individual member states view their special character of defence. We take a view that is different from other member states. I would object if some parliamentarian from Germany or the UK suggested we should naturally surrender to their viewpoint. I take it they would equally take that view with us. We could all speak for several hours on this issue if we so wished. There is absolutely nothing in this treaty that in any way violates, threatens, undermines or negatively affects Ireland's tradition of military neutrality. The ultimate protection of our military neutrality lies in the hands of each and every citizen of this State. Our position cannot be changed without a referendum that would have the agreement of the citizens of this State. Deputy Ó Snodaigh need have no worry because, like myself, he can be confident the Irish people will be the guardians of military neutrality in this State for a long time going forward.

**Deputy Billy Timmins:** For the second time in more than a week I have heard the position of John Redmond misrepresented. It is important to put on the record that but for the leadership and courage shown by him and others at the time and since, I fear to think what type of Europe we would have today. It is regrettable that we find ourselves speaking about neutrality which is an issue that is completely irrelevant to the Lisbon treaty. Due to the structure and rules of the House it appears as if we will get caught up in this issue and miss out on dealing with some other very important aspects of the Bill.

I do not wish to be discourteous to Deputy Ó Snodaigh but if "Reeling In The Years" is looking for a film clip in 20 or 30 years' time I hope it will not take that extract because we will not know whether it was 1908 or 2008, because certainly I have heard much of what he said previously. I made the point earlier today, with respect to our neutrality, for those who are campaigning against the Lisbon treaty and many of those who have campaigned against the various treaties during the past 20 or 30 years that I cannot see how we can lose our neutrality on each occasion. I would love to say to Deputy Ó Snodaigh that his fears are well-founded because we have taken that step, that we are going to take our place among the nations of the earth and made a contribution and be inside the common foreign and security policy and help to frame it. I used an analogy that I use at public meetings. If one is living in a housing estate and one's neighbour is experiencing difficulty after being bullied or attacked, surely one would go to their assistance. I see being involved in the common foreign and security policy as no greater or no less than that — helping one's neighbour, helping to protect one's values and those of one's neighbour. That is what it is about.

The Minister of State rightly outlined the various measures in the Constitution, the Seville Declaration and the treaty itself on numerous occasions, dealing with the issue of neutrality. It does not impinge upon it in one aspect.

Our position in Fine Gael is quite clear, notwithstanding that we are fully supportive of the treaty. In Irish society those who are most critical of, perhaps, American foreign policy or Chinese foreign policy are quite happy to allow the flawed system in the United Nations in regard to the permanent members dictating how we should make our sovereign decisions. I

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find that contradictory. On the one hand we talk about our sovereignty and yet some people agree to allow countries, with whose foreign policy they totally disagree, have a veto on what we should decide to do as a foreign nation. I hope in time, if the issue of neutrality and the UN resolution is properly explained to the Irish people, they will move away from the comfort blanket of the UN and be quite happy to stand on their own two feet and make their own sovereign decision.

It is important to realise the EU battle group concept grew out of a request from the United Nations, following from the failure of the United Nations in the former Yugoslavia. Not having a proper mandate, not being capable of interoperability and not having the proper equipment allowed thousands of people to be slaughtered in an act of genocide. That is why the European Union evolved into a situation where it now provides battle groups based on a request from the UN, following the Brahimi report which recommends subcontracting out peace missions, peacekeeping and peace enforcement to regional organisations be they the African Union or the EU. It is wonderful that we can make a contribution on the national stage in Chad, to assist in dealing with refugees who are coming across the border from the Sudan. Many Irish people there have been calling for a number of years for intervention in that area. It is great that our troops can go there and have the necessary equipment to carry out its mandate in a proper manner. We have to move somewhat more in Europe because we did have a difficulty in getting the necessary logistical equipment in support of the operation to be carried out in an effective manner.

In regard to the actual increased spend on militarisation — the earlier amendments were ruled out of order — it is important to point out that the concept of the European defence agency is very opposite. It proposes a decrease in expenditure in the EU——

**Deputy Martin Mansergh:** Quite right.

**Deputy Billy Timmins:** ——as countries pool their human, research and equipment resources. Rather than have the Irish invest X in its communications equipment and the French and the British the same, let each country choose a speciality and put the money into that in order that we do not replicate the spend. That is the purpose of the European defence agency. We have to evolve. It would be fantastic if we could live in a world where one did not have to have a force. It is important that we do to protect our values and to assist wherever we can.

It is important we progressively improve our military capability and that this does not necessarily result in increased expenditure. It is important we spend enough to ensure our people can go out and protect themselves and do the job they are supposed to do.

It is completely off the wall that the issue of neutrality is being raised in the Lisbon treaty, or the erosion of our neutrality or joining the EU battle groups. It is completely irrelevant to it and has nothing whatsoever to do with it. In time, I would like a debate in this country on the issue in order that we could flesh it out. I am sure there are Members from all sides who have varying views on the issue.

**Deputy Martin Mansergh:** In my experience few subjects or policies have been more comprehensively discussed, debated and analysed than neutrality, certainly since 1981. It is quite difficult to listen to lectures on militarisation from a party that still has a military wing albeit, thankfully, no longer active. It tries to present itself as the champion of Irish neutrality. If any movement has been more guilty of violating Irish neutrality in the last war, the IRA only declared its war to have ceased two years ago. In some ways I welcome Sinn Féin's conversion at last to the policy of neutrality but I think it has to internalise it quite a bit because I do not see many signs of neutrality in relation to Colombia, the Basque country or the Middle East.

There are more than adequate safeguards in declarations and protocols which have already been passed and incorporated without needing to add more. All the main parties in the House have given guarantees that they would submit to the people any proposals to join a military alliance.

It is not the practice of European treaties, except in the preamble which sets out the signatory states, to single out individual states. The treaty refers to categories, of which there are two in this context, namely, countries that belong to NATO and countries that do not belong to that organisation. Members of the latter group are variously described as non-aligned and neutral. I can well remember the origin of the phraseology about protecting the specific character and policies of particular member states and to be fair to Deputy Ó Snodaigh, he read out the relevant passage. This phraseology, one of the considerable achievements of former Taoiseach, Charles Haughey, with the then Presidency led by Italian Prime Minister, Giulio Andreotti, has been used repeatedly ever since the conclusion of the Rome II European Council in 1990. It has been found a satisfactory formula from that time to this. There is no mutual defence commitment, except for those countries which already have such a commitment through NATO.

We must also remember, when asking other countries to recognise Irish neutrality, that our neutrality is a policy rather than a status. Since the 1930s and 1940s, we have never sought to have the type of neutrality which, for instance, Belgium had before 1914, for the very good reason that it proved not to be worth the paper on which it was written. The content of the policy of neutrality has been what the Government, with the approval of the Oireachtas, has decided from time to time. Its main content has been that Ireland has not joined military alliances, including NATO.

Regional delegation by the United Nations to groups such as the European Union is not in any way a derogation from UN commitment but simply a practical way of handling matters. I am pleased that Ireland is part of a battlegroup — a term neither I nor the Minister for Defence likes — alongside Nordic countries which, in large part, share similar values to us.

It is a complete myth that military expenditure or militarisation has increased. All over Europe military expenditure has declined rapidly in the 20 years since the fall of the Berlin Wall and the number of missiles has been reduced. Deputies will find that the military budget and strength of military forces of all countries are much less than they were 20 years ago. A reply to a question I tabled to the Minister for Defence a few weeks ago indicated that this is equally as true of Ireland as of any other country. In 1989, we had approximately 14,000 troops, mainly I suspect because of activities that were taking place across the Border. The figure has been reduced to approximately 10,000 and expenditure on defence as a percentage of GDP has declined. Ireland is not in any way peculiar in this respect. For example, conscription has been phased out in most countries.

Deputy Timmins is correct that one of the purposes of the European Defence Agency is to save rather than step up military expenditure. It will try to rationalise and phase out industries that are surplus to requirements. Nevertheless, our forces must be properly equipped for the responsibilities we assume. We should not be afraid to take on international responsibilities. President Éamon de Valera made a very fine speech just after the Second World War about the contribution and commitments Ireland and other countries should make to collective security and the rule of law.

Partnership for peace is often raised. I remind Deputy Ó Snodaigh that we did not join PfP without further consultation with the people. In the June 1999 elections to the European Parliament, Fianna Fáil deliberately put this proposal in its manifesto in order that there would

[Deputy Martin Mansergh.]

be an electoral mandate for entering PpP. In those elections, a majority of MEPs were elected from different parties which supported this proposal.

The European Union is not some imperialist power but the greatest peace process the world has seen. It is dreadful that critics paint it as some kind of imperialist or potentially imperialist power. To be fair to our partners, in recent years they have not given any cause for such a belief. We have a responsibility to make an international contribution and we should not be shy or apologetic about having to do so.

In some ways I am sorry some of Deputy Ó Snodaigh's earlier amendments were ruled out of order because they are not about renegotiating the treaty. Effectively, they add up to withdrawing Ireland from the European Union and would certainly put us on that path. The lessons of history, going back to 1966, show that different countries at different times rejected treaties or adopted an "empty chair" policy. All the evidence is that nothing of substance has been obtained by that type of manoeuvre. The idea that we could somehow secure a renegotiation of the treaty is completely unrealistic.

I congratulate the Irish negotiating team, which was drawn from all the parties in the House and included the Minister of State, Deputy Dick Roche, on the fine work it did in the European Convention and this fine treaty. One of the Taoiseach's finest achievements was the negotiation of the treaty, which has been only slightly modified. The critics of the treaty in the House are from Sinn Féin. A united Ireland will only happen in a united Europe, just as a united Germany would only happen in a united Europe. An Ireland which cut itself off from the European Union and decided to reverse or overturn 35 years of full participation at the centre of the Union would be of no interest to northern Unionists or the majority of the northern population. One of the great attractions of this part of the country is the success we have made of European Union membership. I cannot help but see the contrast between having the First Minister and Deputy First Minister going to Brussels seeking additional aid with the attitude being shown to the treaty by Sinn Féin.

Tugadh tuairisc ar a ndearnadh; an Coiste do shuí arís.

Progress reported; Committee to sit again.

### **Business of Dáil.**

**Minister of State at the Department of the Taoiseach (Deputy Tom Kitt):** I move:

That, notwithstanding anything in Standing Orders:

(1) The Dáil will sit later than 8.30 p.m. tonight and that the business shall be interrupted on the adjournment of Private Members' business, which shall be No. 35, which shall be taken for 90 minutes at 7 p.m. or on the conclusion of No. 10 whichever is the later.

(2) The proceedings on the Committee and Remaining Stages of No. 16 shall, if not previously concluded, be brought to a conclusion at 7 p.m. tonight by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Foreign Affairs.

**Acting Chairman:** Is that agreed?

**Deputy Aengus Ó Snodaigh:** It is not agreed. I am surprised at the other Opposition parties for not voicing their opposition. This is a guillotine to a debate. Thankfully we have not had many guillotines to legislation since this Dáil was formed and it is an affront to democracy. We

could have got through the number of amendments before us in the required time. I have no objection to the extended time to deal with this but to announce at this late stage that there is a guillotine tonight on a matter of such importance to the Irish people is an affront to democracy and to parliamentary procedure.

**Deputy Billy Timmins:** There are some relevant amendments but by and large there is agreement on the composition of the Bill. If Members were considerate of other Members and willing to co-operate we would have plenty of time to deal with the issue between now and 7 p.m. and get to each amendment.

**Deputy Tom Kitt:** Hear, hear.

**Deputy Martin Mansergh:** Hear, hear.

**Acting Chairman:** Is it agreed? Agreed.

**An Bille um an Ochtú Leasú is Fiche ar an mBunreacht 2008: Céim an Choiste (Atógáil)  
agus na Céimeanna a bheidh Fágtha.**

**Twenty-eighth Amendment of the Constitution Bill 2008: Committee Stage (Resumed) and  
Remaining Stages.**

Atógadh an díospóireacht ar leasú a 6:

I gCuid 1, leathanach 7, idir línte 21 agus 22, an méid seo a leanas a chur isteach:

“Chuige sin, déanfaidh an Stát, go háirithe, beartas neamhchomhaltais a chothabháil maidir le comhghuaillíochtaí míleata.”,

Debate resumed on amendment No. 6:

In Part 2, page 8, between lines 33 and 34, to insert the following:

“To this end the State shall, in particular, maintain a policy of non-membership of military alliances.”.

**Acting Chairman:** I call Deputy Lucinda Creighton.

**Deputy Joe Costello:** I indicated that I wished to speak.

**Acting Chairman:** There were four people to speak and that was the order I was given.

**Deputy Lucinda Creighton:** I am conscious that Deputy Costello wants to speak and I will be brief. I echo the sentiments of previous Deputies who have spoken on the irony of Sinn Féin expressing grave concerns on the militarisation of Europe. That irony is not lost on the people of Ireland, and in taking advice from various groups and political parties on how they should vote on the treaty referendum on 12 June they will take that into account.

I take issue with Deputy Ó Snodaigh’s attempt to equate the European project with the imperialist agenda of the United Kingdom in previous centuries. I object to that and it says much about where Sinn Féin stands on the European Union and project. At today’s Committee on European Affairs meeting Deputy Timmins raised a very relevant issue when he questioned whether any political party would have the courage of their convictions to stand up and be counted, confess it is opposed to the European project, as Sinn Féin clearly is, and call for the withdrawal of Ireland from the EU. This is clearly what Sinn Féin believes, let us face it. To equate the EU, as pointed out by Deputy Mansergh, the best, most successful and unpre-



[Deputy Lucinda Creighton.]

cedented peace project in the history of the world, with the imperialist adventures of the UK is preposterous.

I take issue with the criticism that has been put forward on the humanitarian mission in Chad involving 400 Irish troops. This is a crucial and critical intervention in a humanitarian crisis involving refugees fleeing from what has been described virtually internationally as a genocide. I question the moral authority of anybody who contends on the record of this House that this is a military adventure.

Article 29 of the Constitution of Ireland clearly states that the Irish State shall not adopt a decision to establish a common defence. That is reiterated in the text of the Lisbon treaty. I do not accept the amendment proposed by Deputy Ó Snodaigh and his party on neutrality to a mutual defence because it is unnecessary. We have a safeguard and guarantee in our Constitution. We have also retained the requirement for unanimity in voting on CFSP. That is copper-fastened and clearly stated in the Lisbon treaty. There is no change. I cannot understand how anybody who considers themselves in any way patriotic could object to the values of the EU on protecting democracy and humanitarian interests and involving itself in peacekeeping, peace enforcing and humanitarian, civilian and post-conflict stabilisation missions as the EU does, and proposes to continue to do, under the terms of the Lisbon treaty. I cannot comprehend how somebody could object to that. The only conclusion that can be drawn on this is that Sinn Féin and Deputy Ó Snodaigh oppose the EU.

When we campaigned for accession to the EU in 1972, the same voices were opposed to our accession. The same voices raised the same threats, scaremongering and bullying tactics related to this allegation of the erosion of our neutrality and that we would see the sons and daughters of Ireland conscripted to some war-mongering army. We heard the same allegations in 1986 on the Single European Act, in 1992, 1997 and 2002. On every European treaty referendum in this country we have heard the same arguments and on every occasion they have proven to be false. As a result of our membership of the EU in terms of CFSP and defence we have seen a major contribution from EU member states all over the Balkans and now expanding into Africa. I do not see how that can be a negative result.

On the commitments on spending, I strongly feel we have responsibilities. It is not all about rights and closing ourselves off and retreating into a bunker. It is about Ireland being proud, standing up and playing our part in world affairs and geopolitics. In that context we must make commitments on spending. If we want our soldiers in Chad, Kosovo, Bosnia or wherever to be equipped with the best equipment to ensure their safety and security, we must make those commitments. There is eminent sense in trying to pool our resources with our fellow EU member states in ensuring greater levels of interoperability, which are critical, and that we do not continue with the type of duplication we see in military equipment and intelligence in the EU. Deputy Timmins has already pointed to this.

The proposal for permanent structured co-operation is positive. For example, if footballers who play for different football teams go abroad to play on the Irish squad they will train together in advance of going abroad. Otherwise they will not have a co-ordinated approach. The same applies to troops from Ireland and across the EU. If they are going to a dangerous conflict situation such as Chad they need to train together in advance. That is the proposal: structured and more permanent military co-operation so that we are prepared when we go abroad on peacekeeping and humanitarian missions, not military adventures, as Deputy Ó Snodaigh contended.

It is clear in the text of this Bill that we have an opt-out and will not be obliged to participate in a common defence. There is a clear requirement for unanimity. My belief is that Deputy Ó

Snodaigh and Sinn Féin are fully aware of this. This is a cynical exercise to raise the profile of a party that is flagging in the polls. That is the extent to which Sinn Féin will benefit from its opposition to the treaty. It has no logical arguments that lead us to any conclusion other than that our neutrality is to be safeguarded, along with our independence on other issues such as tax. I welcome also the statement of the Referendum Commission in this regard. I suggest that if we are to have a debate on the Lisbon treaty we stick to the facts. Irish neutrality — our traditional position of being unaligned — is retained, and we retain our veto. It is simple and straightforward. This amendment is simply designed to create an opportunity for Deputy Ó Snodaigh to stand up in the House and mislead it. The facts speak for themselves.

**Deputy Joe Costello:** It is perverse that Sinn Féin should be the party that presents itself as a champion of peace and an opponent of militarisation when nobody else sees such a threat in this treaty. Deputy Ó Snodaigh's speech stood out starkly in the context of the 50 years of peace that the European Union has given to Europe and to this island, of which the members of Sinn Féin should be particularly aware. With regard to the common foreign and security policy, CFSP, the situation is quite different from that presented. The CFSP allows the European Union to operate military missions only in the context of accordance with the United Nations Charter, international law and democracy. That is stated at the outset of the articles concerning the CFSP. The UN Charter is the common thread that governs all activities in this area. The articles show that this is the case. All military missions are dealt with in this fashion. Ireland has raised the bar higher: the Irish Government and people have made it clear that we must also have a mandate from the UN in the context of a specific resolution of the Security Council or the plenary council of the UN. That remains intact and we have added to it with the triple lock.

The battle groups have no bearing, good, bad or indifferent, on the situation. When we passed the relevant legislation two years ago in this House, the same arguments were raised. The battle groups are essentially a framework structure for the Nordic countries with which Ireland is involved to allow training together, operation and rapid deployment. This is as essential as the need to have good equipment so that when members of the Defence Forces go abroad on the Petersberg Tasks they will be properly trained and equipped. Nobody is needed in Chad who cannot operate in a well-trained, well-equipped fashion.

Articles 27 and 28 of the Treaty on the European Union, which deal with the common security and defence policy, including the framing of a common union defence policy, were mentioned. Deputy Ó Snodaigh read part of that section but he did not go on to read the final part, which states that this will lead to a common defence when the European Council, acting unanimously, so decides. Ireland has already put down a marker in this regard in the Nice treaty with the Seville Declaration, and has also installed it in the Constitution. It is now being further copperfastened by this Bill in the amended Article 15<sup>o</sup> of the Constitution.

There is no doubt we will hear again these arguments that our neutrality is being undermined. In fact, the position of the Peace and Neutrality Alliance is that we no longer have neutrality, and that is another reason it wants us to oppose the Lisbon treaty, although I do not see the logic in that. The common foreign and security policy specifically determines the missions in which we engage. Missions engaged in by the EU will be in accordance with the UN Charter and with international law. This is the governing principle and it is the one we should acknowledge and adhere to down the line. I do not see in any way that our neutrality is being undermined and I do not think it is fair to say that repeatedly. It has been said during the campaign for every treaty. The same language is used: the European army, common defence, Irish neutrality gone down the Swanee. The Apocalypse never happens, but of course this time it will.

[Deputy Joe Costello.]

It is like the person who goes around with a sign saying that the end of the world is nigh — eventually something will happen. However, there is no indication of this in the treaty.

There is no change in the Irish position. I am certain that Irish neutrality is copperfastened by the Seville Declaration, by the current wording of the Constitution, and by the amendment to the Constitution we are discussing.

**Minister of State at the Department of Foreign Affairs (Deputy Dick Roche):** I thank Deputies for their contributions. I have one final point to make about Deputy Ó Snodaigh's statements. It was a pity he took such a long time to make his contribution. The reality is that our neutrality is not threatened. However, I ask the Deputy to reconsider in particular what he said about Chad. It is astonishing that any Member of the House would walk in here and urge a course of action that would result in hundreds of thousands of people being abandoned to starvation. Does Deputy Ó Snodaigh sincerely think we should leave these unfortunate people to their own devices? Should we leave them to the mercies of warlords? Should we leave the women open to rape, the children open to starvation, the men open to slaughter? Is he suggesting for a moment that the Irish people support his view that we should abandon them to their fate?

I ask the Deputy to bear in mind one thing from the history of our Continent. He should remember what Pastor Niemöller had to say about the cost of people's sitting and doing nothing in the face of real horror. The actions in Chad are supported by the UN but, more importantly, they are requested by every person with a sense of human decency. It is regrettable and reprehensible that Deputy Ó Snodaigh should criticise the Chad mission, which is a humanitarian mission aimed at bringing succour to people who have suffered more than enough while the world sat by and let them starve. Anyone who is conscious of the history of that region will know the cost of the suffering of tens of millions of people. Deputy Ó Snodaigh's comment is outrageous.

I reject the Deputy's amendment for all the reasons I have mentioned but, most importantly, because his amendment runs precisely counter to the truth. The treaty does not in any way affect Ireland's neutrality, which is protected in the manner that Deputies from all sides of the House have recognised. It is protected by the Irish people and that is the most important thing.

**An Ceann Comhairle:** Ós rud é go bhfuil sé a seacht a chlog, ní foláir dom an cheist seo a leanas a chur de réir ordú an lae seo ón Dáil: “Go ndéantar leis seo an leasú a leag an tAire Gnóthaí Eachtracha síos do Chéim an Choiste agus nár cuireadh de lámh, a dhéanamh ar an mBille; go n-aontaítear leis seo i gCoiste ailt 1 agus 2, an Sceideal, arna leasú, an Réamhrá agus an Teideal agus go dtuairiscítear an Bille, arna leasú, don Teach dá réir sin; go gcríochnaítear leis seo an Ceathrú Céim; agus go ndéantar leis seo an Bille a rith.”

As it is now seven o'clock, I am required to put the following question in accordance with an order of the Dáil of this day: “That the amendment set down by the Minister for Foreign Affairs for Committee Stage and not disposed of is hereby made to the Bill; that sections 1 and 2, the Schedule, as amended, the Preamble and the Title are hereby agreed to in Committee and the Bill, as amended, is accordingly reported to the House; Fourth Stage is hereby completed; and the Bill is hereby passed.”

Cuireadh an cheist.

Question put.

**Deputy Aengus Ó Snodaigh:** Vótáil.

**An Ceann Comhairle:** Will the Deputies dissenting who are claiming a division please rise?

*Deputies Caoimhghín Ó Caoláin, Aonghus Ó Snodaigh, Martin Ferris, Arthur Morgan and Tony Gregory rose.*

**An Ceann Comhairle:** As fewer than ten Members have risen I declare the question carried. The names of the Deputies who claim the division will be recorded in the Journal of the Proceedings of the Dáil.

Faisnéiseadh go rabhthas tar éis glacadh leis an gceist.

Question declared carried.

### **Ráiteas faoi Eolas do Vótálaithe: Tairiscint.**

#### **Statement for Information of Voters: Motion.**

**Minister of State at the Department of Foreign Affairs (Deputy Dick Roche):** Tairgim:

“GO ndéanfar an ráiteas atá leagtha amach sa Sceideal a ghabhann leis an Rún seo a fhorordú mar eolas do vótálaithe de bhun alt 23 d’Acht an Reifrinn 1994 (Uimh. 12 de 1994), i ndáil leis an togra chun Airteagal 29 den Bhunreacht a leasú, atá ar áireamh sa Bhille um an Ochtú Leasú is Fiche ar an mBunreacht 2008, agus is ábhar do reifreann bunreachta.

#### **An Sceideal**

1. Is é atá beartaithe leis an mBille um an Ochtú Leasú is Fiche ar an mBunreacht 2008—

(a) na fo-ailt seo a leanas a chur isteach i ndiaidh fho-alt 10<sup>o</sup> d’alt 4 d’Airteagal 29 den Bhunreacht:

‘10<sup>o</sup> Tig leis an Stát Conradh Liospóin ag leasú an Chonartha ar an Aontas Eorpach agus an Chonartha ag bunú an Chomhphobail Eorpaigh, arna shíniú i Liospóin an 13ú lá de Nollaig 2007, a dhaingniú agus tig leis a bheith ina chomhalta den Aontas Eorpach a bhunaítear de bhua an Chonartha sin.

11<sup>o</sup> Ní dhéanann aon fhoráil atá sa Bhunreacht seo dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac an Stát, de bhíthin riachtanais na noibleagáidí mar chomhalta den Aontas Eorpach dá dtagraítear i bhfoalt 10<sup>o</sup> den alt seo, a chur ó bhail dlí ná cosc a chur le dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac an tAontas Eorpach sin nó institiúidí de, nó comhlachtaí atá inniúil faoi na conarthaí dá dtagraítear san alt seo, ó fheidhm dlí a bheith acu sa Stát.

12<sup>o</sup> Tig leis an Stát na roghnuithe nó na roghanna a fheidhmiú a shocraítear le hAirteagail 1.22, 2.64, 2.65, 2.66, 2.67, 2.68 agus 2.278 den Chonradh dá dtagraítear i bhfo-alt 10<sup>o</sup> den alt seo agus le hAirteagail 1.18 agus 1.20 de Phrótacal Uimh. 1 atá i gceangal leis an gConradh sin, nó a shocraítear faoi na hAirteagail sin, ach beidh aon fheidhmiú den sórt sin faoi réir ceadú a fháil roimh réo dhá Theach an Oireachtais.

13<sup>o</sup> Tig leis an Stát an roghnú a fheidhmiú chun a áirithiú, i ndáil leis an bPrótacal maidir le seasamh na Ríochta Aontaithe agus na hÉireann i taca leis an limistéar saoirse, slándála agus ceartais atá i gceangal leis an gConradh ar Aontas Eorpach agus

[Deputy Dick Roche.]

leis an gConradh ar Fheidhmiú an Aontais Eorpaigh (ar a dtugtaí an Conradh ag bunú an Chomhphobail Eorpaigh tráth), go scoirfidh sé, go hiomlán nó go páirteach, d'fheidhm a bheith aige maidir leis an Stát, ach beidh aon fheidhmiú den sórt sin faoi réir ceadú a fháil roimh réo dhá Theach an Oireachtais.

14<sup>o</sup> Tig leis an Stát aontú leis na cinntí, leis na rialacháin nó leis na gníomhartha eile arna ndéanamh—

i faoi Airteagal 1.34(b)(iv),

ii faoi Airteagal 1.56 (a mhéid a bhaineann sé le hAirteagal 48.7 den Chonradh dá dtagraítear i bhfo-alt 4<sup>o</sup> den alt seo),

iii faoi Airteagal 2.66 (a mhéid a bhaineann sé leis an dara fomhír d'Airteagal 65.3 den Chonradh ar Fheidhmiú an Aontais Eorpaigh),

iv faoi Airteagal 2.67 (a mhéid a bhaineann sé le fomhír (d) d'Airteagal 69A.2, leis an tríú fomhír d'Airteagal 69B.1 agus le míreanna 1 agus 4 d'Airteagal 69E den Chonradh ar Fheidhmiú an Aontais Eorpaigh),

v faoi Airteagal 2.144(a),

vi faoi Airteagal 2.261 (a mhéid a bhaineann sé leis an dara fomhír d'Airteagal 270a.2 den Chonradh ar Fheidhmiú an Aontais Eorpaigh), agus

vii faoi Airteagal 2.278 (a mhéid a bhaineann sé le hAirteagal 280H den Chonradh ar Fheidhmiú an Aontais Eorpaigh),

den Chonradh dá dtagraítear i bhfo-alt 10<sup>o</sup> den alt seo, agus tig leis freisin aontú leis an gcinneadh faoin dara habairt den dara fomhír d'Airteagal 137.2 den Chonradh ar Fheidhmiú an Aontais Eorpaigh (arna leasú le hAirteagal 2.116(a) den Chonradh dá dtagraítear san fho-alt 10<sup>o</sup> sin), ach beidh aontú le haon chinneadh, rialachán nó gníomh den sórt sin faoi réir ceadú a fháil roimh réo dhá Theach an Oireachtais.

15<sup>o</sup> Ní ghlacfaidh an Stát cinneadh arna dhéanamh ag an gComhairle Eorpach chun comhchosaint a bhunú—

i de bhun Airteagal 1.2 den Chonradh dá dtagraítear i bhfoalt 7<sup>o</sup> den alt seo, ná

ii de bhun Airteagal 1.49 den Chonradh dá dtagraítear i bhfoalt 10<sup>o</sup> den alt seo, i gcás ina mbeadh an Stát san áireamh sa chomhchosaint sin.”, agus

(b) an fo-alt seo a leanas a scriosadh as alt 4 d'Airteagal 29 den Bhunreacht:

‘11<sup>o</sup> Tig leis an Stát an Comhaontú maidir le Paitinní Comhphobail a tarraingíodh suas idir Ballstáit na gComhphobal agus a rinneadh i Lucsamburg ar an 15ú lá de Nollaig, 1989, a dhaingniú.’.

2. MÁ THOILÍONN TÚ leis an togra, cuir X os coinne an fhocail TÁ ar an bpáipéar ballóide.

3. MURA dTOILÍONN TÚ leis an togra, cuir X os coinne an fhocail NÍL ar an bpáipéar ballóide.



4. Is féidir cóip den Bhille a iniúchadh nó a fháil saor in aisce in aon Phost-Oifig.

I move:

“THAT the statement set out in the Schedule to this Resolution be prescribed for the information of voters pursuant to section 23 of the Referendum Act 1994 (No.12 of 1994), in relation to the proposal to amend Article 29 of the Constitution which is contained in the Twenty-eighth Amendment of the Constitution Bill 2008, and is the subject of a constitutional referendum.

Schedule

1. The Twenty-eighth Amendment of the Constitution Bill 2008 proposes—

(a) to insert the following subsections after subsection 10° of section 4 of Article 29 of the Constitution:

‘10° The State may ratify the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon on the 13th day of December 2007, and may be a member of the European Union established by virtue of that Treaty.

11° No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State that are necessitated by the obligations of membership of the European Union referred to in subsection 10° of this section, or prevents laws enacted, acts done or measures adopted by the said European Union or by institutions thereof, or by bodies competent under the treaties referred to in this section, from having the force of law in the State.

12° The State may exercise the options or discretions provided by or under Articles 1.22, 2.64, 2.65, 2.66, 2.67, 2.68 and 2.278 of the Treaty referred to in subsection 10° of this section and Articles 1.18 and 1.20 of Protocol No. 1 annexed to that Treaty, but any such exercise shall be subject to the prior approval of both Houses of the Oireachtas.

13° The State may exercise the option to secure that the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union (formerly known as the Treaty establishing the European Community) shall, in whole or in part, cease to apply to the State, but any such exercise shall be subject to the prior approval of both Houses of the Oireachtas.

14° The State may agree to the decisions, regulations or other acts under—

i Article 1.34(b)(iv),

ii Article 1.56 (in so far as it relates to Article 48.7 of the Treaty referred to in subsection 4° of this section),

iii Article 2.66 (in so far as it relates to the second subparagraph of Article 65.3 of the Treaty on the Functioning of the European Union),

iv Article 2.67 (in so far as it relates to subparagraph (d) of Article 69A.2, the third subparagraph of Article 69B.1 and paragraphs 1 and 4 of Article 69E of the Treaty on the Functioning of the European Union),

[Deputy Dick Roche.]

v Article 2.144(a),

vi Article 2.261 (in so far as it relates to the second subparagraph of Article 270a.2 of the Treaty on the Functioning of the European Union), and

vii Article 2.278 (in so far as it relates to Article 280H of the Treaty on the Functioning of the European Union),

of the Treaty referred to in subsection 10° of this section, and may also agree to the decision under the second sentence of the second subparagraph of Article 137.2 of the Treaty on the Functioning of the European Union (as amended by Article 2.116(a) of the Treaty referred to in the said subsection 10°), but the agreement to any such decision, regulation or act shall be subject to the prior approval of both Houses of the Oireachtas.

15° The State shall not adopt a decision taken by the European Council to establish a common defence pursuant to—

i Article 1.2 of the Treaty referred to in subsection 7° of this section, or

ii Article 1.49 of the Treaty referred to in subsection 10° of this section,

where that common defence would include the State.”, and

(b) to delete the following subsection from section 4 of Article 29 of the Constitution:

‘11° The State may ratify the Agreement relating to Community Patents drawn up between the Member States of the Communities and done at Luxembourg on the 15th day of December, 1989.’.

2. IF YOU APPROVE of the proposal, mark X opposite the word YES on the ballot paper.

3. IF YOU DO NOT APPROVE of the proposal, mark X opposite the word NO on the ballot paper.

4. A copy of the Bill can be inspected or obtained free of charge at any Post Office””

Tairgeadh an cheist: “Go naontófar leis an tairiscint”.

Question proposed: “That the motion be agreed to.”

**Deputy Aengus Ó Snodaigh:** Vótáil.

**An Ceann Comhairle:** Will the Deputies dissenting who are claiming a division please rise?

*Deputies Caoimhghín Ó Caoláin, Aonghus Ó Snodaigh, Martin Ferris, Arthur Morgan and Tony Gregory rose.*

**An Ceann Comhairle:** As fewer than ten Members have risen I declare the question carried. The names of the Deputies who claim the division will be recorded in the Journal of the Proceedings of the Dáil.

Faisnéiseadh go rabhtas tar éis glacadh leis an gceist.

Question declared carried.

**Private Members' Business.**

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**e-Government Services: Motion**

**Deputy Simon Coveney:** I move:

That Dáil Éireann, noting the findings of the Comptroller and Auditor General's report on the Government's e-Government strategy, which while recognising some notable successes, found that:

- out of a total of 161 projects, only 74 were fully operational six months after their deadline for completion;
- the cost, at €420 million, was 20% over budget; and
- projects on average took 25% longer to complete than planned;

noting the possibilities offered by an efficient system of e-Government services, especially in terms of efficiencies, cost savings, ease of consumer access, transparency, and improving computer literacy;

acknowledging the role that e-Government can play in reforming public sector practices in order to shape systems and processes around user needs;

noting the results of a recent survey which indicated that 78% of people want improved access to Government through IT;

acknowledging that on-line Government services should exist as a complement to, and not as a replacement of, traditional face-to-face and phone-based services; and

noting the fact that no formal e-Government strategy has been in place since early 2006;

calls on the Government to:

mandate the information society policy unit of the Department of the Taoiseach to consult on e-Government with the Comptroller and Auditor General, international experts with experience of implementing successful and innovative e-Government services in other countries, as well as representatives of the successful e-Government projects to date, especially motor tax on-line and Revenue on-line;

require that based on this consultation the ISPU produce within six months an action plan on the achievement of a comprehensive system of e-Government within two years;

require that this plan include detailed proposals for the establishment within two years of:

- a properly-functioning central access point to all Government services on-line;
- a unified secure on-line digital identity system for users which can be used to access all Government services;
- a unified secure on-line payments system for on-line transactions;

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- on-line systems of application for passports, driving licences, haulage licences, student grants and housing grants, e-tenders, planning permission and planning objections, birth certificates, marriage certificates, death certificates and additions to the electoral register;
- a system of on-line payments of court fines and commercial rates;
- public transport real time information on-line; and
- an integrated health services portal, including access for medical professionals to patient records;

require that this action plan also consider the viability of a number of innovative possibilities for e-Government, including:

- m-Government, or the use of text messaging and mobile phone-based web services for access to Government services;
- the use of digital TV for interactive Government services;
- the cost savings provided by the use of on-line tools and software instead of expensive consultants; and
- collaborations with private sector on-line initiatives, such as the use of on-line banking passwords for e-Government services;

require that this action plan also include:

- a template for a report that all individual e-Government projects must publish, including the name of the person with ultimate responsibility for implementing the project, a clear and measurable objective, a detailed budget and a system of measurable deadlines;
- a system of annual reporting on the overall e-Government project, including assessment of benefits, user satisfaction levels, international comparisons and hearings before the Oireachtas Committee on Communications, Energy and Natural Resources; and
- consideration of issues surrounding cross-departmental projects, funding issues and the role e-Government can play in reshaping public sector systems and processes around user needs;

establish a rigorous code of practice governing the treatment of sensitive personal data by public sector organisations, including:

- a restriction on carrying databases of personal data on mobile devices such as laptops, Blackberrys and memory keys;
- a restriction on sending databases of personal data in the post; and
- six-monthly review of all encryption and security software procedures.

I propose to share my time with Deputies McHugh, Varadkar and Clune.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Simon Coveney:** I am glad to have the opportunity to bring this motion before the House. It is the second motion relating to the information society that Fine Gael has introduced in Private Members' time in the space of four months. That speaks for itself and shows our concern at the Government's lack of priority, in particular regarding the telecommunications infrastructure in Ireland, and the Government's attitude to the potential for e-Government.

In early 1999, the Government launched an action plan to progress the creation of an information society in Ireland. The big idea was to plan for, fund and implement a strategy that would dramatically increase computer usage and information technology generally among the general public and private businesses in a way that would be safe and cost effective on-line. Public and Government services would be provided primarily on-line, to improve ease of access and to allow for interaction between service providers in local authorities and Departments and the public in a way that would utilise modern technology to increase efficiency and drive down costs.

The first Government series of actions on e-Government was for the period from 1999 to 2001 and it aimed at developing an adequate telecommunications infrastructure, that is, the national availability of broadband, as well as developing services on-line. That first attempt by the Government to develop Ireland's capacity for e-governance was quickly followed by a new strategy called New Connections, launched in March 2002, to cover the period from then until 2005. New Connections was to build on the first action plan and to develop a more ambitious strategy for delivering services on-line to the public and to facilitate inter-agency and inter-departmental work on-line.

The year 2005 came and went and the time period for New Connections ended, yet we have had no follow-up plan or strategy, or even an internal evaluation of the previous strategy. The Comptroller and Auditor General was right to call it as it is when he said:

The momentum towards developing e-Government that was evident in the early years of the decade appears to have faded somewhat. This is evident in the absence of a formal e-Government strategy since the beginning of 2006.

Two years later we are still waiting, although there are some signs that something is coming down the tracks.

The motion by Fine Gael is aimed at refocusing minds on what can be achieved through a new, ambitious e-Government programme and a plan of action. During Question Time this afternoon, the Minister of State, Deputy Tom Kitt, announced that a new strategy for e-Government would be launched by the end of July. I welcome the fact that and it shows this motion is timely. I hope that it will influence the attitude towards that new strategy. However, what is needed in preparation for the new strategy is an honest assessment of our performance on e-Government strategies to date, a recognition of what has worked and what has not worked, what represents value for money and what does not. In other words, we need to learn from mistakes made in the past, some of which were very expensive indeed.

Unfortunately, from what I have heard this afternoon, I have real concerns about whether the Government, in particular the Department of the Taoiseach, accepts valid criticisms of its own performance in e-Government projects to date. When commenting on the Comptroller and Auditor General's report on e-Government, the Minister of State said: "The report acknowledges that there have been many successful projects which, when compared with other countries, points to Ireland being exceptional in the high level of success that has been achieved." This statement could hardly be further from the truth, and points to a false assessment of our performance on e-Government to date. The facts are quite clear.



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The Comptroller and Auditor General acknowledged, as does Fine Gael, that there were some successful projects, which need to be recognised and built upon. However, its overall assessment was very critical. Among its key findings are the following. Out of a total of 161 projects included in the e-Government strategy, only 74 were completed and are fully live as planned, 44 were partly implemented, 23 were abandoned entirely — I will come back to that in a minute — and 20 were labelled “status not known”. That is some leadership. According to figures supplied by implementing Departments, there was on average a 25% time overrun in projects, while projects ran an average of 20% over budget. The total cost of the strategy to the taxpayer is officially €420 million, but that is not the whole cost of the strategy. Many of the internal staffing costs for putting together e-Government strategies within Departments are not factored into the overall cost.

The flagship project of the e-Government plan is the creation of a public service broker. In normal English, this is a one-stop shop where people can log on to *www.reachservices.ie* and they should be able to access all Government services on-line. It was estimated that this project would cost €14 million, but to date it has cost €37 million and the ongoing cost of running it is €15 million per annum. The annual cost is more expensive than the total estimated cost in the first place. It is clear from the reports that analysed the performance of the public service broker that it is not achieving what it set out to achieve. It has some positive aspects to it, but overall it has not achieved the ambitious targets set for it.

One central site in the UK, *www.direct.gov.uk* allows access to an enormous series of public services which are available on-line. This site highlights the difference in performance between what has been set up in that country and what has been set up here. Applications can be made on-line for student grants and passports, one can text weather forecasts to mobile phones and citizens can report a pothole or faulty street light to a local authority and expect a response within a set timeframe. There is a vast array of health services available on-line. People can join sports clubs through a centralised facility on-line, they can report a crime, join the police, apply for a renewable energy grant, register to vote, apply for planning permission or submit a planning objection. These are the basic things that people want to do in the same way they can book their flight on the Internet. They want to be able to interact with local government and national Government in getting information and paying for services without having to travel into offices to answer questions and fill out forms.

We were supposed to have a national health portal to provide information and application forms on-line. The Minister of State said that a number of projects were abandoned as it was cost effective not to move ahead and spend money on them. However, we spent €2 million on the national health portal and then abandoned it. We also abandoned a portal for driving licence applications, passport applications, haulage licence applications and social welfare projects that looked promising at the beginning. The list goes on.

By international standards, our performance has been very poor. The OECD yesterday joined a long list of international bodies which have criticised our performance. It pointed out that less than half of the flagship projects contained in the e-Government strategy have been implemented in full and that Ireland ranks 17th out of the EU 27 for availability of basic Government services on-line. The European Commission recently labelled our performance as stagnated and consistently places us towards the bottom of its league tables. Most recently, it placed us 11th out of the EU 15 for the availability of basic services on-line.

This is poor performance despite the fact that the percentage of Ireland’s GDP that is spent on public sector IT projects is high by international standards. Research by Kablenet found that out of 13 leading EU countries, only Sweden, Denmark, the UK and France spend a higher

percentage of GDP on public sector IT projects than Ireland. So in relative terms, we are spending a lot but are not getting the results. It is a familiar story in respect of the big ideas that come from Government, be they decentralisation, the national development plan, the national spatial strategy, the roll-out of our telecommunications infrastructure or the roll-out of e-Government services. There is a big spend when there is plenty of money but the results are not too impressive. Even *The Economist* Intelligence Unit ranks Ireland 21st out of 69 in terms of e-readiness. This is a much broader survey that does not just measure e-governance. Yet the Minister of State continues to insist that Ireland rates well compared to our competitors in the EU and globally.

I was interested in the Government's description today of the information society in Ireland as "a process of evolution". This suggests that it needs to be allowed to develop over time and that we need to be patient, that it is almost like a young clumsy animal that is maturing and developing co-ordination by itself. We are the people who need to give leadership and force the pace on this issue. We obviously cannot see into the future in terms of what advances in technology and electronic communications will make possible in the future. However, we know enough to know what kind of information society we need to create in Ireland to keep us competitive and maximise the benefit and dividend that we as a country can get from using technology to its maximum.

Fine Gael sees our telecommunications infrastructure as being as important as road or rail infrastructure in the future. It is no coincidence that this is the second Private Members' motion dealing with this area in less than four months. While Ireland stutters to make progress on creating an information society, other countries are moving ahead with innovative ways of providing government services through technology. In countries like Singapore and Dubai, the early existence of a secure electronic payments system and digital identity system has enabled citizens to conduct almost all of their dealings with government on-line.

In Scandinavia, governments are considering using on-line banking passwords as a way of authenticating users of public services. In the US, a collaboration between government and private sectors has created a website called *moving.com* which allows users to conduct all transactions associated with moving house, from buying boxes to changing their account with the electricity company, via one website. The local government administration in the District of Columbia in the US uses Google software and tools to save information, thus eliminating the need for expensive consultants to try to put something in place. In India, a pilot project for half a million people uses mobile phones as a means of checking identities in paying pensions and unemployment benefits. This is what is happening outside Ireland. Yet there is a feeling of stagnation in Ireland and we simply are not prioritising this issue as we did ten years ago.

Ireland has fallen behind its competitors within the EU and globally. This is simply not acceptable if we aspire to be the country about which we constantly talk, namely, a competitive destination for companies to come and do business in and in which research and development and innovation can take place so that we can ensure that young people who are ambitious and educated can get the kind of jobs and wage packages they want in the future.

If the economy is to address competitiveness problems around cost and capacity issues relating to telecommunications, we must prioritise these issues. This motion deals primarily with three different categories of priorities. The first relates to our broadband infrastructure and next generation access. I will not go into that in any detail because I am like a broken record in this House trying to get the Minister for Communications, Energy and Natural Resources to take next generation broadband access seriously. The second priority, which is the main focus of this motion, is trying to maximise the availability of services on-line to the public and to ensure that Departments can interact with each other on-line, particularly now that

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decentralisation is moving civil servants further and further apart, so we can harness technology to reduce costs and increase access to services. The third priority in this motion, which is very important considering what has happened recently in the private and public sectors, is to ensure that we have secure protection and treatment of sensitive data for the public when it hands it over.

This motion is an honest assessment of our failures and successes in the past and calls on the Government to give leadership and re-prioritise this issue to move it ahead. We want to work with the Minister of State on this issue. I am not interested in having a political scolding session here on the wastage of the past ten years in terms of e-Government. I am interested in the next ten years. This is why the vast bulk of my motion looks to the future, what needs to be done and international best practice so that we can factor that into our new strategy, which is to be launched this summer. I encourage the Minister of State to work with us so that we can vote together tomorrow night on an ambitious motion that sets down clear targets so that the Minister of State can convince us that he is taking our concerns and priorities seriously in terms of the direction Ireland needs to go.

**Deputy Joe McHugh:** I thank Deputy Coveney for moving this timely motion. It is a statement of intent from this side of the House that not only do we need to be competitive on the international stage by introducing next generation information communications technologies, but we need do so within the public sector if we are to be competitive on the international stage.

It is a timely motion in light of the report from the Comptroller and Auditor General and the report from the OECD, which was published this week. I have read transcripts from the OECD report. If one really reads between the lines, it reveals a fairly major indictment of opportunities missed and strategies that could have been implemented but which the Government failed to do in the past ten years. Naturally, the OECD report is not a political document but if one reads between the lines, one can see that it is in the guise of a lead balloon presented to the Government table by an OECD fork-lift driver. This is how subtly it is done and brought to the public realm by the OECD, but it is a serious document that should be read very closely and its constructive criticisms implemented as a matter of form.

In respect of missed opportunities, the bedrock of any democracy relates to the freedom of information — information that citizens can access on an individual or collective basis in respect of proper transparent democracy. In 2003, that opportunity was missed. I debated at length, along with my colleagues in the Seanad, the difficulties that would develop as a result of the stringent locking of horns in respect of not allowing proper transparent information to get out into the public realm. That opportunity was lost when it could have been utilised through the mechanism of information technology and people could have accessed information through their own computers where they had access to broadband or through their one-stop-shops. That major opportunity was lost.

The issue of State agencies was also cited in the OECD report. A plethora of State agencies work very well individually but there is a dearth of information in terms of knowing what other agencies are doing and what their own mappings are in terms of progress and their core objectives and aims. There is an overlap and duplication. Many State agencies are tripping over one another because there is a duplication of their core aims and objectives. That could have been avoided if agencies were able to access what the other agencies were doing. That could have been done through e-Government. That was mooted in many of the proposals and, as Deputy Coveney mentioned, 161 pilot projects were to be implemented but opportunities were missed in that regard.

The fragmentation of agencies can be reflected in our day to day experience as politicians. The Minister is aware we are tripping over one another, so to speak, in terms of trying to get out information to the public. We cannot simply criticise the State agencies. We, as politicians, be it county councillors, urban councillors, TDs, Senators or Ministers, are all doing the same work because the members of the public continue to come to us to access information that they could have readily available in their county council office or in a one stop shop in the form of an electronic information system. That is the reason we bombard Departments with the same letters and people approach different political parties and politicians.

While it probably cannot be measured, I believe we as TDs are doing more work today on the basis of the information overload we receive from different avenues, be it the Internet, text, mobile and our constituency offices that we have increasingly made more accessible to the public. The fact that our workload has increased in the past ten years is an example of opportunities being missed in terms of information not reaching the public. E-Government would have provided a solution in that respect.

A simple way of addressing this issue, to which Deputy Coveney referred, is that a PPS number could have been used in terms of using one's vote, whereby person on reaching the age of 18 would have become electronically eligible to vote. They could check on the Internet or in their county council office whether they were registered to vote. We would not then have the mess we do with many of the electoral registers in the run up to county council and general elections. That was an opportunity missed. However, we always go wide of the mark in the introduction of major projects such as PPARS and electronic voting. They were the major ambitious visionary projects but we missed the practical common sense steps.

Regarding the 360,000 people employed throughout our public service, I hear calls by the incoming Taoiseach, Deputy Brian Cowen, for increased productivity, enhanced performance and the operation of services on an integrated basis. If I recall correctly, a gentleman on this side of the House, Deputy Richard Bruton, has talked about that in the form of benchmarking for the past five years. Our party was seriously criticised for that five years ago. However, that was the time to do this. It was not done five years ago or ten years ago. However, as Deputy Coveney said, we are not here to say what was not done and what opportunities were missed but to propose that it is still timely to do this.

In the north-western, cross-Border area, a collection of bodies comprising Donegal County Council, Derry City Council, the HSE, the Department of Social and Family Affairs and FÁS worked on a pilot mechanism. It not only involved the integration of services for the benefit of the public but a project that would operate on a cross-Border basis. Some €3 million was spent on that project, but it has still not been implemented. It is still timely to ensure that projects such as that one are implemented. They will benefit citizens and enhance customer relations between State agencies, Government and our citizens.

**Deputy Leo Varadkar:** I commend Deputy Coveney on tabling this motion. It is not a sexy one and probably will not generate a huge amount of media interest but, nonetheless, it is important. It is important for our economy, future competitiveness and if we are serious about making Ireland a world leader in technology and economic competitiveness.

Regarding the Government's e-programme to date, as Deputy Coveney mentioned, there were 161 pilot projects, of which only 74 were delivered on time and 20% of them were over budget. There were a few disastrous projects such as PPARS and e-voting. It is important to realise this is not so much a failure of policy or technology but one of oversight. It is easy to criticise and concentrate on failures such as that of PPARS, which was seen to be a disaster, and the e-voting project, which did not work out, but the risk of doing so is for us to be afraid or unprepared to press ahead with e-Government. There may be a temptation politically to

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stay away from that area for a while. However, I urge the Government not to do that. It should build on some of the successes such as the Revenue on-line service and e-tenders and push ahead with the e-Government agenda. It should take the advice given in the OECD report yesterday, which made two valid recommendations on e-Government. It stated that budget frameworks are needed to facilitate prioritisation and reallocation of spending. It also states that a renewed emphasis is needed on the role of IT and e-Government in strengthening information and sharing an integrated service delivery. It also states another valid point, namely, that fragmentation of responsibility for different elements of e-Government has meant that the full potential of ICT has not been realised by public sector organisations for citizens. That is a key point. It is not the concept that has failed but the oversight of it.

I will refer to some real life examples. As one who has spent most of the past few years working in the health service, when we talk about IT in the health service, we tend to think of PPARS, which unfortunately did not work out. However, many other systems have not been tried but should be. If a patient from Cork presents in an accident and emergency department in Blanchardstown hospital, a doctor cannot access his or her records from his or her GP in Cork or the hospital he or she attended in Cork. If a patient attends the National Maternity Hospital and a doctor is concerned that he or she may be anaemic and even though he or she may have had a blood test in Beaumont Hospital yesterday, the doctor cannot get access to that test result because none of the computers in the hospitals talks to each other, so to speak. GP surgeries, which are quite advanced in IT compared with many other countries, are poorly interlinked with hospital services.

Life and death issues are involved in this sector. For example, a doctor who treats a person who presents in a casualty department, having had an X-ray in another casualty department, cannot check that X-ray. However, the technology exists to do that. It is called PAX. It enables one to go on-line and check an X-ray that was taken in another hospital at an earlier date. It is a shame that we do not have that technology here.

In America, whose health service we often criticise, doctors can access patients' ECG records. They carry around a small disc which contains their medical information, including their ECG record. A person who has had a heart attack has a different ECG and if that person presents with chest pain and a doctor carries out an ECG on him or her, which involves the attaching of electrodes on the heart, the doctor does not know whether those changes are new or old without seeing the patient's old ECG record, which can take several days. Therefore, the doctor does not know whether there is a need to intervene. These are simple life-saving measures that can be taken, if the will exists to drive such advances. We need to talk about the real benefits for people in advancing to the next stages in the IT society.

I produced a Fine Gael discussion paper, entitled Service First, a few weeks ago. We carried out a survey of 100 or more Government offices. Among key findings of that survey were the fact that less than half of Government offices that serve the public are open 39 hours a week and only 10% are open at the weekend or even of an evening. That is a great shame.

Perhaps one of the best ways we can make services more available to people is by putting them on-line. As Deputy Coveney mentioned, there are many obvious ways that can be done. In the case of student grants, there is not a student in the country who does not have an e-mail address or web access and students should be able to apply for their student grant on-line.

**Deputy Ruairí Quinn:** Absolutely.

**Deputy Leo Varadkar:** It is not that difficult. Such a programme could be easily introduced. One of the interns in one of our offices could probably design that programme.



The same principle applies to planning observations. Living in north Dublin in a rapidly developing constituency, planning is my number one local issue. I have to go through the rigamarole on every single occasion of printing a letter to send to the authority. I do everything by e-mail. The only time I have to print a letter is when I need to submit a planning observation and fill in a cheque for the fee. That procedure belongs to a different century. I should be able to e-mail the submission and pay the fee by credit card or by account, but I cannot. There is no good reason that is the case. That is the procedure in place on the small level of the process. However, on the bigger level, there is no reason one cannot submit planning applications on-line. On Fingal County Council website one can examine in detail all planning applications, drawings, photo montages and check every single aspect of that planning application, but an application cannot be submitted on-line. An applicant has to print a hard copy of an application, complete it and submit it to the council and then give in a disc with the details on it. These practices would make one demented. In many ways local authorities are introducing *de facto* e-Government in the absence of the legislative framework to do it *de jure*. That is a real shame. We must begin to reflect modern lifestyles in that regard.

I travel a lot overseas and when I visit countries such as Denmark, Norway, Singapore and the Netherlands, I feel like I am in a modern country but when I come back to Ireland, I do not feel like I am in a modern country anymore. I feel I am in a country that wanted to be modern ten years ago or was modern then but which has become very complacent. Our wealth and the fact that we had a reasonably good economy until recently has meant that we allowed ourselves to fall behind and become very arrogant.

As a country, we should be aiming to be number one again. We should be aiming to be ahead of the curve and not just at the EU average. We should aspire to be the most competitive country in the world, the country that spends the most on information technology and research and development and to be the world leader. That is why this motion is important. We want Ireland to be a technology hub, a silicone island, and that means putting to the fore Government policy issues such as e-Government, e-commerce, the transition to e-payments, the roll-out of fibre optics and investment in information technology at all levels of education, not just in the computer rooms in schools. That is why I am glad to support this motion and commend it to the House.

**Deputy Deirdre Clune:** I am glad to have the opportunity to speak on this very important motion. As Deputy Coveney said, this is the second time in the past few months that we have debated this issue. Previously we dealt with telecommunications and the lack of progress in that arena.

This motion focuses on e-Government and refers in particular to the Comptroller and Auditor General's recent report. It also outlines ways in which we can and should improve e-Government. Published in February of this year, the UN e-Government survey for 2008, entitled *From e-Government to Connected Governance*, argues that citizens, communities and the private sector are clients of Government and they "demand top performance, efficiency, proper accountability and public trust, and a renewed focus on delivering better service and results".

It further adds:

E-government can contribute significantly to the process of transformation of the government towards a leaner, more cost-effective government. It can facilitate communication and improve the coordination of authorities at different tiers of government, within organizations and even at the departmental level. Further, e-government can enhance the speed and

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efficiency of operations by streamlining processes, lowering costs, improving research capabilities and improving documentation and record-keeping.

We all agree with those sentiments and instinctively know that the above are the potential benefits of a fully-implemented e-Government strategy. The same report ranked Ireland 19th overall, behind countries such as Sweden, Denmark, Norway, the United States, France and the United Kingdom. That is not where we want to be and it is not a place for a country which is pitching itself as a knowledge-based economy that aims to compete on a global stage.

The report on e-Government from the Comptroller and Auditor General focused on the Government's ambitions to develop an information society, as initially announced in January 1999. At that time, the Government set out its plan to develop an information society. It set out a series of actions and initiatives to be undertaken over a three year period, up to 2001. The Government followed from that with the publication of *New Connections*, a plan spanning 2002 to 2005. It was ambitious in its target that all on-line services capable of delivery would be available by 2005. When the report was produced in 2002 nobody believed that this could be achieved.

The Comptroller and Auditor General's report shines a glaring spotlight on the shortfalls of the strategy, which have been mentioned by previous speakers. Of the projects that were approved, just less than half were delivered. Only 44% of projects were partially delivered, while others were totally abandoned. Deputies referred to the cost overruns of approximately 20% and the time overruns of approximately 25%.

Mention has been made of some of the positives in the e-Government project and I certainly acknowledge the success of the Revenue on-line service. The motor tax project is also a success, as are some of the projects undertaken by the Department of Agriculture, Fisheries and Food. However, we also have the stories of PPARS, electronic voting and the national health portal which was abandoned. One cannot apply for a driving licence or a passport on-line. The public service broker, to which the Comptroller and Auditor General devoted much attention, was supposed to be one single access point for all Government services. It was to be a one-stop shop for Government, local authority and health services. However, the project's infeasibility should have been realised from an early stage. The planning was weak and the implementation was slow and costly. The Comptroller and Auditor General reported that the broker is now up and running but is very disappointing because the services it can deliver are limited.

The report of the Comptroller and Auditor General provides more evidence of how Government projects have led to waste and overspending with little or no improvement in services to the public. What is worrying is the criticism by the Comptroller and Auditor General of the administration of e-Government projects. He called for improved management processes and argued:

All projects should have clear, measurable business objectives, and time and cost targets. A much stronger project cost and performance measurement and reporting system is required, integrated with departmental and agency reporting systems.

The report highlights inadequacies and inefficiencies in the Government's implementation of its e-Government strategy. I urge the Government to continue with its e-Government strategy. I hope it has not shied away from its implementation. We have heard nothing since 2006 about e-Government targets or the Government's proposals to implement the strategy. It is very important for a country that wants to move forward, to encourage its citizens to avail of broadband services, to become e-efficient and to connect through information technology to have a strong and effective e-Government strategy. Without such a strategy and a determination to

implement it, we will not move forward and realise our ambitions. I urge the Government to continue to set targets and to achieve those targets. It is essential for a small island nation on the periphery of Europe to have a strong strategy and definite implementation targets.

**Minister of State at the Department of the Taoiseach (Deputy Tom Kitt):** I move amendment No. 1:

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

- acknowledges that technology is a potent tool to be used in almost any field of activity, providing opportunities for innovation and performance improvement;
- accepts that because technology is changing rapidly, increased functionality will continue to create possibilities for innovation, many of which can be ground-breaking and even revolutionary;
- recognises that performance improvement is the key driver for the use of technology in service delivery, internal administration and otherwise in the creation of mutually beneficial social, cultural, commercial, or other networks;
- accepts that, where performance improvement in the context of modernisation is the desired goal, organisations have to manage the other significant contextual change requirements for the people, processes and the cultures of organisations;
- welcomes the significant successes in the development of on-line public services with annual savings of over €86 million for just 21 of the e-Government projects and notes that this will rise as more services are developed;
- welcomes the increased availability of public service information through services like citizens information on-line and the Basis website;
- welcomes the streamlining of compliance procedures and the reduction of administrative burdens for organisations and individuals using technology, with facilities such as Revenue on-line and motor tax on-line;
- welcomes the administrative process improvements and efficiencies gained in projects like the e-Cabinet system;
- welcomes the benefits gained from programmes like the civil registration modernisation programme, which has yielded benefits in other areas like the processing of child benefits;
- welcomes the increased capacity in organisations resulting from the use of technology with, for example, the Revenue Commissioners doubling the number of taxpayers they handle with no additional staff and the Department of Agriculture, Fisheries and Food freeing up clerical staff for redeployment on the Garda PULSE system;
- notes that the OECD report published on 28 April 2008 acknowledges that e-Government should support modernisation and that there should be a greater emphasis on performance as a driver;
- notes that Reach has been taken over by the Department of Finance, arising from the recent review of its activities;

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- notes that some public service organisations have yet to fully exploit the potential of technology and that the new arrangements in place within the Department of Finance will address this;
- notes that a peer review process has been initiated by the Department of Finance to ensure that major projects are being planned and managed to a high standard and in keeping with recognised good practice;
- accepts that, in relation to electronic identity processing, the priority must be the protection of identity and other personal information and that any system introduced must meet this requirement, and notes that as recommended by the review of Reach, the Department of Finance is researching the provision of central identity systems with a view to the provision of a robust authentication system to Departments and agencies that provide services on-line;
- welcomes the recommendations of the Comptroller and Auditor General, the OECD and the Reach review for a different approach to the exploitation of technology in Government;
- looks forward to the implementation of those recommendations by the relevant Departments, having regard to the need to deploy and use technology as a response to a need for improved performance; and
- looks forward to the publication in July of a new action plan that will build on the successes to date and will take account of the recommendations of the OECD and Comptroller and Auditor General reports, accepting that prudent use of technology also involves considerable changes for the people, processes and the cultures of public service organisations.

I wish to share time with the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Mary Wallace, and Deputy Thomas Byrne.

I strongly welcome the motion tabled by Deputy Coveney and his Fine Gael colleagues. I also accept Deputy Coveney's stated position that he is not interested in trading insults in the context of this Private Member's debate. I have witnessed many Private Member's debates in this Chamber and they can become rather heated. That is parliamentary democracy at work and it may happen yet in the course of this debate tonight or tomorrow. If it happens, so be it, but this situation is very different because there are many good ideas in this motion.

I do not mind informing the House that I discussed the content of Deputy Coveney's motion with him today with a view to determining whether we could reach common ground. We have not done so, but I wish to put down that marker. If we find common ground, that will be great and we will work hard again tomorrow in an effort to do so. That is my approach.

**Deputy Ruairí Quinn:** It would be welcome if, as with Deputy Coveney's motion, the Minister of State could not only agree to a consensus but then implement it. That would be even better.

**Deputy Tom Kitt:** The Deputy is correct. My Department is faced with preparing a new action plan following the OECD and Comptroller and Auditor General reports. I am a member of Government who is committed to bringing about the necessary changes. When an Opposition Deputy has constructive ideas it is my duty to examine them. We have been talking and we will see how we get on tomorrow.

This is a sound parliamentary initiative. I would like to highlight, as I did earlier during exchanges with Deputy Quinn's party colleague at Question Time, positive e-Government initiatives. Many fantastic people work hard in Departments on e-Government. Parts of the system are not working and the ongoing peer review by the Department of Finance over the past two years is a good mechanism to ensure better performance all round. The OECD report presents a fantastic opportunity to all of us to move on. We are preparing an action plan and will have it ready in July

I pay tribute to the many public servants who have worked in the public interest to break new ground and disrupt the cultures and, in some cases, the traditions of their organisations to modernise their services and to make it easier for the people they serve on the front line obtain the level of service they expect and to which they are entitled as citizens. Simply counting the things that can be easily counted, focussing on the numbers and taking a pedantic view of what is very often a nebulous phenomenon, thereby being obsessed with the empirical while ignoring the aesthetic, can give a totally misleading picture. It can also distort the results and, ultimately, lead to unsound decisions. In that regard, I refer to comments by the Comptroller and Auditor General at the Committee of Public Accounts hearing last month when he acknowledged the many successes in e-Government and that he did not want to be negative.

It is worth reflecting on the progress of e-Government over this decade, how it has evolved and how it has changed in significance and importance. In Ireland, as elsewhere, there was a strong momentum towards the creation of an information society, which was building during the 1990s as the Internet emerged and as universal access to information brought us into this information age. It was recognised, however, quite a number of people were in danger of being left behind on the wrong side of the digital divide if they were not encouraged or facilitated to gain access. It was also recognised that a key driver of access was content, something that would give an incentive to people to get on-line. One obvious source of content for governments tackling the digital divide is their own public services. In Ireland we promoted e-Government, primarily to encourage participation in and engagement with the information society by as many people as possible.

The modernisation process has been under way since 1994, having been initiated by the then Taoiseach, Albert Reynolds, and while it envisaged the use of technology where appropriate, it did not envisage e-Government as an end in itself. In the early part of this decade the focus of those promoting e-Government was mainly to create more opportunities for access and engagement so that more people would have a good reason to get involved and be participants in the emerging information society. That initial thrust started to change as experience showed that to simply put services on-line without a reason, other than simply to have them on-line, was, ultimately, wasteful or at least short-sighted. Many countries found that they had services on-line that were not being used and the cost of putting them on-line were not being justified by the level of use.

Public administration involves many activities in addition to service delivery. At a high level, there are two primary activities: policy making and policy implementation. However, behind them, there are many activities in managing the service delivery process, in internal administration and in policy making, areas where people are performing to achieve results and outcomes. In all these activities there is scope to innovate using technology. E-Government, therefore, has to be seen in a different light as an enabler of change, modernisation and transformation but with a purpose to improve performance for better outcomes and impacts. In that respect it is very much in harmony with the modernisation process.



[Deputy Tom Kitt.]

In Ireland, as elsewhere, the emphasis has shifted to using technology to enhance performance. While that includes service delivery, it also includes the other aspects of the work of governments I mentioned. However, even taking service delivery and creating a new channel of access, while welcome, does not go far enough. We also need to examine how technology can improve the nature and operation of the relationships between citizens and the many parts of the public service with which they have to interact. We have to re-examine why we do what we do and how we do it and to consider it in a wider context. We must consider where others may address aspects of the same situation or predicament and see can the tools at our disposal change things for the better.

One of the unfortunate aspects of the coverage of the Comptroller and Auditor General's report in some media was the treatment of projects deemed to be over budget, delayed or abandoned altogether. It is important that we are clear about the tremendous success we have witnessed in e-Government. A long list of projects have delivered what they were supposed to and, in some cases, even more. The Government virtual private network ensured substantial savings of €25 million per annum. The Revenue on-line service, about which everybody is talking, has delivered estimated savings of €49 million, in addition to the increased capacity of Revenue to deal with twice as many taxpayers with the same number of staff. In the case of motor tax on-line, it is estimated at least 125,000 hours are saved annually. E-Cabinet is another example of the innovative use of technology to improve efficiency. It has streamlined processes across all Departments for the submission of papers to the Cabinet. The civil registration modernisation programme has achieved annual savings of approximately €7.6 million. Jobs Ireland at FÁS has facilitated an annual saving of approximately €1.9 million while the animal health computer system has yielded estimated annual savings of €13 million. I am glad my colleague, Deputy Mary Wallace, is present to contribute to the debate. These are a sample of the very impressive results from the prudent use of technology in contexts where there was a very tangible improvement in performance. There are many more stories like this and the number will increase as more public service agencies exploit the new and emerging technologies in what they do.

Some commentators have made great play of the assertions that there were cost overruns. It is important to bear in mind that many projects change in nature after work has commenced on them. This can arise for a number of reasons, including unexpected problems with design, the addition of new elements or a change in requirements or, as can often happen where new ground is being broken, unforeseen issues and obstacles that can add costs. While there are cost overruns, it is important to examine each case prior to jumping to adventurous conclusions or damning everybody. In many procurement situations the costs do not become apparent until the tender documents have been received and discussions and clarifications have been completed between the vendor and the purchaser. Quite often the revelation about the true cost can cause projects to be postponed or even abandoned when the estimated return in terms of benefits is weighed against the cost. It is prudent for project sponsors to conduct this exercise and it is madness to criticise those who take that approach. The alternative of "finishing because you've started" would be reckless in the extreme unless that was the least costly path to follow. In addition, of the 23 projects listed in the Comptroller and Auditor General's report, which covered the period up to 2005, many have proceeded while only a handful have been postponed or deferred altogether. In these latter cases, there were good reasons for the decisions that should be commended.

A number of people have latched on to the various benchmarking results that show where Ireland ranks relative to other countries. Ireland's performance in the Capgemini benchmarking exercises conducted on behalf of the EU Commission has slipped from first in 2001

and 2002 to 17th in 2007. However, at the same time, Ireland's grading by Capgemini improved from 68% in 2002 to 84% in 2006. This shows we are still progressing but others are coming from behind learning from the early movers and starting afresh in the light of our experience.

**Deputy Simon Coveney:** The relative grading is the only relevant factor. We will have improvements.

**Deputy Tom Kitt:** I will refer to the personal identity system in place in eastern Europe. A number of recent accession countries have a personal identity information system. The phenomenon of leapfrogging is quite common where technology is involved because of the rapid pace of change. One of the main reasons for our slower pace of progress has to do with our ability to process identity information. Countries that are performing well, many of which have come later to the e-Government space also have a tradition and legacy of national identity systems. The priority must be the protection of identity and other personal information to ensure a high degree of trust between public service organisations and the citizens using public services in their business or other activities. We are working hard on this issue. Any system introduced must meet this requirement if it is to be trusted by citizens and if it is to afford the kind of privacy protection people expect. This issue surfaced in the recent review of Reach and is currently being addressed by the Department of Finance.

There have been assertions in some quarters that the transfer of Reach to the Department of Finance is some sinister plot to kill off the project. Reach was originally an agency of the Department of Social and Family Affairs and was set up to promote the use of the personal public services number, PPSN, and the public services card, PSC. In 2000, it was mandated by Government to build a public services broker, PSB, which was a number of components working together, but not necessarily in the same place. It included some information repositories on public services for citizens and businesses, a client registration and authentication facility, a transaction management facility, an electronic payments facility and a data vault which was intended to hold and protect personal information on behalf of clients.

**Deputy Ruairí Quinn:** In other words, totally overloaded.

**Deputy Tom Kitt:** The information repositories have been in place for some time. Oasis, now called Citizens Information, was built by Comhairle and provides a comprehensive and much acclaimed information facility for citizen services. Basis, which provides information for business, was built by the Department of Enterprise, Trade and Employment.

The registration-authentication system has also been constructed by Reach, in conjunction with the Department of Social and Family Affairs. However, this facility does not have the high level of authentication required for some public services as a result of our lack of a national identity system and it has been a key factor in our benchmarking performance in recent years. An electronic payments facility has been put in place by the local government computer services board and is being used by a number of Departments and agencies for the past five years. Reach has also developed an inter-agency messaging system as an infrastructure to link agencies with the broker and to link the various components of the broker together.

Last year, a review of Reach was undertaken and following that review it was decided by Government to incorporate the Reach agency into the Department of Finance. The broker has not been abandoned; some components are well established and are being used by many organisations across the public service. However, there has been concern about the ongoing running costs of the broker and the Department of Finance is reviewing the situation, in light of currently available technologies, with a view to making it more cost effective. It is important

[Deputy Tom Kitt.]

for people to recognise that technology is changing all the time in terms of cost and functionality.

The concept of the broker was devised eight years ago, or 24 Internet years ago. Since then, technology has moved at a rapid pace so it would be foolish in the extreme if we were not to take account of those developments, some of which can be quite revolutionary.

I have no doubt that some of the novel services we have seen come on stream will be old fashioned in a relatively short space of time. This is the nature of the world we live in and is reflected in the benchmarking exercises. We were an early leader in benchmarking and we appear to be slipping, but we are determined to move back up the ladder before too long. It is prudent that the broker is reviewed and continues to be reviewed to ensure the maximum benefit.

This debate is timely considering the publication of the Comptroller and Auditor General's report and the OECD report. I thank Deputy Coveney for tabling this motion as it gives us a good opportunity to clarify the issues and to clear up some myths. We must not assume that the technologies available today are the same as those that prevailed eight or ten years ago and that the approach to e-Government should be more of the same, a continuation of the supply-led strategy outside the bigger context of modernisation and without regard to the need to maximise performance.

The world is moving on and new technologies are impacting on all sectors of life and on many activities. While there is no argument that we should be using them, it is important that we learn from what we have done, that we look closely at what the reports are saying and that our response takes full account of the context within which we are operating. We now know and accept that e-Government is not just about putting services on-line. We now know that the real challenge is to make government and the democratic processes more relevant in a world that is seeing changes on a global scale, from economic growth and migration to the new phenomenon of social networking over the Internet.

We also know that technology can enable profound changes in organisations. It is not simply a matter of putting this or that service on-line and the justification for the use of technology needs to be very clear. The modernisation process that has been ongoing in the public service in Ireland and which is comprehensively addressed in the OECD report has placed a new emphasis on performance and serving the citizen, on using technology as a tool to achieve. All organisations and individuals are performing for a purpose, to achieve objectives in the services they deliver, in their internal administration and in the way they play a part in the overall structure of government. It is clear there are many ways in which technology can be used. There are many opportunities to improve performance, to re-design processes and structures, where technology makes this a viable proposition. Therefore, in deciding on the future deployment of technology, these opportunities for improvement have to be the starting point.

It goes without saying that when new ground is being broken, when new concepts are being tried out and where new services are being built, there is an element of risk. There is a tradition of risk aversion in the public service, a tradition that can be an obstacle to taking leaps, yet it is a tradition which needs to change. Risk means an acceptance of the possibility of failure and a culture that permits risk, but it also means having a robust management capability, one that allows us to have a strong control, to permit experimentation and entrepreneurship and, above all, to learn from both success and failure.

One of the issues that has been raised both here and in the context of the OECD report is the question of central leadership. In that context, the role of the Department of the Taoiseach has been to provide strategic coherence in cross-departmental policy areas such economic and

social policy, social partnership or the information society. The Department has provided the space for agencies and Departments and other sectors to work together in the formulation of more comprehensive strategies. By working with the e-strategy group of Secretaries General and with other cross-departmental groups on the information society and e-Government, the Department has ensured that there is compatibility and agreement across the system.

However, I accept that the separation of e-Government and modernisation has been a problem and I accept that a new approach is now required. We need a new departure that sees e-Government or the use of technology in Government being used in response to a demand for better performance and more potent outcomes right across the public service. The precise governance arrangements, including funding, will now be addressed in light of the OECD recommendations and the report of the Comptroller and Auditor General, having due regard to the challenges that this will mean for the public service in Ireland.

I thank the Opposition for tabling this motion as it is a timely debate, especially in the context of the OECD report and the Comptroller and Auditor General's report, and as we are now formulating this action plan which is very critical. We have been seeking inputs from Departments and we are bringing coherence to this plan. We will see what we can do with regard to reaching agreement with the Opposition tomorrow. If that is not possible, this debate is still very useful.

**Deputy Mary Wallace:** The successes of e-Government in this country have been well recognised and this is acknowledged by the Comptroller and Auditor General. Indeed, some of our e-Government services are recognised as world-leading. At the start of this decade, the Government, recognising the opportunities presented by newer technology, particularly Internet technologies, mandated all Government organisations to produce an e-Government strategy for their particular organisation. This mandate, combined with the information society fund, triggered a wide range of e-Government initiatives, many of which were spectacularly successful.

The Department of Agriculture, Fisheries and Food has been extremely successful in this area and the Comptroller and Auditor General has recognised our success. This has led to better customer service, greater internal efficiency and more effective control. The Department provides a wide range of services through the Internet to farmers, fishermen, foresters and agri-food business. For a number of years the Department has also recognised and exploited mobile phone-based services. We are pleased to note that a growing number of our customers have seen the value and convenience of doing business through the Department's electronic services and are signing up for these services.

E-Government in its fullest sense has facilitated the streamlining of our business processes and put us to the forefront among EU agriculture administrations. For example, we are at the very forefront in CAP payment delivery. Ireland delivers the vast majority of its direct CAP payments at the earliest dates allowable by the EU.

We have traceability of our animals that stands comparison with the very best in the world. We use web-based technology in our disease eradication programme to streamline and integrate the processes of the Department and those of the private veterinary practices. Almost 100% of private veterinary practices now interact electronically with the Department. This has led to significant efficiencies for both the Department and the private vets, as referred to by the Minister of State, Deputy Kitt. It means that better disease information is available and animals can be cleared for sale more quickly.

In the area of forestry, the process is underpinned by technology from application through approval to electronic grant payments. We can now make premium payments earlier than ever.

[Deputy Mary Wallace.]

Forestry companies can avail of on-line mapping facilities that assist them in accurately preparing planting applications and in avoiding applications for ineligible land. Likewise, in regard to fisheries, sales notes are captured directly on-line, leading to simpler administration for the Department and the industry.

In the area of CAP payments and agriculture exports, my Department has worked with the Revenue to integrate its processes, with the result that exporters need submit their information electronically only once. This information flows all the way through both the customs processes and the export refunds processes of my Department, through to electronic payment of export refunds.

e-Government practice worldwide has matured greatly, going from web-based provision of general information to the next level whereby customers can access their own information at a higher level and transact business via the Internet. While early initiatives were at the information provision end of the scale, some of the larger Government organisations progressed quickly to the top end of the scale, providing full transaction capability. In such cases, greater efficiency is being achieved where the public face of e-Government services are integrated into internal business processes. In this way, information that is provided can be checked to prevent customer errors. In many cases, information that has already been collected is reused so that the customer does not have to provide it again.

To this end, the Department has structured its information systems around a single view of the customer, a single view of the farm animal and a single view of the land. We will continue to seek out new opportunities to optimise our internal processes and our interactions with customers and with other Departments. This will enable us to improve customer services and reduce costs for both the Department and the customer.

**Deputy Thomas Byrne:** The main problem I have with the Opposition motion is that although it alludes to “some notable successes” in the area of e-Government, it goes on to list only the shortcomings in this area. The reality is that we have had many successes in the area of e-Government. We need only look at the Oireachtas system where Members have access to a fantastic computer database which allows us to deal easily with constituents’ queries. I am confident this system would not be vulnerable in the same way as the Bank of Ireland system because the theft of laptop computers would not mean that the thief could gain access to the network on which the information is stored. As well as seeking improvements in e-Government services, the motion should also seek improvements on the part of businesses in regard to their computer security. Businesses should learn from the successes of the Government in this area. As a customer of Bank of Ireland in Drogheda, I have serious concerns about the theft of the laptops containing customer data.

**Deputy Simon Coveney:** A total of 123 laptop computers have been stolen from Departments in the last two years. The Government must get its act together in regard to data protection.

**An Ceann Comhairle:** Deputy Byrne should be allowed to speak without interruption.

**Deputy Thomas Byrne:** I do not dispute that those thefts took place. The point, however, is what the thief is able to do with the information stored on the processing machine that he or she has stolen. In the case of the theft of the Bank of Ireland laptops, it seems that the thieves were able to access sensitive customer data. I heard the Minister for Social and Family Affairs, Deputy Cullen, say in an interview on television recently that in the case of the Oireachtas system, information contained on any stolen computer equipment would be inaccessible without access to the network, which requires passwords and so on. Some businesses should learn



from the Government in this regard just as the Government does well to learn from business in other areas.

The Revenue on-line service is a fantastic and indisputable success story. The service is well advertised, drawing people's attention to the welcome incentives the Revenue offers to those willing to file on-line, including an additional 14 days to do so. Many accountants now seem to regard this extended date as the target date for the filing of their returns on-line. The Revenue is estimated to have saved some €49 million on postage, printing and processing since 2004 because of the increasing use of its on-line service. Those savings are likely to continue to grow as greater numbers become aware of and avail of the service instead of making written returns and submissions.

As well as the ability to file tax returns on-line, there is a wealth of information available on the website. This may be the reason that many of us have noticed fewer queries about Revenue issues at our constituency clinics.

**Deputy Ruairí Quinn:** Deputy Byrne is exactly right. There has been a transformation in this regard. I no longer receive any queries about Revenue matters.

**Deputy Thomas Byrne:** Almost everything can be processed on-line apart perhaps from certain complicated cases where one might have to write to the Revenue to plead one's case. I am too young to know whether such pleas would be entertained. It is only right that all this information should be available to the public so that people do not have to come begging their public representative to be the intermediary in these matters.

**Deputy Ruairí Quinn:** Hear, hear.

**Deputy Thomas Byrne:** That is not to say that we are not always available when people need our assistance. Constituents are always welcome at my clinics. The more, the merrier.

**Deputy Simon Coveney:** Deputy Byrne had to get that on the record.

**Deputy Thomas Byrne:** The motor tax on-line system is another efficient service, but more must be done to make people aware of it. There are often queues at my local motor tax office in Duleek in County Meath, as elsewhere in the State. We regularly hear clarion calls from certain quarters for additional local authority staff to process motor tax applications. Where additional staff are needed, they should be appointed. However, it is important that local authorities encourage more people to renew their motor tax on-line or by telephone.

The Fine Gael motion states that "on-line Government services should exist as a complement to, and not as a replacement of, traditional face-to-face and telephone-based services". I agree with that, but if there is a choice in the future between a large face-to-face operation or a streamlined on-line operation, priority should be given to the latter where it is shown to work effectively. Before we call for increases in staff and a diversion of local authority resources from the provision of other services to customers, we should examine whether it is possible to increase the usage of the on-line motor tax service. Other improvements should be made to the service. For example, it should not be necessary for motor tax discs to be posted out to motorists. Instead, it should be possible to download them from the Internet. If such a system is good enough for Ryanair and Aer Lingus, it should be good enough for the local authorities when it comes to collecting motor tax.

The Minister of State is well aware that court proceedings are in train in regard to the new secondary school, Coláiste na hInse, in Laytown in my constituency. I will not discuss those proceedings. However, I do not know whether Members are aware that the recruitment of

[Deputy Thomas Byrne.]

teachers for that school has been done purely on an on-line basis by Meath VEC, which is a State agency, as also in the case of Ratoath College. This is a fantastic and welcome innovation. In the case of applicants for these posts, computer proficiency and the ability to interact fluently on-line are essential prerequisites for any teacher.

There have been other successes in the area of e-Government. As a solicitor, the Ceann Comhairle may be familiar with the Land Registry's on-line service. Further improvements may be required to that system but it is a fantastic facility for solicitors throughout the State. They can check the registered owner of a property on-line, for example, and, if they have the expertise, can perform a mapping search to ascertain the mortgages registered against it. It is a significant step forward and an important resource for solicitors.

**Deputy Ruairí Quinn:** I propose to share time with Deputies Ferris and McManus.

**An Ceann Comhairle:** Is it agreed that the three Deputies have ten minutes each? Agreed.

**Deputy Ruairí Quinn:** I very much welcome this motion. I commend the Fine Gael Party, particularly Deputy Coveney, on the comprehensive nature of the approach to the issue of e-Government. I confess it is not an area in which I would describe myself as technically competent but I am more than aware of the benefits that can be derived from its implementation. I also welcome the constructive response from the Minister of State at the Department of the Taoiseach, Deputy Tom Kitt. I wish him and his colleague on the other side of the House success in arriving at some type of consensus. This House is often at its best when there is co-operation. There are many issues upon which we disagree but there are many others upon which there is a shared view. If we can secure consensus on these issues, it sends an important signal to society. One signal I would like to mention, in the absence of the Minister of State, Deputy Wallace, is to stop referring to citizens as customers and to Departments as businesses. They are not businesses, they are unique and are not in competition. Citizens do not have a choice of supplier of public services and they should be treated as citizens with rights and given respect.

Departments should not be treated as businesses because they are not businesses. They are public service institutions which represent a distinct separate sector of our society. They complement businesses and facilitate their activities. Citizens complement the function of the marketplace but we do not have a market for agricultural services in the sense the Minister for State, Deputy Wallace, spoke about. One does not have the choice to go down the high street to go to another alternative business where one is treated as a customer. Let us not abuse ourselves about this point.

The only way to judge the Government's attitude towards the electronic provision of services is the end result. The delivery of services to the public by electronic means can be cheaper, easier and, most importantly, more accessible to those who need them most. However, it can be much more than that. As a special report on this subject in *The Economist* on 12 February put it, e-Government means that "government not only puts its services on-line, but in doing so changes the way it works". This is the critical point we want to make. A cultural transformation is associated with the transfer from paper to electronic transactions. Public services must be delivered for the public's benefit. We should not lose sight of this fundamental rule. This means no more references to customers and businesses.

With more and more people working long hours and living far from their workplaces they simply do not have time to visit distant Government offices. Often these offices are open at hours most inconvenient for anyone who has a job. How many Departments or agencies have offices open on Saturdays? How many open during lunchtime? How many have telephones

that will be answered after 5 p.m. on a weekday or even during a weekday? One rings the buildings unit of the Department of Education and Science in Tullamore but no one has an answering service at his or her telephone number.

I can go on-line at any time of the day or night and manage my bank account, buy car insurance, buy just about any book or piece of music ever published, reserve a hotel room or a holiday in any country in the world, buy a plane ticket, reserve my seat and even check in for the flight before I arrive at the airport, but I cannot buy a new TV licence on-line, I can only renew an existing one. I cannot apply on-line for a passport, a driver's licence or planning permission, or tender for Government business. I cannot apply for or use the vast majority of national or local government services on-line.

The Government seems to think that e-Government means making a form available on the Internet so citizens can save it the printing costs. In some cases, even this is not allowed. Why can one not obtain a passport application form on-line, even for a simple renewal? Thousands of hours each week are wasted by public servants transcribing information into computers that public service users would be only too happy to enter into their own computers given half a chance.

This is "Web 1.0" as some would put it. The rest of the on-line society has moved on to "Web 2.0" and the Government must move quickly if it is not to be left behind again. There are excellent examples of how public demand has created on-line public services where the Government has failed. I know of at least two websites showing extensive maps of bus routes in Dublin, neither of which is owned by Dublin Bus. Another website even shows the live position of the DART on a map of Dublin but it has nothing to do with Iarnród Éireann.

Notably good examples of excellent e-Government are in place although, unfortunately, they are few. Three worthy of particular mention are the Citizens Information Board, motor tax on-line and the Revenue Commissioners. We changed car within the past ten days and received our motor taxation certificate effortlessly and within hours rather than days. I compliment the people directly involved. If we can do that in this sector, why can we not do it in other sectors also? The three bodies I mentioned have something in common in that they provide the required information and services in a clear and simple manner. However, I am sad to state that overall the e-Government strategy has been a failure. Projects run over budget and over time as a matter of routine.

Many Government services could be provided easily and cheaply with ongoing cost savings by putting them on-line. Administration costs are reduced because properly validated data is put directly into the system. Processing time is greatly speeded up because there is no need to wait for postal deliveries or for forms to be transcribed. While e-Government is primarily about delivering a better service to the public, it can also increase efficiency.

A significant part of the Comptroller and Auditor General's report deals with failures in how e-Government projects to date have been run. At this point, there is no need to revisit them all, save to say that less than half were fully operational six months after their original deadline. Simple project management could increase this figure to what it should be. A lack of project management was what put paid to the PPARS system.

I state sincerely and in the constructive spirit of this dialogue that someone must be in charge. One individual must take overall responsibility for the project and then delegate onwards specific elements of responsibility as appropriate. If the Ministers are not seen to take responsibility they should not expect the public service and the Civil Service to step into the breach. We must have a culture of acceptance of responsibility which sadly we have not had on the Government side of the House during the past ten years.

[Deputy Ruairí Quinn.]

When confronted with failure and administrative breakdown, Ministers have not accepted political responsibility for something which ultimately is their responsibility, as we did on this side of the House when we were in government. If the Government does not lead by example it should not expect people in the public service working to it to step into the breach. Ultimately, if the public does not receive a measurably better service, the project has failed.

This motion also discusses the key matter of data security. As shown by answers to parliamentary questions I tabled earlier this year, the Government has been extremely lax in its approach to data security. Deputy Coveney referred to this. More than 100 data storage devices belonging to the State have been lost or stolen. None of them was encrypted. We have no idea what personal, private or confidential information about citizens was on them. The Labour Party supports the proposal to move towards more enhanced e-Government and if this is to be done new forms of securing the data must be part and parcel of the contract, not with the customer but with the citizen. The encryption of sensitive data must be a fundamental part of encouraging people to go on-line to share information in the sure knowledge that the information they share as citizens is properly respected and safely assured.

**Deputy Martin Ferris:** The Government strategy to make public services more accessible through the use of modern technology is certainly laudable. However, as the motion points out, there have been notable failures in reaching the targets already set. Therefore, it would be desirable to have more accountability in implementing plans and to make the information more readily available.

Undoubtedly, there have been successes in facilitating access to parts of the public service. One that seems to be mentioned in particular is the motor tax office which facilitates people renewing their car tax on-line. This has allowed a great many people to save a lot of time through not having to spend hours in one of the offices. All of us have personal experience of how well this system works and it is to be commended.

The same system should be introduced in other areas such as passport applications and civil registration. While obvious safeguards must be in place to prevent identity theft and other fraud where a person might wrongfully apply for a passport or a birth certificate in someone else's name, there are means of ensuring security and one ought to be able to do as much of the process as possible through a computer. There are other less sensitive areas such as planning, as referred to in the motion, where there appears little reason initial applications could not be conducted on-line. This would contribute to a saving of time and energy expended in waiting rooms and a dramatic reduction in queues as was the case at motor taxation offices. There is huge opportunity in this regard.

There are other areas that involve citizens less formally with the State. The websites for some public amenities are excellent. An example is the recent placing on-line of the 1911 census for Dublin which has enabled many people to access family records. It is planned that records for the entire country will be made available in the near future. The National Archives also plans to do likewise in respect of the 1901 census.

It is important that public service websites contain accurate and up-to-date information. In general, that is the case but there have been instances when, for example, on-line travel timetables have been wrong. This lessens people's confidence in a facility especially when coming from a culture where previously they trusted other sources of information.

Some Department websites could do with improvement. While some are excellent others appear badly designed and it is often difficult to access the information one requires. This will not encourage people to use these websites. Perhaps, the best sites could be used as a template

for others. Public accessibility is only relevant if the public has access to computers in the first instance and if the Internet service available to them is adequate. The situation in this regard is improving but not perhaps as uniformly as it might.

There is a danger that in increasing the amount of public and other information primarily focused on by the Internet, a minority will be further excluded. This is of particular concern where PC ownership and Internet use is rare among certain socio-economic groups. This can be for economic reasons — although PC and Internet usage is probably no more expensive than household television or cable access — or more likely for education and other reasons.

People who leave school early and who have little interest in the written word are highly unlikely to display much interest in the Internet. It is important all schools offer computer courses and that all children are taught the value of the Internet otherwise it will become another barrier between us and those who believe they are not really a part of this society. Increased interaction with the State on-line will have implications for social exclusion in terms of those who have not been educated in the use of PCs and other instruments. Adult education courses in local resource centres offer a huge opening in this regard. The back to education scheme and the provision of education centres which offer courses on Internet access is playing an enormous role in areas where socio-economic deprivation prevails.

Most families do not have at least one member who is computer literate. Some 55% of households surveyed in 2006 had at least one personal computer. This increased to 65% in 2007, almost 900,000 of whom had access to the Internet but, significantly, only 54% of whom were using broadband as compared with the EU average of 77%. Broadband penetration here was 16.8% in September 2007 as compared to the average of almost 20% for other European countries surveyed. The one bright spot is that the growth rate improved significantly in 2007. It remains the case that in many parts of the country, particularly in rural areas, broadband is not available. This represents a serious handicap in many sectors from business to public service and private users.

My own county remains among the least serviced in terms of broadband accessibility. This is proving to be a serious handicap particularly in attracting investment to the area. It is no coincidence that Kerry currently has among the highest level of unemployment in the State. Currently, 15% of people in the town of Tralee are unemployed as are more than 14% of people in the north Kerry area. There is no broadband accessibility in many rural isolated areas in county Kerry. A lack of broadband accessibility is proving a hindrance in trying to set up small enterprises in these areas.

Deputy Deenihan, Senator O'Sullivan and I recently met with the IDA in Tralee. At that meeting we argued that owing to high unemployment levels in the county and its dependence on the construction sector we needed to attract IDA jobs into the region. While the IDA conceded this should be a priority it cited a lack of proper infrastructure, of which broadband was a part, as its reason for being unable to do so. I am trying to emphasise here tonight that accessibility to broadband in rural isolated areas is vital to maintaining people in these areas and to the creation of job opportunities.

The same restrictions will apply to people wishing to access public information and engage with public services on-line in areas where broadband is not available. The level of growth for broadband penetration needs to be further increased to ensure all citizens receive the same level of service.

I support the recommendations contained in the motion. I believe it is of equal importance that more is done to ensure the maximum number of people have access to broadband Internet



[Deputy Martin Ferris.]

and that its use is encouraged through the education system and within the community as a whole.

Debate adjourned.

### Adjournment Debate.

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#### Health Care Associated Infections.

**Deputy Billy Timmins:** I wish to share time with Deputy Andrew Doyle.

**Acting Chairman (Deputy Jan O’Sullivan):** Is that agreed? Agreed.

**Deputy Billy Timmins:** In the two terms plus one year I have been a Member of the Dáil, this is one of the most outrageous and regrettable incidents I have come across. Also, while I acknowledge the presence of the Minister of State, Deputy Pat the Cope Gallagher, it is regrettable the Minister for Health and Children, Deputy Mary Harney, has chosen not to attend the House this evening.

It was Florence Nightingale who said “The very first requirement in a hospital is that it should do the sick do no harm.” I want to extend my sympathy to the families, relatives and friends of the 16 people who lost their lives in 2007 in St. Columcille’s Hospital, Loughlinstown.

It is regrettable that it was the county coroner who sought to push this issue up the agenda. There were 16 deaths in total, ten of which related to *C. difficile*. In five of these cases *C. difficile* was the direct cause of death. Some six deaths were related to MRSA. In October 2007, Dr. Crowe called for the appointment of a consultant microbiologist. This has not happened to date. The coroner, Mr. Kieran Geraghty, made recommendations in January 2007 but it cannot be established if these were implemented. I hope the Minister of State can tonight give us some explanation for these deaths. The situation is totally unacceptable. I do not know if people died from *C. difficile* or MRSA 50 or 100 years ago but I know they have died in St. Columcille’s Hospital, Loughlinstown, in the past year. It is a terrible indictment on the HSE and the health service and ultimately the buck stops with the Minister. We can talk all day about a consultant microbiologist. I go into several hospitals not only Tallaght Hospital. I visited Whitfield Clinic outside Waterford at Christmas. It was very hygienic. The disinfectant was inside the door and it was spick and span. Most of our hospitals, which are under the control of the State, are in a terrible condition. Basic cleaning is not actually being done in the hospitals.

It is regrettable that I find myself in a position where if somebody told me in the morning he or she was trying to get into Loughlinstown, I would have to advise against going there at present. Our local councillor, John Ryan, was on the national airwaves this morning in regard to this issue. I want the Minister to be able to tell me there is no infection in that hospital and that it is safe to go in there.

Why did this happen? What measures are being put in place to ensure it will not recur? Can the Minister of State give a guarantee to the House that it is safe for patients to go into St. Columcille’s Hospital, Loughlinstown? I would like to be able to tell them it is safe but I am not so sure.

**Deputy Andrew Doyle:** I am somewhat confused because yesterday’s article in *The Irish Times* stated “Minister Harney says HSE unable to fill the post of microbiologist”. I tabled a parliamentary question in November about the infection control policy in St. Columcille’s

Hospital, Loughlinstown, and the way in which the absence of a vital staff member, that is, a microbiologist was going to be addressed as a matter of urgency. The response I received from the HSE on 7 November was to the effect that specific policies are in place for the control and treatment of MRSA and *C. difficile* at St. Columcille's Hospital which are compliant with national infection control policies. There is an infection control committee in place and there is one whole-time permanent specialist infection control nurse. Consultant microbiology is available on request, when required.

Yet Dr. Donal O'Shea, whom the Tánaiste quoted earlier today, had acknowledged that there were improvements. We acknowledge there have been improvements. The challenge in St. Columcille's is that the building is 200 years old and it was built as a workhouse. It is the one hospital of that age that remains in what was the old Eastern Health Board area.

When a councillor from 1999 to 2004, I sat on a hospital review committee which recommended that this hospital be knocked and rebuilt either on the existing site or a new site, depending on other issues. That appraisal has not taken place. The HSE and the Department have concentrated on putting all their resources into a couple of major hospitals. That is the hospital for Wicklow people and the people of Shankill, Killiney, Ballybrack and Loughlinstown. It is unacceptable in this day and age that the staff who work hard are left with the challenge of trying to address MRSA without the help of a microbiologist. The manger, the consultant endocrinologist and the county coroner have all called for such a post. We need answers.

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** I apologise to the House on behalf of the Minister for Health and Children, Deputy Harney, who is unable to be present and I thank Deputies Timmins and Doyle for raising this important matter.

Like the Deputies, I express my sympathy to any patients and families who have been affected by this issue. I share the Deputies' concerns about MRSA, *C. difficile* and health care associated infections generally. I take this opportunity to reiterate the Minister's commitment to ensuring that high-quality care is made available to all patients and to the further development of our health services and, in particular, the issue of patient safety.

The House will recall that the Tánaiste dealt with this matter in considerable detail earlier today during Leaders' Questions. Health care associated infections, HCAs, are not new. For centuries they have been a side effect of medical treatment, especially in hospitals. There are a number of types of HCAI, including MRSA and *Clostridium difficile*, *C. difficile*. The more medical care a person requires, the more likely he or she is to develop a health care associated infection. These infections are, therefore, more common among people with serious illnesses or at high risk such as patients with a weakened immune system.

The extent to which hospitals are affected by HCAs such as MRSA and *C. difficile* varies with the type of hospital. In the 2006 prevalence survey of health care associated infections, the prevalence of MRSA was 0.5% in tertiary-regional and general hospitals, and was zero in specialist hospitals. The survey found that 36 patients had *C. difficile* representing 0.5% of patients studied. However, *C. difficile* was not, up to now, a notifiable disease and, as a result, it was difficult to quantify the extent of infection in the health care system generally. In March 2008, the Minister instructed the HSE to make *C. difficile* a notifiable disease and I am happy to inform the House that from 4 May all cases will have to be notified to the relevant department of public health.

The Department understands that the 16 cases referred to by the Deputies were the subject of recent communications between the Dublin County Coroner and the HSE. Some of the

[Deputy Pat The Cope Gallagher.]

patients are reported to have had MRSA and others *C. difficile* infections at the time of death. Most such instances involve significant co-morbidity factors and while the HSE will deal with the issues raised by the coroner, the Minister wants to assure the House that she is fully aware of the problems posed by health care associated infections and the stress they cause. This is an issue facing health services worldwide.

Tackling these infections remains a priority for the Government and for the Health Service Executive. The HSE has established a national infection control action plan. It has put in place an infection control steering group, chaired by Dr. Pat Doorley, national director of population health, to oversee the implementation of the plan. Over the next three to five years the HSE aims to reduce HCAs by 20%, MRSA infections by 30% and antibiotic consumption by 20%. These targets will be achieved through the development of national and local level action plans to reduce the potential for spread of infections in health care settings. The steering group is supported by eight local implementation teams which will ensure that all local facilities are focused on achieving the national targets.

The availability of microbiology services in the hospital setting is an absolute necessity. However, it is not feasible or practical to have a full consultant microbiologist position in every location. Currently, consultant microbiologist advice is accessed by St. Columcille's from St Vincent's Hospital. The Minister has been informed that funding has been earmarked for the provision of dedicated consultant microbiologist sessions at St. Columcille's Hospital, Loughlinstown. However, the post has been advertised on a number of occasions and it has proved difficult to get the necessary expertise.

The availability of isolation facilities is another important factor in the overall solution to this issue. In that context, the Minister has agreed with the HSE that designated private beds should be used where isolation facilities are required for patients who contract MRSA and this policy has been adopted by the HSE. New environmental building guidelines have also been developed by the HSE to inform infection control policy in all new builds and refurbishments.

Improvements on hygiene are critical to effective infection control. The Health Information and Quality Authority, HIQA, undertook a comprehensive review of hygiene in our hospitals in 2007. The report represents a thorough assessment of how hygiene services are provided and managed in 51 HSE-funded acute care hospitals. Hospitals generally performed well on hygiene in the service delivery area. Most hospitals achieved either extensive or exceptional compliance with the standard in the service delivery section of the report. HIQA is currently working with managers and clinicians to develop national standards for infection prevention and control. When completed these, along with the national hygiene standards, will provide a comprehensive framework to help reduce the spread of infection throughout the entire system and improve the quality of our health care.

A national surveillance system has recently been established by the HSE to collect data and provide information on four key areas, to monitor health care associated infections, HCAs, in our health system. One of these areas is antibiotic consumption which is an important factor in the emergence of more virulent strains of *C. difficile* resulting from the over-use of antibiotics.

While accepting that not all HCAs are preventable, the Minister is satisfied that significant steps are being taken to reduce the rates of HCAs generally and to treat them promptly when they occur.

### **School Accommodation.**

**Deputy James Bannon:** I thank the Ceann Comhairle for affording me the opportunity to raise this important issue for my constituency, namely, the need for the Minister for Education

and Science to give the go-ahead for Ballymahon vocational school's refurbishment project to go to tender without further procrastination or reconsideration on her part. A sum of €1.3 million was ring-fenced for the project under the devolved grant and guaranteed by Deputy Peter Kelly and Councillor Barney Steele before the previous general election. Approval was confirmed several times during the election campaign, as highlighted in the Longford newspapers and on local radio stations.

"Procrastination" is the operative word in this context. How much longer can this 202-pupil post-primary school be expected to wait for the necessary refurbishment to provide a 21st century education for those under its care? I will cite the words of the Minister in a reply to a parliamentary question I tabled on the issue:

The proposed project referred to is at an advanced stage. Further progression will be considered on an ongoing basis in the context of my Department's multiannual school building and modernisation programme.

I have twice received an identical reply aimed at deflecting my request for confirmation of the time at which the project will be allowed to go to tender. The board of management, under the chairmanship of Councillor Sean Farrell, principal, teachers, pupils and parents of Ballymahon vocational school have heard these words once too often. The time has come to face up to the question and answer it directly.

In December 2007, the VEC was told not to proceed to tender until the Minister made a further announcement. However, Ballymahon vocational school was not included in the list of projects announced in the meantime. A further announcement is to be made shortly and the school is clinging to the hope that it will be given the green light and the project will proceed to tender. The Minister should imagine, if she can, a school which offers a wide range of subjects to junior and senior cycle pupils at junior and leaving certificate, leaving certificate applied and post-leaving certificate levels but does not have an upgraded computer room or home economics room. The Minister will be aware that the school has its fair share of special needs pupils who are very welcome and well integrated and a fine special needs unit. In addition, the school urgently needs new vehicular access, an external link corridor between buildings and a new administration area. A complete mechanical and, most important, electrical upgrade is urgently required in the interests of health and safety.

Ballymahon vocational school is a vibrant school with a wide range of sporting and extra-curricular activities running in conjunction with its excellent academic programme. However, it is being impeded in its educational endeavours by the delays and continued reconsideration of the progression of its vital development project. I ask the Minister of State to give me a definite time for the project to go to tender. The school has been disgracefully let down by the Minister and only a guarantee given this evening that the project can proceed to tender will satisfy the principal, teachers, parents and board of management.

It is unacceptable that the Minister, Government and local public representatives from the Government parties, Deputy Peter Kelly and Councillor Steele, make mileage at the expense of the school. Empty promises may win elections but such spin is shameful when the education of our children is concerned. I demand a positive answer which will allow the school to go to tender immediately because it is badly needed in the heart of my constituency.

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen):** I thank the Deputy for raising this matter as it provides me with the opportunity to outline to the House, on behalf of the Minister for Education and Science, the position regarding the proposed building project for Ballymahon vocational school, County Longford.

[Deputy Tony Killeen.]

I will outline the procedures involved in selecting school building projects for inclusion in a school building programme. All applications for large-scale capital funding are assessed in the planning and building unit of the Department in accordance with published prioritisation criteria, which were formulated following consultation with the education partners. Under the criteria, individual applications are assigned a band rating which reflects the nature of the works required. There are four band ratings overall, with band 1 being the highest and band 4 the lowest. Progress on individual projects is consistent with the assigned band rating.

The band rating system was introduced to ensure openness and transparency in the allocation of capital funding to school infrastructural projects, target funding at the most urgently required projects first and ensure an orderly flow of projects through the school building and modernisation programme based on the priority of need presenting. Projects are selected for inclusion in any given capital programme on this basis. In other words, a building project moves through the system based on the band rating assigned to it, with the highest band rated projects moving first because the type of work required is the most urgent.

On the proposed building project referred to by the Deputy, Ballymahon vocational school is a co-educational post-primary school with a current enrolment of 156 pupils and enrolments have remained static over the last five years. The school does not have a deficit of mainstream accommodation but requires improvement works to be carried out to the existing school building. A design team has been appointed to this project and stage 2 of architectural planning has been approved, subject to certain technical requirements being adhered to.

Subsequent to the appointment of a design team, Longford VEC submitted an application for approval to acquire additional lands as part of the project. Although the additional lands are desirable, they are not essential to the project and this application was refused. As to when the project can proceed further, the Department's priorities for budgetary expenditure this year have to be for schools which have no mainstream accommodation and this project along with other projects will be considered in that context.

I thank the Deputy for raising this matter. The Government has invested heavily in extending and upgrading our existing school stock in recent years because it has a full appreciation of the need to ensure that all our schools have adequate facilities. The Minister and her Department are committed to providing suitable high quality accommodation for Ballymahon vocational school at the earliest possible date.

**Deputy James Bannon:** It is another broken promise in County Longford.

**Acting Chairman:** As Deputy Tom Sheahan is not present, I call Deputy John Cregan.

### **Local Authority Contracts.**

**Deputy John Cregan:** I am pleased to have an opportunity to raise on the Adjournment my request that the Government afford some form of protection in law for suppliers and sub-contractors to main contractors which are awarded local authority contracts. Unfortunately, some main contractors go into liquidation during the course of contracts. I have observed too many of these cases in my county and local authority area in recent years. In a number of contracts, the main contractor has been unable to complete the works he has been contracted to carry out, leaving a trail of disaster and many suppliers and sub-contractors facing financial ruin.

I had hoped this matter would be discussed by a Minister from the Department of the Environment, Heritage and Local Government because it is an issue for local authorities and the Department. I do not cast aspersions on the Department of Enterprise, Trade and Employ-



mentand thank my good friend, the Minister of State, Deputy Michael Ahern, for coming to the House to respond. Nevertheless, I do not believe the issue I raise is a company law raise. That is, however, a matter for another day.

In each of the cases to which I refer, I understand the main contractor was awarded a contract based on submitting the lowest tender. I am not sure it is always appropriate for local authorities to accept the lowest tender. In the case of the most recent incident involving the provision of a sewerage scheme for Feenagh, I understand a six-figure sum separated the selected contract from the second lowest tender. This should have set alarm bells ringing, although I accept public officials do not have a crystal ball and cannot foresee such eventualities. Ultimately, in such cases, the losers are suppliers and subcontractors.

In the case of the sewerage scheme in Feenagh, the community has shown tremendous spirit and a local voluntary group is now responsible for the provision of local housing units. I understand this group has entered into a partnership with Limerick County Council to provide a sewerage scheme for the new houses and the village generally. This will benefit the village in the future. However, we now have a half completed job. Landowners and householders who were prepared to give right of way and access through their back gardens or land to a contractor on the assumption that normality would resume in the spring, with fences mended and farmers able to leave their cattle outside, have been disappointed. The county council will now be required to re-advertise to have the works completed.

I have a simple solution to this problem. When a local authority awards a contract to a main contractor it demands a list of his or her suppliers and subcontractors. Before each stage payment is made to the main contractor, a simple telephone call is made to each supplier or subcontractor asking whether he or she is paid up to date. If not, questions must be asked of the main contractor.

Human nature being what it is, if a subcontractor feels that the main contractor is under financial pressure he or she will wonder whether to pull back or stop supplying the product. A subcontractor who pulls back may get nothing so he or she may continue, making a bad situation worse and involving more money. When the main contractor goes into liquidation and returns to wherever he or she came from, the county council has the benefit of the bond that was put in place on the first day, but the supplier, subcontractor, landowner and, in this case, household, have no come-back. It is high time we afford some protection to these people, many of whom work on a very small scale and could face financial ruin because a main contractor took on a commitment when, from the beginning, he or she was unable and did not have the proper resources to do.

I question the lowest tender bid rule. Is there undercutting? Are people offering a very low price to get the contract and then high-tailing it half way through? I appeal to the Government to take this on board. Company law is fine where we have protection for late payments, but this is not about late payment, it is no payment. When a company goes into liquidation no payment is made so there is no compensation. People on all sides of this House have stood for the rights of workers, immigrant workers and everybody else, and that is correct. I commend them on it, but tonight I call for rights for suppliers to main contractors. There is an obligation on the State though our local authorities to put some protection in place to prevent what has happened a number of times in my county. I appeal to the Department of the Environment, Heritage and Local Government to do so. My county is not unique; I am sure this has happened on a number of occasions all over the country. I will proceed by way of a parliamentary question to the Minister asking him to ask each local authority how many main contractors have gone to the wall during construction of various projects and how many of those had made the lowest tender.

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Michael Ahern):** I thank Deputy Cregan for raising this matter. The issue raised by the motion has complex legal and policy dimensions. From a legal perspective, it involves the rule of privity of contract. This means only the parties to a contract, those privy to it, have enforceable rights and obligations under the contract. In its recently published report, *Privity of Contract and Third Party Rights*, the Law Reform Commission of Ireland referred to the problems posed by the privity rule for large-scale construction and civil engineering projects. Such projects typically involve many different parties and interests which are reliant on each other and may suffer a loss if another party involved in the project fails to meet its contractual obligations. It noted the use made of so-called collateral contracts or warranties in the construction sector in order to deal with this issue. These warranties are a contractual promise from one party to a contract to a third party which relates in some way to the terms of the original contract. In the present context, for example, a collateral warranty could take the form of a contract term in a contract between the employer and the main contractor stipulating that the employer would make a direct payment to the subcontractor in the event that the main contractor could not or would not do so.

In its recent report, the Law Reform Commission recommended that complex contractual arrangements of this kind entered into to circumvent the privity rule could be simplified by the creation of a general statutory exception to the rule which would allow third parties to enforce contracts entered into for their benefit. It noted that, following legislative reform of this nature in the United Kingdom in 1999, standard form contracts for large-scale construction projects increasingly contained a schedule dealing with the rights of third parties.

While at one level the matter at issue concerns rights and obligations under contract and, as such, can be addressed by means of express provisions in contracts, the public policy dimension must also be fully considered. The implications of any general provision making local authorities or other public bodies the guarantors of the third party liabilities of contractors are far-reaching and would require full and stringent examination. There is a clear risk, for example, that a main contractor safe in the knowledge that a public body would meet his liabilities to subcontractors might not feel impelled to do everything in his power to discharge those liabilities.

The proposal in the motion also raises the issue of the relation between a provision of the kind proposed for the direct payment of subcontractors in the event of the main contractor's inability to pay and the existing, well established requirements of insolvency law. For this reason, clauses in standard form United Kingdom construction contracts giving an employer discretion to operate direct payment provisions in respect of nominated subcontractors do not apply, to my knowledge, where the main contractor is in bankruptcy or liquidation.

While I am sympathetic to the intention behind the proposal, in view of the complex legal and policy issues which it raises it must be considered in the context of the overall management of public works contracts.

On public procurement, following a Government decision in May 2004 to reform construction procurement a new contract for standardised conditions of engagement for construction consultants and a suite of five new forms of construction contracts for public works were developed. These were implemented on a phased basis from 1 January 2007 and 19 February 2007 respectively. A short public works contract, for contracts that have a value of €500,000 or less, was also put in place with effect from 3 March 2008. Supporting guidance notes have also been developed for use with these contracts.

The contracts and guidance notes form part of the capital works management framework, which is being developed to deal with the whole life cycle of project delivery. Improved cost

certainty, better value for money and cost effective delivery of public works contracts are at the core of these construction procurement reforms. The reform measures are particularly important if the State is to maximise value for money from the very large expenditure on infrastructure projects under the NDP. The new contracts have introduced fixed price lump sum contracts tendered on a competitive basis, with appropriate rebalancing of risk. In the new contracts, risk can be transferred to those best able to manage and control it. Contracts for all projects must be awarded using either the new public works contracts or the conditions of engagement for consultants from 13 February 2008 or, in the case of the short form contract, from 3 March 2008.

The construction procurement reform programme seeks to change the approach of consultants, contractors and public sector clients to procuring large infrastructure projects by: having more client-focused construction contracts that require a more optimum allocation of risk between contractors and public sector clients; provides the right incentives for construction consultants to ensure that projects stay within budget — fees will be bid competitively on a fixed price basis but without compromising on quality; and ensures that public sector clients provide comprehensive project information at tender stage — it is essential that the scope of projects must be well defined by the client to allow tendering on a fixed price lump sum basis. As I stated, the matter raised by the Deputy involves complex legal and policy issues that require detailed consideration.

### **Natural Heritage Areas.**

**Deputy Tom Sheahan:** I raise this issue because it was brought to my attention by landowners in the Kenmare area that the Minister for the Environment, Heritage and Local Government, Deputy Gormley, who I am disappointed is not here, sought approval from the EU to designate 5,000 acres along the Kenmare river as a special area of conservation, SAC. This is an extension of the area, to the tune of 5,000 acres, designated in 2003. What the Minister has done is illegal and I find it shocking that a Minister is doing something illegal. No notice of this was given to landowners, no maps were made available to anybody and no discussions took place with farmers, landowners or interested parties. In particular what is illegal about it is that, because the proposal was sent to Europe for approval, the right of appeal of the landowners has been taken from them. When the 2003 designations were made, maps were printed and landowners were informed of the proposed designations. They had a right of appeal and they did appeal. In 2008, however, nobody has been informed and the landowners and farmers have been kept in the dark.

I must ask why it is proposed to designate as a SAC 5,000 acres along the banks of Kenmare river. It was seen fit in 2003 to designate so much ground along the river and now, five years later, without any consultation with landowners, this further designation is taking place. Unfortunately, the Minister is not here, but I ask him to withdraw or defer this proposed designation that has gone to Europe and to make the maps available. When this issue was raised in Kerry, the farming bodies asked to be provided with the relevant maps, but these have not been forthcoming. If the maps could be made available, farmers would at least know who is to be affected and to what extent. I also ask the Minister to afford to farmers the right to appeal this proposal. Who does the Minister think he is to designate the land of landowners and farmers as an SAC without any consultation whatsoever and send the proposal directly to Europe? Why was this done in such an underhand manner? I would like a clear answer to these questions.

**Deputy Tony Killeen:** I thank Deputy Sheahan for raising this matter, which I will be taking on behalf of my colleague, the Minister for the Environment, Heritage and Local Government, Deputy John Gormley.

[Deputy Tony Killeen.]

Special areas of conservation, SACs, are proposed for designation under the European Communities (Natural Habitats) Regulations 1997. These regulations transpose the 1992 habitats directive and provide a mechanism for designation and protection of important ecological areas in Ireland as part of the contribution Ireland is required to make to the EU-wide Natura 2000 network of sites for the protection of Europe's most important and rare habitats, birds and species.

Proposals to designate areas of land as the Kenmare river SAC were published by the Department of the Arts, Heritage, Gaeltacht and the Islands, which was then the responsible Department for the designation process, in May 2000 in local media in Cork and Kerry. Maps were also displayed in local public offices such as Garda stations. Where landowners were identified, they were notified directly in writing of the proposed designation. Any person with an interest in the land covered by the proposed designation had an opportunity to appeal.

Under the procedure set out in the habitats directive, each member state was required to transmit an initial list of sites proposed for designation as SACs. The Commission reviews the sites proposed by each member state and, if it finds them to be appropriate for inclusion, adopts the sites as part of the overall EU list. The initial 413 sites in Ireland were adopted in November 2004. It is understood, however, that the list of Natura 2000 sites will continue to be updated, particularly to allow for the inclusion of new areas or to address any concerns or omissions identified by the Commission when reviewing each member state's proposed list of sites. The Commission and member states have therefore agreed a programme for updating the lists over the coming years.

To meet certain Commission concerns about Ireland's initial list of sites, and to ensure each area was included in a designation on robust scientific grounds, a number of assessments and reviews, collectively known as the map validation project, were undertaken between 2001 and 2005 by the National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government. As a result of this project, additional areas, both land and sea, have been recommended for inclusion in the Kenmare river SAC for the purpose of protection of an important habitat. The area now proposed for designation has increased in size by approximately 10,000 hectares from its previous value of 32,000 hectares. However, a large part of the additional area is at sea and does not affect landowners directly.

The Department of the Environment, Heritage and Local Government will shortly republish the revised proposed boundaries for the Kenmare river SAC for public consultation. To facilitate this, the identification of landowners affected by the extensions is under way using new and more comprehensive databases such as the LIPIS database of the Department of Agriculture, Fisheries and Food. Landowners will have the opportunity to seek the exclusion or inclusion of their land in the extended SAC within the statutory timeframe of three months. A request by a landowner to include or exclude land from the designation will be assessed on scientific grounds only, following which Ireland will communicate any proposed revisions to the boundary to the Commission for review.

It is now intended that Ireland will have 423 SACs, encompassing a larger area and wider range of habitats, as well as some 160 special protection areas for birds. Ireland already lost a case on the designation of SACs before the European Court of Justice in 2001. It is critical that we provide a comprehensive and scientifically justified suite of designated areas to ensure that Ireland fully complies with its obligations under the habitats directive.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Wednesday, 30 April 2008.

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 to 14, inclusive, answered orally.*

### **Hospital Accommodation.**

15. **Deputy Brian Hayes** asked the Minister for Health and Children her view on the Irish Heart Foundation's national audit of stroke care; if the six acute stroke units announced by the Health Service Executive are fully staffed and have enough beds to cater for the full throughput of stroke patients; and if she will make a statement on the matter. [16315/08]

25. **Deputy David Stanton** asked the Minister for Health and Children the percentage of hospitals which have transient ischaemic attack services; her plans to improve coverage of same; the number of designated stroke unit beds nationally; and if she will make a statement on the matter. [16225/08]

28. **Deputy Mary Upton** asked the Minister for Health and Children the plan of action agreed in response to the national audit of stroke care recently published by the Irish Heart Foundation; and if she will make a statement on the matter. [16324/08]

69. **Deputy David Stanton** asked the Minister for Health and Children if her attention has been drawn to the Irish Heart Foundation Irish National Audit of Stroke Care published in April 2008; the action she will take as a result; and if she will make a statement on the matter. [16224/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** I propose to take Questions Nos. 15, 25, 28 and 69 together.

I welcome the publication of the Irish Heart Foundation National Audit of Stroke Care, which was conducted with the support of my Department.

The report covers the spectrum of care from prevention to treatment and rehabilitation. It has highlighted a number of areas where clinical care and the organisation of stroke services can be enhanced. Last year I established the Cardiovascular Health Policy Group to advise on how to prevent the occurrence of cardiovascular disease and stroke, and improve services for



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individuals affected by these conditions. I am aware that the Policy Group has, in the course of its work, considered the Audit and will be making recommendations to me in the summer.

My Department has also discussed the issues raised in the Audit with the Health Service Executive and the HSE is already working to enhance acute hospital services for stroke patients. There have been a number of service developments since the stroke audit researchers collected their data. The HSE is currently finalising an evaluation of its current stroke services and will be publishing the results of this in the next few weeks. The evaluation has so far identified a number of hospitals where stroke services have begun to be developed. Dedicated beds for stroke patients are provided in a number of hospitals which do not yet have a dedicated acute stroke unit.

Several hospitals have either on-site rehabilitation beds for stroke patients or have good links to nearby hospitals providing rehabilitation. There have also been developments within the emergency services, with training of EMTs and fast-tracking of patients with suspected stroke in some areas, and plans to extend this to other areas.

### **Child Protection.**

16. **Deputy Shane McEntee** asked the Minister for Health and Children her view on the findings of the national review of child protection and welfare services that health authorities are failing some of the most vulnerable children in the State, that health authorities are not able to respond adequately to hundreds of cases of children at risk of abuse or neglect due to staff shortages and the under-resourcing of social work teams; the action she will take to ensure that children receive rapid intervention; and if she will make a statement on the matter.

[16344/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** The review to which the Deputy refers is part of an extensive regulatory regime which ensures effective governance of services for vulnerable children and families. Under Section 8 of the Child Care Act, 1991 the HSE is required to produce, on an annual basis, a report on the adequacy of the child care and family support services. The purpose of the review was to identify services where changes or improvements could be made. In that respect it is an important part of the planning process. Moreover it does not provide a full and comprehensive picture of child welfare and protection services and it would be wrong, therefore, to take this review in isolation to represent the HSE's current services. The HSE have informed me that:

- in all cases where there is a serious and immediate risk to the health or welfare of the child, the HSE responds immediately and takes appropriate action;
- all child abuse reports to social work departments are subject to a phased process of initial screening and assessment and appropriate interventions are provided;
- child care and family support services provided by the HSE are subject to a rigorous regime of inspection and monitoring by monitoring officers and by HIQA — Social Services Inspectorate.

There has been significant investment in child welfare and protection services in recent years. The HSE have also informed me that the resources allocated to child care and family support services have increased considerably in recent years with an additional 335 social work posts created since 2005 and an increase of nearly 80% in funding of family support services since 2003 (from €45.7m to €81.8m in 2008).

This reflects the commitment of the HSE to the on-going implementation of the ‘National Children’s Strategy’ and most recently the ‘Agenda for Children’s Services’.

### **Hospitals Expenditure.**

17. **Deputy Noel J. Coonan** asked the Minister for Health and Children if she will explain the value for money achieved by the hike in the hospital cleaning costs which increased by almost €50 million between 2005 and 2007 and is projected to increase by another €11 million in 2008 representing a total spend of over €578 million up to the end of 2008; and if she will make a statement on the matter. [16286/08]

**Minister for Health and Children (Deputy Mary Harney):** Hospital hygiene is essential for the health and safety of patients, visitors and staff alike. It is a priority for me and I believe that patients are entitled to the highest possible hygiene standards in our hospitals.

In recent years the HSE has significantly improved its range and standard of hygiene services as part of its National Infection Control Plan. I welcome the fact that some hospitals are now providing a 24/7 cleaning service in specific areas such as Accident and Emergency Departments. There have also been increased internal hygiene audits and other quality improvements. Additional hospital beds or units have been opened and new contract cleaning specifications have been set to take account of national hygiene guidelines. Some hospitals required new additional cleaning equipment, products and hygiene signage. Funding has also been allocated to rectify some of the deficits identified in the national hygiene audits particularly in terms of infrastructural deficits e.g. dedicated waste compounds and renovating ward kitchens. Finally, some of the increase in the cleaning bill is attributable to the rising costs of materials and staff salaries.

I am pleased that the HSE is allocating more funding to improve hospital hygiene. Safe, quality care is also cost effective care. I also expect the HSE to plan its cleaning services, through contract arrangements or otherwise, to ensure the best and most efficient cleaning services at a reasonable cost.

### **Proposed Legislation.**

18. **Deputy Brendan Howlin** asked the Minister for Health and Children her views on the report on the affect on the health services of the abuse of alcohol in society here; her further views on whether the proposals being brought forward by the Minister for Justice, Equality and Law Reform are sufficient response from the Government; her proposals to address this issue; and if she will make a statement on the matter. [16264/08]

38. **Deputy Catherine Byrne** asked the Minister for Health and Children the action she plans to take to reduce the increasing number of cases of people being treated for alcohol related problems as reported by the Health Research Board recently; and if she will make a statement on the matter. [12444/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** I propose to take Questions Nos. 18 and 38 together.

Recently published research by the Health Research Board and the Health Service Executive clearly demonstrates the scale of the harm being caused by alcohol in our society.

In order to tackle alcohol related harm we are taking a twin-track approach, involving, on the one hand, policies and interventions targeted at vulnerable populations and, on the other, policies targeted at the population at large to reduce the overall level of alcohol misuse in society. Government has a clear responsibility to ensure that our laws and regulations contrib-

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ute, and indeed, drive cultural change in this area. I fully support the initiatives being taken by the Minister for Justice, Equality and Law Reform in relation to licensing laws with a view to reducing public disorder. The further restrictions on advertising and marketing that I have announced are also part of the Government's ongoing response to the problem.

### **Patient Care.**

19. **Deputy Paul Kehoe** asked the Minister for Health and Children her view on the finding of the Health Information and Quality Authority report into the misdiagnosis of a person (details supplied) that the HSE network management system does not have confidence of staff and that new systems have delayed the decision making process rather than facilitate it; and if she will make a statement on the matter. [16339/08]

70. **Deputy Kathleen Lynch** asked the Minister for Health and Children her plans to review the structures of the Health Service Executive in the context of growing concern among the public and health workers that it is not delivering improved care to patients; and if she will make a statement on the matter. [16323/08]

161. **Deputy Tom Sheahan** asked the Minister for Health and Children if she will confirm recent reports from three employees of the Health Service Executive that as part of her reform of the HSE she intends to divide the HSE into four separate authorities with their own individual chief executive officer; and if she will make a statement on the matter. [16165/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 19, 70 and 161 together.

The Fitzgerald report for the Board of the HSE about the management of events at Portlaoise identified systemic weaknesses of governance, management and communication within the HSE. Arising from that report, I asked the Chairman of the HSE to consider whether the lessons from the report have wider application across the HSE and its proposals to address these matters, as soon as possible. At that time, I also asked the Board of the HSE to immediately adopt an interim serious incident management protocol. I asked the Board to engage closely with this issue through its Risk Management Committee until it was satisfied that serious incidents would be managed to the required standard and to designate one person at national level to ensure that any future reviews are conducted in accordance with the protocol.

At its meeting of the 13th March the Board adopted its current interim Policy and Procedures for Serious Incident Management. The Chief Executive Officer of the HSE has since appointed a senior official to take responsibility at national level for the immediate implementation of this Policy and Procedures.

I am aware that the HIQA report into the misdiagnosis of a particular individual includes various findings and recommendations about the management and governance of acute hospitals. I am confident that these recommendations will also be taken into account by the Board in responding to my request regarding their assessment of the overall situation on governance, management and communication.

I am also aware that the HSE has engaged McKinsey & Co. to undertake some work for it on organisation design.

Deputies may also wish to note that the Commission on Patient Safety and Quality Assurance, chaired by Dr. Deirdre Madden, has been asked to make recommendations on a system of leadership for clinicians and managers which would underpin robust corporate accountability for institutional and clinical performance.

I have no plans to divide the HSE into four separate authorities under their own individual chief executive officers. In my view, the focus should be on improving the operational capability of the existing organisation structure. This requires robust governance/management structures, processes and procedures, incorporating clear reporting relationships and lines of accountability, with permanent top level managers in key posts, good systems of delegation, and a strong sense of corporate identity which permeates all levels of the organisation.

I am aware that the Board of the HSE are addressing these issues and I look forward to receiving their proposals in the near future.

### **Child Protection.**

20. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she will make statutory the guidelines on child protection; and if she will make a statement on the matter. [16233/08]

58. **Deputy Eamon Gilmore** asked the Minister for Health and Children if proper procedures are in place to ensure that information given to her Department or the Health Service Executive that have implications for child protection are appropriately acted upon; if the recommendations of the independent inquiry in relation to a lecturer in childcare policy in Athlone Institute of Technology will be implemented; if a strategy for their implementation has been devised; and if she will make a statement on the matter. [16250/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** I propose to take Questions Nos. 20 and 58 together.

The HSE have informed me that in all cases where there is a serious and immediate risk to the health or welfare of a child, they respond immediately and take appropriate action. They have also informed me that they are committed to addressing the recommendations of the Report of the independent inquiry into the lecturer in child-care studies in Athlone Institute of Technology.

One of the recommendations of the report is that the Children First guidelines be put on a statutory basis. This will be considered in the context of the review of the guidelines which is nearing completion in the Office of the Minister for Children.

Senior officials in my Office have convened an urgent meeting with key stakeholders in child protection, including the HSE and An Garda Síochána, to ensure that there is full awareness of child protection policies, guidelines and procedures.

### **Hospital Services.**

21. **Deputy Joan Burton** asked the Minister for Health and Children if she will ensure that the commitment given to the people of the north east that no service will be removed until a better service is in place elsewhere is kept; and if she will make a statement on the matter. [16237/08]

27. **Deputy Pat Breen** asked the Minister for Health and Children if, in view of the Health Service Executive plans to transfer all acute inpatient care from Monaghan General Hospital to Cavan General Hospital and all emergency surgery from Our Lady's Hospital Navan and out of hours emergency surgery from Louth County Hospital in Dundalk to Our Lady of Lourdes Hospital Drogheda, additional resources have been provided to the HSE to support these changes; if not, the way she intends to prioritise patient safety; and if she will make a statement on the matter. [16294/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 21 and 27 together.

The Teamwork Report, prepared for the Health Service Executive, has helped to inform the approach being adopted in relation to the Transformation Programme. The report clearly indicated that the current service configuration in the North East region is unsustainable. It recommended a reconfiguration of hospital services across the existing five hospital sites and ultimately the development of a new regional hospital in order to ensure the highest level of patient safety. The Report also identified a future role for all five hospital sites in the provision of acute hospital services.

The Transformation Programme for the North East region involves widespread and fundamental change and is designed to build a health system that is in line with the model of care emerging internationally. In progressing the Programme the HSE has repeatedly emphasised its commitment that existing services in the region will remain in place until they are replaced with higher quality, safer or more appropriate services. The overriding aim of the Programme, which I fully support, is the need to improve safety and achieve better standards of care for patients in the region.

The Transformation Programme is approaching the end of its initial phase of detailed planning and is moving towards detailed design and implementation. The initial focus of the Programme is to have acute and complex care transitioned from 5 to 2 hospital sites by 2010. In determining the future capacity of each hospital in the region the HSE will need to have regard to the findings of reviews which it commissioned and which highlighted the potential to use the existing bed complement in a more efficient manner. The reviews confirmed, for example, that acute hospital admissions and length of stay could be reduced if access to a range of support services is improved.

In its draft Capital Plan the HSE is proposing to spend in the region of €100 million additional capital funding up to 2013 in the North East to progress the Transformation Programme. The HSE intends to make a capital allocation available in respect of each of the 5 hospitals in the region to meet the cost of interim infrastructural works necessary in each facility.

The reconfiguration of services in the North East in a way which demonstrably delivers safer and more effective services for people in that region will continue to have my full support.

#### **Health Service Executive Appointments.**

22. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the criteria used in the decision to appoint persons (details supplied) to the board of the Health Service Executive; and if she will make a statement on the matter. [16249/08]

**Minister for Health and Children (Deputy Mary Harney):** Section 11(2) of the Health Act 2004 provides that appointments to the Board of the Health Service Executive are to be made from among persons who, in the Minister's opinion, have sufficient experience and expertise relating to matters connected with the Executive's functions to enable them to make a substantial contribution to the performance of those functions.

Both Board Members referred to by the Deputy have significant experience and expertise in the healthcare and financial sectors and I am confident that they will make a substantial contribution to the performance of the Executive.

#### **Hospital Inquiries.**

23. **Deputy Emmet Stagg** asked the Minister for Health and Children if she will instigate an



external inquiry into the circumstances in which a healthy kidney was removed from a child in a hospital (details supplied); and if she will make a statement on the matter. [16320/08]

**Minister for Health and Children (Deputy Mary Harney):** I would like to take this opportunity to express my deep regret over this incident. The immediate priority must be to ensure that the child in question is provided with all necessary medical care and that the family receives full support. An investigation into this case is already underway. It will be carried out in two phases. The first phase involves an internal review to establish the precise circumstances surrounding the incident. This review is being conducted by a team consisting of a

- Clinical Risk Manager
- Consultant Surgeon
- Consultant Anaesthetist
- Consultant Nephrologist and
- Senior Nurse Manager.

Our Lady's Children's Hospital, Crumlin expects that this internal review will be completed in the next week. On completion, the second phase of the investigation will be carried out by a team of external experts. The Hospital has confirmed that Great Ormond Street Hospital for Children, London, led by a team of consultants, will carry out this external review on their behalf. This review will undertake a root cause analysis to determine why the incident occurred and provide recommendations for future practice at the hospital where appropriate. Great Ormond Street Hospital for Children have committed to completing the review in the shortest timeframe possible. The Board of Directors of the hospital will consider the findings of both reviews. The completed reports will also be made available to the parents of the child in question and to the Health Service Executive.

#### **Healthcare Associated Infections.**

24. **Deputy Leo Varadkar** asked the Minister for Health and Children her views on the impact financial cuts are having on laboratory testing for MRSA and other hospital acquired infections; the way she expects to achieve her target to reduce MRSA by 30% if a series of service restrictions have been imposed as a result of the cutbacks; and if she will make a statement on the matter. [16278/08]

**Minister for Health and Children (Deputy Mary Harney):** Tackling all Healthcare Associated Infections (HCAIs) continues to be a priority for the Government and the Health Service Executive (HSE). The HSE launched a National Infection Control Action Plan in March 2007. An Infection Control Steering Group, chaired by Dr. Pat Doorley, National Director (Population Health) is responsible for overseeing the implementation of the plan. Over the next three to five years, the HSE aims to reduce HCAIs by 20%, MRSA infections by 30% and antibiotic consumption by 20%.

I have been informed by the HSE that all hospitals throughout the country will continue to maintain their existing levels of service in this important area. Laboratory services are in effect demand-led and often have to deal with fluctuations in the need for their services for a wide variety of reasons. They are a crucial part of both hospital and community health services and while demands are high so too is the skill, expertise and commitment of the staff providing the services. Hospital networks throughout the country have also received approval to recruit scien-

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tists (in addition to pharmacists and infection control nurses) specifically for healthcare associated infection services, many of which are now in place.

At a European level, the European Antimicrobial Resistance Surveillance System (EARSS) was established in 1999 in response to the growing threat of antimicrobial resistance in Europe. EARSS comprises a network of over 800 microbiological laboratories serving some 1,200 hospitals in 30 countries that collects routinely generated antimicrobial susceptibility testing data on invasive infections caused by seven important bacterial pathogens. As of final quarter of 2007, 44 Irish laboratories serving 65 acute hospitals (public and private) participate in EARSS representing 100% coverage of the Irish population.

In quarter 4 of 2007, 28.8% of Staphylococcus Aureus isolates were Methicillin resistant compared to 40% in quarters 3 of 2007. This is a statistically significant difference. The annual trends indicate that the portion on MRSA in Ireland levelled off at approximately 42% between 2002 and 2006. In 2007, preliminary data indicate that this has dropped to 38.5%.

If the trend for 2008 remains downwards, it will indicate that our policies relating to control of healthcare associated infections and antimicrobial resistance in Ireland are having a positive impact. While accepting that not all HCAs are preventable, I am satisfied that a sustained effort to reduce the rates of HCAs generally and to treat them promptly when they occur is being maintained.

*Question No. 25 answered with Question No. 15.*

### **Childhood Obesity.**

26. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she has developed or is developing, a strategy to address the growing problem of childhood obesity in view of recent statistics which state that 300,000 children here are overweight; and if she will make a statement on the matter. [16326/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** The Health Service Executive has established a Working Group to implement the health sector recommendations of the Task Force on Obesity for which the HSE has the lead responsibility and for which €3 million has been allocated. This is in addition to the annual spend of €25 million on health promotion activities, €5 million of which is utilised in specifically anti-obesity initiatives.

Funding has been provided by the HSE to University College Dublin to record height and weight in children at school entry point as part of an EU initiative to counteract obesity. The development of a national database to monitor prevalence trends of growth, overweight and obesity was also funded. The HSE is working with the Irish Universities Nutritional Alliance to research food and nutrition in children. Funding has also been allocated to the Irish Heart Foundation to undertake a project on marketing of foods to children.

My Department is working to address the wider health determinants, including issues such as diet, physical activity, food production and promotion, which are covered in the Task Force's recommendations.

My Department has already published food and nutrition guidelines for preschools and for primary schools. Guidelines for post-primary schools are currently being finalised. These guidelines are designed to assist schools to develop a healthy eating policy and promote the concept of healthy eating through a supportive school community. The guidelines will be available as

part of a training resource for teachers, trained jointly by Community Dietitians and Social, Personal and Health Education (SPHE) Co-ordinators.

My Department is currently finalising a National Nutrition Policy, which will provide strategic direction on nutrition for the next ten years. The target group is young people, 0-18 years, and the priority actions are intended to reduce obesity and food poverty.

*Question No. 27 answered with Question No. 21.*

*Question No. 28 answered with Question No. 15.*

### **Hospital Staff.**

29. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if she will ensure that additional staff, particularly midwives, are allocated to Our Lady of Lourdes Hospital, Drogheda as a matter of urgency, following a report into the circumstances of the death of a person (details supplied); and if she will make a statement on the matter. [16232/08]

**Minister for Health and Children (Deputy Mary Harney):** The death last year in Our Lady of Lourdes Hospital, Drogheda of the woman concerned and her infant son was a terrible tragedy. The recent publication of a report on the case by a Review Team commissioned by the Health Service Executive set out the failures, both systemic and diagnostic, which led to the fatalities.

The staffing levels at Our Lady of Lourdes Hospital clearly relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act, 2004. However, I am advised that a total complement of 66 whole time equivalent midwives were employed in the Hospital before the sanction of 22 new midwives by the HSE. Eighteen new midwives have been appointed to date at the Hospital, and a further four posts are in the process of being filled. The total complement of midwives is now 88, giving a significant reduction in the midwife/patient ratio at the Hospital. A clinical facilitator has been appointed to support nursing and midwifery practice.

In addition to the upgrading of the midwifery resource, lead clinicians in Obstetrics and Paediatrics have been appointed, as have three additional consultant anaesthetists. There has also been a significant reduction in both the number of locums appointed and their duration of service.

Further developments in staffing at the maternity services unit will include the appointment of a Consultant Obstetrician. A workforce planning exercise with the Director of the National Hospitals Office in 2007 identified the need for additional staff within all disciplines, including additional midwives and neonatal nurses. The HSE anticipate that the provision of these new posts under the Transformation Programme for the North East will be prioritised within the immediate future. The Executive will continue to monitor staffing levels within the maternity services unit at the Hospital relative to demand.

### **Hospital Services.**

30. **Deputy Joe Carey** asked the Minister for Health and Children if she will re-affirm the pre-election commitment to the people of County Clare with regard to the €39 million redevelopment of Ennis General Hospital and the continued delivery of consultant delivered accident and emergency services on a 24 hour per day and seven days per week basis; and if she will make a statement on the matter. [11958/08]

**Minister for Health and Children (Deputy Mary Harney):** Significant developments to enhance the services at Ennis General Hospital have taken place over the past few years. The €39m capital development project for Ennis was approved to stage 3 in 2006 and planning permission was granted in 2007.

The HSE is undertaking a strategic review of acute hospital services in the Mid-West region. The review is focussing on identifying the best configuration of acute hospital services in the Mid-West including arrangements for A&E, critical care, acute medicine and surgery, together with diagnostic services so that the highest quality of care can be delivered to the population. The HSE has advised my Department that the review is currently in the process of being finalised and that any implications for capital developments in the Mid-West will require to be taken into account.

Finally, the HSE has submitted to my Department for consideration and approval in the normal way a draft Capital Plan which sets out the HSE's proposed short and longer term infrastructural priorities and commitments. Consultation on this draft Capital Plan is ongoing between the HSE, the Department of Finance and my Department.

### **Health Services.**

31. **Deputy Willie Penrose** asked the Minister for Health and Children if her attention has been drawn to the cuts that have taken place in the provision of respite for people who are being cared for in the community in various parts of the country; her views on the effect of these cuts on her stated policy of transferring more treatment from hospital to community care; and if she will make a statement on the matter. [16260/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** It is Government Policy that Community and Home Based Care should be developed to maintain older people in their communities for as long as possible and to support the important role of the family and informal carer. Respite is a resource that provides a temporary break for a family or an informal carer and it is an important element in the range of community supports available to allow the older person to remain at home. Respite Care may be provided in a community setting e.g. in the person's home or local Day Care Centre or in a residential setting e.g. Community Hospital, Nursing Home etc. or may be provided by way of Home Care Packages.

There has been considerable investment in Community Services over the last number of years, particularly, in the provision of Home Care Packages (which includes provision of Respite Care), Home Help Service and Day Care/Respite.

Home Care Packages focus on older people currently in residential or hospital care, who have the capacity to return to their homes, and on people in the community who are considered to be at risk of requiring residential care in the absence of such intervention.

In 2006 over 7,000 people benefitted from these Home Care Packages including those who availed of respite care as part of a HCP. In 2007 over 10,500 people benefitted from Home Care Packages. In 2008 it is anticipated that over 11,500 will benefit from Home Care Packages including those who avail of respite from this resource which equates to 4,350 packages at a full year cost of €120 million.

It is possible to support these numbers as packages are often not required on an ongoing basis but rather to meet an immediate but often short term need e.g. in the immediate period following return home from hospital while person is regaining his/her normal levels of independence or provision of short term respite care breaks.

### *Home Help Service*

Home Help Services are an important part of the community team and the service plays an important role in supporting older people in particular to remain in their own homes for as long as possible.

- 2005 — 2007: The Home Help budget allocation has increased from €156m in 2005 to €207m in 2007.
- 2007 — 11.78 million home help hours were provided.
- 2008 — it is anticipated that 11.98m home help hours will be provided; A total of 54,500 people are expected to benefit from home help services in 2008.

### *Day Care & Respite Care*

In 2008 an additional €3.6m was allocated to day care/respice care. This will provide for 345 new day care places and 2500 weeks of respice care benefiting approximately 1,250 people if each person is allocated 2 weeks respice break. This will bring the projected day care provision to around 21,300 places by the end of this year.

A number of respice services nationally, have advised that for a variety of reasons, including staffing and budgetary reasons they will have to curtail respice services during the summer months particularly. All of these units are re-examining and prioritising bed allocations in the light of current service pressures in their particular areas. The HSE has advised that it is currently reviewing the position in relation to bed closures as a matter of urgency.

### **Accident and Emergency Services.**

32. **Deputy John Deasy** asked the Minister for Health and Children the reason in view of her description of the accident and emergency crisis as a national emergency in March 2006, the subsequent establishment of the accident and emergency task force and the publication of the emergency department task force report, a culture of acceptance of trolley waits in hospitals still exists which extends right up to herself who stated in the Dáil that waiting on a trolley could be a pleasant experience; and if she will make a statement on the matter. [16300/08]

**Minister for Health and Children (Deputy Mary Harney):** Some 184,159 people attended at 34 A&E departments in January and February this year. Of these, about 61,000, or one-third, were admitted as in-patients.

The vast majority of these patients were admitted without delay. The HSE reports daily on the numbers of the remaining patients at 2 p.m. who are not admitted immediately. They break this down in waiting times between 0-6 hours, 6-12 hours, 12-24 hours and over 24 hours.

The number of patients waiting in each category as a proportion of the total who are not admitted immediately can be calculated daily by anyone who accesses the HSE website. The number of patients waiting in each category as a proportion of total admissions is not immediately apparent from the published figures, since the majority who are admitted immediately are not reported daily.

The HSE is also committed to monitoring and reporting on the total length of time patients spend in Emergency Departments, whether they are admitted or not. A number of hospitals have commenced reporting this information and the HSE expects to be in a position to publish data on up to 18 hospitals in the next few months.



[Deputy Mary Harney.]

Significant additional resources have been provided to address problems arising in Emergency Departments. These include additional long stay beds, and a range of community based measures aimed at reducing the need to use acute hospital services. A draft national code of practice for integrated discharge planning is at the final stage of development and is due to be completed next month. I am committed to continuing to focusing on alleviating pressures on Emergency Departments, reducing waiting times, freeing up capacity and allowing for more timely admission and discharges.

*Question No. 33 answered with Question No. 14.*

### **Health Services.**

34. **Deputy Róisín Shortall** asked the Minister for Health and Children the way she will ensure that families who would rely on access to respite care in Leopardstown Park Hospital in south Dublin will be able to access this care if proposals to suspend it are implemented; if her attention has been drawn to threats to this service in other parts of the country; and if she will make a statement on the matter. [16319/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** With regard to Leopardstown Park Hospital, I understand that the HSE met with the CEO and Chairman of the Board on Friday 25th April. It was possible through this meeting to draft a mechanism that would allow the hospital to continue respite care. It was agreed that the CEO and Chairman would contact the members of the Board of the hospital with a view to having this draft mechanism endorsed. In the interim it was agreed that no respite services would be curtailed in advance of the Board's consideration of the plan.

A number of respite services nationally, have advised that for a variety of reasons, including staffing and budgetary reasons they will have to curtail respite services during the summer months particularly. All of these units are re-examining and prioritising bed allocations in the light of current service pressures in their particular areas. The HSE has advised that it is currently reviewing the position in relation to bed closures as a matter of urgency with a view to securing an early reopening of closed beds in Dublin Mid-Leinster using all available revenue streams.

### **Hospital Services.**

35. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the number of operations carried out in 2007 and to date 2008; the number of operations cancelled for same period; and if she will make a statement on the matter. [16359/08]

**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.

### **Mental Health Services.**

36. **Deputy Dan Neville** asked the Minister for Health and Children the reason €24 million of the €51 million allocated was spent on the implementation of the recommendation of A Vision for Change, the report of the Expert Committee on Mental Health; her views on the

fact that if there is no further allocation of resources in 2008 it will result in no further progress in the implementation of the recommendations of the report; and if she will make a statement on the matter. [15469/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** The estimated additional cost of the implementation of ‘A Vision for Change’ the Report of the Expert Group on Mental Health Policy is €150m over 7 — 10 years. A total of €51.2 million has been allocated since 2006 which represents over a third of the overall requirement.

In addition to the extra funding required to finance ‘A Vision for Change’, existing resources need to be remodelled and reallocated. As there are substantial resources already invested in mental health — €1 billion was spent on mental health services in 2007 — it is clear that implementation of the report is dependent to a much greater extent on the remodelling of existing resources, than on new additional funding. It is also clear that additional investment must be phased in parallel with the reorganisation of mental health services and resources. In view of the significant additional investment in 2006 and 2007, it is necessary to pause and review the situation in 2008, to ensure consolidation of the investment to date.

The Department of Health and Children has been advised by the HSE that some of the €51.2m development funding was not used as planned, because of competing expenditure pressures and the overriding obligation on the HSE to live within its overall Vote. As a result, some of the planned developments in mental health services have been delayed; however, some of the mental health services funded in 2006 and 2007 will be put in place in 2008. These include:

- the provision of 8 additional child and adolescent mental health teams
- the provision of 18 additional beds for children and adolescents at St. Anne’s, Galway, St. Vincent’s, Fairview and St. Stephen’s Hospital, Cork, to increase the bed complement from the current provision of 12, to 30 during 2008.

The Minister for Health and Children, Mary Harney has made it clear to the HSE, in the context of their Service Plan for 2008, that there can be no question of diverting capital or development funds to meet expenditure pressures in relation to other services. The Minister also pointed out that she believes there is scope within the HSE’s overall allocation to deliver further service enhancements in 2008, over and above those outlined in the Service Plan, through improved performance / productivity and realignment of existing resources. The implementation of ‘A Vision for Change’ will be a key priority for the recently established Office for Disability and Mental Health.

### **Hospital Services.**

37. **Deputy Denis Naughten** asked the Minister for Health and Children the discussions she has had with the Health Service Executive regarding the review of services at Roscommon County Hospital; and if she will make a statement on the matter. [16054/08]

52. **Deputy Denis Naughten** asked the Minister for Health and Children the funds ringfenced by the Health Service Executive for the transfer of surgical services from Roscommon County Hospital; the timetable for its implementation; and if she will make a statement on the matter. [16055/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 37 and 52 together.

[Deputy Mary Harney.]

The Health Service Executive (HSE) has advised that it has conducted a review of services at Roscommon County Hospital and at Portiuncula Hospital, Ballinasloe. The review was initiated in response to concerns raised by Comhairle na nOspideal about the current service configuration for surgery and anaesthetics, at Roscommon and Portiuncula, the issues faced by the two small hospitals in maintaining surgical services independently, and the need for closer co-operation between them to ensure services are sustainable in future. The review will help to inform decisions about the most appropriate configuration of services at these hospitals in the future. My Department has been informed by the HSE that the Executive is at present considering the outcome of this review.

*Question No. 38 answered with Question No. 18.*

### **Healthcare Associated Infections.**

39. **Deputy Liz McManus** asked the Minister for Health and Children the information her Department has on the prevalence of C-difficile in hospitals here; her views on the recent report of the Health Service Executive into this infection among patients in Ennis General Hospital; and if she will make a statement on the matter. [16258/08]

66. **Deputy Liz McManus** asked the Minister for Health and Children the information her Department has on the prevalence of MRSA in hospitals here; and if she will make a statement on the matter. [16259/08]

**Minister for Health and Children (Deputy Mary Harney):** I would like to assure the Deputy that tackling all Healthcare Associated Infections (HCAIs), including MRSA and C Difficile, continues to be a priority for the Government and for the Health Service Executive (HSE).

Since 2002 MRSA cases have been collated by the Health Protection Surveillance Centre — Ireland's specialist agency for the surveillance of communicable diseases — via the European Antimicrobial Resistance Surveillance System (EARSS). In 2007, 44 Irish laboratories serving 65 acute hospitals (public and private) participated in EARSS. The total number of MRSA cases recorded over the last six years was 445 cases in 2002, 480 cases in 2003, 553 cases in 2004, 592 cases in 2005, 588 cases in 2006 and 533 cases in 2007.

A National Surveillance System has recently been established by the HSE to collect data and provide information on a quarterly basis on four key areas, to monitor HCAIs in our health system:

1. Staphylococcus bacteraemia (blood stream infections);
2. Antibiotic consumption;
3. Alcohol gel use;
4. MRSA Surveillance in Intensive Care Units.

The HSE intend to publish available data on the above for 2006 and 2007 in the near future and then quarterly thereafter. However, as the total data on surveillance in Intensive Care Units is new, the historical information for 2006 and 2007 will not include data under this heading.

Clostridium Difficile (C Difficile) was not, up to now, a notifiable disease and, as a result, it is difficult to quantify the extent of infection in the health care system. However, it was exam-

ined in the Third Prevalence Survey of Health Care Associated Infections (HCAIs) in acute hospitals in 2006. The survey found that thirty-six patients had *C. difficile* representing 0.5% of patients studied. In March 2008, I instructed the HSE to make *C. Difficile* a notifiable disease and from May 4th all cases will have to be notified to the relevant Department of Public Health.

I consider the findings of the recent report carried out by the HSE into an outbreak of *C. Difficile* at the Midwestern Regional Hospital, Ennis to be a serious matter and I would like to express my sympathy to any patient and/or family who has been affected by the outbreak. I have been informed by the HSE that most of the recommendations in the report have already been implemented and the HSE will continue to monitor their implementation so as to ensure that the incidence of HCAIs is reduced to an absolute minimum and, particularly, that significant outbreaks such as this do not occur again.

The HSE launched a National Infection Control Action Plan in March 2007. An Infection Control Steering Group, chaired by Dr. Pat Doorley, National Director (Population Health) is responsible for overseeing the implementation of the plan. Over the next three to five years, the HSE aims to reduce HCAIs by 20%, MRSA infections by 30% and antibiotic consumption by 20%. Achievement of these targets will benefit all patients who are at risk. These targets will be achieved through the development of national and local level action plans to reduce the potential for spread of infections between persons in healthcare settings, and, in addition, will focus on reducing antibiotic use in Ireland. The Steering Group is supported by eight Local Implementation Teams which will ensure that all local facilities are focused on achieving the national targets.

While accepting that not all HCAIs are preventable, I am satisfied that significant steps are being taken to reduce the rates of HCAIs generally and to treat them promptly when they occur.

### **Palliative Care.**

40. **Deputy Thomas P. Broughan** asked the Minister for Health and Children if she will provide a commitment that the planned roll out of palliative care here over a five year period is adhered to; and if she will make a statement on the matter. [16248/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hochtör):** Under the Programme for Government, the Government has committed to removing regional disparities in the provision and funding of palliative care, and to ensuring that the needs of all those who require palliative care are met. Additional funding totalling €18 million was provided by the Government in Budgets 2006 and 2007. Budget 2008 provided a further €3m for enhanced service provision.

On the 14th September 2007, officials from the Department of Health and Children and the Health Service Executive met with representatives of the Irish Hospice Foundation, the Irish Cancer Society and the Irish Association for Palliative Care. At that meeting it was agreed to develop a five year implementation framework for the delivery of palliative care services. At a follow-on meeting on 23rd January 2008, it was reported that good progress towards developing this framework had been made. It is intended that the document will be complete by the end of May/June 2008.

It is expected that this implementation plan will then be reflected in the HSE Service Plan each year. It is a matter for the Executive to manage service delivery, both nationally and locally, within its budget and in line with overall health policy priorities.

### **Suicide Prevention.**

41. **Deputy Dan Neville** asked the Minister for Health and Children the reason there is no increase in funding the national suicide prevention office to facilitate the implementation of the report of the national strategy on suicide prevention entitled Reach Out. [15470/08]

148. **Deputy Emmet Stagg** asked the Minister for Health and Children the reason additional funding has not been allocated in 2008 to the National Office for Suicide Prevention to enable the setting up of new suicide prevention services in counties such as County Kildare. [16112/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** I propose to take Questions Nos. 41 and 148 together.

Since the establishment of the HSE's National Office for Suicide Prevention in 2005, additional funding of €3.05 million has been provided for the implementation of 'Reach Out' — the National Strategy for Action on Suicide Prevention, 2005-2014. This brought the total funding available to support suicide prevention initiatives to €8 million and this level of funding continues into 2008.

It should also be emphasised that a range of services such as mental health and primary care services are important in helping to prevent suicide. These services play a vital role in the drive to reduce the incidence of suicide, and should be taken into account when considering the level of expenditure devoted to suicide prevention.

### **Hospital Accommodation.**

42. **Deputy Willie Penrose** asked the Minister for Health and Children the progress made on the promises made to cystic fibrosis patients to provide a number of isolation beds in summer 2008 for adult cystic fibrosis patients who need treatment in a hospital setting; and if she will make a statement on the matter. [16263/08]

**Minister for Health and Children (Deputy Mary Harney):** I take it that the Deputy is referring to the project at St Vincent's Hospital, the National Adult Tertiary Centre for the treatment of persons with cystic fibrosis.

I identified the need to improve services for persons with cystic fibrosis as a priority in the Estimates process over recent years. Since 2006, additional revenue funding of €6.78m has been allocated to the HSE to develop services for patients with cystic fibrosis. I also asked the HSE to place a particular focus on the development of services at St. Vincent's Hospital, where concerns had been raised regarding the need to improve facilities. A number of capital projects have been completed at the hospital and further developments are in progress.

In the longer term, a new ward block is to be built at St. Vincent's which will include 120 replacement beds in single en-suite accommodation. The new facility will accommodate cystic fibrosis patients and will include appropriate isolation facilities. The HSE advises that planning permission has been obtained, financial provision has been included in the HSE Capital Plan and the contract is to be awarded in 2008. It will be a condition of the contract that the design build period be no more than 24 months from the date of contract award.

In the interim, work is underway on the refurbishment of accommodation to provide eight single en-suite rooms for patients with cystic fibrosis. The project is due to be completed over the coming months. The HSE advises that on completion of this first phase, work will commence to further increase the number of single rooms for patients with cystic fibrosis.



In the 2008 Budget, a special allocation of €2.5m capital funding was provided to enable Beaumont hospital to provide out patient facilities for cystic fibrosis patients. The HSE advises that patients with cystic fibrosis will also benefit from additional single room capacity in the new medical admissions unit at the hospital which is due to open in December.

### **Hospital Waiting Lists.**

43. **Deputy P. J. Sheehan** asked the Minister for Health and Children when a person (details supplied) in County Cork will receive an appointment for an MRI scan in the Cork University Hospital; the number of people on the waiting list for an MRI scan; the present waiting time for an MRI scan; and if she will make a statement on the matter. [14280/08]

**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.**

44. **Deputy Brian O'Shea** asked the Minister for Health and Children the reason the expansion of Waterford Regional Hospital will not go ahead in the planned timeframe promised before the general election in 2007; her plans to ensure that it can fulfil its role as one of the specialist cancer centres in the timeframe envisaged in the cancer strategy being implemented by Professor Tom Keane; the assurances she will provide that patients in the south east region will have access to a speedy and comprehensive service in the short to medium term; and if she will make a statement on the matter. [16235/08]

**Minister for Health and Children (Deputy Mary Harney):** The specific question raised by the Deputy in relation to progress under the HSE National Cancer Control Programme relates to the management and delivery of health and personal social services, which are the responsibility of the HSE under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in this regard.

### **Hospital Staff.**

45. **Deputy Michael D. Higgins** asked the Minister for Health and Children when the Cork University Hospital report into the appointment of a pathologist (details supplied) which was commissioned in August 2007 will be published; and if she will make a statement on the matter. [16255/08]

**Minister for Health and Children (Deputy Mary Harney):** The review of the work of the temporary pathologist at Cork University Hospital referred to by the Deputy is near completion and the report is expected to be published in the very near future.

### **Cancer Screening Programme.**

46. **Deputy Joan Burton** asked the Minister for Health and Children if she will ensure that the process of accreditation of cytology laboratories which carry out tests for cervical cancer is completed as soon as possible in order that the national cervical screening programme can

[Deputy Joan Burton.]

have testing done here rather than abroad; and if she will make a statement on the matter.  
[16234/08]

**Minister for Health and Children (Deputy Mary Harney):** The roll out of a national cervical screening programme is the most efficient population approach to preventing and controlling cervical cancer. The National Cancer Screening Service (NCSS) is planning to roll out such a programme on a national basis and is in the final stages of preparations. The service will be available free of charge to all eligible women in Ireland aged 25-60. A national programme will provide screening in a primary care setting every three years for women aged 25-44 years and screening every five years for women aged 45-60 years. The priority is to establish a national quality assured, organised cervical screening programme and it will be implemented in line with best international practice.

All elements of the programme will be quality assured — call and recall, laboratory testing, colposcopy and will be managed to deliver a single integrated national service. A cytology procurement process is underway. This process commenced in December 2007 and the outcome of this will be announced in the coming month.

The vital emphasis of the procurement process has been and will be on quality of the national programme. The necessary entry criteria in choosing a cytology partner included accreditation status and that the laboratory dealt with a minimum of 25,000 smears per annum. These criteria were chosen in line with international acceptable criteria for cervical screening programmes. The NCSS will ensure that the laboratory elements will be delivered in an efficient and cost effective manner and with high quality and acceptable turn-around time for results and so avoid unacceptably long delays for routine cervical smear test results as a priority.

The specific question raised by the Deputy in relation to the accreditation of cytology laboratories in Ireland relates to the management and delivery of health and personal social services, which are the responsibility of the HSE under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in this regard.

### **Tobacco Control.**

47. **Deputy Jack Wall** asked the Minister for Health and Children her views on the report from the Office of Tobacco Control that 48% of national retailers were willing to sell cigarettes to underage youths; and if she will make a statement on the matter. [12467/08]

197. **Deputy Jack Wall** asked the Minister for Health and Children her plans to combat the report from the Office of Tobacco Control which reported that 64% of youths were not prevented from buying cigarettes from vending machines; and if she will make a statement on the matter. [12469/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 47 and 197 together.

This report shows that the ease of access to tobacco products by persons under 18 years of age must be addressed. The Public Health (Tobacco) Acts 2002 and 2004 contain a number of key provisions, including a prohibition on all display and advertising of tobacco products in retail outlets and regulations for the sale of tobacco products from vending machines. I intend to announce a date for their commencement shortly. The aim of these provisions is to further de-normalise tobacco and to protect children from the dangers of tobacco consumption.

### Health Services.

48. **Deputy Eamon Gilmore** asked the Minister for Health and Children when the eligibility review unit was established in her Department; the progress made in developing proposals to update and clarify the law in relation to eligibility for services under the Health Acts; if the unit operates under directions as to the timeframe within which it should work; when its work is expected to be completed and any such proposals published; and if she will make a statement on the matter. [16252/08]

**Minister for Health and Children (Deputy Mary Harney):** The Eligibility Review Team was established in my Department in 2005, to begin working on a new legislative framework to provide for clear statutory provisions on eligibility for health and personal social services. The aim is to produce a clear set of statutory provisions that ensure equity and transparency and to bring the system up to date with developments in service delivery and technology that have occurred since the Health Act 1970. The legislation will define specific health and personal social services more clearly; set out who should be eligible for what services, as well as criteria for eligibility; establish when and in what circumstances charges may be made and provide for an appeals framework.

As the Deputy will appreciate, this is a very complex undertaking, as the current legislation has been in place since 1970, and there have been significant developments in services since then. Nonetheless, it is expected that proposals will be brought to Government during 2008.

As part of this work the Department is reviewing the eligibility criteria for the assessment of medical cards in the context of financial, medical and social need in line with the commitment in Towards 2016 to clarify entitlement to a medical card. A Steering Group has been established which is expected to complete this work in Autumn 2008.

### Nursing Home Subventions.

49. **Deputy Jim O’Keeffe** asked the Minister for Health and Children if her attention has been drawn to the serious financial hardship being suffered by many elderly people in nursing homes due to the inadequate levels of nursing home subvention which is restricted to a maximum of €300 per week in a situation where charges can be up to €850 per week; and the proposals in the short term to relieve this hardship. [15762/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** The Nursing Home Subvention Scheme was introduced in 1993 to assist with the cost of private nursing home fees. A subvention may be paid where a person has been assessed as needing nursing home care by the Health Service Executive and where the person has satisfied a means test. Since the 1st January 2007 there are no longer three separate rates for subvention. Persons who apply may receive any amount up to a maximum of €300 per week.

An enhanced subvention contribution, which is an additional discretionary contribution, may be paid by the HSE in addition to basic subvention. These discretionary contributions are subject to the limit of the resources available for the scheme. There is no set amount of enhanced subvention contribution. The amount payable in each individual case will vary depending on the following criteria:

- the assessed means of the applicant
- the cost of care in the individual case compared to the level of fees in the locality

[Deputy Máire Hóctor.]

- the amount of basic subvention payable
- the amount of resources available for the scheme
- the need for the HSE to ensure that the available resources are distributed in a way that supports applicants as evenly as possible across the country.

Guidelines on the operation of the nursing home subvention scheme are available on the HSE website at [www.hse.ie](http://www.hse.ie). The choice of private nursing home is a matter for the applicant and/or their representatives. The HSE pays the approved subvention to the nursing home of the applicants' choice and the payment of the balance of the nursing home fee is a matter between the applicant and the nursing home under the contract of care agreed between these parties.

### **Hospitals Building Programme.**

50. **Deputy Brian O'Shea** asked the Minister for Health and Children the control she will have on the running of the proposed private co-located hospitals; if she has had discussions with a group (details supplied) on this issue; if that group will run the hospitals for which they have applied for planning permission; if they will be subject to regulation of standards by the Health Information and Quality Authority; and if she will make a statement on the matter.

[16236/08]

**Minister for Health and Children (Deputy Mary Harney):** I issued a policy direction under section 10 of the Health Act 2004 to the Health Service Executive (HSE) on 14 July 2005 (amended on 18 April 2007) on the co-location of private hospitals on the sites of public hospitals. This initiative aims to make available approximately an additional 1,000 public acute hospital beds for public patients by transferring private activity, with some limited exceptions, from public acute hospitals to co-located private hospitals and is considered the fastest way of doing this. The policy direction sets out, inter alia, an assessment framework for assessing co-location proposals. It is, however, an operational matter for the HSE to comply with and to implement the policy direction on co-location.

In accordance with a competitive dialogue procurement process, the Board of the HSE has approved successful bidder status for the development of co-located hospitals at the following six hospital sites:

- Waterford Regional Hospital
- Cork University Hospital
- Limerick Regional Hospital
- Sligo Regional Hospital
- Beaumont Hospital
- St. James's Hospital

My Department has been advised by the HSE that successful bidder status for the Beaumont, Cork and Limerick Hospital projects has been awarded to the Group referred to by the Deputy. The Project Agreements for these sites have been signed. The Group is now in discussion with the HSE on a number of matters relating to the Project Agreements. My Department will be

briefed on the outcome of these discussions. It is anticipated that the Project Agreements for the three other sites at Waterford, St James's and Sligo Hospitals will be signed in the near future.

Connolly Hospital and Tallaght Hospital, which are also participating in the co-location initiative, are at an earlier stage of the procurement process. A tender in relation to Connolly Hospital is under consideration and it is expected that the invitation to tender (ITT) for Tallaght Hospital will issue shortly.

Finally, I established the Commission on Patient Safety and Quality Assurance last year to develop proposals for a health service wide system of governance based on corporate accountability for the quality and safety of all health services. One of its terms of reference is to specifically examine and make recommendations in relation to a statutory system of licensing for both public and private health care providers and services. The Commission is due to report by July this year.

### **Health Services.**

51. **Deputy James Reilly** asked the Minister for Health and Children the number of respite beds that have been closed around the country; the number of respite beds she expects to close over the coming months; the provision her Department made to offer alternative respite services to those affected by these closures; and if she will make a statement on the matter.  
[16351/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** The development of Services for Older People is a priority for the Government. This is reflected in the funding committed to services for older people in Budgets 2006, 2007 and 2008. In 2006, the Government funded a significant expansion of services for older people with a full year cost of €150m. In 2007 a full year package of €255m was allocated for services for older people. Budget 2008 provided an additional €135m bringing the total spend over the last three years to €540m.

In this context, over €16m has been provided in the last three years for new Day/Respite Care services. The recent Budget will allow an additional 1,245 clients nationally to avail of new Respite places and brings the total projected Day Care provision by the Health Service Executive to around 21,300 places by the end of this year.

The HSE have committed through its National Service Plan 2008 to deliver services within its Vote provided by the Oireachtas. It will manage the provision of respite care beds within this context and also recognising the priority the Government and the Executive have given to services for older people.

It is a matter for the Executive to manage service delivery, both nationally and locally, within its budget and in line with overall health policy priorities. 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 HSE to arrange to have the matter investigated in detail and to have a reply issued directly to the Deputy.

*Question No. 52 answered with Question No. 37.*

*Question No. 53 answered with Question No. 14.*

### **Health Services.**

54. **Deputy Jan O'Sullivan** asked the Minister for Health and Children her views on the cost-



[Deputy Jan O’Sullivan.]

cutting measures proposed to her Department by the Health Service Executive in order to address their projected budget deficit of €300 million; if these include, as reported, reductions in beds, curtailment of accident and emergency, restrictions on medical cards and diversion of funds earmarked for developments for people with disabilities and older people; the decisions made on these proposals; her views on requesting a supplementary estimate in order to reduce the damage to services such cuts would cause; and if she will make a statement on the matter. [16231/08]

**Minister for Health and Children (Deputy Mary Harney):** The 2008 post budget gross current expenditure allocation for the HSE, excluding the provision for the long-stay repayment scheme, is €14.2 billion. This represents an increase of 9% on the 2007 allocation and 8% on the 2007 outturn. The services to be provided by the HSE in 2008 are set out in the National Service Plan which I approved in November, 2007 and the Addendum to the Service Plan which I approved in February, 2008. Both of these documents have been laid before this House and published.

In its Exchequer Issues return to end April the HSE is reporting an overspend against profile of €95m, excluding the long-stay repayments scheme. I have had discussions recently with the Chairman and CEO of the HSE about these emerging budget pressures. The HSE is now considering what steps it should take to bring spending levels back within target while still meeting my policy priorities in relation to service delivery. When I receive the HSE’s proposals in this regard I will be reporting to Government as part of the normal expenditure management process.

#### **Health Service Staff.**

55. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of staff employed throughout the country in the delivery of health services; the number of consultants, doctors, nurses or others involved in delivery of community care, special hospital or general hospital services; the staffing levels and structures on a local, national or regional basis of the Health Service Executive; the degree to which these numbers have increased in the past six years; the extent to which the delivery of services has improved or deteriorated in the same period; the number of patients catered for in the 12 months to date and in each of the previous five years; the degree to which hospital beds have been increased in this period; and if she will make a statement on the matter. [16247/08]

**Minister for Health and Children (Deputy Mary Harney):** The main source of employment data in the health services is the Health Service Executive’s Health Services Personnel Census which is derived from payroll history in each agency. The census collects data on actual staffing level for each staff grade in each health agency at a given point in time. Up to and including 2002 the census was conducted annually. Since 2003 the census has been carried out quarterly at the end of March, June, September and December each year.

The data in relation to the number of staff employed by grade category including the increase in the past six years (Table 1), the number of staff employed by service pillars (Table 2), and the numbers employed on a regional basis (Table 3) are set out as follows (source — Health Service Personnel Census):

Table 1: Health Service Employment 2002-2007<sup>1</sup> (source: Health Service Personnel Census)

Grade category <sup>2</sup>	2001	2002	2003	2004	2005	2006	2007	Change Dec-01 to Dec-07	% Change Dec-01 to Dec-07
Medical/Dental	6,279	6,771	6,789	7,013	7,263	7,712	8,005	1,726	27.49%
<i>of which Consultants</i>	1,574	1,693	1,756	1,873	1,968	2,096	2,220	646	41.04%
Nursing	31,423	33,386	33,756	34,313	35,243	36,737	39,006	7,583	24.13%
Health and Social Care Professionals <sup>3</sup>	9,193	12,544	12,665	12,830	13,927	14,913	15,705	6,512	70.84%
Management/Administrative	14,694	15,668	15,747	16,157	16,680	17,262	18,043	3,349	22.79%
General Support Staff	13,783	13,713	13,823	13,771	13,215	12,910	12,900	—883	—6.41%
Other Patient and Client Care	14,840	13,510	13,642	14,640	15,580	16,739	17,846	3,006	20.26%
<b>Total</b>	<b>90,213</b>	<b>95,591</b>	<b>96,422</b>	<b>98,723</b>	<b>101,908</b>	<b>106,273</b>	<b>111,505</b>	<b>21,292</b>	<b>23.60%</b>

*Notes*

<sup>1</sup> excludes Home Helps.

<sup>2</sup> Management/ Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

<sup>3</sup> The methodology under which employment figures are compiled changed during the course of 2007 with the addition of personnel not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information. As a result of this change year-on-year figures are not comparable.

<sup>4</sup> Caution should be exercised in making grade category comparisons due to changes in category composition over time.

Table 2: Health Service Employment<sup>1</sup> at 31 December 2007 (source: Health Service Personnel Census)

Grade Category	National Hospitals Office	Primary Community & Continuing Care	Corporate	Population Health	Total
Medical/Dental	6,049	1,821	35	102	8,007
Nursing <sup>4</sup>	21,481	17,353	161	14	39,009
Health and Social Care Professionals	6,257	9,333	54	61	15,706
Management/ Administrative <sup>2</sup>	8,141	6,822	2,782	310	18,055
General Support Staff	7,131	5,338	431	1	12,901
Other Patient and Client Care	4,667	13,102	14	44	17,827
<b>Total</b>	<b>53,726</b>	<b>53,769</b>	<b>3,477</b>	<b>533</b>	<b>111,505</b>

*Notes*

<sup>1</sup> excludes Home Helps.

<sup>2</sup> Management/Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

<sup>3</sup> The methodology under which employment figures are compiled changed during the course of 2007 with the addition of circa 4,000 wte not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/ Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information.

<sup>4</sup> Student nurses are included in the 2007 employment ceiling on the basis of 3.5 students equating to 1 whole-time equivalent. The December 2007 employment level adjusted for student nurses on the above basis is 110,597 wte.

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Table 3: Health Service Employment<sup>1</sup> at 31 December 2007 (*source*: Health Service Personnel Census)

Grade Category	National	Dublin/ Mid- Leinster	Dublin/ North- East	South	West	Total
Medical/Dental	27	2,528	1,884	1,740	1,826	8,005
Nursing <sup>4</sup>	13	11,149	8,494	9,398	9,952	39,006
Health and Social Care Professionals	5	5,346	3,701	3,313	3,340	15,705
Management/ Administrative <sup>2</sup>	905	5,084	3,872	3,708	4,475	18,043
General Support Staff	55	3,547	2,821	3,608	2,868	12,900
Other Patient and Client Care	2	5,665	3,560	3,483	5,135	17,846
<b>Total</b>	<b>1,007</b>	<b>33,320</b>	<b>24,332</b>	<b>25,250</b>	<b>27,596</b>	<b>111,505</b>

*Notes*<sup>1</sup> excludes Home Helps.<sup>2</sup> Management/ Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.<sup>3</sup> The methodology under which employment figures are compiled changed during the course of 2007 with the addition of circa 4,000 wte not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information.<sup>4</sup> Student nurses are included in the 2007 employment ceiling on the basis of 3.5 students equating to 1 wholetime equivalent. The December 2007 employment level adjusted for student nurses on the above basis is 110,597 wte.

The activity levels for each of the last 5 years is as set out in the following table.

## January to December

	2003	2004	2005	2006	2007
In-patients	561,623	570,885	573,834	588,875	617,831
Day Cases	447,697	483,210	509,831	557,387	590,578
OPD	2,255,998	2,363,821	2,453,000	2,989,598	3,418,872

*Source*: Integrated Management Returns (IMRs).

As the Deputy will be aware 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. In this regard, the Executive has advised that since its establishment it has undertaken a number of initiatives aimed at improving the provision of services to patients and clients and aimed at improving the health and social well being of people living in Ireland. These have included the enhancement and reconfiguration of services in line with national policies (e.g. Health Strategy, Primary Care Strategy, A Vision for Change) and funding of new services across all sectors. It has also undertaken many reviews that have and will continue to shape the way services are delivered into the future. For example, the national review of bed capacity showed how acute capacity needs to be re-configured in the future, the need to build a new national children's hospital was identified and re-configuration of services in the North East was identified as a priority by the HSE. The HSE has further advised that it has

also tried to re-engineer how it gathers views and opinions from patients and staff through the establishment of Expert Advisory Groups.

The OECD report on the Irish Public Service — ‘Towards an Integrated Public Service’ notes that the health of the Irish is good and improving at an exceptionally rapid pace. Ireland is the European country which had the most spectacular increase in its life expectancy at birth since 1990: almost five years in 15 years, an average of four months a year. There are a number of other indicators which show how services have improved, for example:

- The rate of heart disease as a cause of death is down 42% between 1997 and 2005.
- Cancer survival is improving: five-year survival rates for breast cancer are rising at one of the highest rates in Europe.
- Five times more home care for the elderly since 2004: Approximately 11,000 clients benefited from Home Care Supports in the period January 2006 — July 2007, and an additional 800 people will benefit in 2008. Almost 12 million home help hours were provided in 2007 benefiting about 53,000 people. Approximately 200,000 Home Help hours will be added this year.

In relation to the performance of the HSE in the delivery of services, I would like to outline that the HSE has commissioned a report by McKinsey consultants in this regard. I have had recent discussions with the Chairman of the Board of the HSE in relation to optimising the HSE’s operational capability by addressing the following issues:

- robust governance and management structures, processes and procedures;
- clear reporting relationships and lines of accountability;
- having permanent top level managers in key posts;
- good systems of delegation; and
- a strong sense of corporate identity which permeates all levels of the organisation.

The Board is currently considering these issues and will report to me on its proposals to address the situation as soon as possible.

In 2001, the year of the publication of the Health Strategy, the average number of in-patient beds and day places available in the 53 public acute hospitals was 12,145, based on returns to the Department (11,374 in-patient beds and 771 day places). The provisional number of acute hospital beds recorded by the Health Service Executive for 2006 was 13,771 (12,574 in-patient beds and 1,197 day places) based on a total bed complement. The Programme for Government includes a commitment to provide an additional 1,500 public acute hospital beds. In this context the co-location initiative which was announced in July 2005, aims to make available approximately 1000 additional acute beds for public patients through the transfer of private activity from public hospitals to co-located private hospitals. Additional acute beds, which are at various stages of planning, will be made available through the Health Service Executive’s capital plan.

The provision of private care in public acute hospitals is a long standing feature of the Irish healthcare system. Over 2,500 beds in public hospitals are designated as private and semi-private. There is an 80:20 public/private ratio average across the entire acute system. The percentage of beds designated as private varies between individual hospitals; for example, there

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is a higher ratio of private beds in maternity and paediatric hospitals and a lower ratio in other hospitals.

The Health Service Executive recently published a Review of Acute Bed Capacity carried out by PA Consulting together with a HSE discussion document which proposes an integrated approach to health service delivery that seeks to achieve the right balance between in-patient, day case and community based care.

The Review found that with future challenges, such as our ageing population and the increase in chronic diseases, we will need to plan for a 60% increase in demand for health care by 2020. It suggests that if current practices and processes continue the demand for public hospital beds would escalate to nearly 20,000 by 2020. To meet this need we would have to provide the equivalent of twelve new 600-bed hospitals over the next thirteen years. It concludes that such reliance on acute hospitals for service delivery is neither sustainable nor in the best interests of patients.

The Review examined alternative approaches to meeting this demand. It recommends an integrated approach to health service delivery involving substantial change in the way care is provided. Among the measures proposed are significant increases in day beds in hospitals, more long-term care beds, more rehabilitation beds and more services in community-based, non-acute hospital settings.

The Review outlines a number of bed demand scenarios ranging from partial to full delivery of an integrated health service. It makes the point that other developed countries, such as Australia, Canada, Denmark and England have achieved significant results through their reform programmes. It also points out that some of our hospitals are already achieving the required efficiencies, such as shorter lengths of stay, more day surgery and admission on day of surgery. The challenge is to achieve these standards of service across the entire acute system.

Pending the implementation of such reforms, the Review estimates that 1,100 additional acute hospital beds are needed to meet current demand. The Review also advises that services in acute hospitals should not be altered until viable and appropriate community based alternatives are in place. I believe that the Review forms a basis for discussion with key stakeholders on how best to plan for the provision of public health care delivery to 2020.

My Department has requested the Parliamentary Affairs Division of the HSE to provide direct to the Deputy the number of staff involved in the delivery of community care, special hospital or general hospital services.

### **Health Services.**

56. **Deputy Arthur Morgan** asked the Minister for Health and Children the cost-cutting measures imposed by the Health Service Executive in the north east region since September 2007; and if she will make a statement on the matter. [16240/08]

**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.

### **Drug Treatment Services.**

57. **Deputy Jack Wall** asked the Minister for Health and Children if her Department funds



a 24 hour telephone helpline for persons affected by drug use; the amount of finance allocated to such a project; the number of calls to this helpline; and if she will make a statement on the matter. [12466/08]

**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.

*Question No. 58 answered with Question No. 20.*

### **Hospitals Building Programme.**

59. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the discussions she has had with the Health Service Executive regarding the proposed regional hospital for the north east; the role of her Department in determining the next steps with regard to this plan; and if she will make a statement on the matter. [16239/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive has recently received the report of a consultancy firm, which it commissioned to carry out an independent study on a possible location for the new Regional Hospital. The study took account of various criteria including demographics, access, planning and development considerations and interdependencies.

I received a briefing recently from the HSE and the consultants who prepared the report on the key findings of the study. The report was considered by the Board of the HSE on 9th April and the contents were noted by the Board. No decision has been taken by the Government or by the HSE on the location of the new hospital.

The immediate task for the HSE is to ensure that services in the region are organised to optimise patient safety. The first step in the development of a fully integrated regional health service is to ensure that the people of the North East have local access to both routine planned care and immediate life saving emergency care. Over the next few years, in preparation for all acute emergency in-patient care and complex planned care being provided at a regional centre, the existing five hospitals will continue to improve services by further merger of their acute care specialties.

### **Health Services.**

60. **Deputy Catherine Byrne** asked the Minister for Health and Children if she plans to provide funding and supports for vital services and resources for children who have a drink or drug dependency; and if she will make a statement on the matter. [12443/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) currently makes €91 million available for its drugs services overall: this includes an additional €6 million which was allocated for key priorities in Budget 2007.

The HSE's addiction services prioritise under 18s for whom there is no waiting list for methadone substitution. In addition, performance indicators in use in the HSE indicate that in mid-2007 (the latest date for which the relevant collated data are available), appropriate treatment commenced for over 99% of substances misusers under the age of 18 within one calendar month of presenting.

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Any requirements for additional resources for this category will be considered in the context of overall HSE service developments for 2009.

### **Hospital Services.**

61. **Deputy Joe Costello** asked the Minister for Health and Children the provision of kidney dialysis services for patients here; the number of patients who have to travel outside their own region for dialysis; the progress made on plans to increase the service; and if she will make a statement on the matter. [16327/08]

**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.

### **Hospital Accommodation.**

62. **Deputy Joe Costello** asked the Minister for Health and Children when she will provide urgently needed step down beds in the Dublin area in order that patients in acute hospitals who are ready to be discharged to such beds can be transferred, relieving pressure on the accident and emergency departments, particularly the Mater Hospital accident and emergency; if she will introduce other measures to address the overcrowding that is causing such suffering to patients; and if she will make a statement on the matter. [16253/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** The Deputy will be aware that 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. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy in respect of step-down beds in the Dublin area. 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.

With regard to issues around delayed discharges and overcrowding the HSE is working closely with those hospitals which are experiencing difficulties. The focus is on improving and streamlining hospital processes and patient pathways to ensure that care is provided in a more timely, appropriate, and efficient manner. Targeted initiatives include:

- setting up consultant led Clinical Decision Units and Acute Short Stay Units with a dedicated number of beds,
- integrated discharge planning implemented on a 7 day basis, including nurse facilitated discharges,
- updating the bed management system and processes with a focus on improved discharge planning,
- reducing inappropriate referrals from GPs to Emergency Departments,
- reducing admissions with the duty medical registrar deciding on admissions,

- standardising assessment processes,
- enhancing diagnostic capacity.

One of the most effective strategies for reducing total patient journey time is to focus on the bottlenecks in both the admission and the discharge process. The greatest variation is typically in the number of discharges carried out. The HSE established a National Working Group last November to bring forward recommendations and proposals for an action plan to deliver key goals.

Key features of the proposed new approach are that:

- all patients have an expected date of discharge within 24 hours of admission;
- the expected date of discharge is actively managed on a daily basis against the treatment plan and any changes are communicated to the patient;
- patients can be discharged in a more proactive manner at weekends;
- there is an increased emphasis on nurse facilitated discharges;
- ward rounds are scheduled in a way that facilitates a more timely review of treatment plans.

A draft national code of practice for integrated discharge planning is now at final stage of development and includes national standards, guidelines, policies and recommended practices. This is due to be completed in May 2008.

### **Hospital Services.**

63. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the discussions she has had with the Health Service Executive regarding the transformation plan for hospital services in Counties Cavan and Monaghan involving the ending of acute inpatient care and critical care at Monaghan General Hospital with the closure of 50 inpatient acute beds and six critical care beds and the transfer of responsibility for these services to Cavan General Hospital without the provision of a single additional bed there; if she will call a halt to this drive to destroy a hospital that has served the community in Monaghan for generations; and if she will make a statement on the matter. [16238/08]

**Minister for Health and Children (Deputy Mary Harney):** I have had many discussions with the Health Service Executive regarding the Transformation Programme for the North East region. The Programme involves widespread and fundamental change and is designed to build a health system that is in line with the model of care emerging internationally. The overriding aim of the Programme, which I fully support, is the need to improve safety and achieve better standards of care for patients in the region. The Transformation Programme is approaching the end of its initial phase of detailed planning and is moving towards detailed design and implementation.

The Teamwork Report, which has helped to inform the approach being taken by the HSE in relation to the Transformation Programme, clearly indicated that the current service configuration in the region is unsustainable, that there needs to be a reconfiguration of hospital services across the five hospital sites and ultimately the development of a new regional hospital in order to ensure the highest level of patient safety. The Report also identified a role for all five hospital sites in the provision of acute hospital services.

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In progressing the various elements of the Programme the HSE has repeatedly emphasised its commitment that existing services in the region will remain in place until they are replaced with higher quality, safer or more appropriate services.

In the case of Monaghan General Hospital the HSE envisages that the future role of the hospital will be to provide a range of acute services within a clinical network. It has identified a requirement for additional services to be provided at the hospital as part of an integrated service with Cavan General Hospital. In determining the future capacity of the Hospital the HSE will also have regard to the findings of various reviews which it commissioned and which highlighted the potential to use the existing bed complement in a more efficient manner. The reviews confirmed that acute hospital admissions and length of stay could be reduced if access to a range of support services is improved.

In conclusion, I wish to emphasise that Monaghan Hospital will continue to have an important role to play in the provision of health services in the North East. This view was confirmed in the Teamwork Report and also in the North East Transformation Programme.

### **Health Services.**

64. **Deputy Martin Ferris** asked the Minister for Health and Children the cost-cutting measures imposed by the Health Service Executive in the southern region since September 2007; and if she will make a statement on the matter. [16244/08]

**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.

### **Mental Health Services.**

65. **Deputy Mary Upton** asked the Minister for Health and Children the measures in place to retain profits from the sale of property currently used for psychiatric care within the mental health budget; and if she will make a statement on the matter. [16325/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** ‘A Vision for Change’ the Report of the Expert Group on Mental Health Policy, which was launched in January 2006, has been accepted by Government as the basis for the future development of our mental health services. The Report recommends inter alia that a plan to bring about the closure of all psychiatric hospitals should be drawn up and implemented, and that the resources released by these closures should be protected for reinvestment in the mental health service. The Minister for Health and Children, Mary Harney has made it clear to the HSE in the context of their Service Plan for 2008, that there can be no question of diverting capital or development funds to meet expenditure pressures arising in relation to core services.

The identification and disposal of assets which may be in excess of known HSE requirements is the responsibility of the HSE National Director of Estates. 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.

*Question No. 66 answered with Question No. 39.*

### Patient Care.

67. **Deputy Emmet Stagg** asked the Minister for Health and Children if she will extend the remit of the Health Information and Quality Authority to include private health care facilities and hospitals; her plans to review the structures of the Health Service Executive in the context of growing concern among the public and health workers that it is not delivering improved care to patients; and if she will make a statement on the matter. [16321/08]

**Minister for Health and Children (Deputy Mary Harney):** A core function of the Health Information and Quality Authority (HIQA) is to set standards on safety and quality of health services and to monitor enforcement of those standards in an open and transparent way. The Health Act 2007 currently gives HIQA strong powers in this area in relation to services provided by the Health Service Executive (HSE) and bodies funded by the HSE to provide services on their behalf. The process by which such a regulatory regime is introduced first in the public sector is a feature of similar developments in other jurisdictions. The extension of this type of monitoring and control to the private sector would involve further legislation of a complex nature.

However, the Commission on Patient Safety and Quality Assurance was established last year to develop proposals for a health service wide system of governance based on corporate accountability for the quality and safety of all health services. One of its terms of reference is to specifically examine and make recommendations in relation to a statutory system of licensing for public and private health care providers and services. The Commission is due to report by the end of July this year.

In relation to HSE management structures, the 2001 Health Strategy highlighted the need to strengthen existing delivery structures at local level within a framework of national standards for the whole health system. Following on from this, the HSE was established to manage and deliver health and personal social services, or to arrange for such services to be delivered on its behalf. Its primary statutory responsibility is the operational delivery of health and personal social services.

The Fitzgerald report for the Board of the HSE about the management of events at Portlaoise identified systemic weaknesses of governance, management and communication within the HSE. Arising from that report, I asked the Chairman of the HSE to consider whether the lessons arising from the report have wider application across the HSE and to let me have the Board's assessment of the overall situation, and its proposals to address matters, as soon as possible.

I am aware that the HIQA report into the misdiagnosis of a particular individual includes various findings and recommendations about the management and governance of acute hospitals. I am confident that these recommendations will also be taken into account by the Board in responding to my request. I am also aware that the HSE has engaged McKinsey & Co. to undertake some work for it on organisation design.

In my view, the focus should be on improving the operational capability of the existing organisation structure. This requires robust governance/management structures, processes and procedures, incorporating clear reporting relationships and lines of accountability, with permanent top level managers in key posts, good systems of delegation, and a strong sense of corporate identity which permeates all levels of the organisation. I am aware that the Board of the HSE are addressing these issues and I look forward to receiving their proposals in the near future.



### **Proposed Legislation.**

68. **Deputy Pat Rabbitte** asked the Minister for Health and Children her views on the recent report by the Irish Council for Bioethics on stem cell research; if she will introduce legislation in this area; and if she will make a statement on the matter. [16261/08]

**Minister for Health and Children (Deputy Mary Harney):** The report referred to by the Deputy has just been received by my Department and it is currently being examined and considered.

*Question No. 69 answered with Question No. 15.*

*Question No. 70 answered with Question No. 19.*

*Question No. 71 answered with Question No. 14.*

### **Hospital Staff.**

72. **Deputy Martin Ferris** asked the Minister for Health and Children if she will require the Health Service Executive to urgently address the acute staff shortage at Tralee General Hospital; and if she will make a statement on the matter. [16245/08]

**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 Accommodation.**

73. **Deputy Brendan Howlin** asked the Minister for Health and Children the reason the promised six extra beds which were to have been in place by March 2008 for the child and adolescent psychiatric service have not been delivered at St. Vincent's, Fairview, Dublin; when they will be in place; and if she will make a statement on the matter. [16265/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** 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. 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.

### **Hospital Staff.**

74. **Deputy Róisín Shortall** asked the Minister for Health and Children the plans in place to provide access to a microbiologist in all hospitals here; and if she will make a statement on the matter. [16266/08]

**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. As such it is for the HSE to determine priorities and decide how these funds are used to deliver the best and most efficient and safe public health service.

However, I have been informed by the HSE that Consultant Microbiology appointments to date have tended to centre on the larger hospitals which provide more complex care. Many smaller hospitals do not have dedicated sessions from a microbiologist but have access to microbiology advice. Strengthening infection control remains a priority with the HSE and further increases in consultant microbiology staffing will occur as resources allow. Hospitals which do not currently have dedicated sessions will be prioritised for such appointments.

### **Nursing Home Standards.**

75. **Deputy James Bannon** asked the Minister for Health and Children when the standards for nursing home care, recently approved by the board of the Health Information and Equality Authority, will be published; when the standards will come into force; if the standards will be compulsory; and if she will make a statement on the matter. [16269/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hocht):** The draft standards that the Deputy is referring to were published on 11th March, 2008 by the Health Information and Quality Authority together with a guide to the draft standards themselves. Both documents are available at [www.hiqa.ie](http://www.hiqa.ie).

The Board of HIQA submitted the draft standards for approval by the Minister for Health and Children, as required under section 10(2) of the Health Act, 2007. These draft standards are currently under consideration by the Department. The standards and the Regulations required to underpin them will be subject to a Regulatory Impact Assessment (RIA) before finalisation. It is hoped that work on the RIA and the Regulations will commence later this year. In the meantime, the Health Service Executive continues to carry out inspections of private nursing homes under the 1993 Care and Welfare Regulations.

### **Health Services.**

76. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if she will act to prevent the closure of 12 respite care beds at Cherry Orchard Hospital; and if she will make a statement on the matter. [16242/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hocht):** The development of Services for Older People is a priority for the Government. This is reflected in the funding committed to services for older people in Budgets 2006, 2007 and 2008. In 2006, the Government funded a significant expansion of services for older people with a full year cost of €150m. In 2007 a full year package of €255m was allocated for services for older people. Budget 2008 provided an additional €135m bringing the total spend over the last three years to €540m.

In this context, over €16m has been provided in the last three years for new Day/Respite Care services. The recent Budget will allow an additional 1,245 clients nationally to avail of new Respite places and brings the total projected Day Care provision by the Health Service Executive to around 21,300 places by the end of this year.

The HSE have committed through its National Service Plan 2008 to deliver services within its Vote provided by the Oireachtas. It will manage the provision of respite care beds at Cherry Orchard within this context and also recognising the priority the Government and the Executive have given to services for older people.

[Deputy Máire Hctor.]

There is no doubt that demand can at times exceed service resources and that this problem can manifest itself in particular at local level. I understand that there are particular pressures being experienced at Cherry Orchard, and that these are kept under constant review by the HSE.

It is a matter for the Executive to manage service delivery, both nationally and locally, within its budget and in line with overall health policy priorities. 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 HSE to arrange to have the matter investigated in detail and to have a reply issued directly to the Deputy.

### **Drug Treatment Services.**

77. **Deputy Michael Ring** asked the Minister for Health and Children the provisions being put in place to provide treatment for the ever growing number of polydrug users in society; and if she will make a statement on the matter. [12355/08]

**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.

### **Child Protection.**

78. **Deputy Alan Shatter** asked the Minister for Health and Children the ongoing programmes in place in each Government Department and State agency to ensure appropriate training on child protection issues is provided for the management and employees of Government Departments and State agencies. [14414/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** The HSE has informed me that it supports comprehensive, ongoing training in the application of child protection guidelines and generally promotes awareness and good practice within the health services and other relevant organisations. On an ongoing basis the HSE provides child protection training for staff in the health service and those working in relevant voluntary and community groups. Support is also provided to other public agencies training staff in this area. In response to the Report ("Review Inquiry on any matter pertaining to Child Protection Issues touching on or concerning Dr. A"), a review of training available on child protection matters will be undertaken, with a view to ensuring compulsory child protection training for senior managers.

Training and education, together with good recruitment and child protection policies in line with Children First in all relevant agencies, is most important in ensuring child protection. The HSE have undertaken in their response to the review to address these issues (training and education in particular).

### **Health Services.**

79. **Deputy Arthur Morgan** asked the Minister for Health and Children if she will act to prevent the closure of the 12 bed respite care unit at St. Oliver Plunkett's Hospital, Dundalk; and if she will make a statement on the matter. [16241/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hocht):** The development of Services for Older People is a priority for the Government. This is reflected in the funding committed to services for older people in Budgets 2006, 2007 and 2008. In 2006, the Government funded a significant expansion of services for older people with a full year cost of €150m. In 2007 a full year package of €255m was allocated for services for older people. Budget 2008 provided an additional €135m bringing the total spend over the last three years to €540m.

In this context, over €16m has been provided in the last three years for new Day/Respite Care services. The recent Budget will allow an additional 1,245 clients nationally to avail of new Respite places and brings the total projected Day Care provision by the Health Service Executive to around 21,300 places by the end of this year.

The HSE have committed through its National Service Plan 2008 to deliver services within its Vote provided by the Oireachtas. It will manage the provision of respite care beds within this context and also recognising the priority the Government and the Executive have given to services for older people.

There is no doubt that demand can at times exceed service resources and that this problem can manifest itself in particular at local level. I understand that there are particular pressures being experienced at St. Oliver Plunkett's, and that these are kept under constant review by the HSE.

It is a matter for the Executive to manage service delivery, both nationally and locally, within its budget and in line with overall health policy priorities. 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 HSE to arrange to have the matter investigated in detail and to have a reply issued directly to the Deputy.

### **Cancer Screening Programme.**

80. **Deputy Deirdre Clune** asked the Minister for Health and Children if she will report on the promise she has made to introduce a national cervical cancer screening programme; and if she will make a statement on the matter. [16028/08]

**Minister for Health and Children (Deputy Mary Harney):** The roll out of a national cervical screening programme is the most efficient population approach to preventing and controlling cervical cancer. The National Cancer Screening Service (NCSS) is planning to roll out such a programme on a national basis and is in the final stages of preparations. The service will be available free of charge to all eligible women in Ireland aged 25-60. A national programme will provide screening in a primary care setting every three years for women aged 25-44 years and screening every five years for women aged 45-60 years. The priority is to establish a national quality assured, organised cervical screening programme and it will be implemented in line with best international practice.

All elements of the programme will be quality assured — call and recall, laboratory testing, colposcopy and will be managed to deliver a single integrated national service. A cytology procurement process is underway. This process commenced in December 2007 and the outcome of this will be announced in the coming month.

The vital emphasis of the procurement process has been and will be on quality of the national programme and the necessary entry criteria in choosing a cytology partner included accreditation status and a laboratory dealing with a volume of a minimum of 25000 smears per annum. These criteria were chosen in line with international acceptable criteria for cervical screening programmes. The NCSS will ensure that the laboratory elements will be delivered in

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an efficient and cost effective manner and with high quality and acceptable turn-around time for results and so avoid unacceptably long delays for routine cervical smear test results as a priority.

In advance of offering contracts to medical practitioners in primary care settings, the NCSS published a draft NCSS / Smertaker contract and invited views and feedback concerning the contract on a non privileged basis by the end of February 2008. Many GPs, Smertakers and representative bodies participated in this process and provided feedback. Formal discussion is underway with a final party and this will lead to contract finalisation and then the establishment of a collaborative working relationship with all Smertakers.

### **Patient Care.**

81. **Deputy Joanna Tuffy** asked the Minister for Health and Children the structures she has put in place to ensure that the recommendations of the Health Information and Quality Authority report on the misdiagnosis of breast cancer of a person (details supplied) are implemented; the authority the person appointed to implement the recommendations has been given to ensure that appropriate powers and resources are available to them for this purpose; and if she will make a statement on the matter. [16257/08]

**Minister for Health and Children (Deputy Mary Harney):** I have been informed by the Health Service Executive that in response to recommendation number 15 of the Health Information and Quality Authority report referred to by the Deputy, the National Director of the National Hospitals Office in the HSE has been appointed and given responsibility for ensuring the development of an action plan for the remaining 14 recommendations. The action plan is being devised within the context of a national integrated quality and risk management strategy, standards and systems for the HSE and will be presented to the Board of the HSE for their approval in May. I am assured by the HSE that the Director of the National Hospitals Office will have the full co-operation and support of the HSE to ensure the implementation of the report's recommendations.

### **Health Services.**

82. **Deputy Seán Sherlock** asked the Minister for Health and Children the steps her Department is taking to combat depression and isolation among members of the farming community; and if she will make a statement on the matter. [13062/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** The last few years have been very significant in the area of mental health with the launch of two important Strategy Documents, 'Reach Out' — A National Strategy for Action on Suicide Prevention, which was launched in September 2005, and 'A Vision for Change' the Report of the Expert Group on Mental Health Policy, which was launched in January 2006.

'A Vision for Change' outlines a comprehensive model for mental health service provision for Ireland. It describes a framework for building and fostering positive mental health across the entire community and for providing accessible, community-based, specialist services for people with mental illness.

'Reach Out' provides a policy framework for suicide prevention activities in Ireland. The strategy calls for a multi-sectoral approach to the prevention of suicidal behaviour in order to foster cooperation between health, education, community, voluntary and private sector agencies.



‘Reach Out’ recognises the importance of reaching out to people who are self-employed or those who work in places and settings that can be isolated, such as farmers. Implementation of these Strategy documents is the responsibility of the Health Service Executive.

### **Hospital Services.**

83. **Deputy Deirdre Clune** asked the Minister for Health and Children the status of the acute hospital services review; the steps she will take in view of this review; and if she will make a statement on the matter. [16029/08]

**Minister for Health and Children (Deputy Mary Harney):** The HSE is undertaking a strategic review of acute hospital services in the Southern region. The review is focusing on identifying the best configuration of acute hospital services in the South including arrangements for A&E, critical care, acute medicine and surgery, together with diagnostic services so that the highest quality of care can be delivered to the population. The HSE has advised my Department that the review of acute hospital services in the HSE South is being finalised at present.

84. **Deputy Ruairí Quinn** asked the Minister for Health and Children the extra resources being assigned to maternity hospitals to address the growing birth rate; and if she will make a statement on the matter. [16328/08]

**Minister for Health and Children (Deputy Mary Harney):** The number of births nationally last year was over 70,000. The Health Service Executive has made provision in its National Service Plan for 2008 for an increase in this number to approximately 73,000.

Recognising the increased birth rate, and the increasing complexity of maternity and neonatal services nationally, the HSE has prioritised the requirement for additional service development funding in recent years for this service. For example, in the eastern region the recurring revenue budget for the three Dublin Maternity Hospitals has increased from €125m to €153m over the last four years. When account is taken of once-off funding, the investment stands at over €161m in 2008.

In 2007 additional funding of €3m was provided to address patient safety priorities overall, including funding for maternity services to support the implementation of the very important recommendations made in the Lourdes Hospital Inquiry Report. The HSE prioritised maternity service requirements in 2007 from this general patient safety fund.

On the capital side, the HSE has made provision in its HSE Draft Capital programme for additional investment of some €10m each year for the next three years in respect of maternity services in the Dublin region. This investment builds on a range of capital improvements already put in place or currently in train as follows:

- The establishment of the National Epidemiology Centre in 2006 to facilitate the monitoring of all data from Irish maternity units with the aim of improving clinical services for mothers and babies.
- The opening of the new Cork University Maternity Hospital last year saw the amalgamation of Cork’s three existing hospitals on the one site.
- €15m for Wexford General Hospital to meet the cost of upgrading the obstetric and gynaecological service.
- €9m to upgrade maternity facilities at the Midland Regional Hospital, Portlaoise.

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- Upgrading of the obstetric/gynaecology ward and delivery suite at the Midland Regional Hospital, Mullingar.
- Upgrading of the special care baby unit at Portiuncula Hospital.

The HSE is also committed to developing a strategic approach to maternity services nationally. The first stage in this work is the Review of Maternity & Gynaecology Services in the Greater Dublin Area.. The review, which is being conducted for the HSE by KPMG Consultants, will set out recommendations and provide an action plan to facilitate delivery of the best model of care for primary, community and hospital maternity services in the future. The review is designed to provide the necessary platform for the provision of safe, sustainable, cost effective, high quality and consistent maternity, neonatology and gynaecology care services. The report will also include recommendations regarding areas where there is potential for performance improvement within existing services.

The HSE is also establishing a Maternity Services Expert Advisory Group which will provide a central platform for clinical and health communities, patients, clients and managers to become actively involved in the development and transformation of maternity services.

### **Hospital Services.**

85. **Deputy Michael D. Higgins** asked the Minister for Health and Children when the Health Information and Quality Authority report of a review of pathology services at University College Hospital, Galway will be published; and if she will make a statement on the matter. [16254/08]

**Minister for Health and Children (Deputy Mary Harney):** The investigation by the Health Information and Quality Authority into pathology services at University College Hospital, Galway was commenced in September 2007. I am aware that, in the interest of thoroughness, the Authority extended the original scope of the investigation on two occasions in light of information that emerged as part of the investigation. I am informed that significant progress has been made and that the work of the investigation team is almost complete. It is anticipated that the report will be published by the end of May or early June.

### **Health Services.**

86. **Deputy Kathleen Lynch** asked the Minister for Health and Children the terms and conditions of arrangements between the Health Service Executive, on the one hand, and Mercy University Hospital Cork in particular and the other voluntary hospitals here in general, on the other hand; if each of these arrangements has been reduced to writing; the nature and effect of directions issued by her under Section 10 of the Health Act 2004, in so far as they relate to agreements between the HSE and voluntary hospital service providers; and if she will make a statement on the matter. [16251/08]

**Minister for Health and Children (Deputy Mary Harney):** I have not issued any direction to the HSE under Section 10 of the Health Act 2004 and relating to agreements between the Executive and voluntary hospital service providers.

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive (HSE) and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to address 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.

*Question No. 87 answered with Question No. 14.*

### **Official Engagements.**

88. **Deputy Pat Breen** asked the Taoiseach if he will report on his discussions with the European Commission President Mr. Jose Manuel Barroso on a visit to Dublin recently; if he discussed the importance of protecting the future of farmers here during the World Trade Organisation negotiations; and if he will make a statement on the matter. [15948/08]

**The Taoiseach:** I met with the President of the European Commission, Mr. José Manuel Barroso in Dublin on 17 April as part of a two day visit by the President to Ireland. Our discussions focused on a number of issues on the European Agenda including preparations for the referendum on the Reform Treaty. I also sought and received confirmation from the President that the Reform Treaty would copper-fasten Ireland's veto in relation to taxation matters.

During my discussions with the President, I told him that while as trading nation Ireland wants a successful conclusion to this round of WTO negotiations, we are unhappy with the unbalanced way in which the World Trade Organisation negotiations have proceeded. The Government has impressed on the Commission at every opportunity and level that it must remain within its mandate and not do anything that would damage European and Irish agriculture.

### **National Census.**

89. **Deputy Seán Barrett** asked the Taoiseach if he will include a question on the next national Census form asking if any person or persons in each household has autism, as such information is important to establish the levels of autism here, and is vital to assist in policy development in this area; and if he will make a statement on the matter. [16025/08]

**Minister of State at the Department of the Taoiseach (Deputy Tom Kitt):** The Central Statistics Office will be commencing the consultation phase of Census 2011 in August 2008. It will place notices in the national press and on the CSO website inviting submissions from the public and interested parties on the suggested content of the 2011 census questionnaire. The CSO will directly contact the national organisation representing autism during this consultative phase.

The CSO, as in previous censuses, intends to set up a broadly based consultative group to assist it in assessing the merits of the various submissions which it may receive. This group will be representative of Government departments, local and public authorities and major users of census data. This will be followed by a pilot test in April 2009 to assess, among other things, the feasibility of any new questions introduced, bearing in mind the pressure for space on the census form.

The final decision regarding the questionnaire content for Census 2011 will be based on a recommendation by the Director General of the CSO to Government, taking full account of the results of the pilot test. This is expected to be in Autumn 2009.

### **Data Protection.**

90. **Deputy Pat Breen** asked the Taoiseach the steps he will take in his Department to protect computer systems from theft and from the release of sensitive personal information which is held on these computer systems; and if he will make a statement on the matter. [16146/08]

**The Taoiseach:** My Department applies best practice and uses industry standard security protection devices, procedures and software to protect its computer systems from security breaches. A number of measures are currently in place in my Department to protect its computer systems. My Department regularly reviews and updates these security procedures as a matter of course. My Department also evaluates and reviews information security products and technologies as they come to market and implements them where appropriate. We will continue this practice.

### Decentralisation Programme.

91. **Deputy Kieran O'Donnell** asked the Taoiseach the number of new persons transferred from Dublin under the decentralisation programme since 1 January 2008; and the number of persons transferred under this programme as at the current date. [16135/08]

**The Taoiseach:** The number of new persons transferred from my Department under the decentralisation programme since 1 January, 2008 is two. The number of persons transferred from my Department to date under this programme is sixteen.

### Official Engagements.

92. **Deputy Leo Varadkar** asked the Taoiseach the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16536/08]

**The Taoiseach:** I outline in the following table the list of meetings I have had with Heads of State, Government Ministers and other representatives of Governments from non-OECD countries over the past 3 years.

2005

	Meeting
18th January — Beijing	Courtesy Call on President Hu and meetings with Premier Wen, and Minister of Commerce, Bo.
21st January — Hong Kong	Meeting with Mr. Tung Chee Hwa, Chief Executive of the Hong Kong Special Administrative Region.
3rd February — Dublin	Courtesy Call on Taoiseach by Lithuanian Foreign Minister Anton Valionis.
11th February — Sofia, Bulgaria	Meetings with President Paronov and Prime Minister Saxe-Coburg-Gotha.
16th February — Dublin	Meeting with Prime Minister Bethuel Pakalitha Mosisli of Lesotho.
3rd May — Dublin	Meeting with Prime Minister Anton Rop of Slovenia.
9th May — Moscow	Ceremony to mark the 60th Anniversary of the end of WW2. Meeting with President Putin.
23rd May — Warsaw	Meeting with Prime Minister Ivo Sanader of Croatia at Council of Europe.
20th June — Dublin	Meeting with President Svetozar Marovic of Serbia and Montenegro.
7th July — Rome	Meeting with His Holiness Pope Benedict XVI, Rome.
28th-29th November — Zagreb	Meeting's with Prime Minister Ivo Sanader, President of Parliament of Croatia Mr. Vladimir Seks, and President Stjepan Mesic.
12th December — Dublin	Meeting with President Paronov of Bulgaria.

2006

	Meeting
19th January — New Delhi, India	Courtesy call on Dr. APJ Abdul Kalam, President of India. Meeting with H.E. Dr. Manmohan Singh, Prime Minister of India.
8th February — Dublin	Meeting with Ukrainian Minister for Foreign Affairs Borys Tarasyuk.
2nd March — Dublin	Meeting with Croatian Prime Minister Ivo Sanader.
17th May	Visit of Governor of Aceh, Mustafa Abubakar.
25th September — Dublin	Meeting with Vice Premier Zeng of China.
16th November — Dublin	Visit of Ms. Phumzile Mlambo Ngcuka, Deputy President of South Africa.
7th December — Dublin	Visit of President Hosni Mubarak of Egypt.

2007

	Meeting
16th January — Saudi Arabia	Meeting with King Abdullah bin Abdul Aziz of Saudi Arabia.
17th January — Dubai	Meeting with Sheikh Mohammed bin Rashid Al-Maktoum, Vice President and Prime Minister of United Arab Emirates and Ruler of Dubai.
8th October — Dublin	Meeting with Prime Minister Kirkilas of Lithuania.

2008

	Meeting
13th January — Pretoria	Meetings with President Mbeki and Deputy President Mlambo Ngcuka of South Africa.
15th January — Dar es Salaam	Meetings with President Kikwete and Prime Minister Lowassa of Tanzania.
18th February — Dublin	Visit of Prince Faisal of Saudi Arabia.
26 February — Ljubljana	Meetings with President Turk and Prime Minister Janša of Slovenia.
10th March — Dublin	Visit of Prime Minister Nguyen Tan Dung of Vietnam.
9th April — Dublin	Visit of Deputy President Mlambo Ngcuka of South Africa.

### Financial Services Regulation.

93. **Deputy Finian McGrath** asked the Tánaiste and Minister for Finance if he will advise on a matter (details supplied). [15955/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** Moneylenders are covered by a range of provisions under the Consumer Credit Act, 1995 (CCA) including the annual licensing process and the register of licensed moneylenders system as administered by the Financial Regulator (FR). Licensed moneylenders are currently subject to the 'Interim Code of Practice for Licensed Moneylenders' which was introduced by the FR and comprises general principles with which licensed moneylenders must comply, such as acting fairly, with due skill and care, with appropriate resources and making adequate disclosure of all relevant information.

In early 2007, the FR published its review of the licensed moneylending industry in Ireland. With respect to interest rates, it concludes that the introduction of an interest rate ceiling for moneylenders may not achieve the objectives of lowering the cost of credit for consumers. The Report contained a number of other conclusions, including the fact that:



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- Overall, consumers that use licensed moneylenders as a source of finance are happy with the service provided despite the fact that it is a relatively expensive form of credit.
- Not all consumers have access to other sources of credit.
- The FR committed to reviewing the ‘Interim Code of Practice for Licensed Moneylenders’, with a specific emphasis on increasing transparency, helping consumers make informed decisions and enhancing the consumer protection framework.

In late 2007, the FR engaged with a number of interested stakeholders (including Credit Union representatives) with a view to increased transparency in relation to costs associated with loans from moneylenders. It sought views on how best to disclose an itemised statement of the Annual Percentage Rate (APR) on its Register and how best to highlight the total cost of credit associated with moneylenders. Responses are being considered in the context of work being carried out in relation to the draft Consumer Protection Code for Licensed Moneylenders and transparency in the moneylending sector.

In line with the above, the FR’s Strategic Plan for 2008 — 2010 commits to having an updated code of conduct for moneylenders in place by December 2008. As part of this process the FR, in March 2008, published its ‘Consultation Paper / CP33’ entitled ‘Consumer Protection Code for Licensed Moneylenders’ seeking the views of persons on its content. The primary aim of the draft Code as contained in CP33 is to increase transparency in the moneylending sector. It proposes a number of provisions including ‘suitability’ of loans, disclosure of the high-cost nature of certain loans and the provision of information on credit counselling services, e.g. MABS, to clients who demonstrate difficulty in meeting their repayments obligations. The closing date for contributions on the consultation paper is Friday, 16 May 2008, after which the FR will consider the best way forward in light of submissions received.

The FR provides an information service covering the different forms of credit available to consumers and I strongly urge consumers to avail of this service. In particular, I urge all consumers to shop around for credit, to examine the scope to borrow from community based lenders such as credit unions and to avail of the information which is available through the FR’s publications, help-line (Lo call 1890 77 77 77) and website: <http://www.itsyourmoney.ie>.

The Money Advice and Budgeting Service (MABS) which falls under the remit of my colleague, the Minister for Social and Family Affairs, is a national, free, confidential and independent service for people in debt, or in danger of getting into debt and its offices, throughout the country, work with people in order to assist them with their financial planning and budgeting for the future.

Finally, the Deputy may wish to know that my Department is currently undertaking a review the Consumer Credit Act, 1995 in the light of the recently adopted EU Directive on credit agreements for consumers. Furthermore, the Advisory Forum on Financial Legislation, which I have established to advise and assist in the consolidation and modernisation of financial services legislation, will, as part of its work, consider the basis for licensing moneylenders to facilitate lower costs.

### **Flood Relief.**

94. **Deputy Denis Naughten** asked the Tánaiste and Minister for Finance the steps which he is taking to address the summer flooding in the Shannon Callows which is having a dramatic impact on wildlife with a 90% drop in calling males in the past eight years; and if he will make a statement on the matter. [15997/08]

**Minister of State at the Department of Finance (Deputy Noel Ahern):** Following discussions with the Irish Farmers Association and Birdwatch Ireland last year, the Office of Public Works removed a substantial amount of vegetation which was impeding the efficient flow of water in the Shannon Cut. While it is not possible to measure precisely the effect of this work, I am advised that it did have a beneficial impact on the level of flooding in the Shannon Callows. OPW is considering whether similar work in other areas would be beneficial. OPW has also had discussions with other stakeholders to review and if possible to improve the water management regime on the Shannon.

In response to a proposal from the Irish Farmers Association, OPW also sought a license from the Department of the Environment, Heritage and Local Government to remove some silt from the Shannon Cut. The Department has sought additional information in relation to the application. OPW is currently dealing with this request.

OPW intends to commence, within the next couple of years, a Catchment Flood Risk Assessment and Management Study of the River Shannon Catchment. This will result in the preparation of a long term management plan for the river. All interested parties will have the opportunity to contribute to the study.

#### **Capital Allowances Schemes.**

95. **Deputy Jan O’Sullivan** asked the Tánaiste and Minister for Finance his view as to whether publicly funded hospitals, meaning hospitals which provide services to persons pursuant to their entitlements under Chapter II of Part IV of the Health Act 1970, are entitled to avail of the capital allowances scheme for private hospitals provided for by section 64 of the Finance Act 2001 as amended; if not, the reason for same; and if he will make a statement on the matter. [16394/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** I am informed by the Revenue Commissioners that the scope of the capital allowances scheme for hospitals is specifically confined to private hospitals. Section 64 of the Finance Act 2001 (now inserted as section 268 of the Taxes Consolidation Act 1997), which introduced the scheme, defines a qualifying hospital for capital allowance purposes as a private hospital within the meaning of the Health Insurance Act 1994 (Minimum Benefits) Regulations 1996. Regulation 3 of those Regulations in turn defines a private hospital as one which, inter alia, is not a publicly- funded hospital.

To qualify for capital allowances a private hospital must meet certain minimum capacity requirements and it must provide a range of facilities and services. As private hospitals are privately funded, the purpose of the capital allowance scheme is to attract private investment into the provision of these hospitals by means of a tax incentive.

#### **Garda Stations.**

96. **Deputy Enda Kenny** asked the Tánaiste and Minister for Finance when a new Garda station will be provided at Ballyvary, Castlebar, County Mayo; if his attention has been drawn to the dilapidated condition of the existing premises; and if he will make a statement on the matter. [16438/08]

**Minister of State at the Department of Finance (Deputy Noel Ahern):** Tender documents for the new Garda Station at Ballyvary, Co. Mayo are currently being prepared. It is expected that tenders will be invited during the Summer and a contract placed in the Autumn

#### **Decentralisation Programme.**

97. **Deputy Olwyn Enright** asked the Tánaiste and Minister for Finance if he will provide in

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tabular form, details regarding the numbers of civil servants awaiting transfer to locations within the Laois-Offaly area, including Nenagh, Athlone and Mullingar; and if he will make a statement on the matter. [15952/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** My Department has completed the transfer of 125 people to Tullamore. There remain a number of applications from civil servants for a transfer to my Department and the grade breakdown is as follows:-

Grade	Number of Staff
Principal Officer	0
Assistant Principal	0
Higher Executive Officer/Administrative Officer	3
Executive Officer	6
Staff Officer	0
Clerical Officer	16
Service Officer	0
Total	25

I am informed by the Revenue Commissioners that the details regarding the numbers of civil servants awaiting transfer to locations within Laois/Offaly including Nenagh, Athlone and Mullingar is as follows:

Grade	Tullamore	Portlaoise	Athlone	Nenagh
Principal Officer	0	0	0	0
Assistant Principal	0	0	1	5
Higher Executive Officer/Administrative Officer	6	12	9	17
Executive Officer	15	22	17	17
Staff Officer	1	1	1	4
Clerical Officer	42	39	47	52
Total	64	74	75	95

### Capital Allowances Schemes.

98. **Deputy Liz McManus** asked the Tánaiste and Minister for Finance if he will include micro combined heat and power systems as part of the energy efficient technologies under the enhanced capital allowances; and if he will make a statement on the matter. [15956/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** In Finance Act 2008, I introduced a new tax initiative to encourage the use of energy efficient equipment by registered companies. Section 46 allows companies to claim the full cost of energy efficient equipment, within specified classes of technology, against their taxable income in the year of purchase. The classes of technology are: lighting (including controls); motors and drives (variable speed drives); and building energy management systems. The list of approved products is being established by order of the Minister for Communications, Energy and Natural Resources. Sustainable Energy Ireland (SEI) is responsible for maintaining this list. As micro combined heat and power (CHP) units do not that fall within any of the specified classes of technology they would not attract accelerated capital allowances.

However, I have been informed by the Department of Communications, Energy and Natural Resources that should the micro CHP unit contain as a component, a motor or variable speed drive that meets the efficiency criteria specified in Regulations made by the Minister for Communications, Energy and Natural Resources in accordance with section 46, and provided that all other requirements of section 46 are met, then the value of that motor or drive may be eligible for the allowances.

It should be noted that the Minister for Communications, Energy and Natural Resources launched a new pilot Microgeneration Programme on 16 April which will be making available financial supports for the installation of certain small scale renewable electricity generation technologies. Micro CHP may be eligible for this Programme. Sustainable Energy Ireland will be making available further details of the Programme in the coming months.

#### **Tax Collection.**

99. **Deputy Jack Wall** asked the Tánaiste and Minister for Finance if a person (details supplied) in County Kildare has received all of their tax repayments and tax allowances; and if he will make a statement on the matter. [15979/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** I am advised by the Revenue Commissioners that they have requested the necessary information from the taxpayer to enable them to determine the correct tax credits due to the taxpayer and to process any tax repayments that may be due for the years 2006 and 2007.

#### **Public Works Projects.**

100. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the progress to date by the Office of Public Works in implementing the recommendations of the Towards a Liffey Valley Park report prepared by ERM Ireland and published in November 2006; and if he will make a statement on the matter. [16072/08]

**Minister of State at the Department of Finance (Deputy Noel Ahern):** This study was undertaken on behalf of a Steering Group comprising representatives of the County Councils of Fingal, Kildare, South Dublin, Dublin City Council and the Office of Public Works. It is a matter for each public body to consider making progress from within its own resources.

The Office of Public Works is undertaking a major improvement scheme at Castletown House and Park, including the restoration of the original eighteenth century garden features such as the lake and cascade. One of the main elements in this will be the development of the OPW managed grounds at Castletown together with the adjoining lands owned by Kildare County Council and Coillte into an integrated public parkland area with linked pathways across the river and through the woods.

#### **Money Advice and Budgeting Service.**

101. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance his views on the recommendation directed to him in respect of the Money Advice and Budgeting Service in the Consumer Strategy Group Report; if he has, or will implement this recommendation; the reasoning behind this action; and if he will make a statement on the matter. [16077/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** The Money, Advice and Budgeting Service (MABS) has for a number of years been providing and continues to provide an important free, confidential and independent service for people experiencing financial difficulties. The 2005 report referred to by the Deputy recommended that MABS be represented

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on the Consultative Consumer Panel of the Irish Financial Services Regulatory Authority. In recognition of the positive contribution that a MABS input could make to the Consumer Panel I appointed a nominee of MABS, to the Consumer Panel in May 2006.

### **Land Registry.**

102. **Deputy Denis Naughten** asked the Tánaiste and Minister for Finance when he expects the go ahead for the new Land Registry offices in County Roscommon to be sanctioned; and if he will make a statement on the matter. [16081/08]

**Minister of State at the Department of Finance (Deputy Noel Ahern):** The OPW has completed an evaluation of tenders received for construction of new offices for 230 staff of the Property Registration Authority (formerly known as the Land Registry) and a preferred tenderer has been identified and notified. The necessary sanction to proceed with the project has been received from the Department of Finance. The Preferred Tenderer will now be required to apply for planning permission and on satisfactory completion of the planning process, the OPW will instruct the Preferred Tenderer to finalise working drawings, specifications and a Bill of Quantities with a view to a contract being placed and construction work commencing on site at the earliest possible date.

### **Tax Code.**

103. **Deputy Seán Connick** asked the Tánaiste and Minister for Finance if he will introduce tax relief for the costs of structural works to a home necessitated by a disability; and if he will make a statement on the matter. [16093/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** The position is that my colleague, the Minister for the Environment, Heritage and Local Government, provides Exchequer funding to individuals with a disability or the parents of children with a disability through the Housing Adaptation Grant for People with a Disability Scheme and the Mobility Aids Housing Grant Scheme. These schemes, operated by the local authorities, are designed to assist in the carrying out of works to provide adequate accommodation for people with a disability.

Details of the revised framework of grant aid to assist older people and people with a disability were announced as part of the Government's Housing Policy Statement, Delivering Homes, Sustaining Communities, published in February 2007. The revised suite of Schemes was implemented on 1 November 2007.

I would also point out that mortgage interest relief is available at source in respect of interest paid on monies borrowed for the purchase, maintenance, repair or improvement of the taxpayer's main residence. The level of mortgage interest relief which a borrower receives is determined by the amount of interest which the borrower pays and by the rate of relief and the ceiling on that relief in force at any given time.

Full details about mortgage interest relief are available on the Revenue Commissioners website — [www.revenue.ie](http://www.revenue.ie) — or by contacting the Tax Relief at Source Lo-Call number 1890 46 36 26.

104. **Deputy Seán Connick** asked the Tánaiste and Minister for Finance if he will introduce tax relief for the extra costs of hiring a car suitable for person with a disability when they are on holidays; and if he will make a statement on the matter. [16094/08]



**Tánaiste and Minister for Finance (Deputy Brian Cowen):** The position is that tax relief is not available in respect of expenses incurred in hiring a car suitable for a person with a disability when they are on holidays. However, in recent years, this Government has increased significantly the supports available through the direct expenditure system for individuals with disabilities. In all, it is projected that over €900 million of the 2008 Estimates allocation for the Department of Education and Science will be related to disability and special needs and €1.6 billion of the 2008 Estimates allocation for the Department of Health and Children will be related to disabilities.

105. **Deputy Seán Connick** asked the Tánaiste and Minister for Finance his views on levying direct and indirect tax on online casinos based here at a level comparable to that levied in the Isle of Man; and if he will make a statement on the matter. [16095/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** I have been advised by my colleague the Minister for Justice, Equality and Law Reform, Mr. Brian Lenihan, T.D., that under Irish law, gaming and gambling is illegal, except where it is specifically permitted under the 1956 Gaming and Lotteries Act. Certain gaming activities, such as those carried out in casinos, are prohibited. The Deputy will be aware that what is deemed to be illegal off-line is also illegal on-line and this is the case in relation to the provisions of the Gaming and Lotteries Acts 1956-1986. In such a context, therefore, the question of taxing on-line casinos does not arise at present.

However, the issue of internet gambling is one of the matters considered by the Casino Committee on regulating gaming in Ireland which has reported to the Minister for Justice, Equality and Law Reform. It is expected that the Report of the Casino Committee will be published shortly and the Government plans to establish an All-Party Committee to consider its content.

#### **Data Protection.**

106. **Deputy Pat Breen** asked the Tánaiste and Minister for Finance the steps he will take in his Department to protect computer systems from theft and from the release of sensitive personal information which is held on these computer systems; and if he will make a statement on the matter. [16145/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** My Department has a stringent policy and set of procedures for protecting computer systems. The computer systems in my Department are housed in dedicated computer rooms accessed only by appropriate IT personnel and managed by a security system. Within my Department's IT infrastructure, systems can only be accessed by individuals based on their access permission set up by the IT network and system administrator and the number of such individuals is kept to a minimum. My Department has recently begun the process to enforce encryption of data stored on laptops.

#### **Tax Code.**

107. **Deputy Joe McHugh** asked the Tánaiste and Minister for Finance his views on reducing the rate of VAT on defibrillators from 21% to 13.5% in view of the fact that they can save lives and are badly needed by many clubs throughout the country; and if he will make a statement on the matter. [16208/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** The position is that in matters relating to the VAT rating of goods and services, I am constrained by the requirements of EU VAT law with which Irish VAT law must comply. In this regard, I would point out that the rate of VAT that applies to a particular good or service depends on the nature of the good or service and not on the status of the consumer. Accordingly, there is no provision in EU law that would permit the removal or reduction of VAT based on the social or economic status of the consumer or community group.

In relation to the VAT rate that applies to defibrillators, the position is that under the VAT Directive, Member States may retain the zero rates on goods and services which were in place on 1 January 1991, but cannot extend the zero rate to new goods and services. The zero VAT rate cannot therefore be applied to defibrillators which are subject to the standard rate.

In addition, Member States may only apply the reduced VAT rate to those goods and services which are listed under Annex III of the VAT Directive. While Annex III does include the supply of medical equipment for the exclusive personal use of a disabled person, it does not include defibrillators for general use. The reduced rate cannot be applied to the supply of defibrillators. Therefore, the only rate of VAT that can apply to the supply of defibrillators is the standard VAT rate which in Ireland is 21%.

### **Economic Competitiveness.**

108. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Finance the measures he proposes to take to address the issue of competitiveness in the economy thereby protecting inward investment; and if he will make a statement on the matter. [16372/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** Improving national competitiveness is essential to facilitate a re-balancing of the economy towards more sustainable, export-led growth and to maintain our attractiveness as a location for inward investment. While external factors such as the exchange rate have an impact on domestic costs, these are beyond our control. As such, we must seek to control those costs which we can influence. We must also take steps to improve productivity.

In support of these objectives, the Government is committed to maintaining a low burden of taxation on capital and labour, and has implemented a range of policies aimed at improving competition in product markets and flexibility in the labour market. We are also investing heavily in physical and human capital under the National Development Plan. These measures will help restore competitiveness and ensure that Ireland creates the right environment for foreign investment and export-led growth.

Of course, improving the economy's competitive position will also require sensible wage developments. It is particularly important that the current round of pay talks delivers on this — wage increases that cannot be justified on productivity grounds will, if achieved, only constitute short-term gains with significant long-term costs for all.

### **Tax Code.**

109. **Deputy Paul Kehoe** asked the Tánaiste and Minister for Finance the reason holders of UK bank and credit cards living here are being penalised with having to pay stamp duty from Ireland when their account is with a UK bank; and if he will make a statement on the matter. [16382/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** A Stamp Duty on financial cards is chargeable: a) in respect of credit card accounts maintained by a financial institution at any time during the twelve month period ending on 1 April, and b) in respect of ATM / debit cards issued at any time which are valid on 31 December in a year. A financial institution is entitled to pass the charge on to the account holder.

A card issued by a foreign financial institution to an individual with an address in the State is liable to stamp duty and the location of the card issuer is irrelevant. This ensures that there is equity in treatment between resident individuals regardless of the location of the card issuer.

#### **Customs and Excise Service.**

110. **Deputy John O'Mahony** asked the Tánaiste and Minister for Finance if he is satisfied that the number of customs and excise officers at international and regional airports here and the number of checks carried out by such officers conforms to the minimum requirements set down by the European Union; and if he will make a statement on the matter. [16399/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** I am advised by the Revenue Commissioners that there are no minimum requirements set down by the European Union in relation to the number of Customs and Excise Officers at international and regional airports or for the number of checks to be carried out at those airports.

As regards the Customs controls at Irish airports, I am advised that there is a permanent Customs presence at the three main airports. This staffing resource is kept under constant review in particular to take account of emerging smuggling trends and any traffic increases at these airports.

Customs controls at the smaller airports are risk-based and are carried out by mobile Customs enforcement staff. Attendance is selective and targeted and is based on analysis and evaluation of national and international seizure trends, traffic frequency, routes and other risk indicators. Attendance can also be as a result of specific intelligence. Flights with origins and destinations with a high-risk rating would attract particular interest. These attendances cover the full range of flight times. As in the case of the three main airports, this staffing resource is also kept under constant review.

It is important to note by way of context that the operating environment for Customs has been shaped to a significant degree by the introduction of the Internal Market and the related principles of freedom of movement within the EU. Of specific relevance are the abolition of routine and systematic Customs checks on goods and passengers moving within any part of the EU and the elimination of Customs controls on the baggage of intra-Community passengers other than anti smuggling checks. This is particularly relevant in the case of the smaller airports where passenger traffic is predominantly intra-Community. In fact some of the smaller ones have no international flights at all. The approach has of necessity been to balance the freedom of movement principle in regard to people and goods with the need to control smuggling and enforce prohibitions and restrictions.

I have been assured by the Revenue Commissioners that they are satisfied with the level of Customs controls at airports. In particular, they are satisfied that the risk-based approach applied at the smaller airports remains valid and that their operations at these airports are on par with, and may even exceed, those of many other EU Member States.

111. **Deputy John O'Mahony** asked the Tánaiste and Minister for Finance the number of sniffer dogs available to customs and excise officers; the number of trained dog handlers; and if he will make a statement on the matter. [16400/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** I am informed by the Revenue Commissioners who have responsibility for the Customs service, that they currently deploy twelve detector dog teams at strategic locations around the country including our ports, airports and international postal depots. Each of the dog teams consists of a trained dog handler and sniffer dog. The Customs Dog teams are supported on an ongoing basis in their routine work and during specific operations by other Customs Enforcement Officers. The teams include “sit and stare” type dogs, which are used specifically, but not exclusively, to screen passengers arriving at our ports and airports, together with proactive detector dogs, suitable for the examination of luggage and freight and multipurpose dogs suitable for both passenger, freight and tourist traffic. The main emphasis is on drugs detection but there is also a tobacco and cash detection capability. Customs detector dog teams also provide back-up for An Garda Síochána, on request.

### **Financial Services Regulation.**

112. **Deputy Richard Bruton** asked the Tánaiste and Minister for Finance if he has made a decision on raising the level of deposits protected under deposit protected schemes in view of the greater uncertainty which prevails. [16407/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** I would remind the Deputy that, as I have mentioned in response to previous similar questions, the first and most robust line of defence for depositors must be a well-managed system of prudential regulation and supervision so as to try to minimise the risk that a Deposit Guarantee Scheme (DGS) needs to be activated. Recent assessments by bodies such as the IMF have confirmed that the Irish regime for financial regulation complies with best international practice.

I might also point out that the Central Bank and Financial Services Authority of Ireland has confirmed that Irish financial institutions have only very limited exposure to impaired sub-prime or related assets. Moreover, Irish banks have been solidly profitable over recent years. In these circumstances, I consider that Irish banks are well placed to cope with current uncertainty prevailing at the international level.

The Deputy will also be aware that, arising from an Ecofin Council meeting last October, a review of the EU DGS was initiated. That review is ongoing and Irish officials are participating in the review. I will, of course, consider in that context any specific changes required in the Irish DGS to ensure that savers in Ireland benefit from safeguards in line with EU best practice.

### **Disabled Drivers.**

113. **Deputy Jan O’Sullivan** asked the Tánaiste and Minister for Finance if he will change the medical criteria for qualification for the disabled drivers and passengers tax relief scheme to include people who do not satisfy the strict criteria of the current scheme but who have a medical need to have their car adapted; and if he will make a statement on the matter. [16482/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and Vehicle Registration Tax (up to a certain limit), and exemption from motor tax, on the purchase of an adapted car for transport of a person with specific severe and permanent physical disabilities. The disability criteria for these concessions are set out in the Disabled Drivers and Disabled

Passengers (Tax Concessions) Regulations 1994. To get a Primary Medical Certificate, an applicant must be permanently and severely disabled within the terms of these Regulations.

As the Deputy will be aware there was an interdepartmental review of the Scheme. Some 12,500 people benefited under the scheme in 2007 at an overall estimated cost of €74 million. Any changes would have to be considered in the context of the annual Budget.

### **State Property.**

114. **Deputy Simon Coveney** asked the Tánaiste and Minister for Finance the position regarding an estate (details supplied) in County Cork; if he is satisfied that the State received adequate consideration for the sale of its property; if this transaction was ever examined as to its propriety; the steps taken by his Department to safeguard the property interests of the State in such transactions; and if he will make a statement on the matter. [16496/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** Under Section 28 (2) of the State Property Act 1954, the Minister for Finance assumes responsibility for all personal property and land vested in or held in trust for a body corporate (other than personal property or land held by such body in trust for another person) immediately prior to its dissolution. Upon the dissolution of the body corporate, such property becomes State property. The effect of Section 28 is that the Minister does not hold the assets of dissolved companies as beneficial owner. He holds them in trust. The title which the Minister acquires under this section has been described as a defeasible title since, if the dissolved company is restored to the Register of Companies within twenty years of the date of its dissolution, its property is automatically restored to it. The State Property Act also includes, in Section 31, a power for the Minister to waive the interest acquired under Section 28 of the Act.

It appears that the property which is the subject of the current question was held within a company which was struck off the Register of Companies in September, 1972 for failure to file annual returns with the Companies Office. The beneficial owner of the property applied to my Department for a waiver of the interest acquired by the Minister for Finance under the provisions of the State Property Act and that waiver, in respect of which the consideration was £160, was completed in October, 1986. The effect of the waiver would have been to allow the beneficial owner to complete the process of assembling a satisfactory title. The waiver itself would have formed only a limited element in the establishment of that title and the transaction was a normal exercise of my Department's functions.

I wish to advise the Deputy that a question similar to the current question was answered by me in November last. At the time the reply to that question was prepared, it was understood to relate to an adjacent property which was the subject of a similar corporate holding structure. I am now advised that that question was intended to refer to the same property as the current question.

### **Official Engagements.**

115. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16531/08]



**Tánaiste and Minister for Finance (Deputy Brian Cowen):** The following table outlines the meetings I have had in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries between May 2005 and April 2008.

Details of meetings with non-OECD countries May 2005-April 2008

Date	Meeting held with	Location	Items discussed
24 Jun 2005	Vice Premier of China Minister for Finance China	Beijing	General Economic Issues
25 Jun 2005	Ministers for Finance Indonesia and Singapore	Tianjin	General Economic Issues
08 Apr 2006	Minister for Finance Malaysia	Vienna	General Economic Issues
09 May 2006	Minister for Industry, Trade and Development Brazil	Dublin	General Economic Issues
18 May 2006	Minister for Economic Affairs and Communication Estonia	Dublin	General Economic Issues
05 Jul 2006	Minister for Finance and Economy of the Government of the Republic of Serbia	Dublin	General Economic Issues — learning from the Irish experience in attracting foreign investment
5 July 2006	Minister for Finance Jamaica	Dublin	Artists Tax Exemption
21 Nov 2006	Deputy Prime Minister and Minister for Finance and Economic Development, Mauritius	Dublin	General Economic Issues
2 Oct 2007	Israeli Ambassador to Ireland	Dublin	Courtesy Call
12 Dec 2007	Ambassador of the Kingdom of Saudi Arabia to the United Kingdom and Ireland	Dublin	General Economic Issues
10 Mar 2008	Prime Minister of Vietnam	Dublin	Purpose of the meeting was to facilitate the signing of the Double Taxation Agreement between Ireland & Vietnam
10 Mar 2008	Prime Minister of Vietnam	Dublin	Hosted a Dinner (Deputised for Taoiseach)
13 Mar 2008	Outgoing Deputy Minister for International Trade and Industry of Malaysia	Kuala Lumpur	St. Patrick's Day Programme
14 Mar 2008	Minister for Finance Singapore	Kuala Lumpur	St. Patrick's Day Programme
17 Mar 2008	Deputy Prime Minister of Vietnam	Hanoi	St. Patrick's Day Programme

### Residential Property.

116. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the value of all residential property here; and if he will make a statement on the matter. [16539/08]

**Tánaiste and Minister for Finance (Deputy Brian Cowen):** My Department does not compile the necessary information that would be required to answer the Deputy's specific question. One method of estimation would be to multiply the total number of residential dwellings by the average price of such dwellings. However, one must be cautious of drawing any conclusions from such an estimate, given the crude assumptions that would be required. The Department of the Environment, Heritage and Local Government publishes statistics regarding the stock of dwellings and average prices of new and second-hand dwellings. This information is available on their website at: <http://www.environ.ie/en/Publications/StatisticsandRegularPublications/HousingStatistics/>

**Health Services.**

117. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if the home care grant will be awarded in respect of a person (details supplied) in County Cork. [16405/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hocht):** 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. 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 the matter investigated and to have a reply issued directly to the Deputy.

**Health Service Staff.**

118. **Deputy Mary Upton** asked the Minister for Health and Children if her attention has been drawn to the fact that the Health Service Executive recruitment freeze has had the effect of making it difficult for graduate physiotherapists to secure jobs and that students were encouraged to enter college physiotherapy courses in the expectation of increased employment within the HSE for graduate physiotherapists, in view of the Bacon Report of 2001; and if she will make a statement on the matter. [16447/08]

204. **Deputy Mary Upton** asked the Minister for Health and Children if her attention has been drawn to the fact that the Health Service Executive recruitment freeze has had the effect of making it difficult for graduate physiotherapists to secure jobs, that college places have been significantly increased in physiotherapy since the Bacon Report of 2001 and that it is proving difficult for graduate physiotherapists to secure employment with the HSE; and if she will make a statement on the matter. [16446/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 118 and 204 together.

The recruitment pause put in place in September 2007 was initiated as part of the HSE financial break-even plan to facilitate the delivery of services on budget in accordance with the provisions of the 2007 National Service Plan. This pause did not involve random job cuts but did mean that the recruitment of staff to approved positions was delayed. The HSE put in place a derogation process to deal with the filling of essential posts to protect front-line services and close to 900 posts were approved under this process.

This temporary pause in recruitment ended on 31st December 2007 and any posts falling vacant from 1st January 2008 can be filled subject to the provisions Circular 01/2008. This circular sets out the HSE Employment Control Framework for 2008 and is aimed at ensuring that health services are delivered in accordance with the provisions of the 2008 National Service Plan and within the funding provided by Government.

There has been a growing demand for, and investment in, physiotherapy services over the last number of years. A particular priority for this Department and the Department of Education and Science in recent years has been the expansion of the supply of therapy graduates. Training places for physiotherapists have increased by 126% since 1997 (from 64 to 145). My Department has worked closely with the HSE in the provision of clinical placements for these students which is an essential component of the therapy degree programmes.

I am aware that an issue has arisen whereby some physiotherapy graduates have had difficulty in obtaining employment. My Department has been addressing this situation in a pro-

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active manner over the last year with a view to ensuring that the various factors which contributed to it are addressed. In this regard, the Department has chaired a working group with the HSE comprising the relevant stakeholders and has identified the contributing factors to this complex situation. An Action Plan has been developed to address these matters and the situation is being closely monitored.

The Deputy may wish to note that between 1997 and end December 2007, the number of physiotherapists employed in the public health service increased by 139%. In addition, arising from the Budget Day package approved by Government for 2008, an additional 1,050 new posts have been approved for the health services. These include 710 posts for the Disability sector. It is anticipated that a number of these posts will be therapy professionals. The filling of these service development posts will be progressed by the HSE through its employment control process.

### **Accident and Emergency Services.**

119. **Deputy James Reilly** asked the Minister for Health and Children the reason patients are spending unacceptable amounts of time on trolleys in accident and emergency in view of the implementation of her accident and emergency ten-point plan combined with her description of the accident and emergency situation as a national emergency in March 2006, the subsequent establishment of the accident and emergency task force and the publication of the ED task force report and the setting of target waiting times; and if she will make a statement on the matter. [16778/08]

**Minister for Health and Children (Deputy Mary Harney):** 184,159 people attended at 34 A&E departments in January and February this year. Of these, about 61,000, or one-third, were admitted as in-patients. The vast majority of these patients were admitted without delay. The HSE reports daily on the numbers of the remaining patients at 2 p.m. who are not admitted immediately. They break this down in waiting times between 0-6 hours, 6-12 hours, 12-24 hours and over 24 hours.

The number of patients waiting in each category as a proportion of the total who are not admitted immediately can be calculated daily by anyone who accesses the HSE website. The number of patients waiting in each category as a proportion of total admissions is not immediately apparent from the published figures, since the majority who are admitted immediately are not reported daily.

The HSE is also committed to monitoring and reporting on the total length of time patients spend in Emergency Departments, whether they are admitted or not. A number of hospitals have commenced reporting this information and the HSE expects to be in a position to publish data on up to 18 hospitals in the next few months.

Significant additional resources have been provided to address problems arising in Emergency Departments. These include additional long stay beds, and a range of community based measures aimed at reducing the need to use acute hospital services. A draft national code of practice for integrated discharge planning is at the final stage of development and is due to be completed next month.

I am committed to continuing to focussing on alleviating pressures on Emergency Departments, reducing waiting times, freeing up capacity and allowing for more timely admission and discharges.

### Healthcare Associated Infections.

120. **Deputy James Reilly** asked the Minister for Health and Children her views on the impact financial cuts having on laboratory testing for MRSA and other hospital acquired infections; and if she will make a statement on the matter. [16779/08]

**Minister for Health and Children (Deputy Mary Harney):** Tackling all Healthcare Associated Infections (HCAIs) continues to be a priority for the Government and the Health Service Executive (HSE). The HSE launched a National Infection Control Action Plan in March 2007. An Infection Control Steering Group, chaired by Dr. Pat Doorley, National Director (Population Health) is responsible for overseeing the implementation of the plan. Over the next three to five years, the HSE aims to reduce HCAIs by 20%, MRSA infections by 30% and antibiotic consumption by 20%.

I have been informed by the HSE that all hospitals throughout the country will continue to maintain their existing levels of service in this important area. Laboratory services are in effect demand-led and often have to deal with fluctuations in the need for their services for a wide variety of reasons. They are a crucial part of both hospital and community health services and while demands are high so too is the skill, expertise and commitment of the staff providing the services. Hospital networks throughout the country have also received approval to recruit scientists (in addition to pharmacists and infection control nurses) specifically for healthcare associated infection services, many of which are now in place.

At a European level, the European Antimicrobial Resistance Surveillance System (EARSS) was established in 1999 in response to the growing threat of antimicrobial resistance in Europe. EARSS comprises a network of over 800 microbiological laboratories serving some 1,200 hospitals in 30 countries that collects routinely generated antimicrobial susceptibility testing data on invasive infections caused by seven important bacterial pathogens. As of final quarter of 2007, 44 Irish laboratories serving 65 acute hospitals (public and private) participate in EARSS representing 100% coverage of the Irish population.

In quarter 4 of 2007, 28.8% of *Staphylococcus Aureus* isolates were Methicillin resistant compared to 40% in quarters 3 of 2007. This is a statistically significant difference. The annual trends indicate that the portion on MRSA in Ireland levelled off at approximately 42% between 2002 and 2006. In 2007, preliminary data indicate that this has dropped to 38.5%. If the trend for 2008 remains downwards, it will indicate that our policies relating to control of healthcare associated infections and antimicrobial resistance in Ireland are having a positive impact.

While accepting that not all HCAIs are preventable, I am satisfied that a sustained effort to reduce the rates of HCAIs generally and to treat them promptly when they occur is being maintained.

### Hospital Accommodation.

121. **Deputy Thomas P. Broughan** asked the Minister for Health and Children her plans for a new ten-bed spinal injuries unit at Beaumont Hospital; and if she will make a statement on the matter. [15936/08]

**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

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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 Waiting Lists.**

122. **Deputy Bernard Allen** asked the Minister for Health and Children the reason emergency admissions to psychiatric institutions are being delayed for several days due to the lack of such specialist services as stated by a person (details supplied) at the recent Irish Medical Organisation annual general meeting. [15939/08]

**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. 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.

### **Hospital Staff.**

123. **Deputy Bernard Allen** asked the Minister for Health and Children if she proposes to introduce specialist transplant co-ordinators in all of the regional acute hospitals here in order to increase the low rate of conversion of potential donors to recovered organs. [15940/08]

**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.

### **Hospital Services.**

124. **Deputy Bernard Allen** asked the Minister for Health and Children if her attention has been drawn to a six year audit of cancer services at St. James's Hospital which has shown dramatic increases in urological and other cancers and that this is the first audit carried out here to provide long-term outcome data on cancer patients which enables for the first time a comparison of cancer care at the hospital with international standards and benchmarks; and if she will urge other hospitals to carry out such an audit (details supplied). [15941/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** I officially launched the Six-Year Cancer Audit Report, St. James's Hospital 2001-2006 on 7 April last. High quality information which is timely, accessible and accurate is vital to the implementation of the Health Service Executive National Cancer Control Programme.

Statistics in relation to cancer incidence are collated by the National Cancer Registry. The Registry has published a number of comparisons of cancer care and outcomes in Ireland with those in other countries, most recently the EURO CARE report on cancer survival in Europe and the imminent CONCORD report on cancer outcomes in five continents, as well as audits of cancer treatment against international standards. Continued development of cancer information systems has been given a high priority by the Director of the National Cancer Control



Programme. I have allocated additional revenue funding of €1m to the Registry this year to support the further development of quality and audit systems in all eight designated cancer centres, which includes St. James's Hospital.

### **Hospital Accommodation.**

125. **Deputy Charles Flanagan** asked the Minister for Health and Children if she will arrange funding, which is both appropriate and necessary, to facilitate the opening of the recently completed dementia unit at St. Vincent's Hospital in Mountmellick, County Laois; and if she will make a statement on the matter. [15943/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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. 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 the matter investigated and to have a reply issued directly to the Deputy.

### **Health Service Staff.**

126. **Deputy Bernard Allen** asked the Minister for Health and Children if she will make a statement on a recent comment by a person (details supplied), that general practitioners are in danger of suffering from heart attacks and other medical problems because of the workload that has been foisted upon them. [15949/08]

**Minister for Health and Children (Deputy Mary Harney):** I understand the comments referred to by the Deputy were made in reference to a motion which was passed at the recent Irish Medical Organisation (IMO) AGM, which called for a negotiated GP contract that would recognise that chronic illness care is being transferred to general practice and that this additional work should be resourced and rewarded. The current General Medical Services (GMS) Scheme GP contract is based on a diagnosis and treatment model. It is my view and that of the Health Service Executive that we need to move to a new GP contract with an increased emphasis on the prevention of illness and the management of chronic conditions. I can assure the House that, in doing so, it is not the intention to put at risk the health and safety of GP contractors.

127. **Deputy Bernard Allen** asked the Minister for Health and Children the personnel census for the first quarter of 2008 for the Health Service Executive as well as for the last quarter of 2007 and the second quarter of 2007. [15950/08]

**Minister for Health and Children (Deputy Mary Harney):** The main source of employment data in the health services is the Health Service Executive's Health Services Personnel Census which is derived from payroll history in each agency. The census collects data on actual staffing level for each staff grade in each health agency at a given point in time. Up to and including 2002, the census was conducted annually. Since 2003 the census has been carried out quarterly at the end of March, June, September and December of each year. The data referred to in the question are set out in the following table, the source for which is the Health Service Personnel Census:

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Health Service Personnel Census by Grade Category

Grade category	30/06/2007	31/12/2007	31/03/2008
Medical/Dental	7,926	8,005	8,007
<i>of which Consultants</i>	<i>2,176</i>	<i>2,220</i>	<i>2,214</i>
Nursing	38,609	39,006	38,047
Health and Social Care Professionals	15,441	15,705	15,681
Management/Admin	18,259	18,043	17,930
General Support Staff	13,249	12,900	12,873
Other Patient and Client Care	18,088	17,846	17,759
Total	111,572	111,505	110,297

*Notes*

<sup>1</sup> excludes Home Helps.

<sup>2</sup> Management/ Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

<sup>3</sup> The methodology under which employment figures are compiled changed during the course of 2007 with the addition of personnel not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information. As a result of this change year-on-year figures are not comparable.

<sup>4</sup> Caution should be exercised in making grade category comparisons due to changes in category composition over time.

### National Diabetes Policy.

128. **Deputy Leo Varadkar** asked the Minister for Health and Children if there is a national strategy for the treatment and prevention of diabetes in place; and if she will make a statement on the matter. [15958/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** My Department published a national policy on diabetes in 2006 — Diabetes: Prevention and Model for Patient Care. Following the publication of the report, the Health Service Executive established an Expert Advisory Group on Diabetes to implement the recommendations on prevention, diet and management of diabetes. 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.

129. **Deputy Leo Varadkar** asked the Minister for Health and Children if consideration has been given to providing direct funding for continuous glucose sensors for diabetes patients; and if she will make a statement on the matter. [15959/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under

the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Health Services.**

130. **Deputy Olivia Mitchell** asked the Minister for Health and Children if she will respond positively to the reasonable and finite demands of post polio survivors; and if she will make a statement on the matter. [15966/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** Following a submission to the Joint Committee on Health and Children in December 2004, the Post Polio Support Group received a substantial increase in their funding from approximately €84,000 to over €300,000 per annum. The organisation is in receipt of an annual grant of €398,806 from the Health Service Executive. I am aware that access to the long-term illness scheme has been an issue of concern for the Post Polio Support Group. There are no plans to extend the list of eligible conditions under the long-term illness scheme. People who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations. Non-medical card holders and people whose illness is not covered by the long-term illness scheme can use the Drug Payment scheme, which protects against excessive medicine costs. Under this scheme, no individual or family pays more than €90 per calendar month towards the cost of approved prescribed medicines. The scheme is easy to use and significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines. In addition, non-reimbursed medical expenses above a set threshold may be offset against tax.

### **National Lottery Funding.**

131. **Deputy Catherine Byrne** asked the Minister for Health and Children if there is funding available to financially support a conference (details supplied); and if she will make a statement on the matter. [15976/08]

**Minister for Health and Children (Deputy Mary Harney):** Applications for funding from the Department of Health and Children's National Lottery allocation are received from individuals, groups, and organisations with an involvement in the provision of health services to specific client groups and national groups providing information and support. To date, no application for National Lottery funding has been received from the organisation referred to by the Deputy.

### **Hospital Waiting Lists.**

132. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if she will look into the matter of the six-year-old child (details supplied) in County Tipperary who, despite several referrals from their general practitioner and speech therapist, has been unable to access the ear nose and throat service at Waterford Regional Hospital due to prolonged waiting lists, as reported by the ENT surgeon; and if she will make a statement on the matter. [15978/08]

**Minister for Health and Children (Deputy Mary Harney):** The management of waiting lists generally is a matter for the Health Service Executive (HSE) in accordance with its operational responsibility for the management and delivery of health and personal social services. There-

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fore, the HSE is the appropriate body to consider the matter raised by the Deputy. Accordingly, my Department has asked the Parliamentary Affairs Division of the HSE to arrange to have a reply issued direct 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 parents or guardian of the person in question to contact the Fund directly in relation to his case.

133. **Deputy Emmet Stagg** asked the Minister for Health and Children the reason a person (details supplied) in County Kildare has had to wait 14 months for an outpatient examination in the urology department in Tallaght hospital. [15990/08]

**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 case 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.

134. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Longford is still on the waiting list for a hip replacement since December 2007; the reason any surgeon's waiting list for same should stand at 131 patients without action being taken to provide alternative surgical care; and if she will make a statement on the matter. [15991/08]

**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 case 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.**

135. **Deputy Denis Naughten** asked the Minister for Health and Children further to Question No. 431 of 26 September 2007, if the briefs have been completed for the subgroups recommended by the Report of the Universal Neonatal Hearing Screening Group; the position in relation to the implementation of the report; and if she will make a statement on the matter. [15998/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Ambulance Service.**

136. **Deputy Michael McGrath** asked the Minister for Health and Children if her attention has been drawn to the fact that Cork University Hospital has been without a helipad for the past number of years; the plans in place to reinstate a helipad at the hospital; and if she will make a statement on the matter. [16021/08]

**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.

#### **Irish Blood Transfusion Service.**

137. **Deputy Michael McGrath** asked the Minister for Health and Children the plans in place for the future development of the regional centre of the Irish Blood Transfusion Service in Cork City. [16022/08]

**Minister for Health and Children (Deputy Mary Harney):** The Irish Blood Transfusion Service has sought capital funding to build a new blood transfusion centre in Cork. The service has carried out an assessment of the need for this centre in accordance with the Department of Finance's Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector. It has also submitted a report to me, prepared by a Focus Group, which was chaired by the Chief Executive of the IBTS. I have met the Chairperson and some members of the Board and have informed them that I intend to bring a Memorandum to Government on the issue shortly.

#### **Hospital Waiting Lists.**

138. **Deputy Michael Ring** asked the Minister for Health and Children the reason a person (details supplied) in County Mayo who needed an urgent appointment in a hospital in Dublin three weeks ago has not been given a bed to date. [16023/08]

**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 case 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.

#### **Mental Health Services.**

139. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a proposal (details supplied). [16058/08]

140. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist people with mental health issues especially when they complete a community employment scheme. [16059/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** I propose to take Questions Nos. 139 and 140 together.

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. 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.



### Health Services.

141. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 12. [16061/08]

147. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist in the case of a person (details supplied) in Dublin 12. [16106/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** I propose to take Questions Nos. 141 and 147 together.

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.

### Asylum Support Services.

142. **Deputy Leo Varadkar** asked the Minister for Health and Children the general practitioners services available to asylum seekers during their first weeks as asylum seekers while they are awaiting their medical cards; the cost of providing those services in terms of payments to GPs and pharmacists; and if she will make a statement on the matter. [16074/08]

**Minister for Health and Children (Deputy Mary Harney):** Under the Health Act, 2004, the Health Service Executive (HSE) has the responsibility to manager and deliver, or arrange to be delivered on its behalf, health and personal social services. As the healthcare of asylum seekers is provided by the HSE in the context of general arrangements governing eligibility for public health services, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter addressed and to have a reply issued directly to the Deputy.

### Hospital Waiting Lists.

143. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of children over the age of seven waiting to have an appointment with an occupational therapist in each Health Service Executive region; the length of time they are waiting for appointments in the same regions; and if she will make a statement on the matter. [16084/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-2009 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75 million in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on 1 June 2007 for the under fives and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements. The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50 million of investment which was announced in the 2008 Budget. The Deputy's specific 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.

**Food Safety Authority.**

144. **Deputy Bernard Allen** asked the Minister for Health and Children if she is proposing to introduce a ban on additives in children's food as called for by an association (details supplied). [16086/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** Public concerns have been raised following the publication last year of a study by researchers at Southampton University in the United Kingdom that suggested a link between the intakes of a combination of food additives to altered behavioural patterns in children. Following its publication, a scientific panel of experts, including experts in behaviour, child psychiatry, allergy and statistics, from the European Food Safety Authority assessed the findings. The authority reached a broadly similar conclusion to the UK's Committee on Toxicity that there is limited evidence that the additives have a small but measurable effect on children's behaviour, although the effects seen are not consistent and only certain children were affected. The authority further stated that the findings of the study could not be used as a basis for altering current acceptable intake levels. The additives in question are six colours (E110-Sunset yellow, E122-Carmosine, E102-Tartrazine, E124-Ponceau 4R, E129-Allura Red, E104-Quinoline Yellow) and a preservative (E211-Sodium Benzoate). An E-number means that a food additive has been thoroughly assessed through extensive safety evaluation and toxicological tests by EFSA, or its predecessor, the Scientific Committee on Food, and has been accepted as safe.

I understand that the majority of manufacturers are already in the process of reformulating products to remove these particular food colours. The additives, particularly the colours, are used in a range of sweets, snacks and soft drinks. Researchers from UCD have studied the Irish National Food Ingredient Database and the 7-day dietary survey of 594 children aged 5-12 years. They found that, of the total number of brand codes in the database, 94.8% did not contain any of the additives examined in the UK study. Ireland applies EU legislation on food additives. In a recent meeting in Brussels, the European Commission stated that any action to limit or prohibit the use of these colours in foods on the European market would have to be firmly based on scientific evidence and be equally applicable in all Member States. Such a measure should also apply to foods imported into Europe. The European Commission's Expert Committee on Food Additives is expected to meet before the summer to consider whether additional management controls on the colours are necessary, and if so, the form these should take. The Food Safety Authority of Ireland is the competent authority in Ireland for the enforcement of food legislation. It has advised me, based on current scientific evidence set out above, that a ban is not justified. The authority has advised parents of children in Ireland who display symptoms of hyperactivity or Attention Deficit Hyperactivity Disorder to consider limiting their children's consumption of food products containing these food colours.

**National Reference Laboratory.**

145. **Deputy Bernard Allen** asked the Minister for Health and Children if she is proposing to provide the necessary resources to create a national reference laboratory to identify types of clostridium difficile in health facilities. [16087/08]

**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. As such it is for the HSE to determine priorities and decide how these funds are used to deliver the best and most efficient and safe public health

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service. However, I have been informed by the HSE that upcoming national guidance on clostridium difficile is addressing the question of such a reference laboratory.

### **Health Services.**

146. **Deputy Seán Connick** asked the Minister for Health and Children the number of grants her Department and the Health Service Executive provided to assist with the purchase of digital directional hearing aids in 2007; and if she will make a statement on the matter. [16096/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department does not provide any grants towards the purchase of digital directional hearing aids. Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive (HSE) under the Health Act 2004 and funding for all health services has been provided in its overall vote. The HSE's responsibility includes the provision of hearing aids under its Community Audiology Service. Therefore, the Executive is the appropriate body to consider the question raised by the Deputy. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

*Question No. 147 answered with Question No. 141.*

*Question No. 148 answered with Question No. 41.*

### **Hospital Services.**

149. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she will examine the case of a person (details supplied) in County Cork who was first referred to St. Finbarr's Hospital for orthodontic treatment in 2003, but whose file appears to have been misplaced between then and 2008; if she will arrange to have this matter dealt with in a satisfactory manner; and if she will make a statement on the matter. [16117/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Services for People with Disabilities.**

150. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a service (details supplied). [16118/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-09 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75 million in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on 1 June 2007 for the under fives and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements. The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50 million investment which was announced in the 2008 Budget. The Deputy's specific 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.**

151. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a person (details supplied). [16119/08]

**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.**

152. **Deputy Dan Neville** asked the Minister for Health and Children the number of medical cards applied for in January, February and March 2007 and January, February and March of 2008. [16122/08]

**Minister for Health and Children (Deputy Mary Harney):** Details of the number of medical card holders are provided to my Department each month by the Health Service Executive. The figures are provided on a net basis showing the balance after new cards have been issued and other cards, as appropriate, have been deleted from the Executive's database, e.g. following a review of a person's circumstances. The following table shows the number of medical card holders on the last day of January, February and March in 2007 and 2008.

	2007	2008
January	1,227,577	1,280,510
February	1,228,468	1,288,621
March	1,238,330	1,292,086

As the figures sought by the Deputy regarding medical card applications for the specified months are not routinely provided to my Department and as the HSE has the operational and funding responsibility for the medical card benefit, it is the appropriate body to consider the particular matter raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to address this matter and to have a reply issued directly to the Deputy.

#### **Psychological Service.**

153. **Deputy Pat Breen** asked the Minister for Health and Children if her attention has been drawn to the publication of the Health Service Executive's national review showing that children with urgent mental health problems are waiting more than three years to see a psychiatrist; if she will report on when a social work out-of-hours service will be made available for those children at risk in County Clare; and if she will make a statement on the matter. [16142/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** 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

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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.

### **Health Services.**

154. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of speech therapists in County Laois; the average length of waiting lists to see a speech and language therapist; the qualification criteria to be seen; and if she will make a statement on the matter. [16148/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-09 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75 million in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on 1 June 2007 for the under fives and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements. The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50 million of investment which was announced in the 2008 Budget. The Deputy's specific 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.

155. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of speech therapists in County Offaly; the average length of waiting lists to see a speech and language therapist; the qualification criteria to be seen; and if she will make a statement on the matter. [16149/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-2009 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75 million in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on 1 June 2007 for the under fives and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements. The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50 million of investment which was announced in the 2008 Budget. The Deputy's specific 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.

### **Ambulance Service.**

156. **Deputy Michael Ring** asked the Minister for Health and Children if patient transport will be provided to a person (details supplied) in County Mayo. [16153/08]



**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 case 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 Services.**

157. **Deputy Deirdre Clune** asked the Minister for Health and Children the number of child care workers attached to the south Lee area in Cork; and if she will make a statement on the matter. [16154/08]

158. **Deputy Deirdre Clune** asked the Minister for Health and Children the number of social workers attached to the south Lee area in Cork; and if she will make a statement on the matter. [16155/08]

159. **Deputy Deirdre Clune** asked the Minister for Health and Children the number of vacancies for social workers and child care workers in the south Lee area; and if she will make a statement on the matter. [16156/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 157 to 159, inclusive, together.

Almost 130,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the numbers of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future. Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Health Repayment Scheme.**

160. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive payment under the health repayment scheme in view of the fact that a decision on this matter was reached in July 2007. [16160/08]

**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. 161 answered with Question No. 19.*

#### **Hospital Services.**

162. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the services avail-

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able for stroke victims in County Louth; the proposed improvements for such services; and if she will make a statement on the matter. [16174/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Medical Cards.**

163. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [16180/08]

**Minister for Health and Children (Deputy Mary Harney):** People and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner services qualify for a medical card, which entitles them to a range of health services free of charge. In 2005, the GP visit card was introduced as a graduated benefit so people on moderate and lower incomes, particularly parents of young children, who did not qualify for a medical card, would not be deterred on cost grounds from visiting their GP. The assessment of eligibility for medical cards and GP visit cards is statutorily a matter for the Health Service Executive and, with the exception of people aged 70 and over, who have an automatic statutory entitlement to a medical card, is determined following an examination of the means of the applicant and his/her dependants (income and relevant outgoings). The GP visit card assessment threshold is 50% higher than the medical card threshold. As the HSE 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.**

164. **Deputy John O'Mahony** asked the Minister for Health and Children the reason people attending an oral hearing in respect of the repayment scheme understand from correspondence the hearing will be conducted by an appeals officer when, in fact, it is conducted by a solicitor; and if she will make a statement on the matter. [16184/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006. When the Scheme Administrator issues a decision on an application to a claimant, a copy of Section 16 of the Health (Repayment Scheme) Act 2006 is included, informing the applicant of their entitlement to appeal the decision. Claimants who appeal the decision of the Scheme Administrator have the option of requesting an oral hearing conducted by an Appeals Officer. Section 16 of the Health (Repayment Scheme) Act 2006 provides that the person appointed to consider appeals shall be a barrister or solicitor of not less than five years standing.

#### **Health Service Prosecutions.**

165. **Deputy Fergus O'Dowd** asked the Minister for Health and Children if the Health Service Executive has on a yearly basis in the past five years taken prosecutions in the courts

against nursing home proprietors and persons in charge for breaches of regulations; the breaches of the regulations in each case; the name of the persons who were successfully prosecuted; if the nursing home closed or if new proprietors or persons in charge were in place as a result; and if she will make a statement on the matter. [16188/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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. 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.

### **Child Care Services.**

166. **Deputy Alan Shatter** asked the Minister for Health and Children when she expects to receive the Health Service Executive review report on its child and family services for 2007; and the action she has taken to ensure it is published during the first half of 2008. [16192/08]

169. **Deputy Alan Shatter** asked the Minister for Health and Children if she or the Minister of State with responsibility for Children has received the Health Service Executive review report on its child and family services for 2006; if not, the action taken by either of them to force the HSE to comply with its obligation to produce an annual report on the aforesaid services; the date when the report will be published; and if the date is not known, the reason for same. [16196/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** I propose to take Questions Nos. 166 and 169 together.

Under Section 8 of the Child Care Act, 1991, the HSE is obliged to prepare an annual report on the adequacy of the Child Care and Family Support Services and submit a copy to the Minister for Health and Children. The first year for which the HSE had responsibility for preparing the Section 8 Report was 2005. Previously this report was prepared by individual Health Boards.

The HSE have informed me that a working group was established in October 2005 to develop a national template for the HSE Section 8 Report. This template was finalised in April 2006 and the 2005 Report was subsequently produced.

The HSE have assured me that improved procedures are now in place to ensure more timely preparation of Section 8 Reports. In that regard the 2006 report is nearing completion, and the 2007 Report will be available in summer 2008. The Office of the Minister for Children will be working with the HSE to achieve this objective and to make the report even more informative.

167. **Deputy Alan Shatter** asked the Minister for Health and Children if she has received the Health Service Executive quarterly performance monitoring report on children's services for 1 January 2008 to 31 March 2008 for each HSE region on the number of notifications of child abuse or neglect, the number of assessments conducted following notification, the number of children on waiting lists following notification of child abuse or neglect and the average time spent on a waiting list for assessment following notification of child abuse or neglect; and if she will detail the information contained in the report. [16193/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** I have been informed by the Health Service Executive that their 2008 National Service Plan commits them to developing from the end of Quarter 2 (i.e. starting 1st July, 2008) a means of collecting information on the following for each administrative area: a) number of notifications made of

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child abuse or neglect; b) number of assessments conducted following notifications; c) number of children on waiting lists for assessments following notification of child abuse or neglect; and d) average time spent on a waiting list for assessment following notification of child abuse or neglect.

Reporting against this information will be based on the phased implementation of standardised business processes through the Childcare Information System project.

Since the inception of the Office of the Minister for Children, there has been a significant build up in both the flow and quality of management information available. Key components of this information management include the 'Analysis of Child Care Interim Data Set' prepared annually by the HSE and the regular service plan monitoring reports submitted to my Department by the HSE. The further development of this information strategy is set to continue with the completion of the joint OMC/HSE Knowledge Management Policy and its subsequent implementation plan. This implementation will include a pilot scheme which will integrate the children service data sets into the HSE's award-winning innovative Health Atlas project.

All of these initiatives, if accompanied by planned commentary and analysis, will allow for much enhanced management of children's services by cross referencing a series of relevant data and research sources. It is anticipated that this capacity will begin to be available to HSE and OMC policy makers, managers and front line staff in 2009 in line with the requirements and approach of the OMC developed Agenda of Children Services, the overarching policy for children services in Ireland.

#### **Health Services.**

168. **Deputy Olwyn Enright** asked the Minister for Health and Children the guidelines set down by her Department for orthodontic treatment; and if she will make a statement on the matter. [16195/08]

**Minister for Health and Children (Deputy Mary Harney):** The Orthodontic Review Group, established by the HSE in 2006, finalised its report last year. One of the recommendations contained in the report relates to the guidelines originally 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 implementation of the new guidelines relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service 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. 169 answered with Question No. 166.*

#### **Child Care Services.**

170. **Deputy Alan Shatter** asked the Minister for Health and Children the date when she or the Minister of State with responsibility for Children first received the Health Service Executive review report on its child and family services for 2005; the reason the report only first appeared in full on the HSE website at the end of February; the reason it has not to date been published in book form; and if it will be so published. [16197/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** Under Section 8 of the 1991 Children Act, the HSE is obliged to prepare an annual report on the adequacy of the Child Care and Family Support Services and submit a copy to the Minister for Health and Children. The first year in which the HSE had responsibility for preparing the Section 8 Report was 2005, the report having previously been prepared by individual Health Boards.

A working group was established by the HSE in October 2005 to develop a national template for the HSE Section 8 Report. This template was finalised in April 2006, and the 2005 Report was subsequently produced and submitted to the Office of the Minister for Children on 11 June 2007.

Matters relating to the subsequent scheduling and manner of the publication of the report are proper to the HSE. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### Departmental Expenditure.

171. **Deputy Denis Naughten** asked the Minister for Health and Children the health budget for each year from 1994 to date in 2008; and if she will make a statement on the matter. [16199/08]

**Minister for Health and Children (Deputy Mary Harney):** The information requested by the Deputy is contained in the following table. The table shows the Revised Estimates Volume provisional outturns in respect of the Department of Health and Children for the years 1994-2004.

Vote 40 in respect of the Health Service Executive was established in 2005. The table shows the combined provisional outturns for the Department of Health and Children and the Health Service Executive in respect of the years 2005-2007. The figures for 2008 are the Revised Estimates Volume provision.

Gross Voted Funding Department of Health and Children and Health Service Executive

Year	Gross Capital and Non-Capital
	€ m
1994	2,918.028
1995	3,104.345
1996	3,136.595
1997	3,636.742
1998	4,124.555
1999	4,831.140
2000	5,656.038
2001	7,077.260
2002	8,353.211
2003	9,302.314
2004	10,559.066
2005*	11,872.218
2006*	12,702.962
2007*	14,395.168
2008*	15,460.603

Source: provisional outturn published in the Revised Estimates Volumes 1995-2008.

\*Figure is the total of Vote 39 Department of Health and Children and Vote 40 HSE combined.



### **Child Care Services.**

172. **Deputy Joe McHugh** asked the Minister for Health and Children if she will explain the changes which will take place in regard to the level of funding of child care programmes and the NCIP after June 2008 with a detailed analysis for each project in County Donegal; and if she will make a statement on the matter. [16204/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** As the Deputy will be aware, I have responsibility for the National Childcare Investment Programme 2006-2010 (NCIP) under which the Community Childcare Subvention Scheme (CCSS) is being implemented.

The Community Childcare Subvention Scheme was introduced on 1st January 2008 with an allocation of €154.2 million over 3 years. The Scheme continues to support community-based childcare services to provide reduced childcare fees for disadvantaged parents, complementing the universal supports of Child Benefit and the Early Childcare Supplement in place for all parents. Community childcare services qualify for grant aid on the basis of the level of service they provide and the profile of the parents benefiting from their service. The parent profile of each service, and the amount of subvention it receives, are determined on the basis of completed parent declaration forms which they return as part of the application process. The subvention received by services is, in turn, reflected in reduced fees for parents who qualify as disadvantaged under the scheme.

Transitional arrangements have been put in place to facilitate community services which were funded under the previous scheme to adjust to the new arrangements, including making any adjustments necessary to their fee structures. Under these arrangements, existing grant recipients continued to receive grant support during January/June 2008 at the same level as in 2007. From July 2008, the new level of grant funding for these services will be based on the information they have returned to my Office. Services which benefit from an increased level of funding under the CCSS will receive the increased amount from 1st July 2008. Where the new arrangements would result in a reduction in funding for a particular service, that service will continue to receive 90% of its previous level of grant aid during July/December 2008. Should the service continue to qualify for a reduced level of funding in 2009 and 2010, it will continue to receive 85% of its previous level of grant aid in 2009 and 75% of its previous level of grant aid in 2010.

I am also pleased to advise the Deputy that the Childcare Directorate of my Office is in the course of notifying services of their individual grant levels for July-December 2008, including those in Co. Donegal, and that it is anticipated that this process will be completed early next month. I am confident that the Community Childcare Subvention Scheme is a fair and equitable way of supporting community childcare operators in the provision of an affordable and high quality service to parents, based on their means.

### **Hospital Services.**

173. **Deputy Joe McHugh** asked the Minister for Health and Children if the proposed plan to amalgamate the male and female wards at St. Conal's Hospital is to go ahead; her views on whether the patients basic human rights are being violated by such a move; and if she will make a statement on the matter. [16205/08]

211. **Deputy Joe McHugh** asked the Minister for Health and Children if the proposed amalgamation of the male and female wards in St. Conal's Hospital in Letterkenny is to go ahead; her views on whether the Health Service Executive are infringing on the human rights of the

patients, in view of the difficulties with such arrangements in the past; and if she will make a statement on the matter. [16507/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 173 and 211 together.

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. 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.

### **Child Care Services.**

174. **Deputy Denis Naughten** asked the Minister for Health and Children if in view of an adjournment debate (details supplied) she will review the funding crisis that exists; and if she will make a statement on the matter. [16216/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** As indicated to the Deputy when the question of funding for Páistí le Chéile was raised in a recent debate, funding for this project was provided by the Department of Justice, Equality and Law Reform. While I understand that this funding has now ceased, I must advise the Deputy that my Office is not in a position to accommodate this project under the current provisions of the National Childcare Investment Programme 2006-2010 (NCIP) which is implemented by my Office.

However, funding is provided by my Office under the NCIP to support the activities set out in the Action Plans of the 33 City and County Childcare Committees, including Roscommon County Childcare Committee which was involved in the pilot project funded by the Department of Justice, Equality and Law Reform. The total NCIP funding provided to the Committees this year amounts to €13.3 million which represents an increase of more than 7% on the funding for the previous year. This includes €295,360 in funding approved for Roscommon County Childcare Committee, which is one of the highest allocations per capita in the country.

### **Parliamentary Questions.**

175. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Questions Nos. 318 and 319 of 5 February 2008, the reason Dáil Éireann was misled even though the Health Service Executive had two months to compile the statistics; the specific managers who signed off on the figures; when the errors with the reply came to light; when this Deputy was informed on each such error; if she will provide an accurate set of figures which the HSE is prepared to stand over; when an apology will be issued to Dáil Éireann regarding the whole debacle; and if she will make a statement on the matter. [16217/08]

**Minister for Health and Children (Deputy Mary Harney):** I asked the Health Service Executive to respond directly to Deputy Damien English in relation to these two questions put down for answer on 5th February 2008 about cleaning costs in each hospital in the State. The Executive responded to Deputy English on 10th April 2008. Unfortunately, some incorrect information was given by the National Hospitals Office in the Executive's response and I regret that this has happened. I am informed by the Executive that this error came to attention soon

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afterwards and that corrected information together with an apology for the earlier error was sent to Deputy English on 23rd April 2008.

My Department has asked the Executive to review the information gathered for Deputy English together with the processes used to gather the information with the objective of finally ensuring that all the requested information is being sent to him. My Department has also asked the Executive to immediately take all necessary steps to avoid future errors of this nature.

#### **Hospital Waiting Lists.**

176. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive a date for surgery for a knee replacement operation; and if she will make a statement on the matter. [16220/08]

**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 case 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 Staff.**

177. **Deputy John Perry** asked the Minister for Health and Children the plans in place by the Health Service Executive to appoint a full-time cardiologist at Sligo General Hospital; and if she will make a statement on the matter. [16230/08]

**Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Hospital Services.**

178. **Deputy Denis Naughten** asked the Minister for Health and Children the hospitals and the number of respite places which the Health Service Executive is cancelling in 2008; the alternatives that are to be put in place; and if she will make a statement on the matter. [16332/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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. 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.

#### **Health Services.**

179. **Deputy Olwyn Enright** asked the Minister for Health and Children the assistance given to adults suffering from Asperger's syndrome; and if she will make a statement on the matter. [16333/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-2009 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75m in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on June 1st 2007 for the under 5's and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements.

The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50m investment which was announced in the 2008 Budget.

The Deputy's specific 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.

180. **Deputy Paul Kehoe** asked the Minister for Health and Children when the process of mapping and profiling of primary care teams and health and social care networks in relation to the Wexford local health office will be finalised; and if she will make a statement on the matter. [16334/08]

**Minister for Health and Children (Deputy Mary Harney):** The development of Primary Care Teams and Networks is the responsibility of the Health Service Executive.

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.

#### **Services for People with Disabilities.**

181. **Deputy James Bannon** asked the Minister for Health and Children the measures that have been put in place to enable the residential house in Marian Avenue, Ballymahon to open, as it is completed but has been sitting idle for the past year due to lack of funding; and if she will make a statement on the matter. [16370/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-2009 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75m in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on June 1st 2007 for the under fives and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements.

The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50m investment which was announced in the 2008 Budget.

The Deputy's specific 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.

182. **Deputy James Bannon** asked the Minister for Health and Children the funding in place to open phase B of the Lamagh Respite House in Newtownforbes, County Longford; and if she will make a statement on the matter. [16371/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** As part of the Multi-Annual Investment Programme 2006-2009 under the Disability Strategy, the Government provided the Health Service Executive with an additional €75m in both 2006 and 2007. This funding included monies to provide new and enhanced services for people with disabilities, to implement Part 2 of the Disability Act 2005, which came into effect on June 1st 2007 for the under fives and also for the continuation of the implementation of the transfer of persons with intellectual disability from psychiatric hospitals and other inappropriate placements.

The Government is also honouring its promise in relation to the Multi-Annual Investment Programme for people with disabilities, with a further €50m investment which was announced in the 2008 Budget.

The Deputy's specific question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Departmental Funding.**

183. **Deputy Jim O'Keeffe** asked the Minister for Health and Children if she will confirm that funding will be made available for research into muscular dystrophy as requested by an organisation (details supplied). [14246/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** I met with representatives of Muscular Dystrophy Ireland in October 2007 and discussed the issue raised by the Deputy.

I subsequently wrote to Mr. Joe Mooney, Director of Muscular Dystrophy Ireland, on 7th February 2008 outlining the position in relation to funding research trials into Duchenne Muscular Dystrophy in the United Kingdom. There is no mechanism or budget for Government funding of U.K. health research.

I understand that Muscular Dystrophy Ireland held the first information day on "Advances in the Care of Duchenne Muscular Dystrophy" for families and doctors on 2nd March. I was pleased to be able to support Muscular Dystrophy Ireland by providing over €9,000 towards the costs associated with the information day.

#### **Health Services.**

184. **Deputy Damien English** asked the Minister for Health and Children when a person (details supplied) in County Meath will get a place at St. Joseph's in Trim, County Meath; and if she will make a statement on the matter. [16378/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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. 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 the matter investigated and to have a reply issued directly to the Deputy.



### Medical Cards.

185. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the reason she has not availed of her power under section 45(3) of the Health Act 1970 to specify by regulations the classes of persons with full eligibility for medical services under that Act; the merits of the alternative, non-statutory approach for determining eligibility for services provided under statute; the reasoning behind the introduction and retention of the medical card scheme as a non-statutory alternative to the provisions of section 45; and if she will make a statement on the matter. [16383/08]

**Minister for Health and Children (Deputy Mary Harney):** Section 45 of the Health Act 1970 formed the statutory basis for the granting of full eligibility (i.e. medical cards) to certain categories of persons. The section has been amended on a number of occasions and, in broad terms, medical cards are now granted to persons who, in the opinion of the Health Service Executive (HSE), are unable without undue hardship to arrange general practitioner medical and surgical services for themselves and their dependants. In addition, persons aged 70 and over are entitled to a medical card, regardless of income.

Section 45(3) of the 1970 Act empowered but did not require the Minister, with the consent of the Minister for Finance, by regulations to specify a class or classes of persons who would have full eligibility. This provision has never been invoked by any of my predecessors and I have no plans to do so as I am satisfied that, in general, the system for assessment of persons in relation to medical card eligibility has worked well.

Nonetheless, in conjunction with the development of a new legislative framework to provide for clear statutory provisions on eligibility for health and personal social services, my Department is reviewing the assessment criteria in the context of financial, medical and social need in line with the commitment in Towards 2016. A Steering Group has been established which is expected to complete this work in autumn 2008.

### Health Services.

186. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if she is satisfied that the Health Service Executive has complied with its obligation to publish, in accordance with section 16 of the Freedom of Information Act 1997, the rules, procedures, practices, guidelines and interpretations used by it, and any index of any precedents kept by it, for the purposes of decisions, determinations or recommendations, under or for the purposes of determining eligibility to a medical card, to a general practitioner visit card, to general medical services and under any other enactment or scheme administered by it with respect to rights, privileges and benefits to which members of the public are or may be entitled or subject under those schemes; if not, if she will ensure the publication of the information; and if she will make a statement on the matter. [16384/08]

**Minister for Health and Children (Deputy Mary Harney):** The Freedom of Information Acts 1997 and 2003 applied, since its establishment, to the Health Service Executive (HSE) in the same way as it did to the health boards, the Area Health Boards and the Eastern Regional Health Authority. The obligation on the HSE to produce a manual pursuant to Section 16 of the Freedom of Information Act 1997 and 2003 Act is set out in Schedule 7 of the Health Act 2004.

Consequently, the HSE is the appropriate body to consider the particular issue 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.

187. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the services provided by the Health Service Executive that do not have a specific statutory underpinning in the Health Acts 1947 to 2005; the basis according to which these services are provided; and if she will make a statement on the matter. [16385/08]

188. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if she will outline and explain the meaning of the use of the term personal social services when used by her Department and by the Health Service Executive; the services provided under the Health Acts 1947 to 2005 categorised as personal social services, as opposed to health services; the statutory basis for the provision of those services; and if she will make a statement on the matter. [16386/08]

191. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if, in view of the fact that section 38 of the Health Act 2004 enables the Health Service Executive to arrange for the provision of health or personal social services by a service provider only if such services were, immediately before the establishment of the HSE, provided by the health boards themselves, difficulties are encountered in the provision of services which were not previously provided by the health boards; the way such difficulties are dealt with; and if she will make a statement on the matter. [16390/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 187, 188 and 191 together.

The Health Service Executive (HSE) has functions under a broad range of legislation including the Health Acts 1947 to 2007, the Child Care Acts 1991 to 2007 and the Mental Health Acts 1945 to 2001. In relation to some services, more detailed and specific arrangements are provided for in regulations made under primary legislation.

A function of the HSE under the Health Act 2004 is to manage and deliver, or arrange to be delivered on its behalf, health and personal social services in accordance with that Act. The scope of what is generally understood by the term “health services” differs from country to country and in Ireland it is broader than in many other countries. For example, health care here includes areas such as child welfare and protection. In recent decades, there has also been a growing emphasis on the social context of health care ensuring that patients and clients are seen in the context of family and environmental relationships.

The use of the term “health and personal social services” in the 2004 Act does not refer to two distinct services but is intended as a more complete and contemporary description of the nature of actual services provided in the public health system consistent with our national concept of health care. “Health and personal social services” is therefore defined in the 2004 Act to mean services that immediately before the establishment day for the Executive (1 January 2005) were provided under the Acts referred to in Schedule 1 of the Act by a specified body as defined in section 56 of the Act. An extensive list of legislation including the Health Acts 1947 to 2001 is set out in the Schedule and covers areas as diverse as the provision of hospital services and adoption matters. The specified bodies defined in section 56 are the health boards, the Eastern Regional Health Authority, the Area Health Boards, the Hospital Bodies Administrative Bureau, the Health Boards Executive, the General Medical Payments Board, the Health Service Employers Agency and the Interim Health Service Executive.

The position in regard to section 38 of the Health Act 2004 as amended is that the section allows the HSE to enter into an arrangement with a person for the provision of a health and personal social service by that person on behalf of the Executive. As I have outlined, the definition of health and personal social services covers a broad spectrum of services. I am not

aware of any issues arising in regard to the provision of services by service providers under section 38.

### **Health Service Contracts.**

189. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the bodies with which the Health Service Executive has contracts, agreements or arrangements carried over and given effect by virtue of section 63 of the Health Act 2004; if any of those contracts, agreements or arrangements are with voluntary hospitals; if so, the hospitals and the details of the contract, agreement or arrangement in question; when the contract, agreement or arrangement relating to the voluntary hospitals was last revisited or revised; and if she will make a statement on the matter. [16388/08]

190. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the bodies with which the Health Service Executive has entered into arrangements under section 38 of the Health Act 2004 for the provision of health or personal social services on behalf of the executive; the number of such bodies that were previously party to contracts, agreements or arrangements carried over and given effect by virtue of section 63 of that Act; if any of the contracts, agreements or arrangements are with voluntary hospitals; if so, the hospitals and the details of the contract, agreement or arrangement in question; when the contract, agreement or arrangement relating to the voluntary hospitals was last revisited or revised; and if she will make a statement on the matter. [16389/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 189 and 190 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 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.

*Question No. 191 answered with Question No. 187.*

### **Health Services.**

192. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if a voluntary hospital, meaning a hospital which is substantially funded by means of an arrangement with the Health Service Executive under section 38 of the Health Act 2004, can also be a private hospital for the purposes of the Health Insurance Act 1994 (Minimum Benefit) Regulations 1996, meaning a hospital which provides prescribed health services but does not provide services to persons pursuant to their entitlements under Chapter II of Part IV of the Health Act 1970; if not, the reason for same; and if she will make a statement on the matter. [16391/08]

194. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the services provided to persons pursuant to their entitlements under Chapter II of Part IV of the Health Act 1970, as referred to in the Health Insurance Act 1994 (Minimum Benefit) Regulations 1996; and if she will make a statement on the matter. [16393/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 192 and 194 together.

[Deputy Mary Harney.]

Chapter II of Part IV of the Health Act 1970 requires the Health Service Executive to provide inpatient and outpatient services to persons with full eligibility and persons with limited eligibility, and allows for them to provide ambulance services. Inpatient and outpatient services within the meaning of the Health Act, 1970 are publicly funded services, provided by or on behalf of the Health Service Executive. Under Chapter II patients attending hospitals providing these services, including voluntary hospitals, may avail of inpatient services as either public or private patients, hence the reference in the Health Insurance Act (Minimum Benefit) Regulations, 1996. The Health Insurance Act (Minimum Benefit) Regulations 1996 serve a different purpose, insofar as they prescribe the minimum level of cover to be provided under health insurance contracts, and as such they are not comparable. Under these Regulations a private hospital means a hospital, other than a nursing home, which is not a publicly funded hospital.

193. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the class of persons who have an entitlement to receive services from voluntary hospitals not provided or maintained by the Health Service Executive but substantially funded by it; the class of persons who have an entitlement to receive in-patient services from hospitals provided and maintained by the HSE itself; if any distinction is made for the purpose; if the arrangement between the HSE and the hospitals in question provides for an entitlement on the part of those with full eligibility under the Health Act 1970 to avail of services in those hospitals; and if she will make a statement on the matter. [16392/08]

**Minister for Health and Children (Deputy Mary Harney):** Eligibility for health services, including hospital services, is based on residency. Any person accepted by the Health Service Executive as being ordinarily resident in Ireland is entitled to either full eligibility or limited eligibility. Where a voluntary hospital enters into an agreement with the Health Service Executive under Section 38 of the Health Act 2004, all persons are eligible to avail of publicly funded hospital services which are being provided by the voluntary hospital on behalf of the HSE. From an eligibility perspective, there is no distinction made between publicly funded services provided by the HSE directly or those provided on its behalf.

*Question No. 194 answered with Question No. 192.*

195. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if she is satisfied that the Health Service Executive has a full statutory basis for the services it provides free of charge, the services it provides at a fee and the services it provides on an optional or occasional basis; her views on the demographic and geographic anomalies that arise in the provision of services by the HSE throughout the State; and if she will make a statement on the matter. [16395/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) has a range of functions under the Health Acts 1947 to 2007 and other Acts including the Child Care Acts 1991 to 2007 and the Mental Health Acts 1945 to 2001.

The Health Act 1970 provides broadly for persons to have either full or limited eligibility for health services. Persons with full eligibility are entitled to general practitioner services, prescribed drugs, medicines and appliances, all in-patient public hospital services in public wards including consultant services, all out-patient public hospital services including consultant services, dental, ophthalmic and aural services and appliances, child health services, home nursing and a maternity and infant care service.

Persons with limited eligibility are eligible for in-patient public hospital services in public wards including consultant services, outpatient public hospital services including consultant services. Dental and routine ophthalmic and aural services are not provided by the State, but this treatment is provided to children who have been referred from a child health clinic or a school health examination. A maternity and infant care service is provided during pregnancy and up to six weeks after birth. In 2005, the GP Visit Card was introduced as a graduated benefit, so that people on 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.

Provision is made for charges in a number of areas, including inpatient charges and certain outpatient charges. There is also provision that persons with limited eligibility must meet the first €90 of prescribed drugs costs per month, above which the Drug Payments Scheme meets all further costs.

Before the establishment of the HSE, some variation in practice had developed over time, between the individual health boards, in relation to the provision of certain services. In the HSE's National Service Plan 2008, Section 8 of the Plan describes Consistency and Social Inclusion initiatives which are designed to provide and improve consistency of service provisions, ensure geographical equity and equity of access to treatment and care.

196. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if she has arrived at a conclusion on the question as to whether persons specified as having full eligibility for services under the Health Act 1970 have a statutory entitlement to those services; if officials of her Department are still reviewing the question; when they might be expected to report; and if she will make a statement on the matter. [16396/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Act, 1970 (as amended) provides for two categories of eligibility for all persons ordinarily resident in the country, i.e. full eligibility (medical card) and limited eligibility (all others). Entitlement to a medical card is determined mainly by reference to means, with provision for discretion to grant a card in cases of 'undue hardship' where the income guidelines are exceeded. All persons aged over 70 years have full eligibility regardless of means.

Medical card holders are entitled to a full range of services including general practitioner services, prescribed drugs and medicines, all in-patient public hospital services in public wards including consultants services, all out-patient public hospital services including consultants services, dental, ophthalmic and aural services and appliances and a maternity and infant care service. Determination of eligibility for medical cards is the responsibility of the Health Service Executive.

As the Deputy will be aware, the current legislation has been in place for many years and there is a need now to have a clear set of statutory provisions that ensure equity and transparency and to bring the system up to date with developments in service delivery and technology that have occurred since the Health Act 1970. Accordingly, work is under way in the Department on a new legislative framework to provide for clear statutory provisions on eligibility and entitlement for health and personal social services. The legislation will define specific health and personal social services more clearly; set out who should be eligible for what services, as well as criteria for eligibility; establish when and in what circumstances charges may be made and provide for an appeals framework. As the Deputy will appreciate, this is a very complex undertaking as the current legislation has been in place since 1970, and there have been significant developments in services since then, with a growing emphasis on delivery of care in a community rather than institutional setting. Given the complexities around this area, it will be necessary to obtain comprehensive legal advice in relation to the proposed legislation.



*Question No. 197 answered with Question No. 47.*

### **Tobacco-Related Diseases.**

198. **Deputy Jack Wall** asked the Minister for Health and Children the amount of education carried out by her Department on the dangers of cigarettes among the youth here; her views on whether she is taking sufficient action in this regard, in view of the report from the Office of Tobacco Control; and if she will make a statement on the matter. [12468/08]

**Minister for Health and Children (Deputy Mary Harney):** The prevalence of smoking among young people continues to be a cause of concern. Multiple strategies are required to reduce smoking prevalence, including education, enforcing legislation, health promotion campaigns, pricing and further controls on the sale and advertising of tobacco.

My Department and the Department of Education and Science work in partnership in relation to the promotion and protection of the health of children and young people in the school setting in the context of curriculum development, teacher education and related policy development. The Social Personal and Health Education (SPHE) curriculum, and the context in which it is delivered, is recognised as a significant commitment to health promotion in schools. The SPHE programme contains a specific module on smoking which is delivered to students as part of their curriculum up to Junior Certificate level.

The Health Service Executive also provides support for other education and awareness initiatives in relation to smoking. This work is undertaken through media campaigns, in the development of the Health Promoting Schools programme, through the “Smokers Quitline” service and through the smoking cessation services.

### **Hospital Services.**

199. **Deputy Michael Creed** asked the Minister for Health and Children the reason the Health Service Executive is downgrading the level of service at Mallow General Hospital; if her attention has been drawn to the large geographical catchment area served by this hospital who will be obliged to travel longer distances to avail of specific hospital based health services; and if she will intervene to ensure the retention of the current level of service at the hospital. [16413/08]

**Minister for Health and Children (Deputy Mary Harney):** It is essential that every health care provider and facility is fully cognisant of patient safety issues and takes account of these in the organisation, management and delivery of services.

In this context the HSE has indicated that it intends to undertake a systems and risk management review of surgical services at Mallow General Hospital. Draft terms of reference are being drawn up and will be discussed with the relevant parties before they are finalised. To ensure that surgical services continue to be delivered safely in the meantime, the hospital management met recently with the Irish Hospital Consultants Association and consultants at Mallow General Hospital and they have agreed arrangements for consultant surgeon cover at Mallow General Hospital, which will apply until 31 May 2008. The parties have also agreed to meet and discuss arrangements for surgical services after this period. The HSE will continue to work closely with all involved to ensure that a high quality service is available to all patients at Mallow General Hospital.

### **Care of the Elderly.**

200. **Deputy Olivia Mitchell** asked the Minister for Health and Children the alternative arrangements she has made to replace the provision of a respite care for elderly patients at Leopardstown Park Hospital in view of the fact that this hospital was providing approximately

30 hard-pressed carers a month with a break; and if she will make a statement on the matter. [16418/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** I understand that the HSE met with the CEO and Chairman of the Board of Leopardstown Park Hospital on Friday 25th April. It was possible through this meeting to draft a mechanism that would allow the hospital to continue respite care. It was agreed that the CEO and Chairman would contact the members of the Board of the hospital with a view to having this draft mechanism endorsed. In the interim it was agreed that no respite services would be curtailed in advance of the Board's consideration of the plan.

#### **Health Services.**

201. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 3. [16421/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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. 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 the matter investigated and to have a reply issued directly to the Deputy.

#### **Health Service Staff.**

202. **Deputy Catherine Byrne** asked the Minister for Health and Children if there are Health Service Executive employees working outside the State; if so, the number and the locations in which they work; and if she will make a statement on the matter. [16434/08]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Health Services.**

203. **Deputy Catherine Byrne** asked the Minister for Health and Children the reason persons (details supplied) in Dublin 12 were refused a respite care grant; and if she will make a statement on the matter. [16435/08]

**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. 204 answered with Question No. 118.*

### Grant Payments.

205. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will assist in having a grant made available to a person (details supplied) in County Cork. [16459/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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. 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 the matter investigated and to have a reply issued directly to the Deputy.

### Hospital Services.

206. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding a project (details supplied). [16480/08]

**Minister for Health and Children (Deputy Mary Harney):** Beaumont Hospital operates as a regional centre in providing services to adults with cystic fibrosis. In the 2008 Budget, a special allocation of €2.5m was provided to enable the hospital to provide out patient facilities for cystic fibrosis patients. The HSE advises that patients with cystic fibrosis will also benefit from additional single room capacity in the new medical admissions unit at the hospital which is due to open in December.

My Department has asked the Parliamentary Affairs Division of the Executive to revert directly to the Deputy on the progress to date in advancing the project.

207. **Deputy Bobby Aylward** asked the Minister for Health and Children if her attention has been drawn to the fact that it is the intention of the Health Service Executive to close the pre-discharge unit at Kilcreene Hospital, Kilkenny for the months of June, July and August 2008; if she will take steps to reverse this decision on a facility which has been acclaimed as one of the best in the country; and if she will make a statement on the matter. [16488/08]

**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.

### General Medical Services Scheme.

208. **Deputy Bobby Aylward** asked the Minister for Health and Children when her Department will abolish the mandatory retirement of GMS doctors on age grounds solely as advocated by the Irish Medical Council at its recent congress and outlined recently (details supplied); and if she will put a moratorium on implementing this outdated regulation in the interim. [16489/08]

**Minister for Health and Children (Deputy Mary Harney):** Under the General Medical Services (GMS) Scheme general practitioners hold one of two contract types, i.e. the Fee per Item contract (first introduced in 1972) or the Capitation contract (effective from 1989). These contracts reflect the agreed outcome of negotiations between my Department and the GP representative body, the Irish Medical Organisation. Both contract types contain provisions relating to the retirement age. The Capitation contract provides that GPs who entered into contracts on the date of its commencement could hold the contract up to age 70 and that all

subsequent GP contractors could hold the contract up to age 65. The Fee per Item contract terminates upon the GP reaching 70 years of age.

In the context of a review of the contractual arrangements for the provision of services under the GMS Scheme and other publicly funded schemes, I have asked my Department, in conjunction with the HSE, to examine provisions relating to the age at which GPs must cease to hold contracts.

### **Hospital Services.**

209. **Deputy Michael Creed** asked the Minister for Health and Children if funding will be provided for provision of a day procedure unit at Mallow General Hospital; the state of development of these proposals; and if she will make a statement on the matter. [16499/08]

210. **Deputy Michael Creed** asked the Minister for Health and Children if she will ensure that the Health Service Executive has sufficient funds for staffing to commission the CT scanner that has been provided by local fund-raising to Mallow hospital; and if she will make a statement on the matter. [16501/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 209 and 210 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 issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

*Question No. 211 answered with Question No. 173.*

212. **Deputy Joe McHugh** asked the Minister for Health and Children the position regarding the provision of cancer services for the north west; if she has met her Northern counterpart recently to discuss the matter; her views on whether removing vital services from Sligo hospital will have serious implications for patients all across the north west, who have to travel to either Galway or Dublin to receive treatment; the overall future plan for radiotherapy services in the north west; and if she will make a statement on the matter. [16508/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) has designated University College Hospital Galway and Limerick Regional Hospital as the two cancer centres in the Managed Cancer Control Network for the HSE Western Region, which includes Sligo. The designation of cancer centres aims to ensure that patients receive the highest quality care while at the same time allowing local access to services, where appropriate.

Where diagnosis and treatment planning is directed and managed by multi-disciplinary teams based at the cancer centres, then much of the treatment (other than surgery) can be delivered in local hospitals, such as Sligo General Hospital. In this context, chemotherapy and support services will continue to be delivered locally. Cancer day care units, including at Sligo General Hospital, will continue to have an important role in delivering services to patients as close to home as possible.

The National Plan for Radiation Oncology, which was approved by Government in July 2005, is an integral part of the HSE National Cancer Control Programme. The Government decided in July 2005 that the best option for improving geographic access for patients in the North West to radiation oncology services is to (i) facilitate access to Belfast City Hospital (BCH) and (ii) progress consideration of a joint venture for the provision of oncology services

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in the medium term to patients in the North West from a satellite centre in the North West linked to BCH.

Cancer patients in the North West requiring radiation oncology treatment are referred to either St. Luke's Hospital Dublin or University College Hospital Galway. A Service Level Agreement is also in place for the referral of radiation oncology patients from Donegal to BCH.

I met with Minister Michael McGimpsey of the Department of Health, Social Services and Public Safety (DHSS&PS), Northern Ireland on 28 November last. We discussed the potential for further cross-border collaboration in relation to cancer care, and specifically, provision of a satellite centre for radiation oncology in the North West, linked to Belfast City Hospital. I welcome Minister McGimpsey's announcement earlier this month, of the provision of a satellite centre (linked to Belfast City Hospital) to be located in Altnagelvin. It will provide the additional radiotherapy capacity needed to meet an anticipated increase in cancer in Northern Ireland and recognises the potential for cross border co-operation in the development of this resource. Officials from my Department and the DHSS&PS will hold further discussions in this regard.

### **National Treatment Purchase Fund.**

213. **Deputy Mary Upton** asked the Minister for Health and Children if there are changes in the qualifying conditions relating to the National Treatment Purchase Fund; if it is still the case that when a person is three months on a public hospital waiting list that he or she can then avail of the NTPF; if there are cut backs proposed for this scheme; and if she will make a statement on the matter. [16514/08]

221. **Deputy Mary Upton** asked the Minister for Health and Children the average waiting time for patients accepted for treatment on the National Treatment Purchase Fund; and if she will make a statement on the matter. [16614/08]

222. **Deputy Mary Upton** asked the Minister for Health and Children if it is the case that private individuals may make a direct application to the National Treatment Purchase Fund when they have been waiting for three months for a medical procedure on a public hospital waiting list; and if she will make a statement on the matter. [16615/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 213, 221 and 222 together.

The National Treatment Purchase Fund (NTPF) was established to treat patients who are longest waiting on public hospital waiting lists. In February this year, the NTPF marked the milestone of having treated over 100,000 people since 2002. These comprised 77,000 in-patients and 23,000 out-patients.

Access to treatment under the auspices of the NTPF is open to patients who are waiting more than three months on a surgical waiting list and who may qualify for treatment through it. In general, non-surgical treatment does not qualify for consideration under the Fund. It is open to the patient, or anyone acting on his/her behalf, to contact the Fund directly in relation to each case. The NTPF operate a nationwide lo-call line for this purpose. A person may also be referred to the Fund through the NTPF Liaison Officer attached to the hospital. In common with other publicly funded bodies, the Fund is required to manage within the financial allocation it receives each year.

The NTPF has made significant inroads into lowering waiting times for hospital treatment. For the most common procedures, the median waiting time is now down to 2 to 4 months



for adults and 2 to 5 months for children. The overall median wait time for all specialties is 3.5 months.

### Health Services.

214. **Deputy Leo Varadkar** asked the Minister for Health and Children the guidelines with regard to the seeking of parental consent for procedures, investigations and interventions carried out by the Health Service Executive; and if she will make a statement on the matter. [16521/08]

**Minister for Health and Children (Deputy Mary Harney):** The Medical Council makes provision for guidance on parental consent in the current edition of “A Guide to Ethical Conduct and Behaviour — 6th Edition 2004”.

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. The Executive is therefore 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.

### Official Engagements.

215. **Deputy Leo Varadkar** asked the Minister for Health and Children the meetings, in Ireland or abroad, she has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if she will make a statement on the matter. [16533/08]

**Minister for Health and Children (Deputy Mary Harney):** I have held meeting with various Heads of States, Government Ministers and other representatives of Governments from non-OECD countries over the past three years, and details of these meetings are set out in the following table for the information of the Deputy.

Date	Met with	Location
27/07/2005	Chinese Ambassador to Ireland	Hawkins House
27/07/2005	Ambassador of the Kingdom of Lesotho	Hawkins House
14/10/2005	Minister for Health of Malaysia	Leinster House
30/01/2006	Ambassador of India	Hawkins House
11/03/2006-14/03/2006	Prime Minister & Deputy Prime Minister of Bahrain, Minister for Health of Bahrain, Minister for Electricity and Water of Bahrain	Bahrain
18/03/2006	Deputy President of South Africa, Ambassador of South Africa, Deputy Foreign Minister of South Africa, Minister for Health of South Africa,	South Africa
15/11/2006	Minister for Health of Grenada	Leinster House
23/11/2006	Ambassador of the Republic of Croatia	Hawkins House
12/12/2007	Ambassador of Saudi Arabia	Leinster House
17/01/2008	Ambassador of South Africa	Hawkins House
29/01/2008	Ambassador of Egypt	Hawkins House
01/04/2008	Ambassador of Chile	Hawkins House

### **Services for People with Disabilities.**

216. **Deputy Barry Andrews** asked the Minister for Health and Children if her attention has been drawn to the fact that the intellectual disability database does not specifically record the incidence of autism which reduces the knowledge of its prevalence and accordingly, the ability to address issues for those with the condition. [16578/08]

**Minister of State at the Department of Health and Children (Deputy Jimmy Devins):** The National Intellectual Disability Database was established in 1995 to ensure that information is available to enable the Department of Health and Children, the Health Service Executive and the voluntary agencies in Ireland to provide appropriate services designed to meet the changing needs of people with intellectual disability and those with autism and their families. The Database incorporates three basic elements of information: demographic details, current service provision and future service requirements. The objective is to obtain this information for every individual known to have an intellectual disability and/or autism and assessed as being in receipt of, or in need of, an appropriate service. There is no compulsory requirement on a person with an intellectual disability and or autism to register with the data base.

Information pertaining to diagnosis is specifically excluded, as the database is not designed as a medical epidemiological tool. Accordingly the database does not record the incidence of autism or any other disability.

My Department and the HSE are committed to reviewing existing information management systems within the disability services, including the databases, in order to provide the most effective method of collecting data to meet the requirements of the Disability Act, 2005 and for the purposes of planing services to meet the needs of people with a disability.

### **Nursing Home Repayment Scheme.**

217. **Deputy Denis Naughten** asked the Minister for Health and Children the procedure employed in long-stay institutions for the acceptance or rejection of offers under the nursing home repayment scheme; the number of applicants in long-stay institutions who applied under the scheme; the number who have received an offer; the number who have sought a review of the offer made; and if she will make a statement on the matter. [16586/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health (Repayment Scheme) Act 2006 provides for the Health Service Executive (HSE) to make applications on behalf of living persons who are unable to make an application under the Scheme due to physical or mental incapacity. The HSE has informed my Department that following the launch of the Health Repayment Scheme, HSE Officials, in institutions approved under the Repayment Scheme, identified living persons who would not be capable of making an application and submitted applications on their behalf. Where the HSE claimant receives a letter of offer for a living person for whom they have submitted a claim, the HSE claimant examines the offer and if correct accepts the offer promptly to ensure early repayment into the Patient's Private Property Account. Where the HSE claimant has a query on the amount offered to the living person or where the offer does not include repayment for all previous periods of care covered by the scheme an appeal is made to the Health Repayment Scheme Appeals Office. The Appeals Office has indicated that as of 25 April 2008, it has received 796 notices of intention to appeal from HSE claimants.

The HSE has indicated that approximately 8,500 claims were submitted on behalf of living persons either by the HSE (as outlined above), by the Wards of Courts Office or by personal representatives. The vast majority of valid claims for living persons are for those currently in long stay institutions. Letters of Offer have issued in respect of over 5,600 living persons under the Scheme.

### Health Services.

218. **Deputy Denis Naughten** asked the Minister for Health and Children the procedure employed in long-stay institutions for use of funds in patients' personal accounts; the audit procedures on the spending of such funds; the frequency of such audits; the independent audit procedures on the spending of such funds; the frequency of such audits; and if she will make a statement on the matter. [16587/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) has informed my Department that it operates client Patient Private Property (PPP) Accounts as provided for in the Health (Repayment Scheme) Act 2006. The relevant sections of this Act allows the HSE to operate PPP accounts on behalf of clients, to invest client funds, use client funds for their benefit and requires the HSE to seek the direction of the Circuit Court if spending in excess of €5,000 per annum for the benefit of any one client.

The HSE National PPP Guidelines provide direction for staff on how client PPP funds are to be used for the benefit of the client and outline what use can be made of such funds. Each Care Centre also operates PPP a/c's in line with HSE Financial Procedures. Patients' Private Property is included as part of the ongoing audit programme delivered by the HSE's Internal Audit Directorate nationally.

The HSE produces a set of national PPP accounts annually, which are prepared and audited by External Auditors, appointed after a national tender process to choose same. This audit involves the audit firms visiting annually every HSE Care Centre that administers PPP a/c's and undertaking audit work at each location. On completion, the National PPP accounts are then submitted to the HSE Audit Committee and to the HSE Board for approval. These accounts are then submitted to the Comptroller & Auditor General for audit, as required by Section 18 (2) (b) of the Health (Repayment Scheme) Act 2006.

### Nursing Home Repayment Scheme.

219. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Sligo will receive payment on their claim under the health repayment scheme. [16591/08]

**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.

220. **Deputy Denis Naughten** asked the Minister for Health and Children the number of applications received under the nursing home repayment scheme; the number of applicants issued offers to date; the number that have reviewed the offer made by the scheme; the number of reviews decided; the number of which reviews have received an increased offer; the number of payments made to date; the number of applications to be decided upon; the average waiting time to process an application; and if she will make a statement on the matter. [16613/08]

**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. The HSE have informed my Department that over 39,000 applications for living and deceased patients have been received under the Health Repayment Scheme. Over 23,500 of the claims received by the Scheme

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Administrator have been concluded, which includes over 13,000 offers of repayment totalling more than €235 million. Further offers continue to be issued every week. Of the 12,976 offers made, almost 9,400 payments in the sum of €185m have been made to date.

The Health Service Executive (HSE) has indicated that the Scheme is progressing as speedily as possible and every effort is being made to settle claims and make repayments. A very high number of deficiencies have appeared on claim forms which must each be rectified before they can be processed. It is estimated that approximately two thirds of all claim forms were submitted without some critical piece of information which meant that the claim could not be processed until the Scheme Administrator had written to the potential claimant and received the information required.

The Scheme Administrator has given assurances to the HSE that the vast majority of claims submitted by the public will be dealt with within the 2 year time frame allotted for the scheme which is due to end in June 2008. If there are any outstanding claims at the end of June 2008, such claims will be kept to an absolute minimum and will be dealt with as quickly as possible.

The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006. The Appeals Office has informed my Department that up to 25 April 2008 the Health Repayment Scheme Appeals Office had received 2,831 completed appeal forms. Decisions have issued in 1,147 cases and 272 of these decisions will result in an increased offer to the claimant.

*Questions Nos. 221 and 222 answered with Question No. 213.*

### **Health Services.**

223. **Deputy John Deasy** asked the Minister for Health and Children if the report into the death of a person (details supplied) has been finalised by the Health Service Executive; when this report will be made public; and if she will make a statement on the matter. [16617/08]

**Minister of State at the Department of Health and Children (Deputy Brendan Smith):** The Health Service Executive commissioned an external expert to undertake a review of the Health Service Executive's involvement in this case and to prepare a report on the matter. Work on the formal report has commenced. The review commenced in April 2007 and all interviews with relevant Health Service Executive staff and relevant staff from the external agencies involved have been completed. Due to unforeseen circumstances external to the HSE the timeline for completion has been extended. The Health Service Executive is satisfied that the process being undertaken by the external expert is very comprehensive and look forward to receiving the report as early as possible. The HSE has further advised that a decision on whether the report will be made public will be taken upon receipt of the final report.

224. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist in the case of a person (details supplied) in Dublin 9. [16664/08]

**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 case 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 Incidence.**

225. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which she has studied the incidence of the various forms of cancer, on a county, city or regional basis throughout the country; if specific action is required arising from discernible trends; and if she will make a statement on the matter. [16669/08]

**Minister for Health and Children (Deputy Mary Harney):** Statistics in relation to cancer incidence are collated by the National Cancer Registry. My Department has asked the Director of the Registry to examine these matters and to reply directly to the Deputy.

**Ambulance Service.**

226. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the degree to which the strength of the ambulance service personnel, vehicles and equipment is adequate to meet or expected requirements; her proposals to address any issues arising; and if she will make a statement on the matter. [16671/08]

**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.**

227. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when the clean air theatre at Naas Hospital, Naas, County Kildare is expected to become operational; and if she will make a statement on the matter. [16672/08]

**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.

228. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of patients treated at Naas Hospital, Naas, County Kildare in each of the past five years; the rate of bed occupancy in the same period; and if she will make a statement on the matter. [16673/08]

**Minister for Health and Children (Deputy Mary Harney):** Information in relation to the number of patients treated for the years 2003 to 2005 at Naas Hospital is set out in the following table:

Year	% Occupancy	Inpatient Cases	Day Cases	A&E Attendances	Outpatient Attendances
2003	94.5%	7,245	1,267	21,721	16,655
2004	104.1%	7,974	1,808	22,703	25,744
2005	102.4%	7,964	2,055	24,461	19,876

Source Activity: Integrated Management Returns (IMRs) to DoHC.



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Figures for subsequent years are collected and collated by the HSE. Accordingly, my Department has asked the Parliamentary Affairs Division of the Health Service Executive to arrange to have this additional information collated to have a reply issued directly to the Deputy.

### **Health Services.**

229. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she is satisfied that the network of health centres here could be further utilised in the delivery of primary or community care; and if she will make a statement on the matter. [16674/08]

238. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the plans she or the Health Service Executive have to enhance or upgrade the network of health centres throughout County Kildare with the objective of improving the extent of community or primary health care; and if she will make a statement on the matter. [16685/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 229 and 238 together.

The provision of the appropriate infrastructure to facilitate the delivery of primary care services is the responsibility of the Health Service Executive.

My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters raised by the Deputy investigated and to have a reply issued directly to the Deputy.

### **Healthcare Associated Infections.**

230. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of incidents of MRSA or other hospital based infections reported in each of the past three years to date in 2008; the degree to which such infections are under control; and if she will make a statement on the matter. [16675/08]

**Minister for Health and Children (Deputy Mary Harney):** I would like to assure the Deputy that the monitoring and control of Healthcare Associated Infections (HCAIs) is a priority for this Government and the HSE.

A HCAI is an infection that someone may get after a stay in hospital or after receiving medical treatment. Such infections are most often linked to treatment in hospitals but can happen after treatment in outpatient clinics, nursing homes and other health care settings. The more medical care a person requires, the more likely they are to develop an infection and HCAIs are most common in people with serious illnesses or risk factors, such as patients who require a long period of stay in a health care setting or patients with weakened immune systems.

HCAIs include such infections as MRSA and Clostridium Difficile (C Difficile). Since 2002 MRSA cases have been collated by the Health Protection Surveillance Centre — Ireland's specialist agency for the surveillance of communicable diseases — via the European Anti-microbial Resistance Surveillance System (EARSS). In 2007, 44 Irish laboratories serving 65 acute hospitals (public and private) participated in EARSS. The total number of MRSA cases recorded over the last six years was 445 cases in 2002, 480 cases in 2003, 553 cases in 2004, 592 cases in 2005, 588 cases in 2006 and 533 cases in 2007. There are no statistics available yet for the first quarter of 2008.

A new National Surveillance System has recently been established by the HSE to collect data and provide information on a quarterly basis on four key areas, to monitor HCAs in our health system:

1. Staphylococcus bacteraemia (blood stream infections);
2. Antibiotic consumption;
3. Alcohol gel use;
4. MRSA Surveillance in Intensive Care Units.

The HSE intend to publish available data on the above for 2006 and 2007 in the near future and then quarterly thereafter. However, as the total data on surveillance in Intensive Care Units is new, the historical information for 2006 and 2007 will not include data under this heading.

Clostridium Difficile (C Difficile) was not, up to now, a notifiable disease and, as a result, it is difficult to quantify the extent of infection in the health care system. However, it was examined in the Third Prevalence Survey of Health Care Associated Infections (HCAIs) in acute hospitals in 2006. The survey found that thirty-six patients had C. difficile representing 0.5% of patients studied. In March 2008, I instructed the HSE to make C. Difficile a notifiable disease and from May 4th all cases will have to be notified to the relevant Department of Public Health.

The HSE launched a National Infection Control Action Plan in March 2007. An Infection Control Steering Group, chaired by Dr. Pat Doorley, National Director (Population Health) is responsible for overseeing the implementation of the plan. Over the next three to five years, the HSE aims to reduce HCAIs by 20%, MRSA infections by 30% and antibiotic consumption by 20%. Achievement of these targets will benefit all patients who are at risk. These targets will be achieved through the development of national and local level action plans to reduce the potential for spread of infections between persons in health care settings, and, in addition, will focus on reducing antibiotic use in Ireland. The Steering Group is supported by eight Local Implementation Teams which will ensure that all local facilities are focused on achieving the national targets.

While accepting that not all HCAIs are preventable, I am satisfied that significant steps are being taken to reduce the rates of HCAIs generally and to treat them promptly when they occur.

#### **Health Service Staff.**

231. **Deputy Bernard J. Durkan** asked the Minister for Health and Children her plans or proposals to ensure the appointment of sufficient nurses to meet requirements throughout the health services over the next five to 10 years; the way it is proposed to meet such targets; and if she will make a statement on the matter. [16676/08]

**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. It is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested

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the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

232. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of nurses currently employed in the delivery of health services; the number who are permanent, temporary or agency nurses; and if she will make a statement on the matter. [16677/08]

**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. It is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Hospital Services.**

233. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of hospital beds currently available throughout the health service; the number required at any one time; the number currently out of commission; the action proposed to address any short-falls; and if she will make a statement on the matter. [16678/08]

**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.

#### **Health Service Staff.**

234. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of personnel at all levels required by the Health Service Executive to provide a comprehensive health service; the number of such posts unfilled at present; the reason for same; and if she will make a statement on the matter. [16679/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive National Service Plan (NSP) for 2008 has been approved by me and laid before the Oireachtas. It outlines the type and volume of health and personal services to be provided by the Executive in 2008 on the basis of the funding provided by Government. 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.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement.

At the end of 2007, a total of 111,505 whole time equivalents were employed in the health services (110,597 adjusted for student nurses).

Numbers employed in the Public Health Service, Dec 2007 (Quarter 4) all figures expressed as whole-time equivalents — excludes those on career break

	HSE	NHO Vol. Hosp.	Voluntary Disability (PCCC)	Other PCCC Voluntary Agencies	Total
Medical/Dental	5,104	2,707	52	142	8,005
Nursing	26,185	9,192	2,855	775	39,006
Health and Social Care Professionals	9,671	3,159	2,523	352	15,705
Management /Admin	12,835	3,872	1,002	334	18,043
General Support Staff	8,267	2,955	1,243	435	12,900
Other Patient and Client Care	11,399	1,269	4,547	630	17,846
<b>Total</b>	<b>73,461</b>	<b>23,153</b>	<b>12,221</b>	<b>2,669</b>	<b>111,505</b>

*Notes*

<sup>1</sup> Excludes Home Helps

<sup>2</sup> Management/Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

<sup>3</sup> Agencies are classified as follows: Health Service Executive, Voluntary Hospitals (aligned to NHO), Disability Services (voluntary disability services aligned to PCCC) and Others (voluntary services other disability services than aligned to PCCC).

<sup>4</sup> Student nurses are included in the 2007 employment ceiling on the basis of 3.5 students equating to 1 wholetime equivalent. The December 2007 employment level adjusted for student nurses on the above basis is 110,597 wte.

An overall employment ceiling of 112,560 whole time equivalents has been set for the public health services for 2008 (111,650 adjusted for student nurses). This level of employment provides for 1,050 additional new posts arising from development funding provided by the Government in the Budget Day package for 2008. Following consideration of the requirements to deliver the priorities identified by Government in the Budget package, 1,050 posts have been approved for 2008. A breakdown of these development posts is provided as follows.

Service	2008 Development Funding	No of Development posts to be filled in 2008
	€m	
Older People	22.00	100
Palliative Care	3.00	50
Disability	49.96	710
Cancer	15.00	90
Population Health	17.96	100
<b>Total</b>		<b>1,050</b>

The filling of the above development posts are to be managed by the HSE within the employment control framework for the health services and its own circular issued in January 2008 which sets out revised arrangements for the filling of all posts, including development posts in 2008. The Executive is the appropriate body to consider the number of posts unfilled at present and the reason for this. 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 Services.**

235. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which she or her Department have input into the formation of health policy and strategy for the health services or if the Health Service Executive has autonomous status in this regard; if policy is initiated by her Department or the HSE; and if she will make a statement on the matter. [16680/08]

**Minister for Health and Children (Deputy Mary Harney):** As Minister for Health & Children, I am politically accountable for developing and articulating Government policy on health and personal social services, and for the overall performance of the health service. My Department’s mandate is to support me and the four Ministers of State by advising on policy development and implementation, evaluating the performance of existing policies and service delivery, preparing legislation, and working with other Government Departments, the social partners and international organisations.

The Health Act 2004 requires the Health Service Executive (HSE) to use the resources available to it in the most beneficial, efficient and effective manner, to improve, promote and protect the health and welfare of the public. The Health Information and Quality Authority (HIQA) is responsible for setting and monitoring standards on safety and quality of health care services in the public sector. The legislation establishing the HSE and HIQA specifically requires them to have regard to the policies and objectives of the Government or any Minister of the Government to the extent that those policies and objectives may affect or relate to their functions.

My Department does not exist in a vacuum from the rest of the health services, the political system or society generally. My Department and I work on a continuous basis with the HSE, HIQA and other agencies throughout the health sector, to develop and implement policy and strategy in the health sector.

236. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of patients treated by the health services in each of the past 10 years; and if she will make a statement on the matter. [16683/08]

**Minister for Health and Children (Deputy Mary Harney):** Information on health and health service activity, including patient numbers, for the past decade has recently been published by my Department in the booklet, Health in Ireland, Key Trends, 2007. The following table summarises data from the booklet on patients treated in publicly funded acute hospitals for the ten year period 1997 to 2006 inclusive. Significant increases are evident and, in particular, for day case treatments which have more than doubled over the period. It should be noted that hospital data refers to total treatments (i.e. inpatient, day case and outpatient) rather than to individual patients.

Patients Treated in Publicly Funded Acute Hospitals 1997 to 2006.

Activity	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	% Change 1997-2006
Acute Hospital Inpatients	525,495	527,057	521,399	541,327	552,493	550,991	561,623	570,885	573,834	591,766	12.6
Acute Hospital Day Cases	243,019	263,534	289,413	318,149	357,290	402,671	447,697	483,210	509,831	555,204	128.5
Acute Hospital Out-Patient Attendances	1,885,419	1,917,776	1,911,720	1,996,474	2,057,989	2,185,028	2,255,998	2,363,821	2,453,000	2,769,655	46.9

Source: Health in Ireland — Key Trends 2007.



The Key Trends report also includes information on a range of other health services including district and psychiatric hospitals, and community-based services such as mental health and intellectual disability day centres. Mental health day attendees increased by 84% between 1997 and 2005 while intellectual disability day attendees rose by 10.8% from 1997 to 2007 (most recent intellectual disability national database figures). For many community services, information on total patients treated is not routinely compiled. This is true, for example, of General Practitioner services. However, estimates put total numbers of GP visits at between 15 and 20 million per year. The results of a new health survey module carried out by the Central Statistics Office as part of the Quarterly National Household Survey (QNHS) will become available in the coming weeks. This is a large scale survey which has a focus on service utilisation and is expected to provide comprehensive estimates of access to and use of services across community, primary and secondary care.

### Health Service Staff.

237. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of personnel employed in the delivery of the health services; the extent to which this number has fluctuated in each of the past ten years; and if she will make a statement on the matter. [16684/08]

**Minister for Health and Children (Deputy Mary Harney):** The main source of employment data in the health services is the Health Service Executive's Health Services Personnel Census which is derived from payroll history in each agency. The census collects data on actual staffing level for each staff grade in each health agency at a given point in time. Up to and including 2002 the census was conducted annually. Since 2003 the census has been carried out quarterly at the end of March, June, September and December each year.

The data referred to in the question is set out in the following table (source: Health Service Personnel Census):

Numbers employed in the Public Health Service (all figures expressed as whole-time equivalents — excludes those on career break)

Year end	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Total	69,640	72,793	80,070	90,302	95,679	96,501	98,723	101,978	106,273	111,505
% Increase on previous year	2.65	4.53	9.99	12.78	5.95	0.86	2.30	3.30	4.21	4.92

#### Notes

<sup>1</sup> Excludes Home Helps

<sup>2</sup> Student nurses are included in the 2007 employment ceiling on the basis of 3.5 students equating to 1 whole-time equivalent. The December 2007 employment level adjusted for student nurses on the above basis is 110,597 wte.

*Question No. 238 answered with Question No. 229.*

### Road Traffic Offences.

239. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of persons penalised to date under the penalty points system; the number who have exceeded the various categories; and if he will make a statement on the matter. [15937/08]

**Minister for Transport (Deputy Noel Dempsey):** Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) this is a matter for the Road Safety Authority.

### **Pension Provisions.**

240. **Deputy Richard Bruton** asked the Minister for Transport if he has sought a report on the funding base of the pension fund for airline and aviation workers in the public sector; if they are in a position to award pension increases in 2008; and if his Department has issued policy guidelines in terms of pension fund gaps or contributions. [16010/08]

**Minister for Transport (Deputy Noel Dempsey):** The majority of the Dublin Airport Authority's employees are members of the Irish Airlines (General Employees) Superannuation Scheme (the IAS Scheme). The IAS scheme is operated in conjunction with Aer Lingus and SR Technics.

Pension entitlements under this scheme are primarily matters for the Trustees, the members of the scheme and the companies participating in the scheme. An actuarial valuation is carried out by the Scheme's actuary generally every three years. The most recent completed actuarial valuation of the IAS scheme was carried out as of 31st March 2005. This showed that on an ongoing basis the actuarial valuation of the assets of the IAS was sufficient to cover the accrued liabilities under the actuarial assumptions made at that time. The IAS scheme also satisfied the statutory and funding standard at that time.

An actuarial valuation of the IAS scheme is currently being carried out and is due to be published in a number of months. I understand that the Trustees of the IAS scheme recently deferred a decision to pay a discretionary inflation related increase in pensions and that the Trustees have indicated that the position will be reviewed when the results of the 2008 actuarial valuation become available.

I have not issued policy guidelines in relation to pension fund gaps or contributions.

### **Proposed Legislation.**

241. **Deputy Fergus O'Dowd** asked the Minister for Transport if his Department provided briefings to date on the recently published Dublin Transport Authority Bill 2008; if so, the persons to whom they were provided; and if he will make a statement on the matter. [16137/08]

**Minister for Transport (Deputy Noel Dempsey):** I briefed the chairpersons of CIE and the Dublin Transportation Office, the Commissioner for Taxi Regulation and the Dublin City Manager on the Dublin Transport Authority Bill 2008. In addition my officials have provided briefings on the Bill to the Deputy and his colleague Senator Paschal Donohoe, to Deputy Tommy Broughan and to the Steering Committee of the Dublin Transportation Office.

### **Departmental Legislation.**

242. **Deputy Fergus O'Dowd** asked the Minister for Transport the number of days, in respect of every Bill and Act produced by his Department since 1997 to date in 2008, between their publication and their introduction into either Seanad or Dáil Éireann with the name of the sponsoring Minister; and if he will make a statement on the matter. [16138/08]

**Minister for Transport (Deputy Noel Dempsey):** I refer the Deputy to my reply on 22 April to Parliamentary Question No. 220. The position remains unchanged.

### **Road Network.**

243. **Deputy Joe McHugh** asked the Minister for Transport if he will appoint a senior executive engineer from Donegal County Council to sit on the technical group dealing with the route

selection between Derry and Aughnacloy which has recently been allocated €580 million by the Department of Finance; and if he will make a statement on the matter. [16202/08]

**Minister for Transport (Deputy Noel Dempsey):** The management and oversight arrangements for the A5 Derry — Aughnacloy road project have been agreed in the North-South Ministerial Council and are now operational. The Technical Group is comprised of senior expert officials from the National Roads Authority and Road Services Northern Ireland. It is not my intention to seek any expansion in the membership of the Group.

244. **Deputy Damien English** asked the Minister for Transport the average cost to the State per kilometre of road resurfacing works on regional routes to date in 2008; and if he will make a statement on the matter. [16397/08]

245. **Deputy Damien English** asked the Minister for Transport the average cost to the State per kilometre of road resurfacing works on county routes to date in 2008; and if he will make a statement on the matter. [16398/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 244 and 245 together.

Surface dressing operations on regional and local roads are undertaken mid year (generally during the May to August period) when weather conditions permit. An estimate of the cost per kilometre of the surface dressing operations to be funded under the 2008 State funded Restoration Maintenance Programme is currently being compiled by my Department and will be forwarded to the Deputy as soon as it is available.

246. **Deputy Michael Fitzpatrick** asked the Minister for Transport if his attention has been drawn to the fact that Kildare County Council plans to cul-de-sac Carbury Village, County Kildare against the wishes of all the residents and the majority of the public representatives; and if he will intervene to ensure the village remains open to light traffic in the interest of health and safety and the prosperity and enjoyment of the village. [16414/08]

247. **Deputy Michael Fitzpatrick** asked the Minister for Transport if he is satisfied that Kildare County Council will be in a position to spend its 2008 allocation of €2.5 million on upgrading the Johnstownbridge/Edenderry road in 2008; if the issues with roadside land holders have been resolved in relation to the land purchase and fencing; and if not the reason for the delay in the process. [16415/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 246 and 247 together.

The upgrade of the Edenderry to Enfield road is being undertaken by Kildare County Council with grant assistance provided by my Department. The design of the route is primarily a matter for the local authority.

Before works of this nature may proceed, the local authority is obliged to comply with requirements of planning legislation. I understand that those requirements, which include extensive public consultation, were complied with in respect of this project and that the works were approved by the elected members of Kildare County Council in December 2006. My Department has no function in that process.

The acquisition of land for the project is also a matter for the local authority. Expenditure by Kildare County Council on foot of the 2008 road grant allocation of €2.5 million will be

[Deputy Noel Dempsey.]

influenced by progress by the council in respect of acquisition of land and the appointment of a contractor.

### **Road Signage.**

248. **Deputy Joe Carey** asked the Minister for Transport his plans in relation to improving road markings throughout the country in view of the fact that better quality road markings on roads here would reduce road traffic accidents; and if he will make a statement on the matter. [16427/08]

**Minister for Transport (Deputy Noel Dempsey):** The road authorities are responsible for the provision and maintenance of traffic sign road markings. Statutory directions regarding the provision and use of road markings are set out in the Traffic Signs Manual. A comprehensive review of the Manual is nearing completion and it is proposed that an updated Manual will be published later this year.

### **Port Development.**

249. **Deputy Andrew Doyle** asked the Minister for Transport the investment in ports here for each year since 2000 to date in 2008. [16429/08]

**Minister for Transport (Deputy Noel Dempsey):** The data requested is being compiled and will be forwarded to the Deputy shortly.

250. **Deputy Finian McGrath** asked the Minister for Transport if the Bremore plan will go ahead. [16487/08]

**Minister for Transport (Deputy Noel Dempsey):** Drogheda Port Company has for a number of years been developing a proposal for a new port facility at Bremore in Fingal County in the context of a joint venture arrangement.

Subject to the necessary further feasibility, commercial and regulatory work, it also presents an opportunity to provide significant additional port capacity in a prime location on the east coast. The joint venture intends to develop the new facility in a number of phases.

Amendment of the Harbours Act 1996 will be necessary to enable formal legal consent to be given to the joint venture. In January the Government approved the Scheme of a Harbours (Amendment) Bill, which will inter alia provide for this. The Office of the Parliamentary Counsel and my department are currently engaged in the drafting process.

In the meantime, I understand that the joint venture is engaged in the necessary feasibility and planning work for the proposal.

### **Coast Guard Service.**

251. **Deputy Joe McHugh** asked the Minister for Transport if his attention has been drawn to a 60 year old agreement signed by the British and Irish Governments insisting that Malin Head Coastguard Station must always remain open for the safety of seafarers; and if he will make a statement on the matter. [16509/08]

**Minister for Transport (Deputy Noel Dempsey):** The Coast Guard Radio Station at Malin Head is not being closed, and therefore, no issue would arise in relation to an agreement as outlined above.

### Official Engagements.

252. **Deputy Leo Varadkar** asked the Minister for Transport the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16537/08]

**Minister for Transport (Deputy Noel Dempsey):** The information requested is contained in the following table.

Meetings from April 2005 to date

Date	Location	Details
12 December 2005	Department of Transport	Visit by Bulgarian Minister for Transport to discuss transport issues.
16 January 2006	Singapore	Meeting with representatives of Singapore Civil Aviation Authority to discuss aviation matters.
17 January 2006	Singapore	Meeting with Singapore International Airlines to discuss aviation matters
18 January 2006	Thailand	Meeting with Thai Minister for Transport to discuss aviation matters.
20 January 2006	Singapore	Meeting with Singapore Transport Minister to discuss transport matters.
30 March 2006	Department of Transport	Meeting with representatives of the Chinese Civil Aviation Authority, representatives of the Chinese Embassy & the Chinese Vice Minister for Transport to discuss aviation matters.
17 May 2006	Burlington Hotel Dublin	Individual Bilateral Meetings with Ministers for Transport from Serbia-Montenegro, Russia, Latvia & Belarus as part of European Conference of Ministers of Transport which Ireland was hosting.
27 September 2006	Department of Transport	Presentation on Gallileo by Slovenian Ambassador and delegation.
17 April 2007	Department of Transport	Meeting with Israeli Ambassador to Ireland Dr. Zion Evrony and Colin Sheena, Commercial Trade Officer, Israeli Embassy to discuss aviation matters.
15 January 2008	Department of Transport	Courtesy visit by the Iranian Ambassador to Ireland

### Passport Applications.

253. **Deputy Seán Connick** asked the Minister for Foreign Affairs if he will review regulations preventing foster parents obtaining passports for their Irish born foster children; and if he will make a statement on the matter. [16101/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** An application for the issue of a passport may be made on behalf of a child by his or her parent or guardian, or by a person authorised by an order of a court in the State to give consent to the issue of a passport. Where a child has been in foster care pursuant to a statutory care order for a period of less than five years, an application for a passport for that child must be made by the Health Service Executive under section 18(3)(3) of the Childcare Act 1991 as amended. A foster parent or a relative who has had a child in their care for a continuous period of five years, the child having been placed with them by the Health Service Executive, may apply for a court order for increased autonomy in relation to the care of the child including the matter of consenting to the issue of a passport.



[Deputy Dermot Ahern.]

In processing applications in respect of children in foster care, the Passport Office complies with legislative requirements set out in the Childcare Act and other relevant legislation. Responsibility for legislative change in this area lies with the Department of Health and Children. The application process in relation to children in care will be kept under review by the Passport Office to reflect any legislative change in this area.

### Departmental Funding.

254. **Deputy Arthur Morgan** asked the Minister for Foreign Affairs the amount of discretionary funds allocated to the US-Ireland Alliance group by any of the four Irish consulates in the United States of America, as well as the Irish Embassy in Washington; the matters on which these funds were expended; and if he will make a statement on the matter. [16047/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** The financial resources allocated to Irish Missions abroad, including the Embassy of Ireland in Washington and the Consulates in the United States of America, are primarily for administrative costs, allocated in line with normal budgetary arrangements, and do not involve significant discretionary funding.

Any funding decisions are taken by the Minister on the basis of careful consideration of the applications from relevant groups. No funds are allocated to the US-Ireland Alliance by the Department of Foreign Affairs.

### Departmental Legislation.

255. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs the number of days in relation to every Bill and Act produced by his Department since 1997 to date in 2008; the number of days which elapsed between their publication and their introduction into either Seanad or Dáil Éireann; and if he will make a statement on the matter. [16157/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** All Bills brought forward by my Department since 1997, together with the dates they were presented to the Oireachtas and the dates they were introduced to either the Dáil or Seanad Éireann in Second Stage, are listed in tabular form. For ease of reference, the names of the corresponding Acts are also listed.

I understand that all Bills are published on the Oireachtas website upon presentation, in addition to their distribution to all Oireachtas Members.

As the Deputy will be aware, more detailed information on the progress of all pieces of legislation since 1997 is available on the Oireachtas website. This website [www.oireachtas.ie](http://www.oireachtas.ie) provides chronological information on the presentation and consideration by the Dáil and Seanad of all Bills, including those introduced by my Department from 1997 to date.

Title of Bill	Presented to, and Published by, Oireachtas	Introduction to Dáil/Seanad (Second Stage)	Title of Act (if applicable)
Twenty-Eighth Amendment of the Constitution Bill 2008	06/03/2008	2/4/2008 (Dáil)	n/a
Passports Bill 2007	05/04/2007	18/10/07 (Dáil)	Passports Act 2008
European Communities Bill 2006	01/12/2006	07/12/06 (Seanad)	European Communities Act 2007
European Communities (Amendment) Bill 2006	20/04/2006	10/5/2006 (Dáil)	European Communities (Amendment) Act 2006
British-Irish Agreement (Amendment) Bill 2006*	23/11/2006	29/11/06 (Seanad)	British-Irish Agreement (Amendment) Act 2006

Title of Bill	Presented to, and Published by, Oireachtas	Introduction to Dáil/Seanad (Second Stage)	Title of Act (if applicable)
Diplomatic Relations and Immunities (Amendment) Bill 2005	29/06/2005	29/09/05 (Dáil)	Diplomatic Relations and Immunities (Amendment) Act 2006
Twenty-Eighth Amendment of the Constitution Bill 2005	26/05/2005	n/a	n/a (lapsed)
European Communities (Amendment) Bill 2003	30/10/2003	06/11/03 (Seanad)	European Communities (Amendment) Act 2003
European Communities (Amendment) Bill 2002	13/11/2002	20/11/02(Seanad)	European Communities (Amendment) Act 2002
British-Irish Agreement (Amendment) Bill 2002*	19/11/2002	26/11/02(Dáil)	British–Irish Agreement (Amendment) Act 2002
Twenty-sixth Amendment of the Constitution Bill, 2002	26/06/2002	04/09/02 (Dáil)	Twenty-sixth Amendment of the Constitution Act, 2002
European Communities and Swiss Confederation Bill, 2001	13/11/2001	21/11/01(Seanad)	European Communities and Swiss Confederation Act 2001
Eighteenth Amendment of the Constitution Bill, 1998	22/01/1998	3/3/1998 (Dáil)	Eighteenth Amendment of the Constitution Act 1998
European Communities (Amendment) Bill 1998	03/06/1998	11/6/1998 (Seanad)	European Communities (Amendment) Act 1998
Geneva Conventions (Amendment) Bill, 1997	7/4/1997	12/3/1998(Dáil)	Geneva Conventions (Amendment) Act 1998

\*The British-Irish Agreement Bill 1999 (British-Irish Agreement Act 1999) was presented by the Taoiseach. British-Irish (Amendment) Agreement Bill 1999 (British-Irish (Amendment) Agreement Act 1999) was presented by the Minister for Finance.

### Human Rights Issues.

256. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the contacts he has had with the Government of China and its representatives following the criticism by the Minister for Environment, Heritage and Local Government of the Chinese Government's policy towards Tibet at the recent Green Party national convention; if he has offered an apology or dissociated the Government from the Minister's comments; and if he will make a statement on the matter. [16168/08]

258. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if he views Tibet as a country; and if he will make a statement on the matter. [16522/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** I propose to take Questions Nos. 256 and 258 together.

As I made clear in my reply to the Deputy's question on 22 April, when my colleague the Minister for the Environment, Heritage and Local Government expressed his serious concern about the situation in Tibet and appealed for dialogue between the Chinese authorities and representatives of the Dalai Lama, he was reflecting Government policy.

The question of an apology has not arisen, nor indeed would it be appropriate. However, I was happy to respond positively to the Chinese Ambassador's request for a meeting. At this meeting, which took place on 16 April, in a positive atmosphere, I set out Government policy on the situation in Tibet, as well as on our relations with China as a whole, including of course our commitment to the "one China" policy.

In addressing events in Tibet, the Government has sought to:

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- urge all sides to exercise the maximum restraint, and to underline the importance Ireland attaches to the right of freedom of expression and peaceful protest;
- urge the Chinese authorities to allow greater access by the media and independent observers to Tibet in order to facilitate an assessment of what has been happening there;
- establish from the Chinese authorities what has happened to the protesters, including those who had surrendered to the authorities, as well as seeking assurances of their well-being and the release of imprisoned peaceful protesters; and
- encourage dialogue between the Chinese government and the Dalai Lama, which I believe remains the only sustainable way of ensuring the preservation of Tibetan religious and cultural identity, as well as addressing Chinese concerns regarding its territorial integrity.

I am pleased that the Chinese government has indicated its intention to meet representatives of the Dalai Lama in the coming period.

In seeking dialogue with the Chinese authorities, the Dalai Lama has made clear that he is seeking 'genuine autonomy for Tibetans within the framework of the Chinese constitution'. I should add that the Dalai Lama has also consistently and publicly opposed a boycott of the Olympic Games in Beijing.

#### **Overseas Development Aid.**

257. **Deputy Terence Flanagan** asked the Minister for Foreign Affairs the amount of foreign aid Ireland contributes overseas with a breakdown on that aid; the amount of the aid used for education; and if he will make a statement on the matter. [16432/08]

**Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt):** In 2008 Ireland's spending on Official Development Assistance (ODA) will reach €914 million. This level of expenditure, the highest in the history of the programme, represents 0.54 % of GNP. It will ensure that Ireland remains one of the most generous donors in the world on a per capita basis.

€814 million of this aid expenditure is delivered by my Department, through Irish Aid. The additional €100 million will be spent by other Government Departments and through Ireland's allocation to the EU Development Cooperation Budget.

In 2008 we will spend in excess of €200 million directly in our Programme Countries in Africa and Asia. These Programme Countries are Ethiopia, Mozambique, Lesotho, Uganda, Tanzania, Zambia, Malawi, Vietnam and Timor Leste. This funding will assist those countries in delivering basic services, promoting economic growth and in building good governance.

We will spend over €130 million on combating HIV/AIDS and other very serious communicable diseases that kill so many. We will provide funding of over €140 million to non-governmental organisations (NGOs), missionaries and other civil society organisations to support their very important development and humanitarian assistance work. Almost €100million will be directed towards the area of emergency response, humanitarian assistance and the Rapid Response Corps.

Education, which remains an integral component of the aid programme, will benefit from expenditure of the order of €70 million. There is a particular focus on primary education and gender equity.

The 2007 Irish Aid Annual Report, which will be available shortly, will provide a comprehensive breakdown of the activities and expenditure under the programme for last year.

*Question No. 258 answered with Question No. 256.*

### Official Engagements.

259. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16532/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** I understand that the Deputy has confirmed that the information he is seeking from my Department relates to the period of the current Government. The information requested is provided in tabular format.

As the Deputy will be aware, not all Member States of the European Union are members of the OECD. Therefore, in addition to the meetings detailed below, in the course of my regular contacts with my EU colleagues, in Brussels and elsewhere, I meet with representatives of non-OECD countries on a regular basis.

Further, as Minister for Foreign Affairs, I have regular contact with Ambassadors from both OECD and non-OECD member countries, in their capacity as representatives of those countries.

Date	Location	Representing Country	Individual
1/2 October 2007	United Nations, New York	South Africa	Foreign Minister Nkosazana Dlamini-Zuma
1/2 October 2007	United Nations, New York	Moldova	Foreign Minister Andrei Stratan
1/2 October 2007	United Nations, New York	Uganda	Foreign Minister Sam Kutesa
1/2 October 2007	United Nations, New York	Iran	Foreign Minister Manouchehr Mottaki
1/2 October 2007	United Nations, New York	Indonesia	Foreign Minister Noer Hasan Wirajuda
1/2 October 2007	United Nations, New York	Sudan	Foreign Minister Lam Akol
25 October 2007	Dublin	Burma	Prime Minister- in-exile, Dr. Sein Win
6/7 November 2007	Sarajevo, Bosnia and Herzegovina	Bosnia and Herzegovina	Prime Minister Nicola Spiric; Foreign Minister Sven Alkalaj
8 November 2007	Belgrade, Serbia	Serbia	President Boris Tadic
8 November 2007	Belgrade, Serbia	Serbia	Prime Minister Vojislav Kostunica
8 November 2007	Belgrade, Serbia	Serbia	Deputy Minister for Kosovo Alender
9 November 2007	Pristina, Kosovo	Kosovo	President Fatmir Sejdiu;
9 November 2007	Pristina, Kosovo	Kosovo	Prime Minister Agim Ceku
14 November 2007	Khartoum	Sudan	President Bashir
14 November 2007	Khartoum	Sudan	Acting Foreign Minister Ali Karti
15 November 2007	N'Djamena	Chad	Prime Minister Coumakoye
15 November 2007	N'Djamena	Chad	Foreign Minister Allam-Mi
15 November 2007	N'Djamena	Chad	Defence Minister Nour

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Date	Location	Representing Country	Individual
29 January 2008	Dublin	Russia	Russian Deputy Foreign Minister Titov
20 February 2008	Dili, Timor-Leste	Timor-Leste	Dr Emilia Pires, Minister of Finance and Acting Minister of Foreign Affairs, Timor-Leste
20 February 2008	Dili, Timor-Leste	Timor-Leste	Mr Xanana Gusmao, Prime Minister, Timor-Leste
21 February 2008	Dili, Timor-Leste	Timor-Leste	Mr Fernando La Sama de Araujo, President of Parliament and Acting President of the Democratic Republic of Timor-Leste
4 March 2008	Dublin	Rwanda	Minister for Finance and Economic Planning of Rwanda
18 March 2008	Buenos Aires, Argentina	Argentina	Nilda Garre, Minister for Defence of Argentina,
19 March 2008	Buenos Aires, Argentina	Argentina	Mr Jorge Taiana, Minister for Foreign Affairs, International Trade and Worship
8 April 2008	Dublin	Algeria	President of the Algerian Council of the Nation.
24 April 2008	Nairobi, Kenya	Kenya	Prime Minister Odinga
24 April 2008	Nairobi, Kenya	Kenya	Foreign Minister, Moses Wetangula
24 April 2008	Nairobi, Kenya	Kenya	President Kibaki
24 April 2008	Nairobi, Kenya	Kenya	Minister for Trade
24 April 2008	Nairobi, Kenya	Kenya	Minister for Education
24 April 2008	Nairobi, Kenya	Kenya	Minister for Science and Technology

### Citizenship Status.

260. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if he will provide an estimate of the number of individuals in South Africa and in Argentina who are eligible for, but do not currently hold, Irish citizenship; and if he will make a statement on the matter. [16538/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** There are significant numbers of people in Argentina and South Africa of Irish background but, unless they actually applied for Irish citizenship, it would not be possible to estimate the numbers who would meet the criteria to qualify under our legislation.

### Citizenship Applications.

261. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the number of Libyans who hold Irish citizenship; and if he will make a statement on the matter. [16540/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** Under the Irish Nationality and Citizenship Acts, 1956 to 2004, the Department of Justice Equality and Law Reform has primary responsibility for matters relating to the granting of Irish citizenship. Applications for citizenship through naturalisation, including marriage to an Irish citizen, are processed by that Department. My Department does not, therefore, retain statistics for the number of Libyan nationals who have obtained Irish citizenship through naturalisation. However, my Department is responsible for processing applications for Irish citizenship through Foreign Births Registration, i.e. citizenship by descent. A search of our Foreign Births Register indicates that three such applications in respect of Libyan nationals have been processed since 2003. It has not been possible in the time available to provide the Deputy with statistics prior to that date.

### Emigrant Support Services.

262. **Deputy Jack Wall** asked the Minister for Foreign Affairs the funding available to the



next of kin of a person (details supplied) who was an Irish citizen but had emigrated to England 40 years ago and has died, to assist with their burial here; and if he will make a statement on the matter. [16542/08]

**Minister for Foreign Affairs (Deputy Dermot Ahern):** My Department, through our Embassy in London and the Consular Division, have been providing a range of practical assistance to the family of the deceased since first becoming aware of the case on 21 April. The Embassy is in contact with the Royal London Hospital and St Catherine Sheltered Housing to try to assist the family in locating the documentation necessary to ensure that his remains are released as quickly as possible and repatriated to Ireland. While there are no funds available from State expense to cover the cost of repatriation in this case, I can assure the Deputy that my Department will continue to provide all possible consular assistance to the family concerned.

#### **Work Permits.**

263. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Employment if a decision has been made on the appeal which has been lodged by a person (details supplied) in County Dublin against the decision of his Department not to grant them a work permit; and if he will make a statement on the matter. [16042/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** The Employment Permits Section of my Department informs me that an application was received in respect of the above named on the 20/09/2007. This application was refused on the grounds that new employment permit applications are normally only considered where the starting salary on offer is over €30,000 and no newspaper advertisements were submitted in support of the application. Having heard an appeal the Appeals Officer upheld the original decision in this case.

A subsequent application was received in respect of the above named on the 15/4/2008. This application was also refused on the grounds that no newspaper advertisements were submitted in support of the application and the FÁS vacancy submitted was out of date as a permit must be applied for within 60 days of the vacancy being posted by FÁS. The employer was notified of this decision in writing by letter dated 25/4/2008 and of their right to appeal within 21 days from this date.

#### **Health and Safety Regulations.**

264. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Employment if he has considered, or will consider, the level of risk of displaying CFLs in retail outlets; the potential risk to employees and to the public in the event of breakage; and the advice his Department will provide to retailers to enable them to safely display and deal with the release of toxic mercury in the event of breakage. [16483/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** The safety or otherwise of CFLs in a retail setting are matters of environmental and public health and as such are more appropriate to my colleague, the Minister for Environment, Heritage and Local Government. I have considered the Deputy's question from the viewpoint of occupational safety and health and the Safety, Health and Welfare at Work Act 2005. That Act requires that employers and those who control workplaces must identify hazards in those workplaces, assess the risks to safety and health at work presented by those hazards and provide for appropriate preventive control measures in the safety statements related to that workplace. Risk identification and assessment means that anything in the workplace that could cause harm to employees, and other people (including customers, visitors and members of the public) must be carefully examined and where necessary protective measures should be put in place.

### National Science Museum.

265. **Deputy Barry Andrews** asked the Minister for Enterprise, Trade and Employment if there are proposals for a science museum in the State; and if he will make a statement on the matter. [16577/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** In January of this year Science Gallery, located in the Naughton Institute in Trinity College Dublin, opened to the public. The Gallery, which provides a venue for a variety of science exhibitions and events, aims to present science in new and stimulating ways. While open to all, the primary target audience for Science Gallery is young adults in the 15-25 age bracket. It aims to present science and engineering as attractive educational and career options to young people at a stage when critical decisions about subject choice, third level options and future careers are being made. In 2007, my Department provided €4.454 million on a once-off basis to assist with the setting up of the Science Gallery, as it is ideally suited to supporting the science awareness goals of the Strategy for Science, Technology and Innovation 2006-2013. Under this Strategy, the Government has set a goal for Ireland to be a leader in research and development and innovation and has committed a budget of €8.2 billion under the National Development Plan 2007-2013 towards achieving this goal.

In addition, Exploration Station, a purpose built interactive learning centre designed specifically for Ireland and dedicated to providing a hands-on learning and discovery experience focused predominately on Science and Technology, is planned as part of the Heuston Gate development in Dublin. This centre will be aimed primarily at younger children. The Office of Public Works will provide the building for the centre. My Department, in recognising that this centre will also help to realise the awareness goals of the Strategy for Science, Technology and Innovation, has committed to providing €4.5 million over the period 2007- 2010 for the fit-out and design element of the project. Separately, a total of €100,000 has been provided by Discover Science and Engineering, the science awareness programme run under the aegis of Forfás, to support the exhibition planning stage for Exploration Station.

### Departmental Expenditure.

266. **Deputy Michael D. Higgins** asked the Minister for Enterprise, Trade and Employment the total sum spent to date in each year of the €3.8 billion Government allocation under the Strategy for Science, Technology and Innovation 2006 to 2013; and if he will give details of the €2.7 billion due to have been allocated and spent by 2008. [15982/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** The Government, when approving the Strategy for Science, Technology and Innovation in 2006, agreed that the full implementation of the Strategy had been costed at €3.8 billion over existing levels of service. In accepting the overall costings of the Strategy, the Government also agreed that decisions on the provision of funds for the Strategy would have to be taken in the context of the National Development Plan (NDP) 2007-2013. The Science, Technology and Innovation Sub Programme of the NDP 2007-2013 provides for a total investment of €6.1 billion in the programme areas below:

	Cost
World Class Research STI	€3.46 billion
Enterprise STI	€1.29 billion
Agri-Food Research	€641.00 million
Energy Research	€149.00 million

	Cost
Marine Research	€141.00 million
Geo-science	€33.00 million
Health research	€301.00 million
Environment Research	€93.00 million
Total	€6.10 billion

This investment in human capital, physical infrastructure and commercialisation of research is complemented by investment in other Sub Programmes in the Plan relating to R&D conducted by the Higher Education sector and the IDA. Taking account of these amounts, the total committed expenditure in Science, Technology and Innovation over the period of the NDP is €8.2 billion. As part of the NDP Monitoring System, information on progress and outturns is provided by Departments to the Department of Finance about the Science, Technology and Innovation Programme of the NDP. Work is ongoing on the preparation of the 2007 NDP progress report which will be submitted later this year to the Oireachtas and which will set out expenditure, including expenditure on the NDP STI Programme, in the first operational year of the NDP.

### Consumer Protection.

267. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment his views in relation to the recommendation directed to him by the Consumer Strategy Group to commission research into small claims enforcement procedures currently available to consumers with a view to establishing whether a more streamlined and effective process can be put in place; if this research has been commissioned; the status of this research; if it has been published; if this research has not been commissioned, the reason for this decision; and if he will make a statement on the matter. [16076/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** Whilst the Consumer Strategy Group directed its recommendation in relation to small claims court enforcement procedures to my Department, the responsibility for the administration of the Small Claims Court lies with the Courts Service. In so far as the Small Claims Court procedure is concerned, the Deputy may be aware that the limit for processing claims in the Small Claims Court was raised to €2,000 with effect from 7 February 2006. I would also advise the Deputy that an on-line small claims process has recently been introduced on a pilot basis. A further development in the small claims area was the adoption last year of an EU Regulation establishing a European Small Claims Procedure. The Regulation will effectively enable a judgment given in a Member State in the European Small Claims Procedure to be recognised and enforced in another Member State.

I am aware that the matter of consumer redress is one in which the National Consumer Agency is particularly interested. I understand that the Agency is planning to conduct research later this year around the area of arbitration and redress. As part of that research project, the Agency, in consultation with the Courts Service, will address the area of the Small Claims Court and will pay particular attention to the question of the enforcement of judgements of the Court. I understand that the Agency expects to commence this research study some time in the autumn of this year.

I fully support the operation of the Small Claims Court procedure as an inexpensive way of consumers enforcing their legal rights. I welcome the recent innovations to the procedure brought about by my colleague the Minister for Justice, Equality and Law Reform in conjunc-

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tion with the Courts Service. I look forward to hearing the results of the National Consumer Agency's research in relation to redress and arbitration, including in relation to its consultations with the Courts Service regarding the enforcement of small claims court judgements.

### **Industrial Development.**

268. **Deputy Seán Connick** asked the Minister for Enterprise, Trade and Employment if the Industrial Development Authority will transfer lands in its ownership in Gorey, County Wexford to the local chamber of commerce to allow it to develop business start up facilities; and if he will make a statement on the matter. [16092/08]

**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 as part of the statutory responsibility assigned to it by the Oireachtas and not a matter in which the Minister of the day has a function. However, I did meet with local T.D.'s and a delegation from Gorey Town Council in February 2005 to discuss the development of the 2.5 hectares held by IDA Ireland on the outskirts of the town. Consequent upon that meeting, I am informed that IDA has been engaging with both Gorey Town Council and Wexford County Council with a view to appropriate development on the site. However, in the absence of any suitable proposal for the development of this site, IDA is now in the process of reviewing its options for the future use of the lands and it is expected that this review will be concluded over the coming months.

### **Company Closures.**

269. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment, further to Parliamentary Question No. 169 of 5 December 2007, if a company (details supplied) has honoured or will honour the tribunal's decision of 24 October 2007; and if he will make a statement on the matter. [16183/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** Following the voluntary liquidation of P.S.K. Construction Ltd (PSK), and the receipt of claims on behalf of the employees under the Insolvency Payments Scheme, the question arose as to whether a transfer of undertakings under the European Communities (Protection of Employees on Transfer of Undertakings) might have taken place between P.S.K. Construction Ltd (PSK) and P.L.K. Plant & Equipment Hire Ltd (PLK) — the employees' new employer. This was referred to the Employment Appeals Tribunal in June 2006 under Section 9(3) of the Protection of Employees (Employers' Insolvency) Act 1984 for a decision in the matter. The Employment Appeal's Tribunal decision of 24 October 2007 found that there was a transfer of undertakings between P.S.K. Construction Ltd (PSK) and P.L.K. Plant & Equipment Hire Ltd (PLK). The liability for the employees' unpaid entitlements therefore transferred to the new employer, PLK.

The Tribunal notified its decision to all relevant parties. The Department then wrote to the liquidator formally refusing the claims. These claims were in respect of arrears of wages, holiday pay and minimum notice under the Insolvency Payments Scheme which had been submitted by the liquidator on behalf of one hundred and forty-six employees. The Department advised the liquidator that the employees should pursue their claims against PLK. They were informed that if PLK refused to pay the outstanding entitlements, the employees could pursue claims directly against PLK by submitting complaints to a Rights Commissioner under the Payment of Wages Act 1991 (for arrears of wages) and the Organisation of Working Time Act 1997 (for

arrears of holiday pay), and to the Employment Appeals Tribunal under the Minimum Notice & Terms of Employment Act (for any minimum notice entitlement), as appropriate.

I understand that PLK has now gone into liquidation. Claims under the Insolvency Payments Scheme are made through the person legally appointed to wind up the business, normally the liquidator, who will certify them from the records available, then send them to the Insolvency Payments Section to be processed. While the liquidator has had some informal contact with my Department, to date no claims have been made under the Insolvency Payments Scheme.

### **Work Permits.**

270. **Deputy Tom Sheahan** asked the Minister for Enterprise, Trade and Employment if he will re-assess an application for a work permit for a person (details supplied). [16187/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** The Employment Permits Section of my Department informs me that they have re-accessed this application in light of the additional information received and that a work permit has now issued in this case.

### **Job Creation.**

271. **Deputy Thomas P. Broughan** asked the Minister for Enterprise, Trade and Employment the net new jobs position produced by both the Industrial Development Authority and Enterprise Ireland in the first quarter of 2008; and the expected impact of the severe credit, construction and energy downturn on these organisations' performance projections for 2008. [16213/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** Ireland has experienced a prolonged period of exuberant economic growth. However, we now face a more challenging and uncertain environment. Forfás and the National Competitiveness Council believe that this is not a time for pessimism about the outlook for the Irish economy. We have significant capacity — a skilled workforce, a strong enterprise base and a healthy fiscal position. These are supported by a range of important policy strategies in areas such as education, research and innovation and infrastructural investment. The NCC believe that if we behave sensibly and pursue the necessary policies with determination we can come through the current international economic difficulties in good shape and lay the foundations for future economic growth.

The NCC believes that the following are three priority areas for attention in order to overcome the challenges that our economy currently faces:

- Restoring cost competitiveness: Ireland is a high cost location and costs continue to increase. The NCC believes that Ireland needs to develop a national programme for cost competitiveness.
- Stimulating vigorous productivity growth: Productivity growth rates have weakened in recent years. Re-invigorating productivity growth requires a number of actions including adopting policies that enhance competition and reduce barriers to market entry.
- Necessary strategies for encouraging the growth of innovative businesses include equipping people with the skills through life long learning and developing high performing higher level educational institutions. Transformational changes are needed in many businesses to enhance their ability to innovate and to translate knowledge and ideas into marketable goods and services.



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Such transformational changes are being stimulated by Enterprise Ireland in their client companies and are embedded in the EI strategy for 2008-2010. EI offers a wide range of services to client companies and ensures that suitable supports are available across those areas critical to business functions to enable companies adapt and grow dynamically. Enterprise Ireland (EI) gathers data on an annual basis on new jobs created by client companies but not on a monthly or quarterly basis. Total employment in EI supported companies was 153,670 in 2007. Client companies created 14,615 new jobs. Overall this resulted in a net increase in employment amongst EI client companies of 1,321 in 2007.

Since the beginning of 2008 there have been 5 announcements relating to new multinational, greenfield start-ups with a potential to create 595 new jobs with IDA support, while in the same period, 9 companies have announced expansions with a potential to create an additional 1,016 jobs. It should be noted, however, that jobs announced may take three to five years to come on stream.

### **Community Employment Schemes.**

272. **Deputy Thomas P. Broughan** asked the Minister for Enterprise, Trade and Employment his views on launching a new jobs scheme in close liaison with business with the objectives of reintegrating graduates of community employment schemes into full or part-time jobs in the economy; and his further views on pilot programmes in conjunction with the Department of Community, Rural and Gaeltacht Affairs in this regard. [16214/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a fixed term basis. The programme helps unemployed people to progress to the open labour market by breaking their experience of unemployment through a return to work routine and assists them in enhancing/developing both their technical and personal skills. The aim of CE still remains as an active labour market programme with the emphasis on progression into employment.

This Government will continue to support the positive role of CE in meeting the needs of long-term unemployed persons while at the same time providing essential services to communities. In this regard, we are keeping the operation of the Scheme under constant review. I have no plans to launch a new pilot or other employment programme.

### **Job Losses.**

273. **Deputy Thomas P. Broughan** asked the Minister for Enterprise, Trade and Employment the estimated net jobs gains or losses in the economy in the first quarter of 2008; the special measures he is putting in place to retrain and re-employ workers who have lost jobs in the construction sector; the special measures he is taking to retrain or re-employ workers who have lost jobs in the manufacturing downturn; and if he is finalising a package of proactive measures to minimise job losses and prevent a full scale recession. [16215/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** Employment/unemployment is measured by the Quarterly National Household Survey, collated and published by the Central Statistics Office. The most recent Quarterly National Household Survey, Quarter 4, 2007, which covers the period September-November 2007, indicates that employment has increased by 66,800 in the year. Data for Quarter 1 2008 (December-February) will not be available until May/June 2008. The range of services provided by FÁS,

which involves information sessions, skills analysis, training/retraining courses and job placement will be available for those who become redundant because of company restructuring or closures. There is also active engagement with the unemployed after 3 months on the live register to assist them to progress towards employment, training or active labour market programmes.

FÁS is also placing particular emphasis on the training of low skilled workers in vulnerable industries. This is to ensure that in the event of becoming unemployed, they will have the skills necessary to make the transition to other employment. FÁS is currently developing a strategy in response to the current slowdown in the construction sector. This strategy will contain a range of initiatives such as working in close collaboration with the Construction Industry Federation and other key stakeholders to encourage redundant construction workers to seek retraining in skills which are in short supply in the economy. FÁS also works closely with the development agencies to identify and support individuals who wish to start their own business. The development agencies, including IDA Ireland, Enterprise Ireland and the County Enterprise Boards will continue to promote job creation through the delivery of programmes to assist the enterprise sector to develop thereby creating new jobs.

### **Economic Competitiveness.**

274. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment the measures he propose to take to address the issue of competitiveness in the economy, thereby protecting jobs and inward investment; and if he will make a statement on the matter. [15632/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** There are a number of key policies which the Government is implementing to maintain and enhance our competitiveness and to invest for the future. The Government has made a major commitment, through the substantial investment set out in the Strategy for Science, Technology & Innovation (SSTI) and the National Development Plan (NDP) 2007-2013, to making the transition to a knowledge-economy by funding world-class research in Ireland. Through the NDP and SSTI we are committed to providing €8.2 billion to ensure Ireland remains a key location for leading edge research and development, and the quality jobs it can deliver. Ireland is now a global competitor for research and Innovation investment from multinational companies and leading research institutions.

The National Development Plan provides over €2.8 billion for upskilling the workforce. The focus of Government has also been on training up those in employment and giving particular attention to those with lowest educational/training attainments in that grouping. FÁS and Skillnets are particularly active in this regard. The public budget for training those in employment has increased more than nine fold in the last four years. This year €510 million is being provided through my Department for all forms of training, including the very significant financial commitment of the Government to the training of apprentices. FÁS and Skillnets have been directed to increase their focus on the provision of management training and those in low skilled employment.

In our endeavour to up-skill workers we have also been working cooperatively with representative employer and trades union interests. Here also, significant public funds have been provided through FÁS to ICTU and associated unions to allow them to train and install a corps of leaders whose job will centre on identifying the education, training and personal development needs of members. Productivity and innovation are key to the competitiveness of firms. The Government's major policy initiatives, as set out in the NDP and Towards 2016, will enhance the economy's productivity potential. Active measures are being taken by our Development

[Deputy Micheál Martin.]

Agencies to improve the capabilities of indigenous firms in meeting global competition by greater investment in innovation, productivity improvements and other value enhancing activities.

Developing an innovation intensive economy is essential to enable Ireland to succeed in the face of growing global competition. Developing successful entrepreneurs and world-class enterprises are important ingredients in any economy based on innovation. Consequently, innovation is at the core of all Government Policy. Enterprise Ireland has set ambitious targets to help Irish industry make that transformation. An Innovation Policy Statement will be published shortly, highlighting progress made on a broad range of innovation policy areas, both technological and non-technological, and emphasising how innovative policies will be advanced in the coming years. The Statement complements and provides a wider context for the Strategy for Science, Technology and Innovation launched in 2006.

The services sector plays a major role in the Irish economy and is assuming even greater importance in international trade. Driving and supporting internationally traded services growth, both in emerging and existing sectors and through the internationalisation of locally traded services are core objectives. In that regard we will continue to map the way forward for services innovation through the Forfás Services Strategy Group and I look forward to the Group building on these good foundations. Enterprise Ireland aims to grow Irish presence in a number of niche services sectors, positioning services as a major export growth platform. While there has been some recent slippage in our relative competitiveness rankings, Ireland still remains amongst the most competitive countries in the world. Creating the best framework conditions to enable innovation to flourish which in turn leads to increased productivity and competitiveness will continue to guide our overall policy approach to tackling the competitiveness challenges ahead.

### **Industrial Development.**

275. **Deputy James Bannon** asked the Minister for Enterprise, Trade and Employment the measures he is taking in view of the recent job losses in the midlands to encourage initiative and innovation in attracting investment to bring about a vibrant economy; and if he will make a statement on the matter. [16366/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** In regard to the Midlands Region, IDA Ireland is working to develop the knowledge economy in order that it can compete both nationally and internationally for foreign direct investment. Over the past 5 years the Agency has been promoting the Midlands as part of an integrated Midlands Region with access to a population base of 310,127. The Midlands has traditionally been a centre of manufacturing for foreign direct investment, but, as in other areas, they have seen a number of closures within the multinational sector as global investment shifts to lower cost destinations.

In order to respond to this situation, as part of the transition and re-positioning of the Region to a more knowledge based economy, IDA is marketing the Midlands Gateways of Athlone, Tullamore and Mullingar as key locations for investment in Medical Technologies, International Financial Services and ICT — in line with IDA policy and with the National Spatial Strategy. Some progress is evident with companies like Kinetic Concepts, Teleflex Medical, Georgia Tech Research Institute, AXA Assistance, Elan Corporation, Cameron Ireland Ltd, Integra Lifescience and Alienware Corporation establishing or expanding their operations.

The Government is investing in the physical infrastructure required to attract today's FDI to the Midlands. This includes investing €3.5m in a quality flagship Business Park in Athlone,

which is now an integral part of the agency's international marketing programme. The IDA has also purchased 70 acres of land at Ardmore, Mullingar. The site has been master planned and phase I construction is complete. Enterprise Ireland also has a number of programmes in place to assist indigenous companies in the Region to grow and export. The Agency has invested heavily in the Athlone Institute of Technology, which is a key piece of infrastructure for the attraction and development of enterprise.

In February, I announced a €50m boost to regional economic development. Athlone IT is set to benefit directly from this investment, which will support enterprise- focused activity in the Midlands in three ways:

- Funding the purchase of industry-relevant research equipment
- Providing more incubation space for start-up companies, and
- Establishing additional market-focused research groups.

I am confident that the strategies and policies being pursued by the State Development agencies will continue to support enterprise development and job creation in the area. I want to reaffirm that the State agencies will continue to work closely with each other and with local interests, pursuing an integrated approach to investment and enterprise development in the Midlands.

#### **Job Losses.**

276. **Deputy Joe Carey** asked the Minister for Enterprise, Trade and Employment the steps he is taking to prevent the further loss of manufacturing jobs here; and if he will make a statement on the matter. [16426/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** The manufacturing sector in Ireland has evolved noticeably since 2000, in terms of the composition of industry and the nature of activities, and is likely to continue to do so. Manufacturing continues to be a significant employer accounting directly for 11% of total employment and a significant amount of associated services employment. In order to sustain and grow the sector, the Irish based manufacturing enterprises will have to continue the progression to high value added sectors and activities, and continue to increase productivity through investments in human capital, technology and innovation.

The latest available data on manufacturing employment is that compiled by the Central Statistics Office in their Earnings and Labour Costs Release published in March 2008. This release indicates that at Quarter 3 2007, there were 227,300 persons employed in the manufacturing sector which represents a small decrease of 700 on the numbers employed in the corresponding period in 2006. It is important to keep this in perspective both in terms of global economic conditions and the continued strength of the euro. Our manufacturing sector continues to perform strongly and 2007 represented a very good year with production growing by 7.5 per cent, the highest annual change since 2002.

Over the last number of years there has been churn in employment as is typical of a developed, open, and dynamic economy such as Ireland's. Ireland is no longer a low cost economy and manufacturers in particular are facing increased competition from producers in lower cost economies. Nevertheless Ireland continues to attract high value manufacturing activity as evidenced by recent announcements such as Zimmer, Green Isle Foods, Thermo King and others, to establish or expand their facilities in Ireland.

[Deputy Micheál Martin.]

As part of the commitments included under the partnership agreement ‘Towards 2016’, I established the High-Level Manufacturing Group, to review the challenges facing the manufacturing sector and to identify further measures to meet those challenges. Earlier this month I launched the Group’s report. The report contains some 27 recommendations directed at key areas of innovation and productivity leading to transformational change, reskilling and management development for the innovative firm, increasing awareness and take up of existing supports. In addition, the group recommend the establishment of a Manufacturing Forum to take responsibility to progress the implementation of the recommendations outlined in the report and to act as a strong advocate and champion for the manufacturing sector to ensure that manufacturing remains central to current and future industrial policy. Action on the Report and its recommendations will be considered by the Government and Social Partners as part of the review of Towards 2016.

The Programme for Government contains a range of commitments focussed on maintaining and enhancing our framework competitive conditions, and promoting new areas of competitive advantage, including developing our R&D base, investing in critical physical and communications infrastructures, and promoting tertiary education and lifelong learning. Over the period of the National Development Plan the Government will provide total investment of over €25bn with €8.2 billion on the Strategy for Science, Technology and Innovation (SSTI) 2006-2013 towards achieving our goal to become a leader in Research & Development and Innovation, €3.3bn investment specifically to support the development of the indigenous and FDI enterprise base and €13.7bn on skills development.

### **Industrial Development.**

277. **Deputy Andrew Doyle** asked the Minister for Enterprise, Trade and Employment the investment by the Industrial Development Authority in County Wicklow and County Carlow by location by year since 2000 to date in 2008; the number employed in each investment by location by year since 2000 to date in 2008; the further investment made in each location, by year since 2000 to date in 2008; and the closures of these investments by location by year since 2000 to date in 2008. [16455/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** In the period 2000 to 2006 Total Capital (Fixed Asset) Investment in job creation projects supported by IDA Ireland in Counties Wicklow and Carlow amounted €15,725,000. Details of these payments in respect of each county in respect of each of those years is set out in the following Tabular Statement 1. Figures for 2007 will not be available until publication of the Agency’s 2007 Annual Report in mid 2008, while figures for 2008 will not be available until 2009.

The total numbers in permanent employment in IDA supported companies in Counties Carlow and Wicklow in each year 2000 to 2007 are laid out in the following Tabular Statement 2.

Between 2000 to 2008, seven new investment projects and one expansion project, with a potential to create up to almost 1,900 jobs over a period of three to five years were announced by IDA Ireland for Counties Wicklow and Carlow. The names of the companies are set out in the following Tabular Statement 3.

During the same period, there was one closure, namely Nabi Pharmaceuticals in Bray.



Table 1: Grant expenditure by IDA Ireland in Counties Wicklow and Carlow over the period 2000-2007

## IDA Ireland — Grants Paid 2000-2006

	Co. Wicklow	Co. Carlow
	€	€
2000	2,348,000	238,000
2001	1,107,000	19,000
2002	874,000	0
2003	7,309,000	0
2004	1,829,000	0
2005	1,236,000	468,000
2006	297,000	0

Table 2: Numbers in Permanent Employment in Counties Carlow and Wicklow between 2000-2006

Year	Co. Carlow	Co. Wicklow
2000	1,144	2,844
2001	1,120	2,635
2002	1,073	2,749
2003	1,031	3,508
2004	771	3,281
2005	782	2,518
2006	692	2,408
2007	435	2,532

Table 3: Projects Announced by IDA Ireland 2000-2008

Announcement Year	Company	County	Origin	Jobs Announced
2000	Euroconex Technologies Ltd	Wicklow	United States	880
2002	Servier	Wicklow	France	100
2002	Takeda	Wicklow	Japan	60
2003	Inamed Corporation	Wicklow	US	200
2005	NABI Pharmaceuticals	Wicklow	US	35
2006	Servier	Wicklow	France	227
2007	Merck	Carlow	US	170
2008	UNUM	Carlow	US	200

**Decentralisation Programme.**

278. **Deputy Olwyn Enright** asked the Minister for Enterprise, Trade and Employment if he will provide in tabular form, details regarding the numbers of civil servants awaiting transfer to locations within the Laois-Offaly area, including Nenagh, Athlone and Mullingar; and if he will make a statement on the matter. [16492/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** My Department does not have offices located within the areas mentioned. However, my Department is aware of 12 civil servants within the Department awaiting transfers to these areas, as per the table.

Athlone	Nenagh	Mullingar	Portlaoise	Laois	Total
3	1	4	3	1	12

#### **Job Losses.**

279. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Employment the information available to his Department on the closing down of a hotel (details supplied) in Dublin 9, and the subsequent loss of 60 jobs; the assistance his Department will provide to these employees in respect of their entitlements; and the assistance which is available to these employees in respect of securing alternative employment. [16511/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** There is no information currently available to me in relation to the closure of the hotel mentioned. If the hotel has closed, with the loss of all jobs a redundancy situation may exist and the employees may be entitled to statutory redundancy payments.

Statutory Redundancy is an employment right, and is available to any employee over the age of 16 who is a class A contributor in insurable employment for two years prior to the date of termination. It is the responsibility of the employer in the first instance to pay statutory redundancy to each eligible employee. When an employer pays the statutory redundancy lump sums to those eligible employees, he is entitled to claim a rebate of 60% from the Social Insurance Fund by submitting completed forms RP50 in respect of each redundant employee to my Department for processing.

In general, a redundant employee with the required 2 years service in an employment is entitled to receive 2 weeks pay per year of service, plus a bonus week at the gross rate of pay up to a ceiling of €600 per week. Further information and an online calculator to assist in calculating entitlements is available on the Redundancy Payments Section of my Department's website [www.entemp.ie](http://www.entemp.ie). Further information may be obtained by telephone at 016313051.

The National Employment Rights Authority (NERA) can provide information to employers and employees on entitlement to annual leave or minimum notice of cessation of employment. NERA may be contacted by telephone at 1890 808090.

The employees concerned would have the assistance of their local FAS offices in securing alternative employment/up-skilling and/ or re- training in the event that their current employer is not in a position to offer work.

#### **Job Creation.**

280. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment if he will detail those announcements made by his Department for each of the past five years in relation to new multinational greenfield start ups; the number of jobs to be created in each case; the location of the greenfield start up; and if he will make a statement on the matter. [16517/08]

**Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):** Details in relation to announcements of multinational greenfield projects for each of the past 5 years are set out in the following Tabular Statement 1. Since the beginning of 2008 there have been a further 5

announcements relating to new multinational, greenfield start-ups with approximately 595 jobs announced. The names of these companies are set out in the following Tabular Statement 2.

It should be noted, however, that jobs announced are typically created over a period of up to three to five years and that an announcement may not be made in relation to every new investment.

The 2007 business environment ranking of the Economist Intelligence Unit placed Ireland 10th globally out of 82 countries, naming it as one of the most attractive business locations in the world. To ensure that Ireland remains an attractive place to do business we work to maintain and enhance our competitive conditions, and to promote new areas of competitive advantage.

In line with the NDP and the Programme for Government, we are developing our R&D base and investing in critical physical and communications infrastructures. In addition, we are promoting tertiary education and lifelong learning as well as up-skilling to improve labour market flexibility. Consequently, Ireland is very well positioned to win further leading Foreign Direct Investment (FDI) in 2008 and future years.

Table 1: IDA Ireland  
Greenfield Company Announcements 2003-2007

Date Announced	Company	Location	Product / Activity	No. Jobs Announced	Type
16-Jan-03	Pfizer Inc	Dublin	Pharmaceutical	200	Greenfield
28-Jan-03	Recordati S.p.A	Cork	Pharmaceutical	60	Greenfield
12-Feb-03	Trend Micro	Cork	Anti-Virus Software & Content Security Software & Services	100	Greenfield
04-Mar-03	Abbott Laboratories	Longford	Diagnostic manufacturing	600	Greenfield
12-Mar-03	Google	Dublin	Internet Search Operations Centre	200	Greenfield
28-Mar-03	Schlumberger	Little Island, Cork	Shared Services Centre	150	Greenfield
28-Mar-03	ALTANA Pharma AG	Carrigtwohill, Co. Cork	pharmaceutical manufacturing	150	Greenfield
01-Apr-03	SAP	Galway	Global Technical Support and Customer Interaction Centre	350	Greenfield
02-Apr-03	Guehring oHG Albstadt	Waterford	Coating of Metal Tools	50	Greenfield
14-Apr-03	Overture Services Inc	Dublin	Internet Search Operations Centre	200	Greenfield
07-Jul-03	BuiPin GmbH	Waterford	Paint Manufacture	20	Greenfield
09-Sep-03	TR-Electronic GmbH	Cork	Software development	30	Greenfield
15-Sep-03	Pepsi-Cola	Cork	Soft Drinks Manufacture	250	Greenfield & Expansion
16-Sep-03	eBay & PayPal	Dublin 15	Secure online payments	800	Greenfield
13-Oct-03	MAPICS Incorporated	Athlone	Software Development Centre	55	Greenfield
14-Oct-03	Affiliated Computer Services Inc. (ACS)	Cork	Information technology outsourcing services	100	Greenfield
04-Dec-03	Transas Ltd	Cork	Manufacture & supply software information technology solutions	30	Greenfield
20-Jan-04	Comprehensive Sports Information (CSI)	Galway	On-line sports news and statistics	31	Greenfield
24-Feb-04	TKO Software	Dublin	Software development & services	40	Greenfield
23-Mar-04	Monster Cable	Co. Clare	Cable Manufacture	50	Greenfield
05-Apr-04	Ubiquis SA	Waterford	Centre for report writing	69	Greenfield
20-Apr-04	Merck & Co. Inc	Dublin	Pharmaceutical	80	Greenfield
21-Jun-04	Ecora Software	Cork	Software dev, research, sales and marketing	60	Greenfield
28-Jun-04	ECC	Dublin	Web Learning Centre	30	Greenfield
27-Jul-04	Centocor	Cork	Biopharmaceutical Manufacturer	330	Greenfield
05-Aug-04	Altera Corporation	Cork	Logic devices	60	Greenfield

Table 1: IDA Ireland  
Greenfield Company Announcements 2003-2007 — *continued*

Date Announced	Company	Location	Product / Activity	No. Jobs Announced	Type
08-Oct-04	AK Pharmaceuticals	Cork	Pharmaceutical	220	Greenfield
12-Oct-04	Business Objects	Dublin	Business Intelligence Software Solutions	350	Greenfield
28-Oct-04	McAfee Incorporated	Cork	Security Software	152	Greenfield
29-Nov-04	Innocoll Inc	Roscommon	Healthcare R&D & Manufacturing	60	Greenfield
29-Nov-04	Innocoll Inc	Athlone, Co. Westmeath	Healthcare R&D & Manufacturing	16	Greenfield
29-Nov-04	Conor Medsystems Inc	Athlone, Co. Westmeath	Drug Delivery Sector	40	Greenfield
29-Nov-04	Cooper Cameron Corporation	Longford	Manufacture of oil & gas exploration products	57	Greenfield
03-Feb-05	Hartford Financial Services	Dublin	Financial Services	130	Greenfield
03-Feb-05	AutoEuropoe	Dublin	Car rental Call Centre	60	Greenfield
03-Feb-05	MarketBoomer	Dublin	eProcurement Service Provider	35	Greenfield
15-Feb-05	Yahoo!	Dublin	Online product & service providers	400	Greenfield
25-Feb-05	Resprionics Inc	Galway	Medical technology	105	Greenfield
25-Feb-05	Labcoat Ltd	Galway	Drug applications technologies	68	Greenfield
25-Feb-05	Ulbrich Stainless Steels & Special Metals Inc	Galway	Manufacture & distribute wire products for medical sector	40	Greenfield
31-Mar-05	Toucan	Sligo	Consumer Telecoms	300	Greenfield
11-Apr-05	Engenoi Information Technologies	Cork	Information Storage Systems	95	Greenfield
12-Apr-05	DC Studios	Dublin	Video game development	50	Greenfield
09-May-05	Ellison	Clonakilty, Co. Cork	Manufacture Dies & Die Cutting Equipment	34	Greenfield
07-Jun-05	Ologic Corporation	Dublin	Storage Area Network Infrastructure Component Providers	100	Greenfield
22-Aug-05	BISYS Hedge Fund Services	Waterford	Financial Services	250	Greenfield
21-Sep-05	Axa Assistance SA	Athlone, Co. Westmeath	Assistance service centre	300	Greenfield
22-Sep-05	Zeus Industrial Products	Letterkenny, Co. Donegal	Produce and distribute medical tubing products	150	Greenfield
28-Oct-05	Palm	Dublin	Mobile computing & provider of smartphones	35	Greenfield
12-Jan-06	USCI Ireland	Galway	Medical Technology	125	Greenfield



Table 1: IDA Ireland  
Greenfield Company Announcements 2003-2007 — *continued*

Date Announced	Company	Location	Product / Activity	No. Jobs Announced	Type
12-Jan-06	Amgen	Cork	Biotechnology	1100	Greenfield
25-Jan-06	Citico	Cork	Financial Services	250	Greenfield
09-Feb-06	Vesta Corporation	Dundalk	Financial Services	350	Greenfield
22-Feb-06	Sage Technologies	Dublin	Software	40	Greenfield
01-Mar-06	Amazon.Com Inc	Cork	Multi-lingual Customer Service Centre	450	Greenfield
20-Mar-06	Actel	Dublin	European IC Development Centre	20	Greenfield
21-Mar-06	Abbott Laboratories	Donegal	Healthcare Products	155	Greenfield
30-Mar-06	Pillar Data Systems	Drogheda	Computer Data Storage Systems	200	Greenfield
25-Apr-06	Sandisk Intl	Dublin	EMEA HQ	125	Greenfield
12-Jun-06	Netgear	Cork	Intl HQ	100	Greenfield
25-Jul-06	Cordis	Cashel	Development & Manufacturing Centre	450	Greenfield
07-Sep-06	Northern Trust	Limerick	Fund Administration	300	Greenfield
27-Oct-06	Servier	Belview	Pharmaceutical Manufacturing Facility	155	Greenfield
21-Nov-06	Cisco	Galway	R&D Communications Technology	200	Greenfield
04-Dec-06	Eli Lilly	Cork	Biopharmaceutical Manufacturer	200	Greenfield
22/01/2007	Daiwa Securities	Dundalk	Hedge Fund Administration	300	Greenfield
02-Apr-07	Integra	Offaly	Medical Technology	65	Greenfield
12-Apr-07	Paragon Global Resources	Dublin	International Services	100	Greenfield
17-Apr-07	ACI Worldwide	Limerick	Software	100	Greenfield
17-Apr-07	Rowing A/S	Limerick	Software	30	Greenfield
17-Apr-07	AR Europe Limited	Limerick	ICT	21	Greenfield
17-Apr-07	Gala Inc	Dublin	On-Line Games	32	Greenfield
11-Jul-07	Teleflex	Athlone	Customer Service	150	Greenfield
10-Sep-07	Solar Winds	Cork	EMEA HQ	75	Greenfield
10-Sep-07	Apex Funds	Cork	European HQ	40	Greenfield
19-Sep-07	Blizzard	Cork	European Customer Centre	50	Greenfield
19-Sep-07	KCI	Westmeath	Global Manufacturing Operation	50	Greenfield
27-Nov-07	FINCAD	Dublin	EMEA HQ	30	Greenfield

Table 2: Announcements since the beginning of 2008 in relation to new multinational greenfield start-ups.

Month of Announcement	Company Name	Location	Jobs
February 2008	Zimmer	Shannon	250
February 2008	Channel Advisor,	Limerick	15
February 2008	Unum	Carlow	200
March 2008	EyeWonder	Dublin	30
April 2008	Lancaster Labs	Waterford	100

### Industrial Properties.

281. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the number of IDA factories which are vacant for longer than one year, for longer than two years, for longer than three years, for longer than four years, for longer than five years and for longer than ten years. [16518/08]

**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, as part of the statutory responsibility assigned to it by the Oireachtas and it is not a matter in which I have a function.

The IDA's building portfolio currently consists of 144 units, of which 82 are leased from private landlords, and are referred to as Private Finance [PF] units. The following tabular statement sets out the number of vacant units.

Vacant IDA factories

Years Unoccupied	IDA Owned Units	PF Units	Totals
Over 1 < 2 Years Unoccupied	2	5	7
Over 2 < 3 Years Unoccupied	5	5	10
Over 3 < 4 Years Unoccupied	6	4	10
Over 4 < 5 Years Unoccupied	3	1	4
Over 5 < 10 Years Unoccupied	7	20	27
Over 10 Years Unoccupied	2	1	3
	25	36	61

### Sports Funding.

282. **Deputy Noel J. Coonan** asked the Minister for Arts, Sport and Tourism when an application for funding under the sports capital grant will be finalised for club (details supplied) in County Tipperary. [16376/08]

283. **Deputy Tom Sheahan** asked the Minister for Arts, Sport and Tourism if he will be in a position to allocate the funding required to a club (details supplied) in County Kerry to help this very progressive club upgrade and expand their facilities, to carry on and improve the huge voluntary contribution to society they provide to the young, the not so young and the male and female members of their ever expanding community; and if he will make a statement on the matter. [16402/08]

284. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism if he will support a project (details supplied). [16424/08]

288. **Deputy Alan Shatter** asked the Minister for Arts, Sport and Tourism if he has received a grant application from a club (details supplied) in Dublin 16, for funding from the National Lottery funded 2008 sports capital programme for a Prunty pitch; if he will grant the request; and if he will make a statement on the matter. [16583/08]

289. **Deputy Denis Naughten** asked the Minister for Arts, Sport and Tourism if he will approve funding for an application from a committee (details supplied) in County Galway under the sports capital grant 2008; and if he will make a statement on the matter. [16611/08]

**Minister for Arts, Sport and Tourism (Deputy Séamus Brennan):** I propose to take Questions Nos. 282 to 284, inclusive, and 288 and 289 together.

Under the Sports Capital Programme, which is administered by my Department, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The 2008 programme was advertised on 13th and 14th of January and the deadline for receipt of applications was 29th February for paper-based applications and 7th March for online applications.

All applications received before the deadline, including the ones in question, will be evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

#### **Natural History Museum.**

285. **Deputy Mary Upton** asked the Minister for Arts, Sport and Tourism the progress made on displaying some on the artefacts on display in the Natural History Museum in alternate locations for the duration of the redevelopment of the museum; and if he will make a statement on the matter. [16449/08]

**Minister for Arts, Sport and Tourism (Deputy Séamus Brennan):** Since the National Museum of Ireland became an autonomous statutory body under the National Cultural Institutions Act, 1997 on 3rd May 2005, the Board of the National Museum is statutorily responsible for operational matters concerning its collections.

The National Museum has carried out an assessment of possible locations within its own premises to house a selection of exhibits from the Natural History Museum. It has decided to display some of the Natural History collection in the Riding School, Collins Barracks from the end of January 2009, when other exhibitions taking place in or already scheduled for the Riding School will have ended. The intention is that the proposed exhibition of Natural History material will also include a display of the scheme for the refurbishment and additional public spaces planned for the redeveloped Natural History Museum. It is envisaged that this exhibition will run for about a year, until such time as works under the Phase II Development of Collins Barracks, which will impact on the Riding School, will commence.

#### **Sports Funding.**

286. **Deputy Seymour Crawford** asked the Minister for Arts, Sport and Tourism the support or grant aid available for a swimming pool and sports complex in a town (details supplied) in County Monaghan; when the application period closes; if there are restrictions on the person who should carry out the feasibility study as some of the committee members have been advised

that only eight companies are recognised for carrying out such studies; and if he will make a statement on the matter. [16458/08]

**Minister for Arts, Sport and Tourism (Deputy Séamus Brennan):** The current round of the Local Authority Swimming Pool Programme, which is administered by my Department, provides grant aid to a maximum of €3.8 million towards the capital costs of new swimming pools or the refurbishment of an existing pool. However, the current round of the Programme closed to applicants on 31 July 2000. No application was received on behalf of Carrickmacross swimming pool by that date.

A provision of €184m has been provided in the National Development Plan 2007-2013 for supporting existing projects under the current round of the Programme and for new projects to be selected following the launch of a new round of the Programme which will take place shortly. The terms and conditions of the new round will be devised taking into account the recommendation of the Value for Money and Policy Review report on the existing Programme, which has been completed by my Department. Following the launch of the new Programme it will be up to all Local Authorities, including Monaghan County Council on behalf of Carrickmacross, to submit applications under the terms that will apply. It is a matter for the relevant Local Authority to decide who will carry out a Feasibility Study on their behalf.

#### **Official Engagements.**

287. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16524/08]

**Minister for Arts, Sport and Tourism (Deputy Séamus Brennan):** Since taking up my appointment as Minister for Arts, Sport and Tourism in June 2007, I have not met in an official capacity, with any Heads of State, Government Ministers or representatives of Governments from non-OECD countries.

*Questions Nos. 288 and 289 answered with Question No. 282.*

#### **Social and Affordable Housing.**

290. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if he will establish a review of the treatment of people who are working and renting privately on low income, who currently are deemed to have insufficient income to purchase an affordable house, but who are excluded from the rent supplement and rental accommodation scheme and for whom family income supplement means test takes no account of their obligations, leaving them with little opportunity to better themselves. [16009/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** The position of people on low income who are working and who are renting their home in the private rented residential sector is a significant issue for Government. The Government's overall objective is to enable every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and as far as possible at the tenure of its choice. To this end, my colleague the Minister for the Environment, Heritage and Local Government provides a range of supports within the overall housing system, to meet the long-term housing needs of people

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in various different circumstances. These supports include traditional social housing and the Rental Accommodation Scheme (RAS), both of which provide tenants with the considerable benefit of Differential Rent. They also include shared ownership and affordable housing schemes, which enable people to enter into home ownership in cases where commercial mortgage providers would not be prepared to provide the necessary long-term finance because of the income position of the people concerned.

The Affordable Homes Partnership, which operates under the aegis of the Department of the Environment, Heritage and Local Government, has recently considered how the range of existing affordable housing mechanisms might be enhanced. A public consultation on their report is currently underway and there will also be a structured engagement with the social partners, housing practitioners and financiers on the findings and recommendations of this report, including the need for affordable renting.

My own Department plays a role in providing income maintenance support where required in particular circumstances by tenants in the private rented residential sector. Rent supplement is administered on my behalf by the Health Service Executive as part of the supplementary welfare allowance scheme. The purpose of rent supplement is to provide *short-term* income support to assist with reasonable accommodation costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources and who do not have accommodation available to them from another source. The scheme works well in assisting tenants who experience a change in their financial circumstances, for example as a result of becoming ill or unemployed. It is not designed to meet long-term ongoing housing need.

Significant changes to the means test were implemented in 2007 specifically to facilitate people returning to work. Where a person has additional income in excess of the standard weekly rate of supplementary welfare allowance, the first €75 of such additional income together with 25% of any additional income above €75 is disregarded for means assessment purposes.

This improvement in the assessment of means for those with income from employment, applies to all rent supplement recipients who are engaged in employment of less than 30 hours per week. It also applies to those returning to fulltime employment and who are accepted as eligible for accommodation under the rental accommodation scheme (RAS). These measures ensure that those returning to work or participating in training schemes are better off as a result of taking up such an opportunity.

Family Income Supplement (FIS) is a weekly tax-free payment for families, including one-parent families, at work on low pay. The payment provides an incentive for people to take up or remain in employment in circumstances where the employee might only be marginally better off than if s/he were claiming other social welfare payments. FIS can be paid with some other social welfare payments in certain defined circumstances. Rent payments are not disregarded in the assessment of means for FIS purposes. Assessable earnings are gross pay minus tax, employee PRSI and superannuation contributions.

I do not propose to change the means testing arrangements for FIS to take account of housing costs because I consider that a long-term housing solution is what the families affected require, not an income supplement in lieu of long-term housing. Overall I consider that the current range of housing supports, together with the enhancements that may emerge from the current public consultation being undertaken by the Department of Environment, Heritage

and Local Government in relation to affordable housing, provides that potential for the families concerned. Should additional financing become available to address their needs, I consider that it would be preferable to deploy that finance directly in the housing support system rather than through the social welfare system.

### **Pension Provisions.**

291. **Deputy Olivia Mitchell** asked the Minister for Social and Family Affairs his plans to increase the permitted part-time earnings ceiling of €38 a week for a person to qualify for a State transition pension; and if he will make a statement on the matter. [16078/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** The state pension (transition) was introduced in 1970 when it was known as the retirement pension. It was designed to bridge the gap between the standard social welfare pension age, which at that time was 70 years of age, and retirement at age 65. The social welfare pension age was reduced over a period of years until it reached 66 years of age. A key qualifying condition for the scheme is that a person has to be retired in order to qualify for a payment. Retirement was defined as not engaging in insurable employment, which today means earning less than €38 per week. I consider it important that those who wish to continue in employment after normal retirement age should, as far as is possible, be facilitated and supported.

The retirement condition associated with the state pension (transition) is only one aspect of a much broader agenda which will need to be addressed if we are to create the conditions where people can continue in employment past what we now regard as normal retirement age.

As you are aware, I published the Green Paper on Pensions on 17 th October and this includes an examination of all the issues surrounding retirement age, the barriers faced by older workers who wish to remain in employment and the incentives in this regard which can be considered. A consultation process on the Green Paper is now underway and will remain open until 31 May 2008. Once the consultation process is completed, work on developing the framework for future policy will commence, and proposals submitted to Government for consideration by the end of 2008.

### **Social Welfare Benefits.**

292. **Deputy Ruairí Quinn** asked the Minister for Social and Family Affairs the reason, when a child is placed in foster care their child benefit and child care allowance remains payable to the natural parents for the first six months in view of the fact that in many cases the natural parents have addiction problems and these allowances may be used for a purpose other than what it is intended for; if he will put changes in place to ensure that the benefit and allowance follow the child; and if he will make a statement on the matter. [16113/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** Prior to this month, child benefit continued to be paid to the birth parent where the child was placed in foster care, regardless of the duration of foster care and even where the level of support provided by the birth parent was only marginal or occasional in nature. However, as the purpose of child benefit is to assist toward the ongoing cost of child rearing, I made provision for payment of child benefit to transfer to foster parents from the 7 th month of foster care.

In introducing this change, it was considered inappropriate to withdraw child benefit from a parent in respect of short periods of foster care, such as during a period of recuperation from illness in the case of a single parent without family or other supports. As it would not be



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feasible to legislate for all possible scenarios and in consideration of the difficulties in administering short term changes, it was considered that payment should remain with the birth parent for the first six months of foster care.

These arrangements were introduced following discussions with the Health Service Executive and the Irish Foster Care Association.

### **Data Protection.**

293. **Deputy Pat Breen** asked the Minister for Social and Family Affairs the steps he will take in his Department to protect computer systems from theft and from the release of sensitive personal information which is held on these computer systems; and if he will make a statement on the matter. [16143/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** This Department administers some fifty schemes and makes payments to one million people each week. Because of the nature, scale and diversity of its work, the Department holds detailed information about its customers and takes its responsibilities to safeguard this data extremely seriously.

All electronic data is stored in the Department's primary computer site. The site itself has rigorous control procedures. Our systems are subject to standard physical security measures and, in the case of laptops, it is our policy not to hold sensitive personal data on them. Should we decide that we need such data on these devices, it will be encrypted. Industry standard security protocols, such as password protection and security software, are deployed to protect all departmentally-supplied devices and preserve the confidentiality of data.

Every effort is made by the Department to ensure that personal customer data is used solely for business purposes and that it is not compromised in any way. Over the last number of years, the Department has continuously strengthened security and data protection protocols. Policies and procedures governing the use of systems and data have been developed and communicated to the staff. These policies and procedures are under constant review, and are updated as appropriate. Staff are regularly reminded of their obligations under data protection and security policies and of the penalties applicable in respect of any breach of these policies.

In order to preserve public confidence in the operations of the Department, there has been, and will continue to be, considerable focus on the issue of data confidentiality. I can assure the Deputy that the Department recognises that security measures must continually evolve and it will continue to reflect this in its systems and procedures.

### **Waste Management.**

294. **Deputy John Deasy** asked the Minister for Social and Family Affairs if he will introduce a national waste services waiver scheme for old age pensioners and other social welfare recipients; if his attention has been drawn to the fact that there is a large variation of such schemes being operated by local authorities and that some authorities have no scheme at all; his views on whether there should be equality of treatment in all local authority areas; and if he will make a statement on the matter. [16172/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** The setting of waste management charges and the introduction of waivers in respect of waste charges is, as has been stated in this House on many occasions, a matter for each local authority. Local authorities operate under the auspices of the Department of Environment, Heritage and Local Government.

The introduction of a national social welfare scheme to address the issue would not be feasible given the wide range of charging regimes and cost structures that exist in respect of waste management throughout the State. Charges vary across local authorities and within local authorities where there is more than one provider. In addition, some local authorities and private operators already operate waiver schemes but the qualifying conditions for these schemes also vary. Any system put in place to assist people with waste collection charges would have to take account of the different local arrangements.

My officials have discussed this issue with their counterparts in the Department of Environment, Heritage and Local Government and I understand that they do not have any plans at present to introduce a national waiver scheme.

### **Customer Services.**

295. **Deputy Damien English** asked the Minister for Social and Family Affairs if his Department intends using voice recording for all telephone queries to it by members of the public as a tool for quality control and staff training; his Department's policy on this issue; and if he will make a statement on the matter. [16380/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** My Department is committed to delivering a high quality customer service for customers, including those who prefer to contact us by telephone. Calls are dealt with in our local office network as well as in our headquarter offices. In recent years investments in telephone technology, along with continued emphasis on staff training, has facilitated the introduction of enhanced LoCall telephone services for customers.

At present, telephone calls from customers to offices of the Department are not recorded. However, the Department intends to follow industry best practice in both customer services and in staff training and development, and is currently investigating the introduction of call recording for quality control and training purposes.

### **Social Welfare Benefits.**

296. **Deputy Damien English** asked the Minister for Social and Family Affairs the number of outstanding applications for child benefit that require processing with a breakdown of this figure on a county basis; the average length of time for an application to be processed for same; if he is satisfied with this situation; and if he will make a statement on the matter. [16381/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** The majority of Child Benefit 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. As a result there is no backlog in these claims (for children born in Ireland) and parents are in general contacted by the Child Benefit office within two days of the registration of their child's birth. The Early Child care Supplement is paid automatically when Child Benefit is awarded. Payments on behalf of some 65,000 children were made in this way in 2007.

Currently there are arrears of claims in the Child Benefit section in respect of two groups of customers: those who have come to live in Ireland with their children and the children are resident here (children resident in Ireland); and those where a parent is working in Ireland but the children remain in their home country (children resident abroad). 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.

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In relation to EU nationals with their children resident abroad, there are just over 20,000 claims at various stages of processing with the majority of these claims pending further necessary information and/or clarification from the authorities in the country of residence of the children i.e. before payment of Child Benefit is made for non-resident children it is necessary to contact the authorities in the country of residence (of the children) to confirm details and establish what, if any, family benefits are payable in the home country as this will determine entitlement to Irish payments. The length of time to process claims for non-resident children can vary depending on how quickly all relevant information can be obtained.

There is a total of 8,400 claims for non-Irish born children resident in Ireland on hand to be processed. 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. The processing time for these claims at present is close to 9 months.

Measures are being taken to speed up processing times, including deployment of temporary staff, overtime work, and other process improvement measures. These measures will result in an improvement during the remainder of 2008. A breakdown of these claims on a county basis is not held.

297. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if it is possible to allow rent supplement be paid to support accommodation for a person with a disability where the rental charge was above his Department's guideline in order that the family could contribute towards accommodation that would meet all the persons needs. [16408/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** The supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive, provides for the payment of a rent supplement to assist eligible people who are unable to provide for their immediate accommodation needs from their own resources and who do not have accommodation available to them from any other source.

Rent supplements are subject to a limit on the amount of rent that an applicant for rent supplement may incur. Setting maximum rent limits higher than are justified by the open market would have a distorting effect on the rental market, leading to a more general rise in rent levels and in landlord income. This in turn would worsen the affordability of rental accommodation unnecessarily, with particular negative impact for those tenants on lower incomes.

Notwithstanding these limits, under existing arrangements the Health Service Executive may, in certain circumstances, exceed the rent levels as an exceptional measure, for example where there are special housing needs for a disabled person in specially-adapted accommodation. This discretionary power is only used in special cases, but it ensures that individuals with particular needs can be accommodated within the scheme. Rent supplement is subject to a means test and any contributions made by family members towards an individual's accommodation costs would be treated as income for the purposes of the assessment of means.

#### **Official Engagements.**

298. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of State, Government Ministers or other representatives of governments from non-OECD

countries; the date and location of such meetings; and if he will make a statement on the matter. [16535/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** On 17 March 2005 my predecessor Minister Séamus Brennan met the Estonian Minister for Social Affairs, Mr Marko Pomerants, in Tallinn. On 6th April 2005 Minister Brennan met Assistant Minister Zdenka Ninic, of the Croatian Ministry of Family, Veteran's Affairs and Intergenerational Solidarity on the occasion of a conference on family matters in Dublin. No meetings have taken place since between Minister Brennan or myself as Minister for Social and Family Affairs and a Head of State, Minister or Government representative from a non-OECD country.

#### **Social Welfare Benefits.**

299. **Deputy Finian McGrath** asked the Minister for Social and Family Affairs if a person (details supplied) in Dublin 9 will be assisted. [16665/08]

**Minister for Social and Family Affairs (Deputy Martin Cullen):** The Supplementary Welfare Allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive (HSE), provides for the payment of a rent supplement to assist eligible people who are unable to provide for their immediate accommodation needs from their own resources and who do not have accommodation available to them from any other source.

Maintenance payments in respect of a spouse and/or dependent children are assessable as means for rent supplement purposes. Up to €95.23 a week is assessable in full. This amount is already disregarded in the assessment of means for a primary social welfare payment, including One Parent Family payment. The first €75 a week of maintenance in excess of €95.23 can be disregarded in full in the assessment of means for rent supplement purposes with a further disregard of 25% of any additional maintenance.

The Executive has advised that following a routine review of the rent supplement claim of the person concerned, it became aware that she is in receipt of maintenance payments of €75 per week. The Executive has requested that the person concerned provide documentary evidence to indicate the amount and duration of this maintenance payment. No adjustment has been made to the rent supplement in payment pending a response. The person concerned will be advised of the decision of the community welfare officer in due course and of her right of appeal against that decision to a designated appeals officer of the Executive.

#### **Community Employment Schemes.**

300. **Deputy Thomas P. Broughan** asked the Minister for Community, Rural and Gaeltacht Affairs his views on launching a new jobs scheme in close liaison with the community and commercial sectors with the objective of reintegrating graduates of community employment schemes into full or part-time jobs in the social or mainstream economy; and his further views on pilot programmes in conjunction with the Minister for Enterprise, Trade and Employment in this regard. [16212/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** My Department manages the Community Services Programme which provides local employment opportunities for people from the following target groups — people with disabilities; long-term unemployed; members of the travelling community; lone parents and recovering drug misusers. The Programme provides funding to 380 established community services or businesses and supports local community activity to address disadvantage. The activities of the projects funded under

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the programme are varied and include, for example, community child care services, services for the elderly or for people with disabilities, rural transport projects, projects to operate community halls and facilities, community radio, rural tourism, recycling and environmental projects.

While maintaining its priority focus on providing employment opportunities for vulnerable target groups, my Department are considering opportunities for co-operating with the Department of Enterprise, Trade and Employment (D/ET&E) in relation to assisting individuals leaving community employment schemes. Discussions on the matter between my Department and the D/ET&E are ongoing.

#### **Dormant Accounts Fund.**

301. **Deputy Tom Sheahan** asked the Minister for Community, Rural and Gaeltacht Affairs if funding from the Dormant Accounts Fund for the purchase of a mini bus by a voluntary organisation (details supplied) is ready to be drawn down; and if he will make a statement on the matter. [16403/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The group concerned applied for assistance from the Dormant Accounts Fund under the disability category. The organisation has been approved funding and the payment is currently being processed by Pobal and will issue to them shortly.

#### **Official Engagements.**

302. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of State, Government Ministers or other representatives of governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16526/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** In both 2005 and 2006 I held no meetings with the Heads of State, with Government Ministers or with or with other representatives of Governments from non-OECD countries. In 2007 I met with a delegation of Government officials from Azerbaijan on the 19th September 2007 in my Departmental offices in Dublin. In 2008 I met with a representative of the Indian Government Mr. Shri Anand Sharma, honourable Minister of State for External Affairs on the 17th March 2008 in Delhi as part of my trip to India for St. Patrick's Day. I was also the Government Minister officiating at a farewell ceremony for the President of Estonia Mr. Toomas Ilves on the 17th April 2008 in Farmleigh House.

#### **Proposed Legislation.**

303. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food if she has proposals to reform the Foreshore Act 1933; and if she will make a statement on the matter. [16066/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** My Department is currently responsible for the administration of the Foreshore Act 1933, which regulates activity on or affecting the State's foreshore. The Government decided on 2 October 2007 that responsibility for foreshore licensing functions under the Foreshore Act 1933 in respect of port compan-



ies and harbour authorities governed by the Harbours Acts 1946, 1996 and 2000 and any other harbour or harbour related developments intended for commercial trade, and for all energy developments (including oil, gas, wave, wind and tidal energy) and aggregate and mineral extraction developments on the foreshore would transfer to the Department of the Environment, Heritage and Local Government.

My Department is currently putting in place the necessary arrangements to ensure the efficient and effective transfer of the appropriate legislation and associated functions. My Department will carry forward responsibility for all other foreshore licensing functions under the Foreshore Act 1933, including in respect of all aquaculture developments and piers and harbours, other than in respect of port companies and harbour authorities governed by the Harbours Acts 1946, 1996 and 2000 and any other harbour or harbour related developments intended for commercial trade.

The Department of the Environment, Heritage and Local Government will clearly assume a critical role in relation to the future management of the foreshore including any legislative developments. My Department will continue to work closely with the Department of the Environment, Heritage and Local Government in that respect.

304. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food his plans to combine all animal welfare legislation under one Department; and if she will make a statement on the matter. [16191/08]

315. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when she will publish the new animal health bill; the reason for the delay in its publication; and if she will make a statement on the matter. [16190/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** I propose to take Questions Nos. 304 and 315 together.

A good deal of work has already been undertaken and significant progress has been made on drafting the new Animal Health and Welfare Bill and I intend to initiate a process of public consultation by publishing a consultation paper and inviting submissions from interested parties and other stakeholders. The Bill will be a comprehensive piece of legislation, for the purpose of giving effect to a number of important commitments, in the area of animal health and welfare, contained in the Programme for Government. It is intended that it will amend and consolidate previous legislation to reflect the changed disease status of our nation's animals and update existing legislation, to ensure that the welfare of all animals (including non-farm animals) is properly protected and that penalties for offenders are increased significantly as well as replacing and repealing a long list of outdated legislation. Drafting of the Bill will continue after the consultation process, having regard to the various submissions received.

#### **Turbary Rights.**

305. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if lands in County Mayo taken from a person (details supplied) in order that people could turf, will be given back to the owner in view of the turf-cutting restrictions. [15984/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** In 1961 the former Irish Land Commission purchased some 96 acres of land from the person named. The fee simple of this land was subsequently given back to him for a nominal sum. Turbary rights over the land were disposed of, over time, to 41 individuals who now have legitimate title to these rights. The resolution of any turbary issues is a private matter between the parties involved.



### Grant Payments.

306. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when the remaining grant aid will be paid to beet producers; the rate of payment; and if she will make a statement on the matter. [16080/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The total package negotiated in the context of the reform of the EU sugar regime was worth in excess of €310m to Ireland. The first element is the compensation for the reduction in the minimum price of beet which is worth approximately €123m to Irish beet growers over seven years. It has been already incorporated in the Single Payment with effect from 2006.

The second element is the EU restructuring aid which, at the outset, was worth €145m to Ireland. Three parties benefit from this aid: the sugar processor, former beet growers and machinery contractors. The first instalment of 40% (€58m) was paid to the beneficiaries in June 2007 and the balance of €87m was paid in February 2008. However, an amending EU regulation in October 2007 had the effect of increasing the overall amount of restructuring aid available to Ireland and this increase, the amount of which has yet to be confirmed by the EU Commission, will be paid retroactively to the growers in June 2008.

The third and final element of the package is the diversification aid worth almost €44m to the former beet growers. The first tranche of 50% (€22m) was paid in September 2007 and payment of the balance to the growers got under way last month.

### Rural Environment Protection Scheme.

307. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme 4 payment. [16140/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The person named submitted a REPS 4 application in November 2007. His REPS 4 plan will commence on 1 December 2007 and payment in respect of 2007 will therefore be for one month. It will be paid as soon as possible following some necessary changes to my Department's computer system which are currently under way. As all REPS 4 contracts will in future have an anniversary date of 1 January, my Department will adjust the length of this contract so that the anniversary date will become 1 January 2008 and the contract will be valid for a further 5 years from that date.

In 2008 the person named will receive 75% of a full year's REPS payment when all administrative checks for REPS and the 2008 Single Payment Scheme are completed. The remaining 25% payment will go out when the last of the year's REPS on-farm inspections has taken place. To receive his REPS 4 payment for 2008, the person named must also submit his Single Payment application by 15 May 2008.

### Afforestation Programme.

308. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food the criteria for farmers to plant trees on their land; the planning involved in same; the locations where this has to be advertised for the general public to see; and if she will make a statement on the matter. [16147/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The criteria for planting are based on the Forestry Schemes Manual, a comprehensive suite of environmental guidelines including fisheries, landscape, archaeology, biodiversity, harvesting and forest protection, and the Code of Best Forest Practice (all available on the Department's website). The criteria vary from site to site and each application is examined by the Forest Service for environmental

and silvicultural suitability. The initial assessment of a site takes place by a registered forester who is listed on the Forest Service Register of Foresters and Forestry Companies.

Proposed sites in environmentally sensitive areas are advertised in the local paper and referral letters are sent the relevant competent authority and An Taisce. All public consultation notices are advertised in the relevant local newspaper and placed on the Department's website under the heading of 'Proposals for Afforestation in Environmentally Sensitive Areas'. All other notifications for sites over 2.5 hectares are placed on the Department's website.

#### **Farm Retirement Scheme.**

309. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the reason recipients of the early retirement scheme payment (details supplied) in County Wexford are unable to receive their payment to credit unions; when she will rectify this matter; and if she will make a statement on the matter. [16162/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** Under EU rules, my Department is obliged to make all payments under EU funded or co-funded schemes, including pension payments under the Early Retirement Scheme, directly by electronic fund transfer into the bank accounts of the beneficiaries as and from 16 October 2008, the commencement of the 2009 EU financial year. The existing situation in which payments may issue by cheque will continue until 16 October. As the designated paying agency for EU funds, my Department is obliged to adhere to these arrangements and has notified the new requirement to farmers on several occasions, including in the last week or so.

I understand that only a limited number of Credit Unions are currently in a position to handle direct payments by electronic fund transfer to customer accounts. For this reason, farmers who have notified my Department of a Credit Union Account may not be in a position to receive electronic payments. The introduction of this facility is a matter for each Credit Union and my Department will issue electronic payments to every Credit Union which has the arrangements in place to accept them. Banks and building societies also accept electronic payments and I understand that Postbank will facilitate the electronic transfer of funds to accounts held with it through the Post Office branch network in the very near future.

#### **Rural Environment Protection Scheme.**

310. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive their REP scheme payment; and if she will make a statement on the matter. [16163/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The person named applied for REPS 4 in February 2008. Farmers who submitted valid applications in February will start their REPS 4 contracts on 1 March 2008. They will receive 75% of a payment in respect of ten months when all administrative checks for REPS and the 2008 Single Payment Scheme are completed. The remaining 25% payment will go out when the last of the year's REPS on-farm inspections has taken place.

To receive his REPS 4 payment, the person named must also submit his Single Payment application by 15 May 2008.

#### **Coastal Protection.**

311. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food further to a previous Parliamentary Question regarding the re-instatement of the sea bank at Cromane

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and recently released information regarding the construction of the new pier at Cromane being delayed for a considerable amount of time, if she will agree to providing funding to re-instate the bank before much more of it is washed away, putting private houses at risk from flooding; and if she will make a statement on the matter. [16164/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** My Department's position with regard to Cromane remains as outlined in my reply to PQ No. 162 dated 3rd April, 2008 which is set out as follows.

The Glasha embankments near Cromane Lower were the responsibility of The Land Commissioners until the implementation of the Irish Land Commission (Dissolution) Act, 1992.

My Department has, however, agreed to provide funding for the development of the pier at Cromane and agreement was reached between Kerry County Council and my Department's Engineering Division that should the dredging section of the Cromane Main Development Project proceed in 2007, my Engineering Division would consider using the waste material from the dredging to secure the embankments.

Kerry County Council are involved in the securing of a compulsory purchase order in order to progress the project, but unfortunately were unable to secure the necessary compulsory purchase order in 2007 and the Cromane project failed to progress in that year.

€750,000 has been allocated by my Department to this project in 2008 and Kerry County Council are hopeful of securing the necessary compulsory purchase order this year which will enable works to proceed. Subject to satisfactory progress being made by Kerry County Council, consideration can then be given to stabilising the embankments in 2008.

### **Harbours and Piers.**

312. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food the reason funding has been refused in 2008 for essential work on Helvick Pier, County Waterford; when such funding will be made available to Waterford County Council; and if she will make a statement on the matter. [16169/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The pier at Helvick is owned by Waterford County Council and responsibility for its maintenance and development is a matter for the Local Authority in the first instance.

My Department received an application for funding from Waterford County Council for inclusion in the 2008 Fishery Harbour and Coastal Infrastructure Development Programme. This application together with all others received was considered based on available Exchequer funding and overall national priorities. Unfortunately, the funding application for the above location was unsuccessful on this occasion.

Any application by Waterford County Council for funding under the programme in future years will be given due consideration based on available Exchequer funding and overall national priorities.

313. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food the status of the project for the redevelopment of Dunmore East Harbour, County Waterford which is expected to cost over €50 million; the amount of funding she is providing for this project under the 2008 harbours programme; the planned commencement and completion dates for the project; and if she will make a statement on the matter. [16170/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** Work at Dunmore East is ongoing with site investigation work, surveys and examination of dredging issues in the vicinity of the Synchronlift having continued in 2007.

Due to the scale of the investment required for the redevelopment of Dunmore East Fishery Harbour Centre, my Department was required to commission a Cost Benefit Analysis of the proposed development. This has been completed and the results are currently under consideration by my officials.

I hope to be in a position to announce a decision with regard to the future development of Dunmore East Fishery Harbour Centre in due course.

In the meantime, my Department has allocated funding of €470,000 towards works at Dunmore East under the Fishery Harbour and Coastal Infrastructure Development Programme for 2008.

### **Rural Environment Protection Scheme.**

314. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food if she will extend the deadline of 16 May 2008 for the submission of REP scheme four plans. [16186/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The arrangements for REPS 4 are derived from a new Commission Regulation. In discussions with the Commission, my officials secured a special transitional arrangement for farmers in REPS 2 finishing their contracts during 2008. As long as these farmers have submitted an application for REPS by the new closing date of 15 May this year, they can submit their farm plans after that date and still receive payment during the year. My officials sought a similar transitional arrangement for all farmers in 2008 but the Commission were not prepared to allow this. I believe that there is no prospect of securing any further concession.

*Question No. 315 answered with Question No. 304.*

### **Grant Payments.**

316. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food if she will approve the top up grant on the farm waste management grant for a person (details supplied) in County Roscommon; and if she will make a statement on the matter. [16218/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The person concerned is not an applicant under the Farm Waste Management Scheme. He has, however, taken over the herd number of an applicant under the Scheme. In such cases, the terms of the original grant of approval are, of course, applicable where the proposed works are completed to the required standards.

### **World Trade Talks.**

317. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the actions she is taking to safeguard the interest of Irish agriculture at the World Trade Organisation negotiations; and if she will make a statement on the matter. [16364/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** I reject completely any suggestion that I have failed in relation to the WTO negotiations.

I and my Government colleagues take every opportunity to express our concerns in the strongest terms in the various EU and WTO meetings dealing with these negotiations. At

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official level, my Department and other Departments involved have also been working assiduously in the various technical meetings to ensure Ireland's interests are best protected.

I have consistently and continuously outlined the Irish position in the clearest possible terms at official and political level, including numerous bilateral meetings with the Commission and other EU Member States. I have developed and maintained valuable contacts with like-minded Member States on this issue. Recently I have had very positive meetings with my French and German opposite numbers and later today I will be meeting the EU Trade Commissioner.

I will continue to play a leading role in the Group of 14+ like-minded Member States who have come together to express concerns in relation to the direction of the WTO agriculture negotiations and I will continue to work closely with like-minded Ministers in other Member States to seek support for my position.

### **Fisheries Protection.**

318. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if it is her intention to review the law regarding the operation of the Sea Fisheries Protection Authority and the use of legal as opposed to administrative sanctions against fishermen; the time frame envisaged for this review; the participants in the review process; and if she will make a statement on the matter. [16412/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The Sea Fisheries and Maritime Jurisdiction Act, 2006 was enacted on the 4th of April 2006 and provides for dissuasive and effective penalties for infringements of fisheries law as required under the Common Fisheries Policy.

On foot of the recent Court of Auditors Report on Fisheries control the Commission is proposing wide-ranging proposals to reform and update the EU Fisheries Control framework and it is likely that the issue of harmonised sanctions will be considered in that light. In the interim I have asked my Department to review the operation of sanctions under the Sea-Fisheries and Maritime Jurisdiction Act, 2006 in light of experience since its enactment.

Officials of my Department will be consulting with, amongst others, industry representatives, the Sea-Fisheries Protection Authority itself and the Office of the Attorney-General in the course of their review.

### **Forestry Programme.**

319. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the details of her commitment to providing adequate funding for training for personnel employed in the forestry sector including machine operators, contractors, chainsaw operators and so on; the level of funding provided to a company (details supplied) in 2008 in this regard; the level of ongoing funding estimated to be required by her Department to meet demands in the forestry sector for the foreseeable future and specifically the position in relation to tenders received by the company for the appointment of contractors for this training in 2008; and if she will make a statement on the matter. [16417/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The company to which the Deputy refers is a group set up to ascertain the training and education needs within the forestry sector, to develop and prioritise training programmes and to fund training to address the needs identified. The initial impetus for this initiative came from the sector itself



when a diverse number of organisations, representative of various elements within the forest sector, made a submission to my Department in 2005 for funding of forestry training. My Department’s funding of this training initiative is consistent with the policy contained in “Growing for the Future”, the Government policy document on forestry published in 1996, which concluded that policy on education and training will be “to ensure the availability and delivery of suitable programmes of education and training to cater for the increasing number of new entrants into forestry and the growth in scale and diversity in the sector”.

My Department is committed to providing funding of up to a maximum of €720,000 for this initiative in 2008. The level of ongoing funding to be provided each year will be dependent on the examination of the submission made by the group and available public funds.

Generally, the supply of training has to be put out to tender by the group. I understand that the group plans to tender for and issue contracts on a periodic basis during 2008, that a number of contracts have been agreed and a number of training courses have been completed to date in 2008.

**Rural Environment Protection Scheme.**

320. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the situation in relation to REP scheme payments to a person (details supplied) in County Mayo; and if all their payments issued in full. [16454/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** In the course of an inspection on 5 December 2007, some apparent issues of non-compliance were noted. The matter is being reviewed at local level and the person named will be notified of the outcome within two weeks. A consolidated plan was also required with the application for payment and to date this has not been received.

**Decentralisation Programme.**

321. **Deputy Olwyn Enright** asked the Minister for Agriculture, Fisheries and Food if she will provide in tabular form, details regarding the numbers of civil servants awaiting transfer to locations within the Laois-Offaly area, including Nenagh, Athlone and Mullingar; and if she will make a statement on the matter. [16490/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The information requested by the Deputy is set out under the following three headings.

1. *Clerical Officer and Staff Officer Central Transfer List*

Location	Applications
Tullamore	279
Nenagh	134
Athlone	284
Mullingar	203

These numbers are likely to contain multiple applications from individuals to the different locations. Applications are from across the Civil Service and would also include a number of older applications that would not be removed from the list until the applicant’s position is reached and checked (i.e. a proportion of the applications for Tullamore would have been satisfied by the recent decentralisation of the Department of Finance).



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## 2. Central Applications Facility (CAF)

In the case of Portlaoise, the CAF is taking the place of the Central Transfer list. There are currently 125 CAF applications and a further 80 civil servants assigned internally for Portlaoise under the decentralisation Programme.

## 3. Professional and Technical Internal Transfer List

The Department also has an internal transfer list for Professional and Technical staff. Again multiple applications to the different locations are possible.

Location	Applications
Laois	122
Offaly	94
Tipperary	164
Westmeath	124

### Grant Payments.

322. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the feedback in her Department from farmers regarding the payment of grants by electronic means from October 2008; the problems which this will pose for a minority of farmers who cannot comply with this arrangement; if it is proposed to send a paper receipt of the electronic lodgment to each beneficiary; and if she will make a statement on the matter. [16497/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** EU rules require that as and from 16 October 2008, the commencement of the 2009 EU financial year, all payments under EU funded or co-funded schemes must be made directly by electronic fund transfer into the bank accounts of the beneficiaries. As the designated paying agency for EU funds, my Department is obliged to adhere to these arrangements and has notified the new requirement to farmers on a number of occasions over the past year or so.

Over 80,000 farmers are already using this payment method and almost 60% of the Single Payment Scheme modulation refunds which issued last month by my Department were paid directly into farmers' bank accounts. A further letter recently issued to those farmers who have still not submitted their bank account details. Farmers who have still not done so have a number of months in which to open a bank account and to notify my Department of the details. As well as the banks and building societies, I understand that Postbank will facilitate the electronic transfer of funds to accounts held with it through the Post Office branch network in the very near future. A limited number of Credit Unions are also in a position to handle direct payments to customer accounts and this number should increase over time. I will be urging all farmers to make the necessary arrangements as soon as possible so as to avoid any disruption to payments. Farmers may, of course, contact my Department about any concerns that they might have.

My Department will issue a remittance note to each farmer in respect of all electronic payments setting out the amount and details of the payment.

323. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the situation regarding proposals to publish the names of beneficiaries of EU farm grants; the *raison d'être*, for this proposal; and if she will make a statement on the matter. [16498/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The requirement to publish details of the beneficiaries of EU payments was introduced under the European Transparency Initiative which is a broad policy framework designed to improve accountability, ensure fairness of decision-making and transparency in the use of EU funds. More specifically, Council Regulation (EC) No. 1290/2005, as amended, and the implementing regulations relating to the financing of the Common Agricultural Policy, require all Member States to publish certain details of beneficiaries of schemes funded or co-funded by the European Agricultural Guarantee Fund (EAGF) and the European Agricultural Rural Development Fund (EAFRD). The regulations are directly applicable in all EU Member States and binding in their entirety.

Details in respect of EAFRD expenditure between 1 January and 15 October 2007 must be published by Member States no later than 30 September 2008. This will cover payments made under the Rural Environment Protection, Early Retirement and Compensatory Allowance in Less Favoured Areas Schemes. Details in respect of EAGF and EAFRD expenditure between 16 October 2007 and 15 October 2008 must be published no later than 30 April 2009. Publication of annual payments must take place no later than 30 April each year thereafter. This will include the schemes already referred to and the Young Farmers' Installation Aid Scheme, the Farm Improvement Scheme, the Single Farm Payment Scheme, any residual coupled premia due to farmers in the relevant period, sugar restructuring payments, payments to fruit and vegetable producer groups and market support schemes such as market intervention and export refunds.

To meet these obligations, my Department will be publishing on its web-site the names of all beneficiaries, the address line immediately preceding County on the Department's client database, the County and payments funded or co-funded by the EAGF and/or EAFRD. Arrangements for the implementation of the new requirements are being finalised at present, including the requirement to advise beneficiaries of the details to be published and of their rights under the Data Protection Acts 1988 and 2003.

324. **Deputy Olwyn Enright** asked the Minister for Agriculture, Fisheries and Food the process in relation to single farm payment to a person (details supplied) in County Offaly who has returned to farming after leasing their lands for a nine year period; if this person will qualify for the single farm payment; and if she will make a statement on the matter. [16504/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The Single Payment Scheme in Ireland is based on the "Historical Model". This means that the Payment Scheme is applicable to farmers who actively farmed during the reference years 2000, 2001 and 2002, who were paid Livestock Premia and/or Arable Aid in one or more of those years and who continued to farm in 2005 (the first year of the Single Payment Scheme). The gross Single Payment is based on the average number of animals and/or the average number of hectares (in the case of Arable Aid) on which payments were made in the three reference years. As the person named did not farm during the reference period no Single Payment was established for him.

New entrants to farming are catered for under the Single Payment Scheme National Reserve. A New Entrant is defined as a farmer who did not pursue any agricultural activity in his/her own name or at his/her own risk in the five years immediately preceding the commencement of the new agricultural activity.

The 2008 National Reserve caters for New Entrants to farming who commenced farming after 31 December 2005 (Category B on the application form.). Applicants under this category are also required to meet other criteria including farming qualifications and on and off-farm income limits.

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In addition applicants must also submit a 2008 Single Payment application form detailing all of the land that they are farming. The number of entitlements to be allocated to successful applicants under Category B may not exceed the number of eligible hectares declared on the 2008 Single Payment application for which the applicant does not already hold single payment entitlements. EU Regulations provide that the value of entitlements allocated under this category may not exceed the regional average value of entitlements. The regional average will be the average value determined at the District Electoral Division (DED) associated with the applicant's herd number. The overall value of entitlements allocated shall not exceed €10,000.

Farmers who receive new entitlements from the National Reserve must use those entitlements every year for five years from the year of allocation, otherwise the unused entitlements will be returned to the National Reserve.

Application forms for the 2008 National Reserve are now available on the Department's website, <http://www.agriculture.gov.ie>, from Department offices and from Teagasc offices. If the person named feels he may qualify for an allocation of entitlements from the National Reserve he may submit a National Reserve application together with the required documentation as outlined on the application form to my Department's Offices in Portlaoise no later than 15 May 2008. This is also the closing date for submission of the 2008 Single Payment application form.

Finally, new entrants to farming may acquire Single Payment entitlements by way of transfer by purchase, or lease from another farmer. The closing date for the transfer of entitlements from one farmer to another is also 15 May 2008.

#### **Official Engagements.**

325. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food the meetings, in Ireland or abroad, she has had for each of the past three years in an official capacity with Heads of States, Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if she will make a statement on the matter. [16523/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The information requested by the Deputy is being co-ordinated and will be forwarded to him at a later date.

#### **Grant Payments.**

326. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food when an application will be processed for a person (details supplied) in County Clare; and if she will make a statement on the matter. [16588/08]

**Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan):** The person concerned is an applicant under the Farm Waste Management Scheme. His application for payment is currently being examined and a decision will be made in regard to the application as soon as possible.

#### **Schools Building Projects.**

327. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 179 of 21 February 2008, the status of the application; when she will make an announcement on projects to be moved to the next stage of planning under the

multi-annual school building and modernisation programme; and if she will make a statement on the matter. [15942/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The need for a new school building for school in question is acknowledged by my Department. The project required to deliver the new school building will be considered on an ongoing basis in the context of my Department's multi-annual School Building and Modernisation Programme.

It is my intention to make a further announcement shortly on the school building programme and to provide an update on progress for the new schools planned for September 2008 delivery in developing areas.

328. **Deputy Shane McEntee** asked the Minister for Education and Science when construction work will commence and the timeframe for the completion of the project at a school (details supplied) in County Meath; and if she will make a statement on the matter. [15945/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The Department has received an application for a new building from the school referred to by the Deputy. Schedules of Accommodation for the proposed new school have now been agreed with the school authorities and progress on this building project will be considered in the context of the multi-annual School Building and Modernisation programme.

The school has received approval for additional temporary accommodation to cater its immediate needs for the coming school year 2008/09.

### **Irish Language.**

329. **Deputy Brian Hayes** asked the Minister for Education and Science her plans, to consider the possibility of giving formal recognition to the Irish sign language; and if she will make a statement on the matter. [15954/08]

**Minister for Education and Science (Deputy Mary Hanafin):** As the Deputy will be aware, Section 2 of the Official Languages Act 2003 states that “the official languages” of the State are (a) the Irish language (being the national language and the first official language) and (b) the English language (being a second official language) as specified in Article 8 of the Constitution.

I wish to advise the Deputy that Irish sign language (ISL) has formal recognition in the Education Act, 1998. Under the Act, it is a function of the Minister for Education and Science to ensure, subject to the provisions of the Act, that there is made available to each person resident in the State, including a person with a disability or who has other special educational needs, support services and a level and quality of education appropriate to meeting the needs and abilities of that person. This includes provision for students learning through ISL.

A number of initiatives which seek to promote, develop and implement ISL in order that it will achieve greater recognition and use in the education system are currently in place. These include: the special schools for the deaf have been encouraged in relation to the use of sign language in class; the availability of funding for training of teachers in ISL; and funding for an ISL weekly home tuition service whereby deaf tutors visit the homes of deaf pre-school children and deaf school-going pupils to provide training in ISL for the deaf children, pupils, their siblings and parents.

In addition, my Department through the Higher Education Authority (HEA) has established and fully funds a Centre for Deaf Studies in Trinity College, Dublin which provides diploma courses for ISL/English interpreters, deaf tutors and in deaf studies. The course modules deal

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with issues such as sign linguistics, bi-lingualism and socio-linguistics of sign language. The course is delivered in seminar sessions/group work and the award of the diploma is based on continued assessment and a project and course design.

### **Health and Safety Regulations.**

330. **Deputy Darragh O'Brien** asked the Minister for Education and Science further to her response to Parliamentary Question No. 792 of 2 April 2008, if she will supply a copy of the agreement (details supplied) and specifically the section of the agreement that details the procedures in place to administer medicine or drugs to pupils, should a teacher agree to do so. [15957/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The administration of medicines in the school is the subject of an agreement between the Irish National Teachers Organisation and the organisations representing school management at primary level. While this agreement specifies that no teacher can be required to administer medicine or drugs to pupils, it also sets out procedures that must be followed where a teacher or teachers agree to do so.

The text of the agreement is available on the INTO website at [www.INTO.ie](http://www.INTO.ie).

### **Higher Education Grants.**

331. **Deputy Jack Wall** asked the Minister for Education and Science the grants or mechanisms available to a person to pay their second year college fees (details supplied) in view of the fact that they were in a position to pay their first year fees but circumstances does not allow them to pay their second year fees; and if she will make a statement on the matter. [15960/08]

**Minister for Education and Science (Deputy Mary Hanafin):** Under the terms of my Department's Free Fees Initiative the exchequer meets the tuition fees of eligible students. The main conditions are that students must: a) be first-time undergraduates; b) hold E.U. nationality or official refugee status; and c) have been ordinarily resident in an E.U. Member State for at least three of the five years preceding their entry to an approved third level course. Eligibility is determined at date of entry to the course of study.

The Non EU spouse and dependent children of an EU migrant worker resident in the State may also be considered for free fees once they meet the other criteria of the scheme.

The third level institutions are autonomous bodies and, as such, may determine the level of fees to be charged in any cases where the Free Fees Initiative does not apply.

The three Third Level Student Support Schemes, administered by the Local Authorities and the Vocational Education Committees on behalf of my Department, offer financial assistance to eligible students attending approved third level courses. Students entering approved courses for the first time are, eligible for grants where they satisfy the relevant conditions as to age, residence, means, nationality and previous academic attainment.

The decision on eligibility for third level grants is a matter for the relevant assessing authority. 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.

332. **Deputy James Bannon** asked the Minister for Education and Science the reason parents entitled to grant aid to fund their children's third level education have been debarred from receiving grant assistance because they declared that they hold a SSIA account; and if she will make a statement on the matter. [15992/08]

333. **Deputy James Bannon** asked the Minister for Education and Science the reason parents were not told that if they saved through an SSIA account their children's future education could be in jeopardy; and if she will make a statement on the matter. [15993/08]

334. **Deputy James Bannon** asked the Minister for Education and Science the number of students who have been denied third level education grants because their parents hold or have held an SSIA account; and if she will make a statement on the matter. [15994/08]

**Minister for Education and Science (Deputy Mary Hanafin):** I propose to take Questions Nos. 332 to 334, inclusive, together.

In relation to SSIA income, I want to assure the Deputy that the Government is determined to ensure that SSIA savers are treated fairly in the calculation of reckonable income under my Department's maintenance grant schemes.

This is being achieved in two ways. Firstly, income from SSIAs is being treated exactly the same as income from similar savings and investment products. Secondly, the reckonable income limits for student grants have been increased considerably in recent years.

Since SSIAs were introduced, the amount of income to be included in respect of them is the government grant earned on the savings in the relevant tax year plus, in the case of savings accounts, the gross interest earned in the relevant tax year, and, in the case of investment accounts, the investment profit earned in the relevant tax year. Investment losses sustained in the relevant tax year are deductible.

The same position has long applied to interest earned on other savings products, including deposit accounts, post office savings certificates, life assurance bonds etc. The treatment of SSIAs is therefore consistent with the traditional treatment of other similar investments over many years. The Department of Finance is aware of this approach to the assessment of income for eligibility for student support.

So, in applying for a grant for the 2007/08 academic year, only the relevant income earned, as outlined above, on the SSIA in 2006 has to be declared. The maximum that the Government grant to any SSIA saver could have amounted to last year, as in any year of the SSIA scheme, is €762.

This has been the position since SSIAs were introduced.

In relation to the income limits which apply when a person's eligibility for a grant is being assessed, the Deputy will be pleased to know that these have increased significantly since SSIAs were introduced.

The 2003/04 academic year was the first year in which the full year SSIA income had to be included in applying for a grant, as the reference tax year for the purpose of grant assessment was 2002.



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For the 2003/04 academic year, the income limit for a family with 4 children was increased from €23,770 to €35,165 — an increase of nearly 48%.

The income limits have continued to rise each year, to the point where the limit for a family with 4 children this year is €42,490 — an increase of nearly 79% on the amount allowed in the 2002/03 academic year.

As these increases show, this Government has shown a clear determination to improve the grant system to ensure that students get as much support as possible.

In relation to the Deputy's question in respect of the number of students who have been denied third level education grants because their parents hold or have held a SSIA account, this information is not available. My Department does not collate information from the awarding authorities on the reasons why an applicant was refused a higher education grant. Failure to qualify for assistance could be for many reasons, included are those related to reckonable income, residency, nationality, previous periods of study, previous academic attainment, course of study, place of study.

### **Schools Building Projects.**

335. **Deputy Denis Naughten** asked the Minister for Education and Science when she will announce the next group of post primary schools to proceed to design stage; and if she will make a statement on the matter. [15996/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The main emphasis in 2008 is on providing sufficient school places in rapidly developing areas as well as delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country.

On the 1st February last I announced the first phase of projects that will commence construction during 2008 and 2009. My announcement included details of the 18 large-scale building projects approved for construction and a further 30 primary school projects in rapidly developing areas. Details of the projects approved can be viewed under the Press Release section of my Department's website at [www.education.ie](http://www.education.ie).

This is the first phase of projects that will commence construction during 2008 and 2009. It is my intention to make a further announcement shortly to allow a further batch of schools to progress and to update progress on the new schools planned for September 2008 delivery in developing areas.

336. **Deputy James Reilly** asked the Minister for Education and Science if she will report on the building of a permanent school in Applewood, Swords; if her Department agreed to take up the offer of a site there; the stage it is at; when planning permission will be lodged for a permanent school rather than a prefabricated school; and if she will make a statement on the matter. [15999/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The Programme for Government includes a commitment to establish a Developing Areas Unit in the Department of Education and Science, dedicated solely to progressing school planning in rapidly developing areas, building on improvements that have already been made in recent years.

This recently established Developing Areas Unit, in conjunction with Fingal County Council has been working to identify and acquire sites, under the Fingal School Model, for rapidly growing areas, including Swords.

Two sites have been identified in Applewood, Swords for primary school provision and both sites are being acquired under the Fingal School Model Agreement.

Planning permission on the 3 acre site at Thornleigh Avenue has been granted and phase one will see the delivery of the first 8 classrooms and ancillary rooms to be delivered for September 2008. This new school when fully delivered will comprise 24 mainstream classrooms, appropriate ancillary space in addition to an enhanced community facility.

In relation to the 2nd permanent site in Applewood, the Department have arrangements in train to remove the existing temporary accommodation on the site and are considering the options for delivering the permanent accommodation for two existing schools currently accommodated in temporary accommodation.

337. **Deputy James Reilly** asked the Minister for Education and Science if the proposed new Skerries school in Kelly's Bay will open in September 2008 as promised by her Department; if her Department has paid for the site and taken it into the ownership; and if she will make a statement on the matter. [16000/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The Programme for Government includes a commitment to establish a Developing Areas Unit in the Department of Education and Science, dedicated solely to progressing school planning in rapidly developing areas, building on improvements that have already been made in recent years.

This recently established Developing Areas Unit, in conjunction with Fingal County Council has been working to identify and acquire sites, under the Fingal School Model, for rapidly growing areas, including Skerries.

The reserved site at Kelly's Bay is being acquired under the Fingal School Model Agreement and the Department is in receipt of planning permission to provide a new school on this site. Phase one of this project will see the delivery of a new off-site constructed 8 classroom school with appropriate ancillary rooms which will be delivered (subject to finalisation of legalities surrounding site acquisition) for September 2008. The Department intends to provide on full delivery of the project 16 mainstream classrooms, appropriate ancillary space, Special Needs Unit and enhanced community facility.

338. **Deputy James Reilly** asked the Minister for Education and Science if the protocol agreed with Fingal County Council known as the Fingal School Project is being implemented in full as agreed between her Department and Fingal County Council; if her Department honoured its agreement to pay an amount of 50% of any savings that Fingal County Council achieved on the acquisition of school sites to Fingal County Council in order that the council could invest those moneys in school and community amenity facilities as agreed in the Fingal School Project; the amount that has been made available by her Department for such facilities; and if she will make a statement on the matter. [16001/08]

**Minister for Education and Science (Deputy Mary Hanafin):** As the Deputy may be aware, the Fingal School Model is an agreement reached with Fingal County Council and is a partnership approach to fast-track the delivery of schools and community facilities throughout the Fingal Area. The intention is that the agreed approach will match the rapid pace of housing development in the area with the delivery of schools while at the same time providing important facilities for community use.

For the development of schools, the Fingal Local Authority will make land in its ownership available at a reduced cost to the DES; negotiate the purchase of lands from developers at a

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reduced cost and in return, the DES will invest part of the savings achieved in enhanced sports/community facilities which will also be funded by the County Council.

Where Fingal County Council succeeds in delivering sites for schools at favourable terms, the Department undertakes to purchase the site and proceed to construction of the permanent school building in accordance with a timetable to be agreed.

Where land for school building purposes has been acquired by the Council on behalf of the Department from a developer/landowner the amount to be re-invested in enhanced shared school/community facilities shall be calculated at 50% of the difference between the accepted market value of the lands and the actual purchase price at the time of an agreed valuation.

Where land being transferred for school building purposes has been in the Council's ownership for 5 years or more, the percentage re-investment in enhanced shared school/community facilities shall be calculated at 40% of the savings on land acquisition at the time of an agreed valuation.

The Council will not impose any additional charges for administration or other costs.

A mutually agreed Valuer will be assigned to advise on appropriate valuations on a site-by-site basis.

To date, Fingal County Council has completed the transferred two sites into the legal ownership of the Department. The Department has met its full commitments under the agreement in relation to these sites. Fingal County Council has acquired a further number of sites on which it is intended to deliver new schools for September 2008. The legal transfer of ownership is proceeding in relation to these sites and the Department will make its contribution at the appropriate time. In this context, senior officials of the Department recently met with Fingal County Council with a view to expediting these transfer, under the terms of the agreement.

339. **Deputy James Reilly** asked the Minister for Education and Science if the schools her Department has promised in Fingal will be built and open in September 2008; and if she will make a statement on the matter. [16002/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The Programme for Government includes a commitment to establish a Developing Areas Unit in the Department of Education and Science, dedicated solely to progressing school planning in rapidly developing areas, building on improvements that have already been made in recent years.

This recently established Developing Areas Unit, in conjunction with Fingal County Council has been working to identify and acquire sites, under the Fingal School Model, for rapidly growing areas.

The Department is working closely with Fingal County Council in relation to a number of sites to be acquired under the Fingal School Model Agreement for educational provision in the area for 2008 and onwards.

The Department has lodged planning applications in a number of areas in Fingal for new schools for delivery in 2008 and I am pleased to inform the Deputy that final grant of planning permission for all sites being progressed has been granted and it is envisaged, subject to finalisation of legalities surrounding site acquisitions, that all of the proposed schools will be delivered for September 2008.

#### **School Staffing.**

340. **Deputy Richard Bruton** asked the Minister for Education and Science the rate of pay-

ment to a secondary school teacher working as a substitute in a primary school; and if there is a limit on the length of time they can work in this situation. [16005/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The current rate of pay for a secondary trained teacher employed on a casual basis in a primary school is €201.68 per day.

A Board of Management of a primary school is obliged to recruit and employ fully qualified teachers for any vacancy in a school irrespective of the duration.

Where a Board is unable to obtain the services of a fully qualified primary teacher to serve in a casual/non casual capacity, they may employ a post primary qualified teacher.

Teachers employed in a casual /non-casual basis are generally employed for short periods and the Board of Management must try and obtain the services of a fully qualified primary teacher for each period of employment.

### **Special Educational Needs.**

341. **Deputy Thomas Byrne** asked the Minister for Education and Science the position regarding the application for a special needs assistant by persons (details supplied) in County Meath for September 2008. [16040/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The National Council for Special Education is responsible, through its network of local Special Educational Needs Organisers, for allocating resource teachers and special needs assistants to schools to support children with special educational 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](http://www.ncse.ie).

I have arranged for the details supplied by the Deputy to be forwarded to the NCSE for their attention and direct reply.

### **Schools Building Projects.**

342. **Deputy Thomas Byrne** asked the Minister for Education and Science the status of the application for an extension at a school (details supplied) in County Meath; and if the educational provision for students in the area will be assessed. [16041/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The development of a building project for the school referred to by the Deputy from initial design stage through to construction phase, as with all large scale building projects, will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme.

### **School Transport.**

343. **Deputy Dan Neville** asked the Minister for Education and Science if she will make a statement regarding a person (details supplied) in County Cork. [16051/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** My Department has requested a report from the Transport Liaison Officer for Co. Limerick, on the background to the case referred to by the Deputy, in the details supplied. The matter will be given further consideration on receipt of this report.

### Schools Building Projects.

344. **Deputy Finian McGrath** asked the Minister for Education and Science if she will support a school (details supplied) in County Cork. [16062/08]

**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 progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme.

345. **Deputy Niall Blaney** asked the Minister for Education and Science the reason a school (details supplied) in County Cavan are still waiting for the approval of a new school; and if she will make a statement on the matter. [16063/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The development of a building project for the school in question is at an early stage. The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered on an on-going basis in the context of my Department's Multi-annual School Building and Modernisation Programme.

### School Accommodation.

346. **Deputy Phil Hogan** asked the Minister for Education and Science if a financial allocation will be made to a school (details supplied) in County Kilkenny in order to carry out renovations that are required arising from a recent fire; and if she will make a statement on the matter. [16065/08]

**Minister for Education and Science (Deputy Mary Hanafin):** I assume the Deputy is referring to a fire in the school in question last September. An official from my Department has been in contact with the school recently and correspondence in the matter is expected shortly. My Department will respond to the school on receipt of the correspondence.

### Decentralisation Programme.

347. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 578 of 5 February 2008, when it is expected that the new building will be ready for occupation; when the balance of decentralised posts will transfer to Athlone, County Westmeath; and if she will make a statement on the matter. [16082/08]

**Minister for Education and Science (Deputy Mary Hanafin):** In my last reply to the Deputy I indicated that the new building on my Department's existing campus in Athlone would accommodate approximately 100 posts already based in Athlone that are currently accommodated in a temporary building, along with the posts to be decentralised to Athlone.

The process of transferring the 100 posts located in the temporary building in Athlone is underway at present. When this process is complete the decentralising posts will be transferred. On the basis of the progress made to date the process of transferring all of the posts to be accommodated in the new building could be complete by late May/early June.



### **School Staffing.**

348. **Deputy Seán Connick** asked the Minister for Education and Science if an appeal by a school (details supplied) in County Wexford to be granted mainstream teaching staffing numbers for the 2008-2009 academic year based on their enrolment in October 2007 will be granted; and if she will make a statement on the matter. [16090/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year. Data submitted to my Department by the Board of Management of the school referred to by the Deputy, indicates that the enrolment in the school on 30th September 2006 was 110 pupils. In accordance with the staffing schedule (Circular 0020/2007), which is available on my Department's website at [www.education.ie](http://www.education.ie), the mainstream staffing in the school for the 2007/08 school year is a Principal and 3 mainstream class teachers.

According to data submitted to my Department by the Board of Management of the school, the enrolment in the school on 30th September 2007 was 113 pupils. In accordance with the staffing schedule (Circular 0010/2008), which is available on my Department's website at [www.education.ie](http://www.education.ie) and a hard copy of which has been issued to all primary schools, the mainstream staffing in the school for the 2008/09 school year will remain a Principal and 3 mainstream class teachers.

Within the terms of the staffing arrangements for primary schools there is provision for additional posts, referred to as developing school posts, to be assigned to schools on the basis of projected enrolments for the next school year. Under these arrangements, a developing school post may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

An independent appeal board is now in place to decide on any appeals on mainstream staffing in primary schools. Details of the appeal procedure are outlined in the staffing schedule and also in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is available on my Department's website.

The Board of Management of the school has submitted an appeal to the Staffing Appeal Board. The appeal will be considered by the Appeal Board at a meeting which is scheduled to take place on Tuesday 20th May 2008. The Board of Management will be notified of the outcome of the appeal as soon as possible thereafter. The Appeal Board operates independently of the Department and its decision is final.

### **Institutes of Technology.**

349. **Deputy Seán Connick** asked the Minister for Education and Science if further consideration has been given to the application of Waterford Institute of Technology to be upgraded to university status following the publication of the Dr. Jim Port Report; and if she will make a statement on the matter. [16091/08]

**Minister for Education and Science (Deputy Mary Hanafin):** To date applications have been received to invoke Section 9 of the Universities Act, 1997 from Waterford Institute of Technology, Dublin Institute of Technology and Cork Institute of Technology. These applications raise significant issues regarding Government policy towards higher education, in particular the existing roles of the Universities and Institutes of Technology which have distinctive missions



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from each other, provide different levels and types of academic programmes, fulfil different roles in the community and have separate academic and governance structures.

While Dr Port's report is specifically on the Waterford application, it also provides a useful analysis of the wider context in which any application for designation as a university must be considered. The options presented in the Port Report are being examined carefully by my Department with a view to developing specific proposals on the appropriate next steps in the context of the wider considerations involved. I intend to present proposals to Government in this regard in the coming weeks.

### **School Transport.**

350. **Deputy Niall Collins** asked the Minister for Education and Science the position regarding a matter (details supplied). [16107/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The Agreed Programme for Government includes a commitment to review the school transport system including catchment boundaries. My Department is currently developing proposals for progressing this commitment and the intention is to make substantial progress during the current year.

351. **Deputy Niall Collins** asked the Minister for Education and Science the position in relation to a matter (details supplied); and if she will make a statement on the matter. [16108/08]

**Minister for Education and Science (Deputy Mary Hanafin):** Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre.

The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside, may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their local post-primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area. In general, catchment boundary tickets are issued on a first come, first served basis. Parents/guardians of children wishing to avail of catchment boundary transport, should liaise with their local Bus Éireann office regarding the availability of seats.

### **Schools Building Projects.**

352. **Deputy Deirdre Clune** asked the Minister for Education and Science when she will provide a new building for a school (details supplied) in County Cork. [16141/08]

**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 progression of all large scale building projects, including this project, from initial design stage through to construction phase will be

considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme.

### **School Enrolments.**

353. **Deputy Denis Naughten** asked the Minister for Education and Science the number of primary schools in County Roscommon with a waiting list for admissions; the number on the waiting list in each school; the number of places presently available from September 2008 in the respective school; and if she will make a statement on the matter. [16198/08]

354. **Deputy Denis Naughten** asked the Minister for Education and Science the number of primary schools in County Leitrim with a waiting list for admissions; the number on the waiting list in each school; the number of places presently available from September 2008 in the respective school; and if she will make a statement on the matter. [16200/08]

**Minister for Education and Science (Deputy Mary Hanafin):** I propose to take Questions Nos. 353 and 354 together.

The compulsory school starting age in a National School is 6 years of age. Enrolment in individual schools is the responsibility of the managerial authority of those schools and my Department does not seek to intervene in decisions made by schools, including decisions on criteria for enrolment and details of waiting lists for entry to primary schools. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with section 7 of the Equal Status Act 2000.

Where a Board of Management refuses to enrol a student in a school, the parent of the student or, where the student has reached 18 years of age, the student himself or herself, following the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act to appeal that decision to my Department. A committee is established to hear the appeal with hearings conducted with a minimum of formality. In most cases appeals must be dealt with within 30 days. Where appropriate, my Department may give whatever directions to the Board of Management that are considered necessary to remedy the matter complained of.

The existence of an appeals procedure serves to ensure that schools abide by their enrolment policies. Details on appealing decisions on enrolment under section 29 of the Education Act are available on my Department's website at [www.education.ie](http://www.education.ie)

The information requested by the Deputy in relation to waiting lists is not available in my Department.

### **Schools Building Projects.**

355. **Deputy Joe McHugh** asked the Minister for Education and Science when the summer works scheme which has been cancelled will resume again; and if she will make a statement on the matter. [16201/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The summer works scheme was introduced in 2004. Since its inception more than 3,000 projects costing in the region of €300 million have been completed. With so many small projects having been completed over the past few years, the concentration is on delivering as many large-scale projects as possible this year, as well as delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country.

There is not therefore a summer works scheme as part of my Department's School Building and Modernisation Programme for this year. However, I have decided that there will be a summer works programme in 2009.

#### **Teachers' Remuneration.**

356. **Deputy Joe McHugh** asked the Minister for Education and Science further to Parliamentary Question No. 671 of 2 April 2008, the way a teacher may receive the higher pay increment when the institution where he or she obtained his or her degree does not provide individual marks, and works on a pass-fail basis only; her views on meeting her Northern Ireland counterpart to discuss this serious issue; and if she will make a statement on the matter. [16211/08]

**Minister for Education and Science (Deputy Mary Hanafin):** It is a matter for each individual teacher to provide their employer with a letter from the Registrar of the UK or Northern Ireland College to verify the overall marks achieved in the course. There is an agreed procedure established within my Department for the payment of an additional allowance where a teacher obtains the Post Graduate Certificate in Education.

#### **School Staffing.**

357. **Deputy David Stanton** asked the Minister for Education and Science the number of visiting teachers employed by her Department; the number of same who work with visually impaired students; and if she will make a statement on the matter. [16221/08]

**Minister of State at the Department of Education and Science (Deputy Brendan Smith):** In the Visiting Teacher services there are 42 posts as Visiting Teacher for Travellers (VTT) and 42 posts as Visiting Teacher for Hearing and Visually Impaired (VTHVI), of which 13 posts are dedicated to visually impaired students.

Taking into account temporary appointments covering job-sharing arrangements, the numbers of visiting teachers in each service employed by my Department at this time are as follows:

- Visiting Teachers for Travellers: 45
- Visiting Teachers for hearing impaired: 32
- Visiting Teachers for visually impaired: 13

#### **Vocational Education Committees.**

358. **Deputy Willie Penrose** asked the Minister for Education and Science if she will reconsider the refusal to formerly sanction funding by Westmeath Vocational Educational Committee for a project (details supplied) in County Westmeath; and if she will make a statement on the matter. [16227/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The proposal from Co. Westmeath VEC to which the Deputy refers was considered by officials of my Department and

funding was not approved. The VEC subsequently appealed this decision, and the matter is currently being considered further by my Department. A final decision will be communicated to the VEC in due course.

### **Schools Building Projects.**

359. **Deputy Willie Penrose** asked the Minister for Education and Science the reason her Department has failed to progress a proposed new school building (details supplied) in County Westmeath despite the fact that in November 2006, it was advised that the project was to proceed to architectural planning, and since then nothing has happened; if she will take steps to have same progressed, as this school should be well into the detailed planning stage; and if she will make a statement on the matter. [16228/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The project referred to by the Deputy has advanced to the point where Schedules of Accommodation have been drawn up. These were issued for observations to the Vocational Education Committee and its response in this regard is being considered by the Department's Senior Building Inspector. While the Department is not in a position to give a timetable for the commencement of this particular project, the need for a new school building for the school in question is acknowledged by the Department. Once the Schedules of Accommodation have been finalised and agreed, the building project required to deliver the new school building will be considered in the context of the multi-annual School Building and Modernisation Programme.

### **Schools Refurbishment.**

360. **Deputy James Bannon** asked the Minister for Education and Science the measures she has put in place to advance the refurbishment of a school (details supplied); and if she will make a statement on the matter. [16369/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The proposed project referred to by the Deputy is at an advanced stage. Further progression of the project will be considered on an ongoing basis in the context of my Department's multi-annual School Building and Modernisation Programme.

### **Schools Building Projects.**

361. **Deputy Noel J. Coonan** asked the Minister for Education and Science the status of an application for funding for a school (details supplied) in County Tipperary; when she expects a decision to be made; if her attention has been drawn to the urgency of this application; and if she will make a statement on the matter. [16377/08]

**Minister for Education and Science (Deputy Mary Hanafin):** My Department is in receipt of an application for major capital funding for the school to which the Deputy refers.

The progression of all large scale building projects, including this project, from initial design stage to construction phase will be considered in an on-going basis in the context of my Department's multi-annual school Building and modernisation Programme.

362. **Deputy Richard Bruton** asked the Minister for Education and Science if she is considering the selection of an exemplar of a new school built to capitalise on technologies for a minimal carbon footprint and to incorporate best features of sustainable development which could be the Irish initiative under the OECD programme for schools of the future; and her views on inviting a school to pioneer such an approach. [16409/08]

**Minister for Education and Science (Deputy Mary Hanafin):** Rather than develop a unique focus on energy design my Department has for the last number of years taken a more holistic approach and have developed their technical guidance on energy efficiency in school designs as an integral part of the suite of technical guidance documents.

The Planning and Building Unit within my Department have been using a process called the DART approach (Design, Awareness, Research, and Technology) to develop sustainable and energy efficiency in educational buildings.

The incorporation of low energy design has been done on a hybrid basis by maximising natural resources and utilising technologies. The guidelines encourage the design team to take a complete design team approach from project conception. This involves focusing on areas such as natural ventilation, passive solar design, day lighting and reducing infiltration, enhanced insulation, lighting and heating controls and water efficiency. The policy is driven by technical guidance documents, informed by building unit professional and technical staff, external partnerships and updated by continued energy research and development.

The focus to date on sustainability in schools has been to reduce the energy demand in schools. This has proven quite successful with modern day schools typically using three times less energy than schools built ten years ago and also using less than half the energy than what is termed as good international practice for schools. The success of my Departments energy programme has been recognised by the receipt of a Taoiseach's award. In addition my Department has received a number of national and international awards.

An information package is currently being prepared for schools on the most appropriate measures to minimise excess consumption of water and to reduce wastage where it exists. As part of this exercise, technical guidance and specifications for the most common problems that are likely to arise in this area will be provided. The demand for water in schools must be minimised firstly through push type spray taps, low flushing toilets, urinal controls, repairing leaks, etc, then the potential for rainwater harvesting can be maximised by reducing the amount of mains water used to flush toilets.

There is good potential for recovering or harvesting rainwater in schools to use for flushing toilets and where feasible these systems are being provided for in new school projects. Retrofitting rainwater recovery into existing buildings is not possible without major intervention into the internal fabric and services of the building (dedicated water supply to every toilet in the building) and external drains (separating rain water and external drains and re-routing to a central collection point).

### **Higher Education Grants.**

363. **Deputy Brian Hayes** asked the Minister for Education and Science the reason a student who is eligible for a means tested student support grant, attending a university or institute of technology, does not have to pay college registration charges or student charges, where students in the same situation attending a post leaving certificate course have to pay such registration and student charges; if her attention has been drawn to this fact; the action she will take in relation to same; and if she will make a statement on the matter. [16416/08]

**Minister for Education and Science (Deputy Mary Hanafin):** My Department funds four maintenance grant schemes, three at third level, the Higher Education Grants (HEG) Scheme, the Vocational Education Committees' (VEC) Scholarships Scheme, the Third Level Maintenance Grants Scheme for Trainees (TLT) and one for students attending Post Leaving Certificate Courses (PLC).



Students who are entering approved courses for the first time are eligible for grants where they satisfy the relevant conditions as to age, residence, means, nationality and previous academic attainment.

Third Level Institutions have a Student Services Charge/ Registration Charge which is currently €825 per annum per student. This charge is levied by the institutions to defray the costs of examinations, registration and student services. All students who are eligible for a means tested student support grant have the student charge paid on their behalf by the Local Authorities or the Vocational Education Committees, in addition to any maintenance grant and tuition fee grant to which they are entitled.

As the provision of Post Leaving Certificate courses is fully funded by the State, no additional charges in the nature of the Student Service Charge at third level, should arise for the student.

Under my Department's student maintenance grant schemes, I am committed to ongoing improvements in the student support schemes including increasing the rates and income limits, as resources permit.

### **Schools Building Projects.**

364. **Deputy Finian McGrath** asked the Minister for Education and Science if she will support a project (details supplied) in Dublin 5. [16423/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The project to which the Deputy refers is currently at an early stage of architectural planning process.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme

365. **Deputy Charles Flanagan** asked the Minister for Education and Science when her Department will give approval for capital projects to facilitate a completion in the amalgamation projects of two schools (details supplied) in County Laois; the reason approval for such work has not been given to date; and if she will make a statement on the matter. [16430/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The project to which the Deputy refers is currently at an advanced stage of the architectural planning process.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme

### **Pupil-Teacher Ratio.**

366. **Deputy Terence Flanagan** asked the Minister for Education and Science if she will respond to a request (details supplied); and if she will make a statement on the matter. [16431/08]

**Minister for Education and Science (Deputy Mary Hanafin):** Class size data at national level for the school year 2007/2008 are currently being processed and are not yet available.

Schools have flexibility in the way in which they assign pupils and mainstream teachers to classes and the Department does not allocate teachers to specific classes or age groups. The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts



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sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year.

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.

As the Deputy will be aware, major improvements have been made in staffing at primary level in recent years. 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 330 such posts have been sanctioned in the 2007/08 school year compared to 280 in 2006/07.

In the primary sector alone, there are now in the region of 6,000 more teachers on the Department's payroll than there were in 2002. Extra teachers have been provided in the 2006/07 and 2007/08 school years specifically to reduce class sizes. The Programme for Government contains a commitment to provide 4,000 additional primary teachers between 2007 and 2012. With the extra teachers already put in place this year and those provided for in the Budget, we are ahead of target with about 2,000 extra primary teachers to be delivered within just two years.

Over the lifetime of the Government, we are committed to providing more primary school teachers specifically to reduce class sizes. 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.

### **English Language Support.**

367. **Deputy Brian Hayes** asked the Minister for Education and Science the number of students in primary and post primary education where English or Irish is not their first language; the figures for the past three years; if she will provide an estimate of the number of newcomer children within the educational system; and if she will make a statement on the matter. [16433/08]

**Minister for Education and Science (Deputy Mary Hanafin):** It is estimated that there are in the region of 28,000 children in first and second level schools in receipt of English language support in the current school year because English or Irish is not their first language. The corresponding figures for the previous two years are 23,500 and 14,400 respectively.

### **Schools Building Projects.**

368. **Deputy Niall Blaney** asked the Minister for Education and Science if she will give approval for a school (details supplied) to proceed with a new school; and if she will make a statement on the matter. [16437/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The project to which the Deputy refers is currently at an early stage of the architectural planning process.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme.

### **Departmental Funding.**

369. **Deputy Edward O'Keefe** asked the Minister for Education and Science the grant aid available from her Department in respect of a group (details supplied) in County Cork who need funding. [16460/08]

**Minister for Education and Science (Deputy Mary Hanafin):** In assessing applications for funding, consideration is given to Department supported interventions already in place in the areas concerned so as to avoid duplication of effort and resource. My Department currently supports the educational element of eight Teenage Parenting Support Projects under the Health Services Executive's Teenage Parenting Support Initiative in Galway, Limerick, Louth, Coolock, Donegal, Carlow, Cork and Dublin. These projects continue to be its priority.

Funding has been committed in 2008 to the 8 Teenage Parenting Support projects as a specific gender element of the School Completion Programme under DEIS in preventing early school leaving among teenage mothers. Links have been established between local School Completion projects in these areas, assisted by the SCP National Coordination Team and the Teenage Parenting Support Initiative Coordinators. The aim of these projects is to enable young women who are pregnant and young mothers to stay in second level education and to progress on to third level education or training. The Project does this by providing individual support, information and grinds where necessary. Young people participating in Teen Parenting Support Programmes are targeted in-school, out-of-school and in higher /further education, giving them the opportunity to reach their full potential through continued participation in education and training. This will improve their life opportunities and reduce the likelihood of the young family experiencing poverty and social exclusion and being long-term dependants on state support.

Single parents are target-groups of two Further Education programmes, the Back to Education Initiative (BTEI) and the Vocational Training Opportunities Scheme (VTOS). Grants towards the cost of childcare are given to VECs to be used to assist with the provision of childcare support for learners in the Vocational Training Opportunities Scheme, Youthreach, Senior Traveller Training Centres and in the Back to Education Initiative. The aim of this support is to attract people whose attendance is currently prevented by childcare responsibilities to enrol on these programmes. Parents and guardians generally may avail themselves of these grants.

Greater affordability of childcare, linked to the creation of additional childcare places, has been a key principle in both the previous and current National Development Plans. This Government has provided unprecedented levels of funding for childcare in recent years. €499.3 million was allocated to the Equal Opportunities Childcare Programme (EOCP) 2000-2006 and some 41,000 places will have been created by the time the programme finishes. Under the

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Equal Opportunities Childcare Programme, the group referred to by the Deputy received capital funding of €147,306.00. It also received staffing grants of €31,200 in 2007 under the National Childcare Investment Programme's interim staffing arrangements.

Going forward, childcare provision will continue to attract substantial investment under the new National Childcare Investment Programme 2006-2010. €575m has been allocated to the new programme, which will be administered by the Office of the Minister for Children and aims to provide a proactive response to the development of quality childcare services by supporting the creation of an additional 50,000 places. This Government also introduced the Early Childhood Supplement of €1000 per child under six to help parents with childcare costs.

The Government discussion paper, "Proposals for Supporting Lone Parents," put forward proposals for the expanded availability and range of education and training opportunities for lone parents; the extension of the National Employment Action Plan to focus on lone parents; focused provision of childcare; improved information services for lone parents and the introduction of a new social assistance payment for low income families with young children.

A working group, comprised of officials from across a range of Government Departments, on which my Department is represented, is currently working on an implementation plan to progress the non-income recommendations. Work on the development of this implementation plan is progressing. Issues including access to childcare support, education, training and activation measures continue to be discussed with the relevant Departments and Agencies.

### **Schools Building Projects.**

370. **Deputy Paul Gogarty** asked the Minister for Education and Science when she next expects to be in a position to sanction new building works under the school building and modernisation programme; and if she will make a statement on the matter. [16474/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The main emphasis in 2008 is on providing sufficient school places in rapidly developing areas as well as delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country.

On the 1st February last I announced the first phase of projects that will commence construction during 2008 and 2009. My announcement included details of the 18 large scale building projects approved for construction and a further 30 primary school projects in rapidly developing areas. Details of the projects approved can be viewed under the Press Release section of my Department's website at [www.education.ie](http://www.education.ie).

It is my intention to make a further announcement shortly and to provide an update on progress for the new schools planned for September 2008 delivery in developing areas.

### **Schools Refurbishment.**

371. **Deputy Paul Gogarty** asked the Minister for Education and Science if she is satisfied that conditions at a school (details supplied) in Dublin 20, where there are problems with leaking roofs, rising damp, overcrowding, and a faulty heating system as a result of which the school has had to rely on gas heaters unsuitable for use in crowded conditions with a large number of children, are of an acceptable standard; and if she will make a statement on the matter. [16475/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The project to which the Deputy refers is currently at a very advanced stage of the architectural planning process. The pro-

gression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme.

372. **Deputy Shane McEntee** asked the Minister for Education and Science when the school yard for a school (details supplied) in County Meath will be restored; the timeframe for the completion of the project; and if she will make a statement on the matter. [16485/08]

**Minister for Education and Science (Deputy Mary Hanafin):** An application for funding in respect of yard works has been received from the school referred to by the Deputy. This application is under examination at present and the school management will be informed of the outcome as soon as possible.

### Departmental Staff.

373. **Deputy Olwyn Enright** asked the Minister for Education and Science if he will provide in tabular form, details regarding the numbers of civil servants awaiting transfer to locations within the Laois-Offaly area, including Nenagh, Athlone and Mullingar; and if she will make a statement on the matter. [16491/08]

**Minister for Education and Science (Deputy Mary Hanafin):** My Department is decentralising to Athlone and Mullingar and holds details of the number of civil servants who have made 1st preference CAF applications to relocate to these locations. The table below gives details of the numbers who have accepted offers from my Department to decentralise to Athlone or Mullingar.

The decentralisation to Athlone is underway at present and could be completed during the summer. It is expected that the decentralisation to Mullingar will take place in 2010 when the new building for my Department is ready for occupation.

	Assigned to decentralising post and relocated	Assigned to post to decentralise; awaiting relocation	To be assigned to a post to decentralise on the basis of CAF application	
Athlone	17.00	56.00	16.00	89.00
Mullingar	0.00	127.00	98.00	225.00

### Third-Level Fees.

374. **Deputy Brian O'Shea** asked the Minister for Education and Science the proposals she has to extend free fees at third level education to students who are the children of non EU citizens who are legally working in the State; and if she will make a statement on the matter. [16495/08]

**Minister for Education and Science (Deputy Mary Hanafin):** Under the terms of my Department's Free Fees Initiative the exchequer meets the tuition fees of full-time eligible students. The main conditions are that students must (a) be first-time undergraduates; (b) hold E.U. nationality; and (c) have been ordinarily resident in an E.U. Member State for at least three of the five years preceding their entry to an approved third level course. Students with official refugee status in the State who meet the criteria of the scheme may also be considered under the Free Fees Initiative.

I have no plans to extend the scheme, as suggested by the Deputy.

### School Transport.

375. **Deputy Andrew Doyle** asked the Minister for Education and Science if it is possible to transfer a school transport service being provided under the closed school amalgamation rule to another school in the area when the service is no longer required for the original designated school. [16503/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of the Primary School Transport scheme pupils are eligible for free transport if they reside 3.2 kilometres or more from, and are attending, their nearest national school or school of amalgamation. In the case of amalgamations, pupils residing in a closed school area, may be deemed eligible for transport to the school of amalgamation only.

If the Deputy wishes to supply details in relation to the schools concerned, my Department may be in a position to provide further information.

### Schools Building Projects.

376. **Deputy Pádraic McCormack** asked the Minister for Education and Science the position in relation to the construction of a new school building (details supplied) in County Galway; if this school is included in the school building and modernisation programme for 2008; when this project will progress to the next stage; and if she will make a statement on the matter. [16505/08]

**Minister for Education and Science (Deputy Mary Hanafin):** My Department recently approved the Stage 3 submission for this project. The further progression of the project will be considered on an on-going basis in the context of my Department's Multi-Annual School Building and Modernisation Programme.

### Higher Education Grants.

377. **Deputy Ruairí Quinn** asked the Minister for Education and Science when a person (details supplied) in Dublin 11 will be approved for the higher education grant, as they are being allowed to remain here under section 3 of the Immigration Act 1999; and if she will make a statement on the matter. [16510/08]

**Minister for Education and Science (Deputy Mary Hanafin):** Correspondence in respect of the person referred to by the Deputy was received in the Higher Education — Equity of Access Unit of my Department. These papers are currently under consideration and a response will issue to the candidate as soon as this process is completed.

### School Accommodation.

378. **Deputy Charles Flanagan** asked the Minister for Education and Science the action her Department will take to secure permanent accommodation for a school (details supplied) in County Laois; and if she will make a statement on the matter. [16516/08]

**Minister for Education and Science (Deputy Mary Hanafin):** My Department is examining options for the provision of permanent accommodation for the school to which the Deputy refers. The school authorities will be informed of any progress in this regard.

### Official Engagements.

379. **Deputy Leo Varadkar** asked the Minister for Education and Science the meetings, in

Ireland or abroad, she has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if she will make a statement on the matter. [16528/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The information requested is not readily available in my Department. However, I will arrange for the information to be forwarded to the Deputy as soon as possible.

### **Schools Building Projects.**

380. **Deputy Joan Burton** asked the Minister for Education and Science if a site or sites have been acquired or are in the process of being acquired in the Kellystown area of Dublin 15 for primary and secondary schools; if agreement on the acquisition of such sites has been concluded, the price agreed; if such agreements have not been concluded, the discussions that have taken place with property owners in the Kellystown area with a view to securing such agreement; the price parameters or guidelines that have been discussed; if reports that preparation of such sites in advance of commencing construction are accurate; and if she will make a statement on the matter. [16541/08]

**Minister for Education and Science (Deputy Mary Hanafin):** As the Deputy may be aware, the Department is progressing the acquisition of a number of sites under the Fingal School Model Agreement.

The Fingal School Model is an agreement reached with Fingal County Council and is a partnership approach to fast-track the delivery of schools and community facilities throughout the Fingal Area. The intention is that the agreed approach will match the rapid pace of housing development in the area with the delivery of schools while at the same time providing important facilities for community use.

A site has been identified in Kellystown for the delivery of phase one of the primary provision to be made for the area and the Department intends, subject to finalisation of legalities surrounding site acquisition, to relocate an existing school in temporary accommodation to the new school 16 classroom school building in Kellystown for September 2008 to meet the demand for school places.

The Department intends to acquire further land for the provision of a post primary school in due course.

A number of sites being acquired under the Fingal School Model are at varying stages of acquisition including the site at Kellystown and, as the Deputy will appreciate, due to commercial sensitivities relating to site acquisition, I am not in a position to comment further at this time.

### **School Accommodation.**

381. **Deputy Charlie O'Connor** asked the Minister for Education and Science if special consideration is being given to the accommodation needs of a school (details supplied) in Dublin 24; if she will give assurances to pupils, staff, parents and the local community that positive action will be taken; and if she will make a statement on the matter. [16581/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The Stage 3 documentation for the project referred to by the Deputy is currently being examined by my Department's Technical Staff.



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The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department's multi-annual School Building and Modernisation Programme.

382. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamentary Question No. 1064 of 30 January 2008, if a decision has been made on the proposed costs submitted by a school authority (details supplied) in County Clare; when a decision will be made on the application; and if she will make a statement on the matter. [16590/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The rental of temporary accommodation at the school referred to by the Deputy has been approved by my Department and the school has been informed accordingly.

383. **Deputy John Deasy** asked the Minister for Education and Science if she will ensure that an application for the replacement of a roof under the capital grant aid for emergency works is approved as quickly as possible for a school (details supplied) in County Waterford in view of the health and safety issue involved for both students and staff and the deterioration of the building from falling slates and internal leaks; and if she will make a statement on the matter. [16618/08]

**Minister for Education and Science (Deputy Mary Hanafin):** My Department has received an application for roof works at the school referred to by the Deputy.

This application is currently being assessed and a decision on the matter will be made shortly. The school authorities will be informed of the outcome as soon as possible.

#### **Education Schemes.**

384. **Deputy Michael D. Higgins** asked the Minister for Education and Science if, further to a meeting (details supplied) at which an understanding was reached as to an investigation which would be made on the sourcing of funding for a project in Galway, funding will be provided. [16666/08]

**Minister of State for the Department of Education and Science (Deputy Seán Haughey):** I recently met with a deputation from the Young Mothers in Education Project in question. The group briefed me on their work and their financial support needs. While I took note of the work of the group and their needs, I explained that their application for funding under my Department's Special Projects for Youth Scheme would be considered, in conjunction with all other applications for similar funding from around the country having regard to the financial resources available, existing provision for interventions of this nature in the area, and to ongoing commitments for funding in 2008.

The process of determining my Department's financial allocations to the Youth Work Sector for 2008 is still underway. I expect that this process will be completed shortly. All Administering Agencies will then be notified of the outcome as appropriate.

#### **State Examinations.**

385. **Deputy Beverley Flynn** asked the Minister for Education and Science if an application by a person (details supplied) in County Mayo to sit the leaving certificate as an external student. [16686/08]

**Minister for Education and Science (Deputy Mary Hanafin):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and determining procedures in places where examinations are conducted.

In view of this, I have forwarded the query to the State Examinations Commission for direct reply to the Deputy.

#### **Defence Forces Recruitment.**

386. **Deputy Ciarán Lynch** asked the Minister for Defence if it is his understanding that form AF340, which provides consent to release Garda information under the Data Protection Act 1988, also covers the release of medical information to Army authorities; if it is appropriate that a member of the Defence Forces should seek the release of the medical history of an applicant on the basis of this form; and if he will make a statement on the matter. [15995/08]

**Minister for Defence (Deputy Willie O’Dea):** Day-to-day administration of recruitment to the Defence Forces is the responsibility of the Chief of Staff. I have been informed by the Military Authorities that the Defence Forces ceased using the form AF340 on 1st February 2008 and now use the Garda Vetting Application Form. The form permits the applicant to give consent to the Garda Síochána to furnish to the military authorities a statement about the applicant. There is no provision for seeking medical information on the basis of the AF340 or the new Garda Vetting Application Form.

#### **Naval Service Vessels.**

387. **Deputy Michael D. Higgins** asked the Minister for Defence if, in future, when civilian ships have to be chartered to transport units of the Defence Forces or their equipment to and from overseas missions and a vessel that is not in conformity with Article 91 of UNCLOS has to be used, he will take firm and decisive steps to ensure, before any contractual commitments are entered into by the State, that the terms and conditions of employment for the crew are set by a collective bargaining agreement of a type approved by the International Transport Workers Federation, such approval by the ITF being the normal quality assurance procedure and practice worldwide for maritime collective bargaining agreements. [16024/08]

**Minister for Defence (Deputy Willie O’Dea):** The requirement for the Defence Forces to charter civilian ships normally arises in the context of the logistical transport of military equipment abroad for the purpose of participation in peacekeeping and peace support operations. The most recent charter was the MV Zeran, which was used to transfer military equipment to Chad.

I am advised that all ships chartered by the Defence Forces meet the full international standard in terms of condition, certificates, employment conditions and capability and this will continue to be the case for any future charters.

#### **Departmental Expenditure.**

388. **Deputy Leo Varadkar** asked the Minister for Defence if his Department has a certificate guaranteeing that the software used on all computers within his Department is fully paid for; and if he will make a statement on the matter. [16071/08]

**Minister for Defence (Deputy Willie O’Dea):** The procurement of software for my Department and the Defence Forces is carried out in accordance with government procurement and

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accounting procedures, from initial order to final payment. Within these procedures, the issue of certification does not arise.

### **Departmental Surveys.**

389. **Deputy Bernard Allen** asked the Minister for Defence if he proposes to set up an independent expert to lead a study on the way medical services for the Defence Forces might best be delivered. [16088/08]

**Minister for Defence (Deputy Willie O’Dea):** Military medical services and facilities exist to maintain the health of the Defence Forces and to support them in operational and overseas activities. The focus of the military medical service is on primary care, occupational medicine, acute trauma management, preventative medical programmes and field medical training.

The challenges in the medical arena have been recognised for some time and a review of the provision of medical services, in association with the Representative Associations, is ongoing as part of the Modernisation Agenda for the Defence Forces. The scope of the review includes the level of service to be provided to members of the Defence Forces and the resources required for the delivery of that service.

The review has already produced a Patients Charter. The agreement on the Patients Charter identifies the rights of members of the Defence Forces as patients and their obligations as users of the Defence Forces medical services. It also identifies the obligations on the providers of the services. The implementation of the Patients Charter is under way.

In view of the complexity of the challenge to resolve the structural, resource and other issues facing the Medical Corps and the need for concrete steps, I have decided to engage consultants to make recommendations on the best means of meeting the medical requirements of the Defence Forces. The consultancy will deal with all relevant issues affecting the sustainable provision of the relevant medical expertise and services to the Defence Forces.

The closing date for receipt of tenders for the provision of consultancy services was the 18 April 2008. Tender documents are currently being evaluated.

The development of the capacity of the Medical Corps forms part of the agreed programme for Government. I am committed to providing a sustainable medical service to meet the needs of the Defence Forces both at home and abroad.

### **Departmental Expenditure.**

390. **Deputy Dan Neville** asked the Minister for Defence the cost of preparing, printing and delivering the programme planning for major emergencies. [16120/08]

391. **Deputy Pat Breen** asked the Minister for Defence if he will report on the cost of publication and distribution to householders of the handbook Preparing for Major Emergencies; and if he will make a statement on the matter. [16194/08]

393. **Deputy Michael D’Arcy** asked the Minister for Defence the amount it cost to have the emergency booklets recently sent out to all households here published; the amount it cost to distribute them; the amount spent and that will be spent on media advertising; the total cost involved; and if he will make a statement on the matter. [16445/08]

**Minister for Defence (Deputy Willie O’Dea):** I propose to take Questions Nos. 390, 391 and 393 together.

On Monday 14th April 2008, An Taoiseach, Mr. Bertie Ahern T.D., launched a Public Information and Awareness Campaign on Emergency Planning at the National Emergency Coordination Centre. The main focus of the campaign was the publication and distribution of a handbook — ‘Preparing for Major Emergencies’.

The handbook was distributed to every household in the country and an advertisement campaign was undertaken to let people know that it was on the way and to encourage everyone to read it. Advertisements were placed in the print media, on radio and on outdoor billboards.

While the full costs associated with the preparation and implementation of the campaign are not yet available, I estimate that it will be approximately €2.1 million. This figure includes the cost of design, printing and distribution of 1.8 million handbooks and the associated media advertising costs and other support costs. It also includes the cost of designing the website [www.emergencyplanning.ie](http://www.emergencyplanning.ie)

### **Industrial Relations.**

392. **Deputy John Cregan** asked the Minister for Defence the date it is expected the negotiations between PDFORRA and his Department under the conciliation and arbitration scheme on payment of the permanent instructors allowance to qualified MT instructors with the transport company, Collins Barracks, Cork, will be finalised; and if he will make a statement on the matter. [16360/08]

**Minister for Defence (Deputy Willie O’Dea):** A claim for payment of permanent Instructors Allowance to qualified Motor Transport Instructors with the Transport Company, Collins Barracks, Cork was received from the Permanent Defence Force Other Ranks Representative Association under the Conciliation and Arbitration Scheme (C&A scheme) for members of the Permanent Defence Force. The claim has been the subject of correspondence between the Department and the Representative Association. The Deputy will appreciate that as discussions under the C&A scheme are confidential to the parties involved it would not be appropriate for me to comment further on the matter at this time.

*Question No. 393 answered with Question No. 390.*

### **Overseas Missions.**

394. **Deputy Billy Timmins** asked the Minister for Defence the position in relation to a matter (details supplied); and if he will make a statement on the matter. [16453/08]

396. **Deputy Jimmy Deenihan** asked the Minister for Defence if his attention has been drawn to the concerns expressed by some medical practitioners about the side effects of a drug (details supplied) which will be used by the Irish mission to Chad especially its neuropsychiatric side effects; and if he will make a statement on the matter. [16515/08]

**Minister for Defence (Deputy Willie O’Dea):** I propose to take Questions Nos.394 and 396 together.

The drug in question is considered one of the most effective anti-malaria drugs for the type of malaria our troops are exposed to in Chad and C.A.R. Troops being administered the drug are informed of its effects and its use is closely monitored by the military medical authorities. The Military Authorities have assured me that they are fully aware of the drug’s neuropsychiatric effects.

### **Defence Forces Property.**

395. **Deputy Deirdre Clune** asked the Minister for Defence if he will report on negotiations between his Department and Cork County Council regarding Department owned land (details supplied) in County Cork; and if he will make a statement on the matter. [16473/08]

**Minister for Defence (Deputy Willie O’Dea):** The property in question is surplus to military requirements and consideration is being given to its disposal. In this connection, Cork County Council has been contacted to ascertain if the Council would have an interest in acquiring the property. The matter remains under consideration in my Department.

*Question No. 396 with Question No. 394.*

### **Official Engagements.**

397. **Deputy Leo Varadkar** asked the Minister for Defence the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16527/08]

**Minister for Defence (Deputy Willie O’Dea):** I understand that eight countries in the EU are not currently members of the Organisation for Economic Co-operation and Development (OECD). These are Bulgaria, Cyprus, Estonia, Latvia, Lithuania, Malta, Romania and Slovenia. Both Estonia and Slovenia have begun accession talks, which will ultimately lead to membership of the organisation.

I am constantly in touch with all my EU colleagues both in the context of European Defence and Security and other matters. Two (2) official meetings of EU Defence Ministers are held during each six (6) month EU Presidency. These present the opportunity to engage in bi-lateral meetings with my defence colleagues. The most recent meeting I attended was the General Affairs and External Relations Council (GAERC) meeting in Brussels on 19 November 2007. The discussions at the meeting covered a wide range of European Defence and Security issues.

I also avail of other opportunities to facilitate discussions with my EU colleagues. During my visit to Sweden on 7 November 2007 to attend the Final Exercise (FINEX) of the Nordic Battlegroup, I met with the Defence Ministers of Sweden, Finland, Norway and Estonia, the other four nations contributing to the Battlegroup.

During the past three years I have visited Liberia, Lebanon, Bosnia and Herzegovina and Kosovo to meet with members of the Permanent Defence Force serving on overseas peace support operations in these countries. During my visit to Liberia in 2006, I met with President Ellen Johnson-Sirleaf on 1 March 2006. When visiting Lebanon last year, I met with the Lebanese Minister for Defence, Mr Elias Murr on 27 February 2007. My most recent visit was to Kosovo last week where I met with Mr Hajredin Kuqi, the Deputy Prime Minister of Kosovo.

In addition to the above, I have had formal meetings in Ireland with Mr Saurabh Kumar, Ambassador of India on 22 March 2005; Dr. Nilda Garré, Argentinean Defence Minister and Ambassador Marcelo E. Huergo on 27 September 2006; and the Bulgarian Ambassador on 21 November 2006. I have also met with various State representatives at various receptions here in Ireland.

**Requests for Support.**

398. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a request (details supplied). [16223/08]

428. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding a matter (details supplied). [16222/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I propose to take Questions Nos. 398 and 428 together.

I can inform the Deputy that the concerns referred to are currently under active consideration.

**Crime Levels.**

399. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform the breakdown of the convictions for drink driving in respect of blood, urine and breath samples in each of the years 2000 to 2007 inclusive; and if he will make a statement on the matter. [15934/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** Following the submission 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. The CSO has published crime statistics since the third quarter of 2006.

I have requested the CSO to provide the statistics sought by the Deputy directly to him.

**Garda Deployment.**

400. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform the number of gardaí and the location of each Garda Traffic Corp unit for each year since 2005 to date in 2008; the number of both marked and unmarked vehicles in each unit since 2005 to date in 2008; and if he will make a statement on the matter. [15935/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I am informed by the Garda authorities that the personnel strength of the Garda Traffic Corps and the number of marked and unmarked vehicles allocated to the Traffic Corps at each year end from 2005 to 2007 and at 31st March, 2008 are as set out in the following tables.

In addition to the 941 members of the traffic corps as at 31st March, 2008, there are a further 18 Gardaí (all ranks) allocated to regional and national traffic units.

Traffic Corps Personnel

Division	31/12/05	31/12/06	31/12/07	31/03/08
DMR South Central	17	28	25	25
DMR Southern	19	20	22	20
DMR Northern	18	18	18	18
DMR West	18	20	20	22
DMR North Central	16	18	23	22
DMR Eastern	17	19	22	22
DMR Traffic	138	136	151	148



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Division	31/12/05	31/12/06	31/12/07	31/03/08
Louth/Meath	28	46	57	60
Longford/Westmeath	14	26	36	34
Laois/Offaly	15	27	39	37
Carlow/Kildare	21	28	47	52
Wexford/Wicklow	16	29	41	37
Waterford/Kilkenny	16	31	44	48
Tipperary	13	22	27	27
Cork City	25	39	49	51
Cork North	14	26	36	35
Cork West	11	18	23	23
Kerry	15	23	30	30
Limerick	17	25	32	31
Clare	13	19	29	28
Galway West	23	30	34	31
Galway East/Roscommon	16	22	27	27
Mayo	16	23	26	26
Sligo/Leitrim	15	24	25	26
Donegal	23	30	30	29
Cavan/Monaghan	16	25	33	32
<b>Total</b>	<b>570</b>	<b>772</b>	<b>946</b>	<b>941</b>

Traffic Corps Vehicles

Division	31/12/2005		31/12/2006		31/12/2007		31/03/2008	
	Marked	Unmarked	Marked	Unmarked	Marked	Unmarked	Marked	Unmarked
DMRSouth Central	11	0	11	0	14	0	12	0
DMR Southern	12	0	13	1	10	0	11	0
DMR Northern	11	1	9	2	9	2	9	2
DMR West	8	1	8	1	8	1	7	1
DMR North Central	11	0	12	2	14	1	14	1
DMR Eastern	8	0	6	0	6	0	5	1
DMR Traffic	57	6	51	8	67	8	66	8
Louth/Meath	12	0	14	2	16	2	16	1
Longford/Westmeath	4	1	7	2	9	2	9	2
Laois/Offaly	5	1	6	1	10	1	11	1
Carlow/Kildare	6	0	10	1	9	1	11	1
Wexford/Wicklow	4	0	4	1	10	1	11	1
Waterford/Kilkenny	6	2	7	3	10	3	10	3
Tipperary	4	0	4	1	9	1	10	1
Cork City	12	0	13	1	16	2	18	2
Cork North	5	0	6	1	8	2	10	2
Cork West	3	1	3	1	7	1	7	1
Kerry	3	1	4	2	6	1	7	1
Limerick	4	0	5	2	10	1	11	2
Clare	4	0	4	0	7	1	7	1
Galway	4	1	6	2	9	3	11	2
Roscommon/Galway East	4	0	5	0	6	1	7	1

Division	31/12/2005		31/12/2006		31/12/2007		31/03/2008	
	Marked	Unmarked	Marked	Unmarked	Marked	Unmarked	Marked	Unmarked
Mayo	4	0	5	0	11	1	11	1
Sligo/Leitrim	7	0	6	2	14	3	14	3
Donegal	7	0	10	1	8	0	7	0
Cavan/Monaghan	7	2	5	2	10	2	13	2
Totals	223	17	234	39	313	41	325	41
	240		273		354		366	

### Registration of Title.

401. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform if he will review, by way of order, land registry fees in respect of Land Registry Dealings; and if he will make a statement on the matter. [15946/08]

402. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform if the Land Registry Service are operating on a self-financing basis; if the Land Registry made a profit in 2007; and if he will make a statement on the matter. [15947/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I propose to take Questions Nos. 401 and 402 together.

I can inform the Deputy that under the Registration of Deeds and Titles Act, 2006 the Property Registration Authority was established with responsibility for the management and control of both the Land Registry and the Registry of Deeds. In accordance with Section 21 of this Act, which replaced Section 4 of the Registration of Titles Act 1964, the Minister for Justice, Equality and Law Reform, with the consent of the Minister for Finance, may by order fix the fees to be charged by the Property Registration Authority for its services.

As the Deputy may be aware, the current Land Registry fees order came into operation on 1 May, 2000 and has since only been amended to reflect the euro changeover. Work is currently underway on the introduction a new order, with the intention being to restructure the fee arrangements to take account of the Registry's up to date operational and strategic needs.

The Act provides for the Authority to operate on a self-financing basis, and I can confirm that this was the case in 2007. Cash fee receipts exceeded cash outlay in that year. However, it would be misleading to compare fee income with cash outlay only for the purposes of determining whether the Authority operated on a self-financing basis. For example, any such determination would have to include the full costs, including indirect costs, of items such as pension provision, services from other Departments and so on.

### Residency Permits.

403. **Deputy James Bannon** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in Dublin 11, who first came to Ireland from the US ten years ago and, who has been in a relationship with an Irish citizen since 2001, has had an application for residency refused which was applied for since leaving college, despite being offered a job; if he has discretionary powers to grant residency on the basis of a proven long-term, de facto relationship; and if he will make a statement on the matter. [15951/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The Immigration Division of my Department received an application from the person referred to by the Deputy

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on the 15th April 2008. Prior to this, the Immigration Division has no record of any application received/refused in respect of her.

There are no provisions in Irish immigration law or procedure, or indeed EU law, whereby a non-EEA national may obtain permission to reside in the State on the basis of a relationship with an Irish national, except where the person in question is the spouse or an immediate dependent family member of the Irish national in question. However, it is open to any non-national to make an application to be allowed reside in the State and the nature and duration of that person's relationship with an Irish national, as well the person's capacity to support himself or herself without recourse to public funds, would be taken into account in determining whether or not permission would be granted.

### **Asylum Applications.**

404. **Deputy John Curran** asked the Minister for Justice, Equality and Law Reform the status of a person (details supplied) in Dublin 22 who arrived here with their brother and father from Nigeria in 2005. [15962/08]

**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 the application will be made upon receipt of the recommendation of the Refugee Applications Commissioner.

### **Residency Permits.**

405. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform his views on an application by a person (details supplied) in County Laois who were told that they did not fulfil the requirement under section 15A of the Irish Nationality and Citizenship Act 1956 in view of the fact that the applicant has been in the State since May 2002 and married on 18 March 2003; and if he will make a statement on the matter. [15981/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** Officials in the Citizenship Section of my Department have reviewed the file of the person in question and advise me that an error was made in calculating her total reckonable residency. My officials will write to the person concerned in the coming week to explain the occurrence. The person's file will be submitted to me for decision in the near future. I will advise the Deputy and the person in question when I have reached a decision on the application.

### **Crime Prevention.**

406. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the progress made in relation to the roll-out of Garda youth diversion programmes; and when the next announcement of further areas to benefit from the programme will be made. [16020/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** Part 4 (Sections 17-51) of the Children Act 2001, as amended, provides the legislative framework for the Garda Diversion Programme. The Programme operates under the general superintendence and control of the Garda Commissioner. As the Deputy is aware, it is the responsibility of the Garda Commissioner to decide on the prioritisation and allocation of resources within the force. The Commissioner has indicated that, subject to operational demand, he will increase the resources

available to the Garda Juvenile Diversion Programme. As of 31 March 2008, the number of Juvenile Liaison Officer (JLO) positions was 102. The Garda Commissioner has given a commitment to appoint an additional 21 JLOs by 2010.

Operating separately to, but in tandem with, the statutory Diversion Programme are the Garda Youth Diversion Projects, which are funded by my Department through the Irish Youth Justice Service. These 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. There are currently 100 of these type of projects operating throughout the country and this number will be extended over the next few years to 168, in line with the commitment in the Agreed Programme for Government. The Garda Commissioner has indicated that it is anticipated that between 15 and 16 projects will be recommended for establishment each year over the next four years and that 15/16 applications will be forwarded to me during the third quarter of this year. Additional resources have been allocated to fund the expansion of these projects with funding set at €11.909 million for 2008 out of a total of €120 million allocated under the National Development Plan 2007-2013.

### **Asylum Applications.**

407. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the basis on which somebody from New Zealand with a legitimate work permit would be considered by his office to be asylum seeker; and if he will make a statement on the matter. [16031/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The statutory framework governing the asylum determination process in Ireland is as follows:

The Refugee Act 1996 established two independent statutory offices to consider applications and appeals in respect of refugee status and to make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. These offices are the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT).

Section 8 (1)(a) of the 1996 Act provides that “A person who arrives at the frontiers of the State seeking asylum in the State or seeking the protection of the State against persecution or requesting not to be returned or removed to a particular country or otherwise indicating an unwillingness to leave the State for fear of persecution — (i) shall be interviewed by an immigration officer as soon as practicable after such arrival, and (ii) may apply to the Minister for a declaration”. Accordingly, every asylum applicant is guaranteed an investigation and determination of his or her claim at first instance by the Refugee Applications Commissioner and, where necessary, an appeal with the statutorily independent Refugee Appeals Tribunal. Without the provision of additional information from the Deputy, I am not in a position to elaborate further.

### **Departmental Bodies.**

408. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform his views as an interim measure, pending the report of the high level interdepartmental committee on multi-unit developments, on imposing a requirement on management companies and management agents to provide clear and immediate information on their operations to the occupants, both collectively and individually, of multi-unit developments for which they have undertaken management responsibilities; and if he will make a statement on the matter. [16033/08]

409. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the number of occasions on which the inter-departmental committee on multi-unit Developments, which is chaired by his Department, has met to date; the date it last met; and when the committee is scheduled to issue its final report. [16034/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I propose to take Questions Nos. 408 and 409 together.

The position is that the Law Reform Commission has indicated that it will publish, as soon as possible, its Report on Multi-Unit Developments which, following an extensive consultation process, will contain definitive reform proposals concerning the regulation and governance of property management companies.

The high-level interdepartmental committee, under the chairmanship of my Department and comprising representatives of relevant Departments and Offices, met on eight occasions during 2007 to review the issues raised in the Law Reform Commission's Consultation Paper. The committee is now awaiting publication of the Commission's Report and will then proceed to examine its definitive recommendations for reform. The key task of the committee will be to identify the legislative and other actions to be taken in response to the Commission's reform recommendations and to determine a timescale for their implementation. This committee is reporting to a Cabinet Committee whose membership comprises the Ministers for Justice, Equality and Law Reform; Environment, Heritage and Local Government; Enterprise, Trade and Employment and the Attorney General.

Pending publication of the Commission's Report it would not be feasible to enact legislation to give effect to interim measures. The Government has already directed that early action be taken by the relevant Departments to address the Commission's recommendations; the types of action to be taken will, of course, be dependent on the form that the recommendations take.

#### **Law Reform.**

410. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if he will establish a working group to reform the law to ensure that transgendered people are given recognition by the State; and if he will make a statement on the matter. [16043/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I assume the Deputy is referring to the system of registration of births. Responsibility for the system is a matter for the Department of Social and Family Affairs.

#### **Citizenship Applications.**

411. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform when he expects applications for persons (details supplied) for citizenship to be decided on; and if he will make a statement on the matter. [16044/08]

**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 May 2007. Officials in the Citizenship section have recently requested further documents in respect of the first two persons mentioned, who are minors. These applications will be further examined on receipt of these documents. Officials in that section are currently processing applications received in August 2005 and have approximately 11,900 applications on hand to be dealt with before that of the third 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 late 2009. I will inform the Deputy and the persons concerned when I have reached a decision on these applications.

412. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform when he expects naturalisation applications for persons (details supplied) to be decided on; and if he will make a statement on the matter. [16045/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** Applications for certificates of naturalisation from the first two people mentioned in the Deputy's question were received in the Citizenship section of my Department in August 2006. An application from the third person mentioned was received in August 2007. In June 2007 applications from the fourth and fifth persons (the latter of whom is a minor) were received.

Officials in that section are currently processing applications received in August 2005 and have approximately 6,400 applications on hand to be dealt with before those of the first two persons concerned, 14,200 before that of the third person concerned and 13,600 before that of the fourth person in question.

All applications are generally dealt with in chronological order as this is deemed to be the fairest to all applicants. However, due to the fact that applications on behalf of minors generally require less processing than standard adult applications, it is usually possible to finalise them more quickly. It is likely, therefore that further processing of the applications of the first two persons and the minor will commence in early 2009 and processing of the applications of the third and fourth persons mentioned will commence in early 2010. I will inform the Deputy and the individuals concerned when I have reached a decision on the applications.

413. **Deputy Niall Collins** asked the Minister for Justice, Equality and Law Reform the position of an application by a person (details supplied). [16050/08]

**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 January 2008. The application has not been examined in detail. Examination of the residency requirement will take place in the near future and the applicant will be contacted at that time informing her when her application will be further examined or of any shortfall in her residency.

#### **Visa Applications.**

414. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform if a person resident in a foreign country (details supplied) can make an application for a holiday visa to come to here in Ireland or if the application has to be made in their home country; and if he will make a statement on the matter. [16053/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** Where there is an Irish Embassy, Consulate, Honorary Consul or Visa Office in the applicant's country of permanent residence s/he must apply there. A departure from this procedure would only be considered in exceptional circumstances. In this instance the person concerned should make an application to the Honorary Consul in Casablanca.

#### **Asylum Applications.**

415. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform if the implementations for direct provision in respect of asylum seekers can also allow those individ-



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uals to be considered for assistance from the Department of Social and Family Affairs; and if he will make a statement on the matter. [16068/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision. Asylum seekers in direct provision avail of free full board accommodation with no utility or other costs associated with that accommodation. The Direct Provision allowance, detailed below, seeks to reflect the value of these services to the asylum seeker.

In addition to meeting basic living costs, a Direct Provision allowance of €19.10 per adult and €9.60 per child is paid by Community Welfare Officers (CWO's) operating under the aegis of the Department of Social and Family Affairs. On 1 May 2004, the Minister for Social and Family Affairs introduced an Habitual Residency Condition which prohibited certain social welfare payments — child benefit or lone payment allowance, for example — to a number of non-qualifying groups including asylum seekers. It continues to be open to any asylum seeker to apply to Community Welfare Officers for assistance for a particular once-off need by way of an exceptional needs payment under the Supplementary Welfare Allowance scheme.

#### **Citizenship Applications.**

416. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation will be processed for a person (details supplied); and if he will make a statement on the matter. [16069/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I refer the Deputy to my reply to Question No. 870 on 2 April 2008. The position remains as stated.

#### **Court Procedures.**

417. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform his views on the recommendation of the Consumer Strategy Group report to increase the maximum award to €3,000 in the small claims procedure in the District Court; if he has, or will implement this decision; the reason for the decision taken; and if he will make a statement on the matter. [16075/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The small claims limit was set at €2,000 with effect from 7 February 2006. The question of increasing the limit further is being kept under review in my Department.

#### **Garda Divisions.**

418. **Deputy Niall Collins** asked the Minister for Justice, Equality and Law Reform the position in relation to a matter (details supplied); and if he will make a statement on the matter. [16079/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** In accordance with the provisions of the Garda Síochána Acts 2005 to 2007, proposals to alter the boundaries of a divisional geographical area are a matter in the first instance for the Garda Commissioner in the context of the Annual Policing Plan. The 2008 Policing Plan, which I laid before the Houses of the Oireachtas, contains the Garda Commissioner's proposals to realign Garda boundaries in a number of areas around the country to make them coterminous with the functional boundaries of local authorities.

The planned changes will bring about greater efficiencies and effectiveness in facilitating the establishment and functioning of Joint Policing Committees. A detailed programme of work is currently being developed by the Garda Síochána to implement these planned changes for various Garda Divisions, including the Divisions referred to by the Deputy. This programme of work will also examine the geographical areas of district and sub-district stations arising from the boundary realignments set out in the plan and set out a timetable for the establishment of the new Divisions.

### **Gaming Industry.**

419. **Deputy Seán Connick** asked the Minister for Justice, Equality and Law Reform his proposals to regulate the gaming industry; and if he will make a statement on the matter. [16097/08]

420. **Deputy Seán Connick** asked the Minister for Justice, Equality and Law Reform if he has set a date for the establishment of a gaming commission; and if he will make a statement on the matter. [16098/08]

421. **Deputy Seán Connick** asked the Minister for Justice, Equality and Law Reform if he has decided on a location for the headquarters of the gaming commission; if this location will be Gorey, County Wexford; and if he will make a statement on the matter. [16099/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I propose to take Questions Nos. 419 to 421, inclusive, together.

The Deputy will be aware that I already informed the House, in reply to Question No. 2 of Thursday 17 April, 2008, that the Casino Regulation Committee's report, entitled *Regulating Gaming in Ireland*, was now ready for publication and that it was my intention to publish it as soon as the arrangements envisaged for advancing the issues highlighted in the report are settled.

The report is a lengthy one which deals with a range of complex and inter-related public policy matters, including internet gambling, and neither the Government nor I have adopted any views on the report. Indeed, because the report in question makes recommendations that have significant public policy implications, it was clear that it would require further detailed analysis before Government could be asked to make a formal decision on introducing any new regulatory regime for the gaming area. As I already advised the House I considered that the best way to deal with the whole issue was to publish the report and refer it to an informal All-Party Committee.

As indicated then it is my view that progress in this area can best be achieved through cross-party consensus. There is a question of having key decisions made carefully here as they will have profound implications for the type of society we want to create for our citizens in the years ahead. We need to get things right with any new gaming code that emerges from this process. I want to ensure that such activities are carried out within a responsible framework that recognises the reality of those activities and the changed environment within which these activities now take place, including on the internet, but which also ensures that they are properly and responsibly managed, particularly with regard to those who may experience problems as a result of their participation in gaming activities. I believe that the All-Party approach presents an opportunity to members of the Oireachtas to contribute, at the important policy formulation stage, to the future architecture of gaming in Ireland. It is an approach that offers the best guarantee that the interests of all elements in our society are taken into account from the beginning in an area of important public policy.

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Finally, I believe it would be best to await the all-party consideration of all the issues highlighted in Regulating Gaming in Ireland before deciding on the location of any new body, if such a body were to be established in due course by the Government.

### **Proposed Legislation.**

422. **Deputy Seán Connick** asked the Minister for Justice, Equality and Law Reform if he will introduce legislation on adverse possession; and if he will make a statement on the matter. [16100/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The position is that the Law Reform Commission has included a project on modernisation of the law relating to adverse possession of land in its Third Programme of Law Reform, which was launched in December 2007. Existing law in this important area will be reviewed following completion of the Commission's project.

### **Garda Deployment.**

423. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform the number of Garda Reservists who have been appointed to Garda stations in County Limerick. [16121/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** There are currently 10 attested Garda Reserve members attached to Limerick Garda Division. At present all the Reserve members in the Limerick Division are attached to Henry Street Garda station.

Recruitment for the Garda Reserve is ongoing and I would welcome the prospect of further assignments of Garda Reserve members to the Limerick Division as additional Reserve members from the area become available.

### **Residency Permits.**

424. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [16179/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I refer the Deputy to Parliamentary Question No. 238 of Thursday 3 April 2008 and the written Reply to that Question.

The person concerned arrived in the State on 27 September 2002 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), the person concerned was informed, by letter dated 30 December 2004, 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 leaving the State voluntarily, of consenting to the making of a deportation order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations have been submitted on behalf of the person concerned and will be fully considered, under Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement, before the file is passed to me for decision.

### Visa Applications.

425. **Deputy Tom Sheahan** asked the Minister for Justice, Equality and Law Reform if he will allow an extension of nine months to the visa of a person (details supplied) in County Kerry. [16185/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I have been informed by the Immigration Division of my Department that the person referred to was granted Stamp 1 conditions for four months on the 20th March 2008, in order to obtain a work permit from the Department of Enterprise, Trade and Employment.

The Immigration Division of my Department has been advised that this individual's last work permit expired on the 20th October 2006 and that there is no application pending in relation to him to date. The person referred to should ensure that an employer lodges an application for a work permit on his behalf by the 19th July 2008. Should an employer not obtain a work permit on his behalf he should contact the Immigration Division of my Department.

If the person referred to by the Deputy wishes to leave the State to undertake medical treatment, it is open for him to apply for the appropriate visa from his local Irish Embassy or Consulate, in order to return to the State.

### Citizenship Applications.

426. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform if he will intervene on behalf of a person (details supplied) in County Donegal, who has applied for citizenship; and if he will make a statement on the matter. [16210/08]

**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 June 2007.

Officials in that section are currently processing applications received in August 2005 and have approximately 12,300 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. The Deputy has not put forward sufficient reason that would warrant taking this application out of sequence. It is likely, therefore, that further processing of the application will commence in early 2010.

I will inform the Deputy and the person in question when I have reached a decision on the matter.

### Residency Permits.

427. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 179 of 28 February 2008, the status of a request by person in Dublin 24; when a decision will be made on the request; and if he will make a statement on the matter. [16219/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I have been informed by the Immigration Division of my Department that the persons referred to in the Deputy's Question were issued with Stamp 1 conditions for four months on the 1st April 2008. Written correspondence was forwarded to both of the persons at their last known address. One of the letters was returned undelivered to the Department on the 24th April 2008. The persons

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referred to should contact the Immigration Division of my Department in relation to this matter.

*Question No. 428 answered with Question No. 398.*

### **Citizenship Applications.**

429. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform if he will take steps to expedite an application for naturalisation by a person (details supplied) in County Westmeath which is over one year with his Department; and if he will make a statement on the matter. [16229/08]

**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 June 2004.

Officials in that section inform me that processing of the application is nearing completion and the file will be forwarded to me for a decision in the near future.

I will inform the Deputy and the person concerned when I have reached a decision on the matter.

### **Deportation Orders.**

430. **Deputy Paul Kehoe** asked the Minister for Justice, Equality and Law Reform the status of the application to have the deportation order revoked for a person (details supplied); and if he will make a statement on the matter. [16363/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** An application to revoke the deportation order for the person in question has been considered by my Department.

In light of all the circumstances in this case a recommendation was made to me not to revoke the deportation order. Having reviewed the matter I concurred with this recommendation and have affirmed the deportation order.

### **Crime Prevention.**

431. **Deputy James Bannon** asked the Minister for Justice, Equality and Law Reform the measures he is taking to build a safe society here by protecting citizens and enforcing the law; and if he will make a statement on the matter. [16367/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The challenge of building a safer, fairer Ireland, and in particular the continuing fight against crime, is of course a top priority for this Government. The Deputy will I am sure appreciate that there is no single action or piece of legislation that can on its own address this multifaceted issue in its entirety. For this reason I would draw the Deputy's attention to my Department's Annual Report for 2007 which outlines the many legislative, operational and community initiatives being taken to build a safer Ireland and to my recent statement to the Dáil on 4 March during the Private Members motion on crime.

I would draw the Deputy's particular attention to the Department's programme of robust criminal justice legislation, as well as on-going prison building and modernisation, increasing Garda numbers, this year's record Garda budget, the 2008 Policing Plan, the drive to tackle the anti-social downside of alcohol consumption, especially among under age drinkers, the

work of Cosc (the National Office for the Prevention of Domestic, Sexual and Gender-based Violence), the work of the Irish Youth Justice Service, the increasing number of youth diversion projects and joint policing committees, and the restorative justice, crime victims and other initiatives that are underway.

Under each of the headings and across the entire range of my Department's responsibilities, we will continue to work with communities throughout the country towards achieving our objective of a safer, fairer Ireland.

### **Citizenship Applications.**

432. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for naturalisation by a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [16410/08]

**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 January 2008. The application has not been examined in detail. Examination of the residency will take place in the near future. The applicant will be informed at that time when the application will be further examined or of any shortfall in his residency.

### **Asylum Applications.**

433. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for asylum by a person (details supplied) in Dublin 8; the status of the application; and if he will make a statement on the matter. [16411/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The person concerned arrived in the State on 6 June 2000 and applied for asylum. His asylum application was refused following the 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), the person concerned was informed, by letter dated 9 January 2003, that the Minister proposed to make a deportation order in respect him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a deportation order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations were submitted on behalf of the person concerned. Following the consideration of his case under Section 3 of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement, as an exceptional measure and subject to certain stated conditions, the person concerned was granted temporary leave to remain in the State for three years until 8 April 2011. The person concerned was notified of this decision by letter dated 8 April 2008.

### **Ministerial Request.**

434. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding a case and outstanding matters. [16422/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I have requested the information sought from the Garda authorities, insofar as it would be appropriate to make it available. I will be in contact with the Deputy as soon as possible about the matter.



### **Asylum Support Services.**

435. **Deputy Enda Kenny** asked the Minister for Justice, Equality and Law Reform the payments made under all headings to all companies involved in providing accommodation to asylum seekers and refugees for each of the past five years; the location of each premises involved; the cost of purchase of each such premises; and if he will make a statement on the matter. [16439/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I refer the Deputy to my reply to his question (ref: 13632/08) on 10 April, 2008 on this issue.

The information sought by the Deputy is not separately compiled. This information could only be compiled in the short time available to the RIA between the tabling of these Questions and the due date for answer by the re-allocation of additional scarce staff resources from other important work, which would not be warranted. When the information is compiled, it will be forwarded promptly to the Deputy, except where any such information may be so commercially sensitive as to prejudice the RIA's ability to engage in such accommodation-provision ventures in the future.

436. **Deputy Enda Kenny** asked the Minister for Justice, Equality and Law Reform the extent of accommodation purchased with the intent of providing accommodation for refugees and asylum seekers in each of the past five years which has not been used for the purpose for which it was intended; if such accommodation was in the ownership of his Department or an associated agency of his Department; and if he will make a statement on the matter. [16440/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I refer the Deputy to my reply to his identical question of 10 April 2008 (13633/08). The Reception and Integration Agency (RIA) of my Department is charged with responsibility for the provision of accommodation for asylum-seekers while their asylum applications are being processed. The position remains that, in the last five years, no premises have been purchased on behalf of the RIA for the purpose of accommodating asylum-seekers.

### **Residency Permits.**

437. **Deputy Niall Collins** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency by a person (details supplied) in County Limerick. [16471/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I refer to my reply of Parliamentary Question No. 474 of the 11th of March 2008. Long term residency is an administrative scheme that was introduced in May 2004 and is focused on persons who have been legally resident in the State for over five years on the basis of work permit / work authorisation / work visa conditions. Such persons may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date. I have been informed by the Immigration Division of my Department that an application for long term residency from the person referred to by the Deputy was received in July 2007. I understand that applications received in August 2006 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

### **Decentralisation Programme.**

438. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform if he

will provide in tabular form, details regarding the numbers of civil servants awaiting transfer to locations within the Laois-Offaly area, including Nenagh, Athlone and Mullingar; and if he will make a statement on the matter. [16493/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The Deputy will be aware that County Laois features prominently in my Department's decentralisation programme. The Office of the Data Protection Commissioner moved to Portarlinton in 2006 involving the transfer of twenty three civil servants and this number will be supplemented by a further forty two posts, when the Equality Tribunal relocates to the town in 2010. In advance of that, the Tribunal plans to open an office in Portlaoise in the coming months involving the transfer of fifteen civil service posts.

My Department maintains separate transfer lists in respect of civil servants who have expressed an interest in transferring to regional offices of the Department's Probation Service, which are not covered by the decentralisation programme. These lists are held on a county-by-county basis rather than by town. The numbers of civil servants on transfer lists for the counties covered by the Deputy's question are provided in the table. It is, however, likely that significant numbers of civil servants are on transfer lists for a number of locations, including for other Government Departments/Agencies. It is also probable that some of those on my Department's lists have been, or are in the process of being, facilitated with transfers to other Government Departments under the decentralisation programme.

County	Number on Transfer List
Laois	297
Offaly	268
Tipperary	372
Westmeath	366

#### Official Engagements.

439. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16534/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I have set out information relevant to the Deputy's query, insofar as my term of office to date is concerned, in the table. In light of the limited time available for reply and the nature of the request, it would not be feasible to compile information prior to this time without the application of a disproportionate amount of staff time.

Date	Location of Meeting	Reason
5th October 2007	Dept. of Justice, Pinebrook House,	Signing of Extradition agreement with Hong Kong
10th March 2008	Dept of Foreign Affairs, Iveagh House	State Dinner being held for Vietnamese Prime Minister
14th April 2008	Dept. of Foreign Affairs, Iveagh House	State Lunch being held for President of Estonia

### **Asylum Applications.**

440. **Deputy Barry Andrews** asked the Minister for Justice, Equality and Law Reform if the case of a person (details supplied) will be reconsidered following their son's extensive operation in Temple Street; and if he will make a statement on the matter. [16579/08]

**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 this application will be made upon receipt of the decision of the Refugee Appeals Tribunal.

### **Asylum Support Services.**

441. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the number of complaints from each of the centres operated under the Reception and Integration Agency; the number of complaints for each centre for each year in the past five years; and if he will make a statement on the matter. [16592/08]

443. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of residents committees that are recognised and meet on a regular basis in the centres operated on behalf of the Reception and Integration Agency; and if he will make a statement on the matter. [16594/08]

446. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on setting up an independent appeals process for residents of centres run on behalf of the Reception and Integration Agency who are in conflict or who have complaints against the management company or their staff. [16597/08]

448. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of appeals received regarding the conditions of the direct provision centres, the treatment by staff, the food quality, the lack of facilities and so on by the Reception and Integration Agency in the past five years; the number that were upheld; and the number refused. [16599/08]

449. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will provide a list of organisations, representatives who can act as advocates for residents of direct provision centres in their dealings with the management companies or staff when making a complaint or raising concerns regarding the centre; and if he will make a statement on the matter. [16600/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I propose to take Questions Nos. 441, 443, 446, 448 and 449 together.

The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. The RIA's portfolio of accommodation comprises 63 centres across 22 counties with over 6,850 residents at present.

Every asylum seeker accommodated by the RIA is provided with a copy of the “Direct Provision Reception & Accommodation Centre Services, Rules and Procedures”. This booklet is available in 6 languages, including English. The booklet includes information on services provided at centres, House Rules, complaints procedures, child protection and fire safety. I am arranging for a copy of this booklet to be sent to the Deputy for his information.

The day-to-day operation of centres is governed by the “Direct Provision Reception & Accommodation Centre Services, Rules and Procedures”, incorporating a Complaints Procedure, which clearly outlines the obligations placed both on residents and centre management. These rules were agreed in 2002 and are the subject of an ongoing review involving, inter alia, RIA, representatives of centre managers, the Refugee Information Services and the Irish Refugee Council. This review group is expected to conclude its deliberations within the next few months. I understand that many of the issues raised in the Deputy’s series of questions have been the subject of discussion by this review group and it would improper to address them by way of answers to these questions in advance of the review group making its report.

By way of general background, the RIA, centre managers and indeed residents themselves endeavour (and succeed in the main) to resolve issues arising at centres locally and informally. Indeed, the underlying theme of the complaints procedure is that problems are best resolved quickly, locally and informally. On occasion, formal warnings are issued where required and appropriate action taken if these warnings are not heeded. The RIA treats very seriously all complaints, incident reports and queries received by it from residents, support groups, public representatives, management and staff of centres and others.

The RIA does not compile statistics on the number of complaints or appeals received or actions taken following on from such complaints or appeals. If such statistics were to be compiled, they could not properly reflect the number and nature of such complaints and appeals or the resolutions reached because of the high level of informal activity conducted locally between centre staff, residents and others. However, the RIA does monitor all centres and follows up where spikes in volumes or types of complaint or incident are noticeable. In such cases, the RIA will meet with management, residents and their representatives as appropriate in order to get an understanding of the issues and to assist in resolving such issues through consultation and appropriate action.

The setting up of residents committees is a matter for residents themselves. The RIA engages with formal residents committees as well as other, more informal groups in its centres. It needs to be emphasised that such resident committees cannot serve to block the direct relationship between centre management and the resident, which is critical in ensuring that the rights and obligations on both parties are respected. It is difficult to have entirely representative committees in centres given the differing nationalities residing there and that certain individuals and certain national or ethnic groups prefer to pursue their concerns directly with centre management.

The RIA conducts information clinics, centre inspections, formal and informal visits and attends meetings with residents groups, support groups, service providers and others who engage with the direct provision centres. While there are not formal residents committees in all centres, opportunities to engage with RIA and the staff of centres as a group or as individuals exist in all cases.

In relation to food, the RIA places particular emphasis on meeting, to the greatest extent possible, the dietary needs of residents and, in this regard, 28-day menu cycles are in place in all large centres. In small centres menus are cycled on a 7-day or 14-day basis. The menus

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offered reflect the reasonable needs of the different ethnic groups and the reasonable prescribed dietary needs of any person accommodated in direct provision centres.

Where there are children in centres, a selection of baby foods and yoghurts must be on display and available. In the case of infants, infant formula, infant food and fresh water for the preparation of infant formula must be available. As regards school-going children, a packed lunch to include at least a sandwich, fruit and a beverage are provided.

All contractors are required to consult regularly with residents to ascertain what foods they prefer and how such foods should be cooked. These meetings are particularly important where many ethnic groups may be accommodated in the same centre. Every effort is made to ensure that the ethnic and dietary needs of residents are met. However, maintaining this on a daily basis for all the different ethnic groups can sometimes prove difficult. Menus are kept under review and are revised from time to time with a view to meeting the ethnic dietary needs of residents to the greatest extent possible.

Regular inspections of centres by RIA staff and by an Independent Inspectorate are carried out and appropriate measures are taken where the requirements of residents are not being met. In addition, RIA staff, including senior management, regularly eat in centres to ensure that the fare on offer is of the standard required.

The Deputy might also wish to note that the RIA has accommodated 49,100 asylum seekers since 2000 and the overwhelming majority of these residents have spent their time in RIA accommodation in a peaceful and satisfactory fashion. There are currently 96 nationalities represented by those currently being accommodated by the RIA. Residents are facilitated with additional on-site supports such as GP and Public Health Nurse services, Community Welfare, preschool facilities, play facilities, English language supports etc. Furthermore, local support groups play an active role with residents and greatly assist them during their time in direct provision accommodation and beyond.

Residents can make representations to the Reception and Integration Agency directly or through third parties, including local support groups, other NGOs, State service providers, health professionals, political representatives and so on. The RIA will engage with all parties making representations on behalf of asylum seekers resident in direct provision accommodation.

442. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the minimum space and housing requirements per person when the Reception and Integration Agency is selecting centres to house asylum seekers; and if he will make a statement on the matter. [16593/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. The RIA has a portfolio of 63 centres across 22 counties accommodating over 6,850 asylum seekers. The portfolio comprises system built centres, hostels, hotels and former holiday centres. Since 2000, the RIA has accommodated 49,100 asylum seekers in direct provision. There are currently 96 nationalities in direct provision accommodation.

In all asylum seeker direct provision centres, contractors are obliged, on foot of a Memorandum of Agreement with the RIA, to ensure that their premises comply with and operate in accordance with all relevant statutory requirements of local authorities in relation to planning,

building, bye-laws, bedroom capacity, food, food hygiene, water supply, sewage disposal, fire precautions, minimum pay, legally binding industrial or sectoral agreements and health and general safety, including:

- Employment Permit Act, 2003;
- European Communities (Drinking Water) Regulations 2000;
- European Communities (Hygiene of Foodstuffs) Regulations 2000 and 2005;
- European Communities (Official Control of Foodstuffs) Regulations 1998;
- Fire Services Acts, 1981 and 2003;
- Food Hygiene Regulations, 2000;
- Housing Acts, 1966 to 2004;
- Industrial Relations Acts 1946 to 2004;
- National Minimum Wage Act 2000;
- Planning and Development Acts 2000 to 2005;
- Private Security Services Act, 2004;
- Safety, Health & Welfare at Work Act, 2005;
- Tourist Traffic Acts, 1939 to 2003;

The contractor's compliance includes any statutory modification or re-enactment of any of the above; and any other relevant Act or Regulations as may be notified by the Minister to the proprietor or contractor. The Housing Acts, 1966 to 2004 in particular deal with minimum space requirements for accommodation. The Memorandum of Agreement places other obligations on the contractor in relation to reception, management and staff issues, menus and food for infants and school-going children, maintenance of the property and fire and safety standards.

*Question No. 443 answered with Question No. 441.*

#### **Asylum Support Services.**

444. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the amount spent on each centre run by the Reception and Integration Agency each year for the past five years; the number of residents in each centre; and if he will make a statement on the matter. [16595/08]

445. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the companies and their beneficial owners currently engaged and tasked with the management of the centres run on behalf of the Reception and Integration Agency; and if he will make a statement on the matter. [16596/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I propose to take Questions Nos. 444 and 445 together. The following table outlines the names of each centre in the RIA accommodation portfolio and the contractors associated with each:



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	County		Cap	Contractor
1	Clare	The Clare Lodge, Summerhill, Ennis	65	Misty Croft Ltd, Riversdale House, Riversdale Avenue, Old Lucan Road, Palmerstown, Dublin 20
2		Knockalisheen, Meelick	275	Campbell Catering Ltd., 101 Donnybrook Commercial Centre, Douglas, Cork
3	Cork	An Poc Fada, Cobh	40	Barlow Properties, 79A Dewberry, Rochestown, Cork
4		Ashbourne House Hotel, Glounthane, Cork	108	Barlow Properties, 79A Dewberry, Rochestown, Cork
5		Clonakilty Lodge, Clonakilty	110	D and A Limited, 79A Dewberry, Rochestown, Cork
6		73-75 Davis Street, Mallow	50	Millstreet Equestrian Services Ltd, Green Glens Arena, Millstreet, Co. Cork
7		Glen Vera, Wellington Road, Cork	104	Alan Hyde + Ted Murphy, 79A Dewberry, Rochestown, Cork
8		Kinsale Road Accommodation Centre, Cork	300	Eurest, 3rd Floor, 43A Yeats Way, Parkwest Business Park, Dublin 12
9		Millstreet Accommodation Centre, Millstreet	245	Millstreet Equestrian Services Ltd, Green Glens Arena, Millstreet, Co. Cork
10	Donegal	Cliffview, Donegal Town	67	Shane and Angie Timoney, Cliffview
11	Dublin	14 Gardiner Place, Dublin 1	34	Frank Brady, 20 Fortfield Road, Terenure, Dublin 6W
12		Viking Lodge Hotel, 34-36 Francis St, Dublin 8	70	James Gough + Michael Campbell, The Viking Lodge Hotel
13		10 Nth. Frederick Street, Dublin 1	33	Frank Brady, 20 Fortfield Road, Terenure, Dublin 6W
14		Newlight House, St. Margarets	36	Frank Brady, 20 Fortfield Road, Terenure, Dublin 6W
15		Kilmacud House, Upper Kilmacud Road, Stillorgan	90	The Trustees, Victory Christian Fellowship, Kilmacud House, c/o Gerry Byrne, 11 Woodstown Rd., Knocklyon, Dublin 16
16		The Horse & Carriage, Aungier St., Dublin 2	20	Hugh McGivern, 36 Lad Lane, Dublin 2
17		Camden Hall Hotel, 1 Upper Camden St. Dublin 2	76	Camden Hall Hotel Ltd, Camden Hall Hotel
18		Baleskin, St. Margarets	369	East Coast Catering (Ireland) Ltd., Block 2, Quayside Business Park, Dundalk, Co. Louth
19		Tathony House, Bow Lane West, Dublin 8	83	Whitdale Limited, Tathony House
20		Glenview House, Glenview Lawns, Balrothery, Tallaght, D. 24	75	Kevin O'Sullivan + Brendan O'Sullivan [In Trust]
21		Watergate House, 11-14 Ushers Quay, Dublin 8	76	Phil Monaghan + Finian McDonnell, Unit 1, Ballinteer Business Centre, Ballinteer Avenue, Dublin 16
22		James' St. Apartments, 140-142 James' St., Dublin 8	34	John O'Connor, 3 Wilton Place, Dublin 2
23		24 Lower Camden Street, Dublin 2	19	Frank Brady and Pauline Gibson, 20 Fortfield Road, Terenure, Dublin 6W
24		70 Lower Camden Street, Dublin 2	15	Pauline Gibson, 20 Fortfield Road, Terenure, Dublin 6W
25		Georgian Court, 77-79 Lower Gardiner St., Dublin 1	110	Georgian Court Limited, c/o 4-6 Terenure Place, Dublin 6W
26		Hatch Hall, 28A Lower Hatch Street, Dublin 2	190	East Coast Catering (Ireland) Ltd., Block 2, Quayside Business Park, Dundalk, Co. Louth

	County		Cap	Contractor
27		7 Portobello Harbour, Dublin 8	14	Pauline Gibson, 20 Fortfield Road, Terenure, Dublin 6W
28		The Towers, Ninth Lock Road, Clondalkin, Dublin 22	250	Rowtes Ltd., c/o 4-6 Terenure Place, Dublin 6W
29	Galway	Eglinton Hotel, Salthill, Galway	230	Maplestar Ltd., Flannery's Hotel, Eyre Square, Galway
30		Great Western House, Eyre Square, Galway	180	Shaun Hennelly, Great Western House
31		Dun Gibbons Inn, Westport Road, Clifden	60	Connemara + Islands Heritage Tourism Ltd, Dun Gibbons Inn
32		Lisbrook House, Headford Rd. Galway	250	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
33	Kerry	Westward Court, Main St., Tralee	86	Tralee Town Centre Hostel Limited, Westward Court
34		Johnston Marina, Dingle Road, Tralee	100	Onsite Facilities Management Ltd, Laccamore, Abbeydorney, Tralee, Co Kerry
35		Atlas House, McGowan Lane, Tralee	90	Onsite Facilities Management Ltd, Laccamore, Abbeydorney, Tralee, Co Kerry
36		Park Lodge, Park Road, Killarney	55	Campbell Catering Ltd., 101 Donnybrook Commercial Centre, Douglas, Cork
37		Atlas House, Deerpark Road, Killarney	90	Eurest, 3rd Floor, 43A Yeats Way, Parkwest Business Park, Dublin 12
38		Linden House, New Road, Killarney	50	Millstreet Equestrian Services Ltd, Green Glens Arena, Millstreet, Co. Cork
39	Kildare	Eyre Powell Hotel, Main St., Newbridge	100	Cherryport Ltd., c/o Joseph Germaine, Inis Fail, Baltinglass, Co. Wicklow
40	Laois	Hibernian Hotel, Main Street, Abbeyleix, Co. Laois	55	Chidlane Limited, 36 Lad Lane, Dublin 2
41		Montague Hotel, Emo, Portlaoise, Co. Laois	200	Fazyard Limited, c/o 4-6 Terenure Place, Dublin 6W
42	Leitrim	Sliabh an Iarainn, Ballinamore	50	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
43	Limerick	Clyde House, St. Alphonsus St., Limerick	116	Southside Partnership, Clyde House
44		Westbourne Holiday Hostel, Dock Rd., Limerick	105	Westbourne Holiday Hostel Ltd., Bridgewater Court, Harvey's Quay, Limerick
45		Mount Trenchard, Foynes	85	Baycaster Limited, 79A Dewberry, Rochestown, Cork
46	Longford	Richmond Court, Richmond St., Longford	98	James Keogh, The Richmond Court
47	Louth	Carroll Village, Dundalk, Co. Louth	250	East Coast Catering (Ireland) Ltd., Block 2, Quayside Business Park, Dundalk, Co. Louth
48	Mayo	Former Sisters of Mercy Convent, Ballyhaunis	328	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
49		Railway Hotel, James' St., Kiltimagh	90	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
50		Bruach na hAbhainn, Ballyhaunis	80	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
51	Meath	Mosney Holiday Centre, Mosney	800	Mosney Irish Holidays Plc, Mosney Holiday Centre
52	Monaghan	St Patricks Former Agricultural College, Monaghan	154	Tattonward Ltd., 36 Lad Lane, Dublin 2
53	Roscommon	Apartments, Station Road, Ballaghaderreen	86	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
54	Sligo	Globe House, Chapel Hill, Sligo	250	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo

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	County		Cap	Contractor
55	Tipperary (South)	Bridgewater House, Carrick-on-Suir	120	Millstreet Equestrian Services Ltd, Green Glens Arena, Millstreet, Co. Cork
56	Waterford	Ursuline Complex, Ballytruckle Road, Waterford	160	Stompool Investments Limited, 79A Dewberry, Rochestown, Cork
57		Viking House, Coffee House Lane, Waterford	100	Millstreet Equestrian Services Ltd, Green Glens Arena, Millstreet, Co. Cork
58		Atlantic House + Coltro, Railway Square, Tramore	81	Jonathan M. Moore, Atlantic House
59		Ocean View + Boat House, The Esplanade, Tramore	75	Daniel Moore, Ocean View
60	Westmeath	Lissywoolen Accommodation Centre, Athlone	350	Bridgestock Limited, 4 Abbey View, Ballyhaunis, Co. Mayo
61	Wexford	The Old Rectory, Rosbercon, New Ross	58	The Old Rectory (New Ross) Limited, c/o 4-6 Terenure Place, Dublin 6W
62	Wicklow	The Warrens, Kilmantin Hill, Wicklow	23	Blakesboro Holdings, 4 Terenure Place, Dublin 6W
63		Beechlawn, Rathdrum, Co. Wicklow	28	Libdun Limited, 4 Terenure Place, Dublin 6W

On the table, 'CAP' refers to capacity (bed spaces) as per contract.

The information sought by the Deputy in respect of the amount spent on each centre contracted for by the Reception and Integration Agency for each of the past five years is not separately compiled. This information could only be compiled in the short time available between the tabling of the Question and the due date for answer by the re-allocation of additional scarce staff resources from other important work, which would not be warranted.

When the information is compiled, it will be forwarded promptly to the Deputy, except where any such information may be so commercially sensitive as to prejudice the Reception and Integration Agency's ability to engage in such contractual negotiations ventures in the future.

*Question No. 446 answered with Question No. 441.*

### Asylum Support Services.

447. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that elected representatives have been prevented from meeting residents or the residents committee of a centre (details supplied) in County Waterford on the premises; and if he will make a statement on the matter. [16598/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I understand that the Deputy is referring to a recent visit by a Sinn Féin Councillor to Birchwood House accommodation centre, Waterford.

The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision. The accommodation centre at Birchwood, Waterford is operated by a private company under contract to the RIA. I am informed that the Councillor was contacted by the Residents Committee at Birchwood who invited him to visit the centre.

It needs to be emphasised that, notwithstanding that such accommodation centres operate under contract to the RIA, the premises remain private property and the proprietor is obliged to have regard to all aspects of the law regarding insurance, security, child protection and health and safety. As a consequence, asylum centres do not have open access to non-residents.

Accordingly, in this instance, the Residents Committee were informed by centre management that if a formal application were made in respect of the Councillor's intended visit it would be approved. The Committee issued the invitation to the Councillor but the aforementioned application to centre management was not made in advance of the Councillor's arrival at the centre. Therefore, under standing procedures relating to unapproved visits, centre management could not allow him access to the premises.

The RIA subsequently wrote to the Councillor on 15 April 2008 outlining the situation and assuring him that if he formally contacts the centre management in advance, arrangements will be made to facilitate his visit. The RIA has always been facilitative towards requests from public representatives, support groups and others who wish to engage with the residents of asylum seeker accommodation centres.

*Questions Nos. 448 and 449 answered with Question No. 441.*

### **Departmental Reports.**

450. **Deputy Jim O'Keeffe** asked the Minister for Justice, Equality and Law Reform when the interim report of the National Commission on Restorative Justice will be published; and if he will make a statement on the matter. [16602/08]

**Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan):** I am currently considering the Interim Report of the Commission and I have directed that arrangements should be made to have it published as soon as possible. I understand that those arrangements are underway and that it should be available for release in mid May.

### **Control of Dogs.**

451. **Deputy Eamon Scanlon** asked the Minister for the Environment, Heritage and Local Government when a rottweiler dog is regarded as a dangerous dog (details supplied); and if he will make a statement on the matter. [16032/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Control of Dogs Regulations 1998 place controls on ten breeds of dogs including the Rottweiler breed. These Regulations were introduced to protect the public from attack by dogs which have the potential to inflict serious injury. The controls, which must be observed when a rottweiler is in a public place, require that it, or a type and cross thereof, must be kept on a short lead by a person over 16 years of age who is capable of controlling it and that it be securely muzzled.

The Control of Dogs Act 1986 contains specific requirements in relation to the control of dogs by owners and persons in charge of dogs, including places where a dog is permitted to be. Section 22 of the Act in particular provides that, on a complaint being made to the District Court by any interested person that a dog is dangerous and not kept under proper control, the court has powers to order that a dog, which the court considers dangerous, be kept under proper control or be destroyed.

### **Local Authority Housing.**

452. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if he will provide this Deputy with a report as to the reason the Ballymun regeneration went over budget and time; and if he will make a statement on the matter. [16085/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe):** The Ballymun Regeneration Project has been the subject of a special examination by the Comptroller and Auditor General. The Report prepared on foot of this examination, which was published in March 2008, details the range of factors which have influenced the cost and timescale for this largescale regeneration programme. The report is available on the Comptroller and Auditor General’s website, [www.audgen.gov.ie](http://www.audgen.gov.ie), and will be discussed by the Public Accounts Committee on 1 May 2008.

#### **Public Service Charges.**

453. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government his views on an exemption for water rates for a charity (details supplied); and if he will make a statement on the matter. [16206/08]

471. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the reason community groups are being charged water rates in view of the fact that they are not businesses and are currently in the process of applying for charity status; and if he will make a statement on the matter. [16209/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Question Nos. 453 and 471 together.

In accordance with the EU Water Framework Directive, local authorities are required to recover the cost of providing water services from all non-domestic users of these services, by means of a meter based volumetric charge to ensure water charging of users according to actual consumption. The only exemption from water charges provided for in Irish legislation, and recognised as constituting established practice at the time of adoption of the Water Framework Directive, is water usage for ordinary household purposes occurring in dwelling houses. As community groups, regardless of their status for tax purposes, do not fall within this exemption, they are liable to pay water charges.

#### **Air Pollution.**

454. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if, arising from air pollution monitoring outposts here, he has noticed an increase in particular forms of pollution; if he proposes action in response thereto; and if he will make a statement on the matter. [16670/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen):** I refer to the reply to Question No. 363 of 17 October 2007. The position has not changed.

Air quality assessment is the responsibility of the Environmental Protection Agency (EPA) and air quality management is a matter for local authorities informed by air quality measurement data.

The EPA’s Air Quality in Ireland 2006, published on 10 October 2007, contains details of the monitoring and assessment of national air quality, and incorporates data from all air quality monitoring stations operated by the EPA and local authorities. The monitoring in 2006 indicated that air quality in Ireland was good and complied with the air quality standards in force for all pollutants.

I understand that the EPA required no local authority to develop a long-term air quality management plan in 2006; such a course would be required under the Air Quality Standards Regulations 2002 in the event of the indicative level for any pollutant being exceeded.

### **Local Authority Housing.**

455. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government his views on the request of the Dublin City Council on 7 March 2008 in respect of the designation of Ballymun under section 25 of the Social Welfare Provisions Act 2007. [15970/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe):** Section 25 of the Social Welfare and Pensions Act 2007 provides that Rent Supplement “shall not be payable in respect of a person’s residence where his or her residence is situated in an area notified to the Minister for Social and Family Affairs by the Minister for the Environment, Heritage and Local Government as being an area of regeneration for the purpose of providing for greater social integration.”

My Department has examined the submission referred to and is satisfied that Dublin Council City have made an appropriate case for the designation of the Ballymun area under Section 25 of the Social Welfare and Pensions Act 2007. Accordingly, I have written to the Minister for Social and Family Affairs asking for the designation to be arranged at the earliest possible time.

### **Planning Issues.**

456. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government his plans to amend the planning Acts to prevent the practice of applicants paying for objectors or appellants to withdraw their submissions on planning applications; and if he will make a statement on the matter. [15975/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Under the Planning and Development Act 2000 any person who has made a submission on a planning application may appeal the decision of the planning authority to An Bord Pleanála. Once an appeal is made, any person may make an observation in respect of the appeal.

The Act provides that an appeal may be withdrawn by the appellant at any time before a decision is made. If an appeal is withdrawn, any submission made in respect of that appeal automatically falls with it. Board statistics indicate that, in 2006, 362 appeals, representing nearly 7% of all appeals received, were withdrawn by the appellant. The withdrawal must be in writing, but no reasons need be given. However, withdrawals may reflect agreements reached between the applicant and the appellant resolving the underlying cause for the appeal e.g. agreement regarding boundary fences, rights of way or measures to eliminate overlooking of adjoining property.

Allegations are sometimes made of payments being provided to, or demanded by, persons to withdraw objections to planning applications or appeals. Under Section 138 of the Planning and Development Act 2000, an Bord Pleanála has the power to dismiss an appeal which is, in the Board’s opinion, made with the sole intention of delaying development or with the intention of securing the payment of money, gifts, consideration or other inducement by any person. It would therefore be proper for any planning applicant who feels that an appeal is being made for that purpose to seek its dismissal by the Board.

### **Archaeological Sites.**

457. **Deputy Niall Collins** asked the Minister for the Environment, Heritage and Local Government the position regarding an application by a club (details supplied) in County Limerick; and if he will make a statement on the matter. [15977/08]



**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department is in receipt of recent correspondence from the club in question in relation to an archaeological monument in the immediate vicinity of an area where the club proposes to develop new sporting facilities. The National Monuments Service of the Department has written to the club requesting that, before proceeding further with the development, it carry out an archaeological impact assessment to ascertain any potential impacts of the development on the monument. It has also been suggested that the club should seek advice in relation to any necessary archaeological mitigation measures that may be required.

#### **Social and Affordable Housing.**

458. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if he will establish a review of the equity of treatment of people in the private rent sector, who currently do not have enough income to qualify for affordable housing, who are excluded from rent supplement scheme and the rent accommodation scheme and are caught in a trap whereby it is difficult for them to better themselves. [16006/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe):** The Government’s housing policy aims to ensure that there is a broad range of housing options available to match the diversity of housing need. This includes options to improve the affordability of renting for low-income groups and provide paths to home ownership, where appropriate.

The supply of affordable housing has consistently increased over the past few years from about 2,000 units in 2004 to almost 3,600 units last year and further expansion is envisaged under the National Development Plan in line with Towards 2016 commitments. To underpin this expansion, I asked the Affordable Homes Partnership to consider how the range of existing affordable housing mechanisms might be enhanced. A resultant report entitled Increasing Affordable Housing Supply has now been published. The report’s recommendations are based on optimising the output from the existing mechanisms and includes a proposal to introduce a new affordable housing product based on an equity loan arrangement to be used in conjunction with the existing schemes.

I have launched a public consultation on this report, which is to be concluded by 30 May 2008. There will also be structured engagement with the social partners, housing practitioners and financiers on this report. These consultations will address, inter alia, views on the proposed new product, the targeting of affordable housing and the need for affordable renting, and the results of the consultation will inform the further development of affordable housing policy.

In addition, the Housing (Miscellaneous Provisions) Bill, which is expected to be published during the present Dáil session, will include provisions to give effect to the incremental purchase scheme which was signalled in the housing policy statement Delivering homes, Sustaining Communities. This scheme will be targeted at households with an income lower than that required for affordable housing. Arrangements are also being considered for the piloting of the proposed scheme in certain areas.

459. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government his views on developing a support scheme for persons with a disability who are employed, who wish to acquire a home adapted to their needs but who would not necessarily meet the criteria necessary to qualify for social housing; and if he will make a statement on the matter. [16007/08]

474. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the assistance available for the construction of a new home for a person with a disability where the person is capable of living independently and the family would contribute part of the cost. [16406/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 459 and 474 together.

My Department operates a number of schemes designed to assist people with a disability, including those in employment, with their accommodation needs.

The Housing Adaptation Grant for People with a Disability Scheme, which is administered by local authorities, assists in the provision/adaptation of accommodation to meet the needs of people with a disability. The types of works grant aided under the Scheme are varied and may include the provision of access ramps, grab rails, downstairs toilet facilities, stair-lifts, accessible showers, adaptations to facilitate wheelchair access, extensions etc.

Under the Scheme, grant aid is available to applicants, including those in full-time employment, who have gross household incomes of up to €65,000 p.a. In determining eligibility under the Scheme, local authorities are obliged to apply various income disregards, including, inter alia, allowances for children, Family Income Supplement, Carer’s Benefit/Allowance, Domiciliary Care Allowance and Respite Care Grant.

In addition, the Adaptation Grant for New Houses is available to people with a disability who purchase or build new houses which require adaptation works to meet specific accommodation needs. The effective maximum grant available is €14,500, which may cover up to 95% of the cost of works.

People with a disability who are in employment may also apply for grant aid under the Mobility Aids Grant Scheme. The Scheme, which is also administered by local authorities, provides grants to cover a basic suite of works to address mobility problems. The Scheme fast tracks grant aid to people on lower incomes (maximum annual household income threshold €30,000). The effective maximum grant available is €6,000 and may cover 100% of the cost of works. The types of works grant aided under the Scheme may include grab-rails, access ramps, level access showers and stair-lifts.

The Government’s Housing Policy Statement, Delivering Homes, Sustaining Communities, reflects the commitment in Towards 2016 to develop a national housing strategy for people with a disability. Work on this strategy has commenced and will be progressed with a view to completion in 2009. The range of housing options and related supports available to people with a disability will be examined further in that context.

### **Planning Issues.**

460. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government if he has plans to introduce an independent inspectorate to examine local authority applications for rezoning of land for commercial use; and if he will make a statement on the matter. [16017/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Decisions regarding the zoning of land are a reserved function of the elected members under the statutory development plan and local area plan processes. In accordance with Part II of the Planning and Development Act 2000 (as amended), the members of a planning authority are restricted to considering the proper planning and sustainable development of the area in question when making or varying a development plan or local area plan. As Minister, I have powers

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under section 31 of the Act to direct a planning authority to take specified measures to amend their draft plan or adopted plan so as to ensure compliance with proper planning principles and policies. As indicated in the reply to Parliamentary Question No. 394 of 22 April 2008, work is underway in my Department to ensure greater integration between the National Spatial Strategy, Regional Planning Guidelines, development plans and local area planning. I have no specific proposal at this stage to introduce the arrangement outlined in the question.

461. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government if he will ensure local authorities maintain a consistent pricing system when producing copies of area and developments plans for sale to the public; and if he will make a statement on the matter. [16018/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The cost of producing copies of development plans and local area plans by local authorities varies due to differences in the volume of the documents in terms of text and supporting maps, varying complexities in design and layout and printing costs. The price charged for such documents is a matter for each local authority within an overall public service requirement to set such prices at a reasonable level in relation to production costs. My Department's Guidelines for Planning Authorities on Development Plans (June 2007) requested planning authorities, as a courtesy, to make available hard copies of the development plan at a reasonable price to groups and individuals who made a significant contribution to the preparation of the plan. In addition, most planning authorities make their plans available on their websites and this facilitates people in identifying and printing those parts of the plan which are of interest to them.

#### **Proposed Legislation.**

462. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government if he will introduce legislation regarding voluntary housing which would allow long term tenants of voluntary housing dwellings to purchase their dwelling outright; the progress made in the setting up of a pilot scheme in this regard; and if he will make a statement on the matter. [16048/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe):** There is no provision at present in the voluntary housing schemes for the purchase of individual houses by tenants. However, the Government's housing policy statement, *Delivering Homes, Sustaining Communities*, indicated that consideration would be given, in consultation with the voluntary and co-operative sector, to piloting a tenant purchase scheme for some new voluntary homes based on the incremental purchase model. The Housing (Miscellaneous Provisions) Bill, which is expected to be published during the present Dail session, will include provisions to give effect to the incremental purchase scheme. In parallel with this, arrangements for the introduction of a pilot scheme for the voluntary housing sector are being considered in consultation with the Irish Council for Social Housing.

463. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his views on the full implementation of the Aarhus convention; and if he will make a statement on the matter. [16067/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Ireland signed the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters on 25 June 1998. Progress

towards ratification of the Convention is closely aligned with work at EU level and, in that context, the European Union has adopted two Directives as part of the ratification process for the Convention. These deal with public access to environmental information (2003/4/EC) and public participation in certain environmental decision-making procedures (2003/35/EC). Regulations transposing the European Communities (Access to Information on the Environment) Directive 2003/4/EC were signed and came into effect on 1 May 2007. The process to transpose Directive 2003/35/EC is already well advanced, with legislation completed to amend the majority of the relevant consent systems. The remaining work will be finalised by the Departments concerned as soon as possible. When this work has been completed I, along with the Minister for Foreign Affairs, will ensure that the instrument of ratification of the Aarhus Convention is submitted to Government and laid before the Dáil as soon as possible.

### **National Parks.**

464. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government the details of the National Parks and Wildlife Service farm plan scheme for 2008; the level of compensation farmers will receive under the scheme; and if he will make a statement on the matter. [16089/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department's National Parks and Wildlife Service (NPWS) Farm Plan Scheme was launched in February 2006. It pays farmers and landholders for losses incurred as a result of restrictions due to the designation of their lands as Special Areas of Conservation, Special Protected Areas or Natural Heritage Areas. This scheme is available as an alternative to the Department of Agriculture, Fisheries and Food's REPS scheme. It differs from REPS in that REPS is a whole-farm scheme while the NPWS Farm Plan Scheme pays for the high nature value portion of the farm only. Each NPWS Farm Plan Scheme is drawn up by an approved planner and is specific to the farm involved. Contracts are for five years. Rates of payment vary depending on the particular environmental conditions on each farm. In certain instances, such as meadow management for corncrakes, there are standard payment rates per hectare, but in most cases, the amount payable is calculated, on a plan by plan basis, as a combination of income foregone and/or the costs of carrying out the plan. The average annual individual payment made under the scheme is some €4,300 with over €800,000 paid out to date.

### **Local Authority Housing.**

465. **Deputy Tony Gregory** asked the Minister for the Environment, Heritage and Local Government the issues delaying a decision regarding the request of Dublin City Council for the re-development of D Block Liberty House, Dublin 1; and if approval will be granted in the short term. [16114/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe):** Following receipt of the Liberty House proposal, my Department wrote to the local authority on 4 December 2007 expressing concerns regarding the value for money represented by the proposal and whether the appropriate tenure mix would be achieved, and highlighting the need for a clear development strategy for the remaining blocks. These issues were further discussed with the local authority at a meeting held on 14 February 2008. My Department is now awaiting a response from the authority.

466. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the amount of funding given to each county council for disabled persons grants

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in each of the years 2000 to 2007 and to date in 2008; and if he will make a statement on the matter. [16115/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe):** Under the terms of the Disabled Persons Grant Scheme, my Department recoups 66% of the expenditure on individual grants to local authorities. Information on local authority activity under this Scheme for the years 2000 to 2006 is published in my Department’s Annual Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and on my Department’s website, [www.environ.ie](http://www.environ.ie). Details of the recoupments to local authorities in 2007 are set out in the following table. In respect of grant applications received under the Scheme prior to its replacement in November 2007 by the Housing Adaptation Grant for People with a Disability Scheme, I expect to be in a position shortly to notify local authorities of their capital allocations.

Disabled Persons Grant Scheme Recoupments 2007

Local Authority	Disabled Persons Grant	
	Number of Payments	Value of recoupments
		€
Carlow County Council	47	322,157
Cavan County Council	79	603,109
Clare County Council	86	701,294
Cork County Council	282	2,091,404
Donegal County Council	307	1,610,583
Dun Laoghaire/Rathdown County Council	184	1,245,293
Fingal County Council	150	1,023,818
Galway County Council	217	815,333
Kerry County Council	262	1,127,285
Kildare County Council	77	596,888
Kilkenny County Council	52	431,612
Laois County Council	154	1,408,421
Leitrim County Council	126	531,938
Limerick County Council	168	664,426
Longford County Council	69	290,463
Louth County Council	121	950,472
Mayo County Council	443	991,529
Meath County Council	184	1,073,257
Monaghan County Council	127	1,073,257
North Tipperary County Council	153	932,385
Offaly County Council	92	813,896
Roscommon County Council	128	761,573
Sligo County Council	85	207,696
South Dublin County Council	321	2,154,478
South Tipperary County Council	164	865,430
Waterford County Council	109	676,845
Westmeath County Council	84	678,802
Wexford County Council	117	839,198
Wicklow County Council	54	498,380
Cork City Council	266	1,218,359



Local Authority	Disabled Persons Grant	
	Number of Payments	Value of recoupments
		€
Dublin City Council	1,335	7,608,111
Galway City Council	87	615,089
Limerick City Council	67	468,401
Waterford City Council	34	222,200
Sligo Borough Council	44	245,097

467. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the new criteria that has been attached to the disabled persons grant recently which is granted through each county council; and if he will make a statement on the matter. [16116/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe):** The Housing Adaptation Grant for People with a Disability Scheme, which is administered by local authorities, was introduced on 1 November 2007. The Scheme replaces the old Disabled Persons Grant Scheme with the aim of providing targeted and more equitable support to assist people with a disability with their accommodation needs. The types of work grant aided under the Scheme may include the provision of access ramps, grab rails, downstairs toilet facilities, stair-lifts, accessible showers, adaptations to facilitate wheelchair access, extensions etc. Under the new Scheme the effective maximum grant has been increased from €20,320 to €30,000, and may now cover up to 95% of the cost of works, compared with 90% previously. To protect the value of the grant into the future, grants levels will be adjusted annually in line with the Building Cost Index. Eligibility for grant aid is determined on the basis of household means, with a grant of 95% of the approved costs of works available to applicants with annual household incomes of less than €30,000, tapering to 30% for those with annual household incomes of €54,001 to €65,000. The income limits will be increased annually in line with wage inflation. In determining eligibility for grant aid, local authorities are obliged to apply a number of income disregards in the calculation of household means, such as, inter alia, allowances for children, Family Income Supplement, Carer’s Benefit/Allowance and Domiciliary Care Allowance. The recoupment rate to local authorities in respect of individual grants has been increased from two-thirds to 80%. It is the responsibility of the authorities to fund the remaining 20% from their own resources from amounts provided for that purpose in their annual estimates of expenditure. In addition, the Adaptation Grant for New Houses is available to people with a disability who purchase or build new houses which require adaptation works to meet specific accommodation needs. The effective maximum grant available is €14,500, which may cover up to 95% of the cost of the works.

#### **Departmental Correspondence.**

468. **Deputy Tom Sheahan** asked the Minister for the Environment, Heritage and Local Government if he will consider a waiver for an organisation (details supplied) in County Kerry towards the fee due to his Department. [16167/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I congratulate Down Syndrome Ireland (Kerry Branch) on being the successful tenderer to operate the Deenagh Lodge coffee-shop in Killarney National Park. However it would not be appropriate for my Department to reduce a fee which has become payable on foot of an



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open tendering competition freely entered into by the organisation concerned. Other parties participated in the tendering process and were unsuccessful on the competitive basis involved. It would be unfair, and a breach of public procurement principles, retrospectively to alter the terms of the successful bid.

### **Water and Sewerage Schemes.**

469. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the status of the Waterford grouped towns and villages sewerage scheme; when the sewerage scheme in each of the towns and villages concerned will be operational; the projected cost at the time of the original proposal; the expected cost of completion; and if he will make a statement on the matter. [16171/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Waterford Towns and Villages Sewerage Scheme is approved for funding in my Department's Water Services Investment Programme 2007-2009 at an estimated cost of €48 million. The scheme was originally approved to enter planning in the 2002-2004 Programme at the then estimated cost of €43 million. The Towns and Villages Sewerage Scheme entails the construction of new or upgraded wastewater treatment and collection systems in Ardmore, Ballyduff/Kilmeaden, Cappoquin, Dunmore East, Kilmacthomas, Stradbally and Tallow. Waterford County Council is advancing the scheme on the basis of separate contracts for the collection systems and wastewater treatment plants, with the latter being grouped under a single contract. I understand that Waterford County Council is making progress on this scheme. Work on upgrading the wastewater collection system in Tallow is now complete. The Council signed the contract to upgrade the Kilmacthomas collection system in January 2008 and envisages seeking tenders for the remaining five collection systems on a phased basis up to December 2008. I understand that the Council is also finalising the contract documents for the new wastewater treatment plants at the seven locations and will submit those documents to my Department for approval as soon as possible. The Council expects to be in a position to seek tenders for the treatment plants, under a single contract, by the end of this year.

### **Local Authority Funding.**

470. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the way he will provide funding for local authorities in view of serious financial difficulties, large borrowings and expansion of core services being experienced by many county councils; and if he will make a statement on the matter. [16203/08]

479. **Deputy Mary Upton** asked the Minister for the Environment, Heritage and Local Government if provisions are in place to subsidise county and city councils who find themselves with a significant budgetary shortfall; if his attention has been drawn to a city or county council that is approaching such a situation; and if he will make a statement on the matter. [16450/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 470 and 479 together.

It is a matter for each local authority to prioritise its spending, within the resources available to it, across the range of services it provides. I am providing some €999.2m in general purpose grants from the Local Government Fund to local authorities for 2008. These grants are my contribution to meet the difference between the cost to local authorities of providing an acceptable level of day to day services and the income available to them from local sources and from specific grants. The amount being made available for these grants this year represents an

increase of some €51.5m over the provision for 2007 and continues the trend of providing additional general purpose funding to local authorities through the Local Government Fund. Local authorities' cost and income bases vary from one to another and calculating an appropriate distribution of general purpose grants is complex. For purposes of allocations, a range of factors is taken into account, including each authority's expenditure on, and income from, each service, the overall amount of funding available for the grants and the need to provide each authority with an allocation that will support its financial stability. I am satisfied that the general purpose allocations I have provided for 2008, together with the income available from other sources, will enable local authorities to provide an acceptable level of services to their customers.

*Question No. 471 answered with Question No. 453.*

#### **Departmental Correspondence.**

472. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government when the moneys due to a person (details supplied) in County Westmeath will be awarded; and if he will make a statement on the matter. [16226/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I understand that the Chief State Solicitor's Office has been in touch with the vendor's solicitor in recent days with a number of routine legal queries; it is anticipated that this case may be closed after receipt of the expected replies.

#### **Local Authority Funding.**

473. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government the proposals he has to provide sufficient funding to meet the demand of Waterford County Council under the HOP, HGD and MAG schemes; and if he will make a statement on the matter. [16401/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe):** Earlier this year my Department asked local authorities to indicate their capital requirements and proposals for the funding of their own 20% contribution for the operation, in 2008, of the Housing Adaptation Grant for People with a Disability Scheme, the Mobility Aids Scheme and the Housing Aid for Older People Scheme. The combined capital allocation to local authorities represents not a capital grant, but the total amount which authorities are authorised to spend on the Schemes in the year in which the allocation is made. Initial requests for funding for local authorities, on which allocations are based, represent the authorities' best estimate of the likely level of grant approvals during the year. However, some grant approvals may not subsequently be taken up by applicants. In addition, if there are delays in completing the approved works, either due to a delay in getting contractor or for other reasons, the ultimate spend may arise in later years. My Department requests that each local authority examines the level of payments and approvals on schemes through the year with a view to establishing the adequacy or otherwise of their allocations. Requests for increases from authorities whose allocations are proving inadequate will be dealt with in the context of any available funding from other authorities whose allocation may turn out, for a range of reasons, to be surplus to their requirements. I expect to be in a position to notify local authorities of their capital allocations for the operation of the Schemes in 2008 shortly.

*Question No. 474 answered with Question No. 459.*

**Fire Safety.**

475. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if adequate fire safety plans are in place at Dublin Port; and the safety plans in place to deal with a potential bio-fuel fire. [16419/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen):** Under Section 10 of the Fire Services Act 1981 a fire authority is statutorily required to make adequate provision for a fire service in its functional area. Section 26 of the Fire Services Act 1981 requires each fire authority which maintains a fire brigade to prepare (and, as occasion requires, revise) plans for fire and emergency operations showing the provision made by it in respect of organisation, appliances, equipment, fire stations, water supplies and extinguishing agents, training, operational procedure and such other matters as may be relevant, and for dealing with operations of an emergency nature. The making and revision of such plans is a reserved function.

I understand that Dublin Fire Brigade has comprehensive fire safety plans in place for the Dublin Port area. I also understand that the operator who imports bio-fuel through Dublin Port has assured Dublin Fire Brigade that they have sufficient quantity of foam of the appropriate type in stock to respond in the event of a fire in their plant and that the Dublin Port Company has also given this assurance to Dublin Fire Brigade.

**Port Development.**

476. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding a project (details supplied). [16420/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Programme for Government contains a commitment to establish a Dublin Bay Area Task Force to maximise the potential of the Bay for the people of the capital city. The terms of reference, composition and operational arrangements of the Task Force are currently being finalised and key stakeholders and decision-makers will be represented to ensure that a comprehensive strategy for the Bay is devised and implemented.

The Task Force's work will encompass a broad range of environmental, economic, social and heritage issues and will build on the work undertaken by Dublin City Council and relevant stakeholders in relation to Dublin Bay. The Government commitment in the National Development Plan 2007-2013 to undertake a comprehensive study of the role of Dublin Port "in the context of overall ports policy on the island of Ireland, wider transport policy, urban development policy, the National Spatial Strategy and national economic policy", which will be led by the Department of Transport, is also relevant in this regard.

**EU Directives.**

477. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 507 of 11 March 2008, if he will provide a copy of the defence presented by his Department to the European Commission in respect of current rural practice policies and practices; and if he will make a statement on the matter. [16441/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I refer to the reply to Question No. 212 of 10 April 2008. The position is unchanged.

### Grant Payments.

478. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government the progress made regarding the grant assistance available to householders who have septic tanks older than 15 years (details supplied). [16442/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Programme for Government set out a commitment to introduce a scheme of support for the replacement and upgrading of septic tanks older than fifteen years with newer systems. My Department is currently considering the terms, conditions and resource implications that may be appropriate to take forward this commitment.

*Question No. 479 answered with Question No. 470.*

### Buildings Regulations.

480. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government when he expects Part 3 of the Building Control Act 2007 to be fully enacted and a technical assessment board to be fully operational; and if he will make a statement on the matter. [16477/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Parts 3 to 7 of the Building Control Act 2007 will commence on 1 May 2008. Responsibility for the establishment of the various Boards required under the Act and the procedural arrangements for the operation of such Boards is a matter for the Royal Institute of Architects of Ireland (RIAI), as the designated registration body for Part 3 of the Act — Registration of Architects.

The RIAI are finalising the arrangements for the establishment of the various Boards, including the Technical Assessment Board, and this work will be completed shortly. My Department has been advised by the RIAI that they will accept applications for technical assessment from 1 May 2008.

### Noise Pollution.

481. **Deputy Michael Kennedy** asked the Minister for the Environment, Heritage and Local Government the position regarding the draft legislation being prepared to govern house alarms and noise pollution; when he expects the legislation to come before the House; and if he will make a statement on the matter. [16478/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I am currently examining options to strengthen legislation on noise pollution as provided for in the Programme for Government. My intention is to consult with key stakeholders, including local authorities, and I will announce my preferred approach as soon as possible.

Various legislative provisions already exist to address noise nuisance, as well as a number of practical arrangements to reduce the instances of unnecessary noise from alarms and to tackle persistent incidence of such noise.

Under the Environmental Protection Agency Act 1992 (Noise) Regulations 1994, a local authority or any person may seek an order in the district court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet outlining the legal avenues available to persons experiencing noise nuisance is available from my Department or on [www.environ.ie](http://www.environ.ie).

[Deputy John Gormley.]

Section 107 of the Environmental Protection Agency Act 1992 provides local authorities with powers to require measures to be taken to prevent or limit noise. In the case of a faulty alarm, a local authority may serve a notice under this section. Where the Council receives a complaint, an advisory letter is issued to the owner/occupier advising of the terms of the current standards for intruder alarms systems.

A European Standard for external intruder alarms (EN50131) has replaced all national standards, and incorporates considerably stricter controls, regarding minimum and maximum duration for the sounding of alarms. The new limits are 90 seconds minimum and 15 minutes maximum duration from the sounding of external alarms in buildings; the alarms must cease automatically after the maximum duration. This standard has been applied by the National Standards Authority of Ireland for intruder alarms installed by certified installers since 1 March 2004.

The Private Security Authority (PSA) is responsible for the licensing, control and supervision of all installers of security equipment, and the Authority has powers to maintain and improve standards in the provision of services, including standards for intruder alarms. I understand that with effect from 1 August 2006, alarm installers cannot legally operate without a PSA licence, the granting of which will require proof that the installer has attained the EN 50131 standard, and the SR 40 standard in the case of non-monitored alarms or the SR 41 standard in the case of monitored alarms.

In addition, I understand that the connection of monitored business intruder alarm systems to Garda Síochána stations is contingent upon, inter alia, the use of alarm systems which are certified by an approved certification body to the EN50131 standard and installed by PSA licensed installers.

### **Housing Aid for the Elderly.**

482. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government the assistance available to an elderly resident who wishes to insulate the walls of their home in a bid to conserve energy. [16512/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Máire Hackett):** My Department operates a number of options to assist older people to secure necessary improvement works to their homes.

The Housing Aid for Older People Scheme, which is administered by local authorities, provides targeted support to improve conditions in the existing housing of older people. The types of works which may be grant aided under the Scheme are varied and may include the provision of insulation works.

In addition, older people living in local authority housing may benefit from the central heating programme introduced by my Department in July 2004. The programme assists local authorities in providing central heating facilities in their rented dwellings and, where necessary, in implementing measures to ensure the energy efficiency of the dwelling.

Sustainable Energy Ireland, under the auspices of the Department of Communications, Energy and Natural Resources, operates a Low Income Housing Programme, set up to help establish and implement a national plan of action to address the problem of fuel poverty. Core delivery is through the Warmer Homes Scheme, which aims at improving the energy efficiency and comfort conditions of homes occupied by low-income households, and at establishing the systems and growing the capacity in Ireland to install measures including attic insulation,



draught proofing, lagging jackets, energy efficient lighting, and cavity wall insulation, and to provide energy advice.

Furthermore, the Department of Communications, Energy and Natural Resources launched a pilot Home Energy Saving Scheme on 24 April 2008. The scheme is designed to encourage owners of older homes to improve the energy efficiency of their homes, including through improved insulation measures. The regional pilot is designed to inform the roll-out of the full scale €100 million national scheme envisaged in the Programme for Government. The scheme will provide different incentives in each of the regional pilot areas in order to test their impact and effectiveness in encouraging householders to undertake energy efficiency investment works. The incentives will include varying levels of capital grants, advice on works required and information on banks offering reduced rate loans to scheme participants.

### **Gender Balance.**

483. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if he will introduce reforms to make it easier for women to participate in politics; and if he will make a statement on the matter. [16519/08]

484. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if he has given consideration to introducing reforms to facilitate women elected to local authorities, to Dáil Éireann or to Seanad Éireann to take maternity leave; and if he will make a statement on the matter. [16520/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 483 and 484 together.

The primary role of my Department in relation to the electoral system is to ensure an appropriate policy and legislative framework governing the registration of voters and the conduct of elections and referenda. This includes, on an ongoing basis, the review of electoral law; the provision of guidance and support to registration authorities and returning officers; dissemination of information and advice to the general public; and the publication of election results. The procedures for the nomination of candidates are set out in the relevant legislative codes governing Dáil, Seanad, European, local and presidential elections. The selection of candidates to stand for election on behalf of political parties is a matter for the parties concerned in accordance with these procedures; separate procedures are set out in respect of non-party candidates.

Issues relating to the participation of women in politics are addressed in the National Women's Strategy 2007-2016, which was published by the Department of Justice, Equality and Law Reform in April 2007.

All decisions regarding entitlement to maternity benefits are matters for the Department of Social and Family Affairs.

### **Official Engagements.**

485. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16530/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Details of formal meetings held with Heads of States, Government Ministers or other represen-



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tatives of Governments from non-OECD countries are set out in the following table for each year from 2005. Informal meetings with representatives from OECD and non-OECD countries may also take place on the margins of Inter-Governmental conferences but it is not possible to list all of these. Receptions hosted by representative embassies in Ireland have not been included in the table below.

## 2005

Meeting	Date	Location
Environment Council	10 March, 24 June, 17 October and 2 December	Brussels/Luxembourg
St Patrick's Day visit to China — Meeting with Chinese Vice Minister Zhu Guangyao, Beijing	13-20 March	China
Meeting with Mr. Zonghuai, Vice Minister for Foreign Affairs, Beijing		
Meeting with the Minister for Environment, Singapore		Malaysia

## 2006

Meeting	Date	Location
Environment Council	09 March, 27 June, 23 October, 18 December	Brussels/Luxembourg
Meeting with Macedonian Environment Minister Dr. Zoran Sapuric	06 January	Dublin
Meeting with Chinese Ministerial delegation	23 January	Dublin
Attendance at United Nations Environment Programme	05-10 February	Dubai
Meeting with Chinese delegation (officials only)	10 October	Dublin
Meeting with Indian Ambassador and Special Envoy Mr. Shyam Saran	18 October	Dublin
Attendance at Climate Change Conference	13-18 November	Kenya
Attendance at EU accession celebrations in Romania and Bulgaria	31 December-01 January 2007	Bucharest and Sofia

## 2007

Meeting	Date	Location
Environment Council	20 February, 28 June, 30 October, 20 December	Brussels/Luxembourg
Lunch with Israeli Ambassador Evrony	11 June	Dublin
Meeting with Indian Ambassador Saurabh Kumar	03 September	Dublin
Attendance at Climate Change Conference	08-15 December	Bali

## 2008

Meeting	Date	Location
Environment Council	03 March	Brussels
Meeting with Egyptian Ambassador Mr. Amr Helmy	31 January	Dublin

### Planning Issues.

486. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government his plans to review the legislation regulating the licensing of outdoor music events; and if he will make a statement on the matter. [16584/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Section 230 of the Planning and Development Act 2000, which came into effect on 11 March 2002, provides that a licence is required in respect of the holding of an event, or class of event prescribed under Part 16 of the Planning and Development Regulations 2001 (Licensing of Outdoor Events). These Regulations received the positive approval of both houses of the Oireachtas, and are quite extensive, setting out requirements such as:

- (a) the publication of a notice of intention to apply for a licence;
- (b) the notification of prescribed persons or bodies;
- (c) the form and content of an application for a licence;
- (d) the plans, documents and information to be submitted with an application;
- (e) the bodies to be consulted in relation to a licence;
- (f) enabling submissions and observations to be made within a prescribed time;
- (g) requiring an applicant to submit further information in respect of their application;
- (h) the time within which a decision on an application must be made.

While I have no specific proposals for review, I will continue to keep the operation of Part XVI of the 2000 Act under scrutiny to ensure its effective operation.

### Department Schemes.

487. **Deputy Olivia Mitchell** asked the Minister for Communications, Energy and Natural Resources when the details of the pilot grant scheme to incentivise home insulation which was announced in budget 2008 will be made available and the scheme implemented; and if he will make a statement on the matter. [15968/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I launched a pilot Home Energy Saving Scheme on 24 April with a budget of €5 million in 2008. The scheme is designed to encourage owners of older homes to improve the energy efficiency of their homes, including through insulation measures. This regional pilot is designed to inform the roll-out of the full scale €100 million national scheme envisaged in the Programme for Government.

The Scheme will be delivered by Tipperary Energy Agency in North Tipperary, by Limerick/Clare Energy Agency in those two counties and by Sustainable Energy Ireland (SEI) in Dundalk. SEI will also be responsible for a limited national element to the pilot scheme, together with co-ordination, financial control and evaluation aspects of the scheme.

The scheme will provide different incentives in each of the regional pilot areas in order to test their impact and effectiveness in encouraging householders to undertake energy efficiency investment works. These incentives will include levels of building energy rating part-payment, capital grants and advice on works required.

[Deputy Eamon Ryan.]

Investment in energy efficiency improvement measures has been shown to significantly reduce energy use and CO<sub>2</sub> emissions. SEI estimates that a household participating in the scheme could save up to €500 in energy bills every year as a result of the energy efficiency investments undertaken. The 2008 pilot scheme alone is expected to result in reduced CO<sub>2</sub> emissions of 6,000 tonnes per year, while the full €100 million scheme envisaged in the Programme for Government could be expected to yield CO<sub>2</sub> savings of 175,000 tonnes per year.

### **Electricity Generation.**

488. **Deputy P. J. Sheehan** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that a semi-State company (details supplied) plans to cease providing a service to local authorities here; and if he will make a statement on the matter. [16173/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I have no function in the matters to which the Deputy refers. However, in order to be of assistance to the Deputy, I can provide the following information.

Responsibility for the regulation of the supply market lies with the Commission for Energy Regulation (CER), which is an independent statutory body. ESB Customer Supply is responsible for the supply of electricity to local authorities for public lighting and I am advised that there are no plans by ESB Customer Supply to withdraw this service where local authorities continue to require it of the company.

It is however the case that the electricity supply market has been fully opened to competition since February 2005. I understand that ESB Customer Supply and the CER have undertaken information campaigns to advise interested parties including local authorities on the opening of the electricity supply market. The CER is working with the electricity supply industry and local authorities to ensure arrangements are in place to enable local authorities to opt to switch electricity supplier through conducting competitive tenders.

Responsibility for the installation and maintenance of public lighting resides with the local authorities and not with the ESB. However, ESB Contracts, an unregulated part of ESB, provides a service to the local authorities to install and maintain public lighting. I understand that the provision of these services is open to competition and that there are contractors other than ESB Contracts in the market. Occasionally, this work is also undertaken by local authority staff.

### **Alternative Energy Projects.**

489. **Deputy Olivia Mitchell** asked the Minister for Communications, Energy and Natural Resources when details of the pilot grant scheme to incentivise the use of wind turbines will be made available and the scheme implemented; if a supplementary estimate is envisaged to finance the scheme; and if he will make a statement on the matter. [15969/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Last week I announced the €2m micro-generation programme to be carried out by Sustainable Energy Ireland (SEI) in conjunction with key stakeholders including the Commission for Energy Regulation (CER), ESB Networks and electricity suppliers.

Key elements of the programme are: assessment of the technologies and installation procedures and their associated standards and costs and development of qualification/accreditation systems where required; assessment of the implications of high concentrations of deployment

of micro-generation on the electricity system; development of an appropriate buyback/Refit tariff for exported electricity; field trials, initially over four seasons, for each of the technologies in the domestic and small commercial markets using standardised monitoring methodology to gain experience and provide data for assessment but continuing into 2nd year as required; Review of legal and regulatory issues from the points of view of at least; consumer protection, quality of supply, security of supply and safety.

The trials programme is intended to provide the information, prepare some of the infrastructure and field trial some micro electricity generating technologies including wind turbines to facilitate consideration of future policy to stimulate the deployment of micro-generation. It is envisaged that SEI will announce details of the monitored and grand-aided field trials in the summer for about 50 installations. Existing budget provision is expected to be adequate for this stage of the work. If a full-scale deployment stimulation programme proved to be necessary following on from this trial programme then consideration would be given to same.

SEI has already commenced activities on the commissioned studies which need to be undertaken within the context of this programme. SEI will announce full details of the field trials to be managed by them in the summer. It will involve technologies such as small scale wind and photovoltaics (PV) which have not previously had widespread application in the Irish market. Specific funding levels and qualification criteria remain to be finalised and will be announced in due course. The grant aspect of the scheme will largely focus on commercial/organisational on-site generation in its initial phases. It will then concentrate on generation by individual householders.

#### **Data Protection.**

490. **Deputy Pat Breen** asked the Minister for Communications, Energy and Natural Resources the steps he will take in his Department to protect computer systems from theft and from the release of sensitive personal information which is held on these computer systems; and if he will make a statement on the matter. [16144/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** My Department has developed and maintains a number of systems that contain personal data in addition to internal systems such as payroll or HR. These include an Integrated Fisheries Information System, a Foreshore Coastal Zone Management System, a Marine Vessel Registration System, a Mineral Exploration Licensing System, and a Petroleum Exploration System. Although the functions supported by most of these applications have been transferred to the Minister for Agriculture, Fisheries and Food and to the Minister for Transport, my Department continues to manage and maintain them at this time.

My Department employs layered network defences including intrusion detection systems, multiple firewalls, web content filtering, anti-virus, anti-spyware and anti-spam devices to block dangerous traffic and protect the network. The portfolio of measures that operates to protect the network of the Department would be considered best practice in the State or private sectors.

My Department carries out a full independent audit of all computer systems each year and one is scheduled for the third quarter of 2008. Any recommendations that are made to further secure the computers and data held by my Department will be implemented.

#### **Fisheries Protection.**

491. **Deputy Tom Sheahan** asked the Minister for Communications, Energy and Natural

[Deputy Tom Sheahan.]

Resources if he will allow the draft-net fishermen of Cromane, County Kerry to fish for any period this season; and if he will make a statement on the matter. [16166/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Under the Fisheries Acts, primary responsibility for the management, conservation, protection and development of inland fisheries stocks rests with the Central and the relevant Regional Fisheries Boards and in the case of the operation of draft nets in the Kerry District this is the South Western Regional Fisheries Board.

My function in this matter was to make the Control of Fishing for Salmon Order 2008 (SI No 98 of 2008), which determines the number of licences available in the Kerry Fishery District and the order of priority in which the licences will be issued by the South Western Regional Fisheries Board. I also introduced the Wild Salmon and Sea Trout Tagging Scheme Regulations 2007 (SI No 849 of 2007) that specify, inter alia, which rivers have a harvestable surplus according to the scientific advice. Section 11 of the regulations requires the Chief Executive Officer, South Western Regional Fisheries Board, in consultation with the Fishery District Committee, to determine the allocation of quota. I understand that the CEO has recently issued proposals on how he intends to manage the fishery in 2008.

#### **Telecommunications Services.**

492. **Deputy Joe Carey** asked the Minister for Communications, Energy and Natural Resources the progress that has been made to deliver next generation broadband to this State; when broadband will be available to all that seek the service here; and if he will make a statement on the matter. [16425/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** My Department has prepared a Draft Policy Paper on Next Generation Broadband (NGB). It is intended that the paper will be finalised shortly and published for consultation. The paper will review current communications infrastructure policy and propose actions to promote the rollout of NGB policy. In this context it will address the optimum role for the Government in the planning and rollout of next generation broadband.

In February of this year I convened a meeting of the expert International Advisory Forum to examine the Paper. The Forum critiqued a draft of the NGB paper. The Forum members supported the broad trust of the document and have provided valuable feedback. They offered some additional recommendations and advice on the future trends of the telecommunications and ICT industries and proposed that certain suggestions be explored further. The draft paper is currently being updated to take account of the Forum's contribution and to reflect Inter-Departmental consultation. This will be finished shortly and I intend to then submit the paper to Government prior to publication.

I am confident that the published paper will set out a strong framework and accompanying actions to promote the rollout of NGB. This will enable us to build on the excellent recent progress, which has been made in the rollout of broadband generally. 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 included the provision of grant-aid under the Group Broadband Scheme (GBS) and ongoing investment in Metropolitan Area Networks (MANs).

Although broadband is now widely available in Ireland there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband services. These areas are being addressed by the National Broadband Scheme (NBS), which will provide broadband services to areas that are currently unserved and will ensure that all reasonable requests for broadband are met.

The first phase of the NBS procurement process (Pre-Qualification Questionnaire (PQQ)) is now complete, and four candidates pre-qualified to enter the next phase of the procurement process. Following the withdrawal of the IFA/Motorola Consortium as a candidate, the remaining three candidates are engaged in “Competitive Dialogue” with my Department and are finalising their proposed solutions to meet my Department’s requirements for the delivery of broadband to the unserved areas of the country. It is anticipated that a preferred bidder will be selected in July 2008, with rollout to commence as soon as possible thereafter.

### **EU Treaties.**

493. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources if the protocol annexed to the Lisbon treaty on the treaty establishing the European Atomic Energy Community amends or changes the substance, or procedures of the treaty establishing the European Atomic Energy Community; if there is any change in the legal base of this treaty or any new powers conferred by the protocol; and if he will make a statement on the implications for Ireland arising from this protocol. [16506/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Government’s White Paper on the Reform Treaty sets out the position in relation to the Treaty establishing the European Atomic Energy Community.

Currently, Euratom is legally distinct from the European Community though they are served by common institutions. At the 2003-2004 IGC, while Ireland and some other Member States proposed a more extensive debate on Euratom, it was clear that there was no consensus in support of this. Similarly, the question of Euratom was not discussed at the 2007 IGC.

Accordingly, the Reform Treaty simply contains a Protocol along the lines proposed by the Convention on the Future of Europe held during 2002 and 2003, maintaining Euratom as a separate legal entity and making minimal technical changes to it. Therefore no change of substance in relation to Euratom arises from the Reform Treaty.

Ireland, together with Germany, Austria, Hungary and Sweden make a Declaration (number 54) annexed to the 2007 IGC’s Final Act noting that the core provisions of the Euratom Treaty have not been substantially amended since its entry into force and need to be brought up to date. They called for an Intergovernmental Conference on Euratom to be convened as soon as possible.

The Government’s position is that it would have favoured an extensive review of the Euratom Treaty, leading to a significant updating of its provisions. It has made clear that this continues to be its position.

### **Official Engagements.**

494. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the meetings, in Ireland or abroad, he has had for each of the past three years in an official capacity with Heads of States, Government Ministers or other representatives of



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Governments from non-OECD countries; the date and location of such meetings; and if he will make a statement on the matter. [16525/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Since I took office as Minister for Communications, Energy and Natural Resources in June 2008, I have had the following meetings in the categories as set out in the question: Mr. Jiang Yaoping, Vice Minister of the Ministry of Information Industry of China. This meeting took place on the 4th September 2007 in the Department offices in Leeson Lane. Mr Sotos A Liassides, Cypriot Ambassador to Ireland. This meeting took place on the 12th December 2007 in Leinster House. Mrs Mannete M. Ramaili, Ambassador of the Kingdom of Lesotho. This meeting took place on the 14th January 2008 in the Department in Adelaide Road.